



March 16, 2022

Representative Leon Lillie  
Chair, Legacy Finance Committee  
Minnesota House of Representatives  
365 State Office Building  
St Paul, MN 55155

Dear Chair Lillie:

The Red River Watershed Management Board (RRWMB) opposes the A-2 Amendment to HF3726 offered by Representative Steve Green regarding the use of eminent domain by Minnesota Watershed Districts (WD's). Eminent domain is an infrequently used but important tool for WD's to implement watershed projects. Eminent domain, when used properly ensures that WD's are not forced into open-ended negotiations. Without eminent domain as a sparingly used tool, landowners can perpetually stall projects that are critically important for reducing flood damages, creating water storage, increasing habitat, and enhancing water quality.

The use of eminent domain by Red River Basin WD's is being portrayed as a tool that is commonly used. Unfortunately, what members are hearing about eminent domain in the Red River Basin is not accurate. Prior to 2021, our membership had used eminent domain two (2) times, once in approximately 2006 and once in the 1990's. There are times when eminent domain is used mutually such as when landowners have agreed to work with WD's on issues that involve land exchanges or when there are tax implications to the private landowner.

We request that our WD's in the Red River Basin be able to provide additional testimony and accurate information about the use of eminent domain. Without more details and information available to legislators regarding how eminent domain is used, we believe that unintended consequences will result and the ability to implement much needed WD projects may be impacted. We urge the legislature to continue to allow WD's to have this tool available. Should you have questions or need additional information, we would be happy to work with our membership to provide more information to you and the Legacy Finance Committee.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert L. Sip".

Robert L. Sip  
Executive Director