



Friends of Minnesota Scientific & Natural Areas

April 14, 2019

Minnesota Senate and
Minnesota House of Representatives

RE: **Please Delete** “National Loon Center” from Environment and Natural Resources Trust Fund Appropriations - SF 2314 (pages 54-55); HF 2032 (pages 20-21)

Dear Honorable Senate and Representatives,

A “National Loon Center” is proposed to be constructed in Cross Lake, MN, with **\$4 million** appropriated from the Environment and Natural Resources Trust Fund (ENRTF). [See SF 2314, page 54; and HF 2032, page 20.] **Please delete this ENRTF funding** from the bills, for the reasons explained below.

No Benefit to Loons

These bills propose to spend **\$4 million** of Environment and Natural Resources Trust Fund (ENRTF) money to pay for, among other things:

1. “... an approximately 15,000 square foot National Loon Center ...”
[Note: ENRTF ID 252-G, page 5, states that the center will house, among other offices “... Chamber of Commerce offices ... and multi-purpose rooms for the community ...”]
2. “boat docks”
3. “a fishing dock”;
4. “boardwalks”
5. “interpretative trails”

Please note that we are not opposed to a “National Loon Center” – and can understand how it could be a tourist attraction. However, all of the above items are unnecessary for loon conservation, will adversely impact the shoreline area, and detract from loons migrating through or nesting in the area.

Feasible and Prudent Alternatives, Consistent with BP Oil Spill Plan

Instead, loon conservation is better advanced through measures such as: (1) acquisition and/or easements of lakeshore loon nesting habitat; (2) habitat restoration; (3) protecting and enhancing water quality; and (4) prohibiting the use of lead ammunition and lead fishing tackle and promoting non-toxic alternatives.

If ENRTF funds were appropriated for the activities listed in this paragraph, they would be consistent with, and will supplement funds for, the objectives contained in the BP oil spill restoration plan, formally known as the: “Open Ocean Trustee Implementation Group [OO TIG], Final Restoration Plan 1 and Environmental Assessment: Birds and Sturgeon, March, 2019”:

“... to reduce mortality and increase reproductive success of common loons at breeding, nesting, and migration staging locations in Minnesota by focusing on restoration activities that include: 1) acquisition and/or easements of lakeshore loon nesting habitat; 2) enhancing loon productivity by providing artificial nesting platforms in targeted lakes and engaging Minnesota lake associations in loon conservation activities; and 3) reducing loon exposure to lead-based fishing tackle.” The estimated cost of this alternative is \$7,520,000. **The primary emphasis of this project would be on habitat acquisition/easements.** The OO TIG will work with federal, state and local agencies and other organizations as appropriate to facilitate effective project implementation.” (Pages 2-3. Emphasis added.)

No Requirement that Net Income Be Reinvested for Loon Conservation

The bill contains surprising and troublesome language: “Net income generated from admissions, naming rights, and memberships in the National Loon Center as a result of trust fund contributions may be reinvested in the center’s loon-term loon conservation efforts”

In other words, there is **no legal requirement that the income must be used for loon conservation!** (See SF 2201, lines 20.17 to 20.21; HF 2032, lines 21.21 to 21.25.)

“National Loon Center” Is Inconsistent with ENRTF Laws

A. The National Loon Center is inconsistent with Minn. Stat. 116P.08, which states:

“116P.08 TRUST FUND EXPENDITURES.

Subdivision 1. **Expenditures.**(a) Money in the trust fund **may be spent only for:**

“(1) the reinvest in Minnesota program as provided in section 84.95, subdivision 2”;

Comment: This section does not apply.

“(2) research that contributes to increasing the effectiveness of protecting or managing the state's environment or natural resources”;

Comment: This is a capital project, with no research paid by ENRTF funds;

“(3) collection and analysis of information that assists in developing the state's environmental and natural resources policies;”

Comment: This is a capital project, with no collection and analysis of information paid by ENRTF funds.

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“(4) enhancement of public education, awareness, and understanding necessary for the protection, conservation, restoration, and enhancement of air, land, water, forests, fish, wildlife, and other natural resources;”

Comment: The capital projects in the bill (building, docks, boardwalks, etc.) do not enhance public education necessary to protect loons.

“(5) capital projects for the preservation and protection of unique natural resources;”

Comment: These projects don’t protect or preserve loons; they are mere structures for human uses.

“(6) activities that preserve or enhance fish, wildlife, land, air, water, and other natural resources that otherwise may be substantially impaired or destroyed in any area of the state;

Comment: These are mere structures; no activities are financed with ENRTF funds.

“(7) administrative and investment expenses incurred by the State Board of Investment in investing deposits to the trust fund;”

Comment: Not applicable.

“(8) administrative expenses subject to the limits in section 116P.09;”

Comment: Not applicable.

“(9) to pay principal and interest on special appropriation trust fund bonds issued pursuant to section 16A.969 and other law.”

Comment: No applicable.

“(b) In making recommendations for expenditures from the trust fund, the commission shall give priority to funding programs and projects under paragraph (a), clauses (1) and (6). Any requests for proposals issued by the commission shall clearly indicate these priorities.”

Comment: The proposed project does not prioritize clauses (1) and (6)

B. The “National Loon Center” is inconsistent with, Minnesota Statute 116P.08, Subd. 2, which states in part,

“Money from the trust fund may **not** be spent for:

“... (6) projects or purposes inconsistent with the strategic plan.

In fact, the “National Loon Center” is **inconsistent** with the LCCMR “Six-Year Strategic Plan for Minnesota’s Environment and Natural Resources Trust Fund” (December 10, 2013). The items proposed to be constructed with ENRTF money will **not** achieve any of the goals contained in pages 9-10, such as “protect and conserve land and water” or promoting “research, planning, or demonstrations projects.” A possible exception is “promoting fishing” by building the

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proposed fishing dock. (Plan, page 10.) Moreover, the National Loon Center would have been inconsistent with the 2015 funding recommendation:

“... Environmental Education. Proposals must address education, information dissemination, and training efforts that will increase the knowledge and skills of students or the public to cultivate a sustainable lifestyle, improve and maintain water quality, reduce and monitor energy and water consumption, or restore and maintain a healthy and biodiverse natural environment. **Funding for capital projects (e.g., buildings) will not be considered.**” [Plan, page 18; emphasis added.]

2nd Largest Project for ENRTF Funds

The **\$4,000,000** proposed to build the “National Loon Center” is the **second highest** ENRTF appropriation in the entire bill! This large sum can be better used elsewhere to protect and enhance Minnesota’s precious natural resources.

On behalf of the Friends of Minnesota Scientific and Natural Areas and the organizations listed on the following page, I **thank you** for your kind attention. Please contact me any time if you have questions or comments.

Best Wishes,

Thomas E. Casey

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