



April 5, 2022

The Honorable Rick Hansen
Chair, House Environment & Natural Resources Finance and Policy Committee
407 Rev Dr Martin Luther King Jr Blvd
St. Paul, MN 55155

Dear Chair Hansen,

Thank you for the opportunity to provide comments on House File 4492-DE4, the House Omnibus Environment and Natural Resources Budget and Policy bill.

Minnesotans value their natural resources and care about clean water and productive use of their land and infrastructure. Minnesotans also expect a great deal from the state agencies charged with overseeing natural resources, and we take that responsibility seriously. Working in partnership with the local governments who implement conservation practices on the ground, we have been making noticeable progress.

We appreciate the bill's strong support for environment and natural resources issues as evidenced by several items that are Governor's recommendations and that will help improve the important work of locally-led conservation. Specifically:

- **Support for Water Storage and Treatment Program**

Minnesota is experiencing larger and more frequent and intense rainfall events, resulting in negative impacts to agriculture production and infrastructure, significant erosion along riverbanks, and declining water quality. This program provides matching funds to producers and local governments for water storage projects that will slow down or temporarily hold back water from reentering streams or rivers.

As defined in the statute for this program, water storage includes retention structures and basins, soil and substrate infiltration, wetland restoration, creation, or enhancement, channel restoration or enhancement, and floodplain restoration or enhancement projects. The \$10 million in HF 4492-DE4, while not at the Governor's recommended \$15 million, will help landowners, agricultural producers and local governments to build resiliency and avoid costly damage to lands, waters and infrastructure. In addition, this appropriation is expected to leverage federal funds from the US Department of Agriculture (USDA).

- **Support for accelerated Soil Health efforts**

Soil health is the soil's ability to sustain agricultural crop productivity while providing essential functions such as regulating water, filtering and buffering pollutants, and cycling nutrients without resulting in soil degradation or otherwise harming the environment. One of the best ways to improve soil health is to keep farmland covered with vegetation for much of the year. Practices such as cover crops, reduced tillage, and planting perennial vegetation (known as continuous living cover) help to increase organic matter and build healthier soils.

Farm census data indicates that approximately 2% of Minnesota's ag land includes cover crops. Common hurdles to implementation include lack of information specific to northern climates, access to equipment and support, and funding to sufficiently offset risk until the crop is established. We appreciate the \$5 million in your bill to accelerate soil health efforts and will work to leverage complementary federal funds from USDA for this important work.

- **Support for Tribal Liaison at BWSR**

HF4492-DE4 will allow BWSR to comply with new requirements for formal consultation and coordination with Minnesota's eleven Tribal nations, per statutory requirements enacted by the Legislature in 2021. Thank you for including \$125,000 in FY 23 to hire 1 FTE for this purpose.

- **Support for unreimbursed COVID-related costs**

We appreciate the \$595,000 in HF 4492-DE4 for COVID-related unreimbursed costs at BWSR. This funding will allow us to provide catch-up engineering and other services for projects upon which landowners and local governments are relying.

- **Support for budget neutral policy change**

Thank you for including the budget neutral policy language changes that will bring greater efficiency into BWSR's expenditure of state funds for repair and replacement of water control structures. This policy change allows repair or replacement to occur before an emergency situation is created, and we appreciate its inclusion in your bill.

We have two small concerns with the policy language in HF44492-DE4. First, the appropriation for soil health practices needs a mechanism to accommodate multi-year contracts with landowners and local governments. This mechanism could best be accomplished via appropriations in the tails, as was the Governor's recommendation, or it could be accomplished via language making the funds available for expenditure through fiscal year 2028 to accommodate up to five-year contracts.

Second, we believe the policy language for the soil health program and goals could be most efficiently and effectively implemented if the Governor's policy recommendation for implementation could be added to the bill. This language (Article 3, Section 1, Subdivision 6 of HF4492 as introduced) would direct BWSR to work with other state and federal agencies, academic institutions, local governments and practitioners in a collaborative approach to implement soil health goals and program elements.

We appreciate the Committee's work thus far and the bill's strong support for conservation of Minnesota's lands and waters. We look forward to a continued conversation in the weeks ahead.

Sincerely,



John Jaschke
Executive Director, Board of Water and Soil Resources

Cc: Rep. Josh Heintzeman, GOP Lead, House Environment and Natural Resources Policy and Finance
Rachel Ganani, policy advisor to Gov. Tim Walz and Lt. Gov. Peggy Flanagan



Minnesota Environmental Quality Board | 520 Lafayette Road North | Saint Paul, MN 55155

April 6, 2022

The Honorable Rick Hansen
Chair, House Environment and Natural Resources Finance Committee
407 State Office Building
St. Paul, MN 55155

Dear Chair Hansen and Committee Members,

Thank you for the opportunity to comment on the delete-all amendment to House File 4492, the Environment and Natural Resources Omnibus Bill. The Environmental Quality Board (EQB or Board) appreciates the work of Chair Hansen and the committee to assemble this bill and we welcome the opportunity to continue working with you this session.

Governor’s recommended budget item – Technical assistance for environmental review

We were disappointed that the \$600,000 to the EQB for technical assistance for environmental review that was recommended in the Governor’s budget was not included in H.F. 4492DE. The EQB is currently working on updating the Environmental Assessment Worksheet (EAW) form to include information on greenhouse gas emissions and climate adaptation. Including climate information in environmental review is important for evaluating potential environmental impacts, planning for and mitigating those impacts, and making sound decisions. Environmental review provides transparency to Minnesota communities including those who will be most impacted by climate change.

Local governments and businesses have asked EQB to provide more sector-specific tools and resources to effectively and efficiently include climate information in the EAW. Based on extensive engagement and research on available tools, EQB has concluded that this investment is important for providing additional accuracy and consistency of public information. EQB staff do not have the technical expertise to develop the greenhouse gas assessment tools that are being requested, and a one-time appropriation will allow EQB to contract with a technical consultant. If developed, these tools will also be useful beyond environmental review and will be available for all Minnesota communities and businesses to use for planning, and to help identify opportunities for climate-smart design, development, and innovation.

Article 2, Sec. 66 – Per Diem increase for public EQB members

The EQB is pleased to see a per diem increase for EQB public members included in this bill. EQB is comprised of eight public members, one from each congressional district in Minnesota, who serve alongside nine state agency leaders. EQB’s public members bring diverse experiences and perspectives to the Board and help elevate the voices of Minnesotans in government planning and decision making. Our public members put in many hours preparing for and attending meetings, studying issues before the Board, and connecting with constituents in their districts. Their public service is valuable to the state and warrants this per diem increase. In addition, this increase is helpful for recruiting public members who may face barriers to serving on the Board.

Article 2, Sec. 67 – Demographic analysis in environmental review

The Environmental Quality Board oversees the state’s Environmental Review Program, as authorized in Minnesota Statutes 116D and outlined in Minnesota Rules chapter 4410. EQB is responsible for making program improvements, providing technical assistance, and fulfilling administrative functions for the Program. State statutes and rules delegate the authority to other state and local governments to apply the rules to individual projects.

Section 67 of this bill will add an additional requirement for the content of an EAW or environmental impact statement, when a proposed project has the potential to negatively impact an environmental justice area. As described in Section 61 of the bill, the new information is intended to indicate the sensitivity of exposed populations to the potential environmental effects of a new project located in their community, and assess the exposed population's ability to withstand, respond to, or recover from exposure to additional pollution.

EQB has long recognized that Minnesota’s Environmental Review Program does not adequately address issues of environmental justice nor disproportionate environmental impacts to some communities in Minnesota. To date, the Board has not discussed the specific implications of adding a demographic analysis to environmental review nor engaged with Minnesotans on this change, and therefore does not have a position at this time. EQB would be happy to continue working with the Committee on possible ways to improve the Environmental Review Program to better address environmental justice, and on engaging environmental justice communities to ensure program changes meet their needs.

The EQB looks forward to continuing to work together. Thank you for your consideration.

Sincerely,



Katie Pratt
Executive Director, Environmental Quality Board

CC: Rachel Ganani, Policy Advisor to Governor Tim Walz and Lt. Governor Peggy Flanagan
Representative Josh Heintzeman, Republican Lead, House Environment and Natural Resources Finance Committee

Equal Opportunity Employer



Minnesota Environmental Quality Board | 520 Lafayette Road North | Saint Paul, MN 55155

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Minnesota Association of County Feedlot Officers



April 6, 2022

Re: County Input on HF4492, as amended by the DE4 amendment

Dear Chair Hansen and Members of the House Environment and Natural Resources Committee:

The Minnesota Association of County Feedlot Officers (MACFO) represents counties that have delegated authority to administer Minnesota's feedlot rule. There are currently 50 counties with delegation agreements, including most of the major livestock counties. We are an affiliate organization of the Association of Minnesota Counties (AMC), which represents all 87 Minnesota counties.

MACFO appreciates the opportunity to offer comments on HF4492, particularly the sections on the inventory of abandoned feedlots:

- \$250,000 (ongoing) PCA Financial Assurance requirements, and compiling list (Art. 1, Sec. 2, (j)).
- \$100,000 (one-time) to counties for abandoned feedlot and manure storage reports (Art. 1, Sec. 2. (k)).
- \$250,000 (one-time) MACFO general feedlot training purposes (Art. 1, Sec. 2, (l)).
- Abandoned feedlots and manure storage areas, MPCA annual requirement and definition (Art. 2, Sec. 64).
- Feedlot and Manure Storage Area Reports Required (Art. 2, Sec. 84).

MACFO appreciates Rep. Hansen's willingness to work with feedlot officers to address our concerns with the applicability of the proposal. The language is much improved with the adoption of these recommended changes. We also understand the author's interest in seeking further information on abandoned manure storage facilities.

We would also like to share a few thoughts regarding how this may impact the work of delegated counties:

- **When counties sign a delegation agreement with the state, there are defined responsibilities and expectations.** If legislation creates new obligations outside of the delegation agreements for these counties, it could be a deterrent to delegation. County delegation is good for producers and for the environment.
- **Delegated counties receive limited funding for feedlot work and are required to match base funding.** The County Feedlot Program receives just \$1.955 million distributed to the 50 delegated counties. MACFO has been advocating for a modest increase (HF1063) in funding of the county feedlot program, which has not seen an increase since the program reforms of the early 2000's.
- **There is a capacity issue for county feedlot officers performing many functions including registration, permitting, inspections, education and assistance, and complaint follow-up.** This can draw some attention away from work at active feedlots which is where we get the most for the public dollars invested, providing the most environmental benefits.

MACFO appreciates the opportunity to share our perspective with the committee on these items. If you have any questions regarding our position please contact Brian Martinson, AMC Policy Analyst, at 651-246-4156 or bmartinson@mncounties.org.

Sincerely,

Garett Rohlifing, Blue Earth County
President, Minnesota Association of County Feedlot Officers

April 4, 2022

To: Representative Rick Hansen, Chair

House Environment and Natural resources Finance and Policy Committee

From: Bob Djupstrom, Secretary

Friends of Minnesota Scientific and Natural Areas (FMSNA)

3895 Cranbrook Drive, White Bear Lake, MN 55110

Subject: HF4492DE4- Written Testimony

For the record, I supervised the Scientific and Natural Areas (SNA) Program, within Minnesota DNR from 1981 to 2006, at which time I retired. I currently serve as the Secretary of the Friends of Minnesota Scientific and Natural Areas, 501(c)(3) nonprofit organization, dedicated to the protection and management of Scientific and Natural Areas.

The Friends of Minnesota Scientific and Natural Areas wishes to thank the Chair and Committee for incorporating HF4107 into HF4492DE4, in recognition of the significant backlog of maintenance on sites administered by the SNA Program.

I also offer the attached documents for inclusion in the hearing record. **The first**, summarizes the rationale for increasing maintenance on sites in the SNA Program and **the second** provides the detail of where these resources are needed.

Again, thanks to the Chair and Committee members for incorporating the financial resources necessary to address the maintenance needs in the SNA Program, in HF4492DE4.

April 4, 2022

Issue: Lack of Maintenance Threatens Scientific and Natural Areas (SNA) Assets

Background:

Minnesota's 168 Scientific and Natural Areas (SNAs) encompass 192,000 acres, of which 146,000 acres are Peatland SNAs. In addition, there are about 14,000 acres in State Native Prairie Bank (NPB) at 157 sites statewide, administered by the SNA Program.

Over 25% of Minnesota's rare plant and animal species and native plant communities are found on these 168 sites. These sites range from 6 acres to several thousand acres in size (excluding the peatlands).

Most of these sites were acquired with state funds, and others by private donation or on an existing public land base, all for the purpose of protecting and perpetuating these rare plant and animal species, plant communities and geological features of *statewide significance*.

Issue:

Unfortunately, **state general funds**, to ensure these features of statewide significance continue to exist and be managed in a manner to perpetuate their existence, **have declined** since the early 2000s - to the point that these attributes are being lost. Less general funds results in a dramatic reduction in the number of permanent staff, available and necessary to carry out and direct maintenance on these sites. Less permanent SNA staff, to direct and monitor **essential maintenance** activities in the SNA program, results in an **inability to fully utilize** special and temporary funding sources, such as the Environment and Natural Resources Trust Fund and the Outdoor Heritage Fund.

Essential maintenance activities include prescribed burning of native prairie and selected forest communities, to limit encroachment of brush and trees in order to maintain grassland habitat for not only rare species but the plant community itself. Exotic invasive species management, maintaining property through fencing and posting to prevent or limit encroachment, regular contacts with adjacent neighbors, directing contractors hired to do maintenance, and monitoring results of

maintenance activities are essential to ensuring the health and vitality of the individual sites.

One example serves to illustrate the issue: Region 4 with headquarters in New Ulm. This DNR Region covers 32 counties and includes 37 SNAs with 4,489 acres and another 110 NPB conservation easements with 7,398 acres. Yet there are only 4 SNA personnel (2 Natural Resource Specialist, a technician and 1 laborer). This low staffing level makes it impossible to carry out and monitor all of the maintenance activities necessary. As a result, some sites may not have any maintenance for years.

Solution:

Statewide, an **additional \$3.3 million – of state general funds – is needed to provide the essential maintenance required.** These funds would provide 1 additional Natural Resource Specialist position, 2 Natural Resource technicians, 2 seasonal crews, equipment and supplies to each of DNR Regions 1, 3, and 4 – due to their workloads. Region 2 needs an additional Natural Resource Specialist, seasonal crew, equipment and supplies. There is a need for a Rangeland Coordinator, to work on Prairie Bank Easements where grazing rights are being retained by the landowner. This position would be stationed outstate. The central office requires funding for the Outreach Coordinator and administrative support (clerical).

In summary, **\$3.3 million, of state general funds,** would cover 4 Natural Resource Specialists, 6 Natural Resource Technicians, 7 seasonal crews, a Rangeland Coordinator, an Outreach Coordinator, equipment, and administration. (Specifics are available in separate document.)

Scientific and Natural Area (SNA) Program Funding Needs – FY 2022

The following summary of needs is based on our knowledge of the Scientific and Natural Areas Program. (**Values in thousands**, based on FY 2021 Minnesota salary schedules and equipment costs.)

DNR Regions 1, 3 and 4 (each):

1 Natural Resource Specialist (Intermediate) w/dependent insurance coverage: \$84

2 Natural Resource Technician full time w/insurance: \$138

2 roving crews (4 persons each): \$344

Truck, ATV, trailer 2 each: \$134

Management supplies (lodging, travel expenses, chain saws, office space etc.): \$200

DNR Regions 1, 3, and 4 each need \$900,000 = \$2.7 million (total)

DNR Region 2:

1 Natural Resource Specialist: \$69

1 seasonal crew (2 person): \$43

1 truck, ATV, trailer: \$67

Management supplies: \$126

Region 2 needs \$305,000 (total)

Subtotal: SNA program outstate needs (Regions 1-4) are approximately \$3 million.

The above subtotal is the needed increase for management alone. This amount does not cover the Outreach Coordinator in the central office, which is critical to increase appropriate public use. For that position (\$100) and tech support/outreach materials (\$50). There is also a need for a Rangeland Coordinator to work on Prairie Bank Easements, where a landowner desires to retain grazing rights (\$100). In addition, the central office could use an additional \$50 for clerical and administrative support. **This subtotal = \$300.**

In total, the SNA Program needs an additional \$3.3 million in general funds, annually, for management, outreach, and administration.



POLLINATOR FRIENDLY ALLIANCE
PO BOX 934, STILLWATER, MN 55082
WWW.POLLINATORFRIENDLY.ORG

**RE: Support safer disposal and handling of pesticide coated seed HF766
(Environment and Natural Resources omnibus HF4492 Section 6.17-6.24)**

Date: April 5, 2022

To: Minnesota House of Representatives, Environment and Natural Resources Finance Policy Committee

Currently, there are not adequate federal or Minnesota state safeguards for the health of people and the environment from pesticide contamination from coated seed nor is insecticide-coated seed currently regulated as a pesticide in Minnesota. The following no-nonsense provisions are necessary to protect us, pollinators and the environment from contamination disasters and chronic pesticide contamination.

Thank you for your support of the treated seed provisions in HF766 calling to prohibit insecticide-treated seed to be used for food, feed, oil, or ethanol feedstock and deals with proper disposal of insecticide-treated seed.

[Pollinator Friendly Alliance](#) is a Minnesota conservation organization with a membership of individuals, scientists, businesses and ecologists from around Minnesota and beyond. We urge state legislators to step up in the absence of a fail-safe system to protect our waters, land and people from pesticide seed contamination. This is not a big ask - to simply strengthen the existing system for better stewardship and the rewards for health are great. Some countries have banned neonicotinoid pesticides entirely and communities around the U.S. are further restricting use. Almost fifty Minnesota communities have adopted resolutions to cease neonicotinoid pesticide use.

The wealthy pesticide industry can sell more insecticide coated seed using a loophole in federal pesticide law - **“treated article exemption” which permits seeds to be coated with toxic pesticides without assessment by the EPA for health or environmental effects.** This allows insecticide coated seeds to be used without proper oversight. The result of this negligence is evidenced by water contamination in Minnesota and an entire community in [Nebraska taking ill from pesticide coated seed contamination](#). Labels do not always protect us from improper handling, storage or mis-use either. Labels are very difficult to enforce because they are often impossible to interpret, the meaning is unclear and often not defined – for example what is a “measurable residue”? The label does not explain if the seed can be burned or re-used such was the case in the Nebraska catastrophe.

I come from a farm family and live in a rural area, so I know first-hand corn and soybean farmers often drill 1,000’s of acres of pesticide coated seed at a time. The pesticide dust floats and moves through the air, and afterward piles of seed are leftover laying in fields where birds and wildlife eat them, and ground water is contaminated. “Suggested” best practices are not going to protect us or

wildlife and the environment. A law is needed to require proper stewarding of insecticide-coated seed.

Neonicotinoid contamination has been studied repeatedly and reported on for years – it is no secret that neonicotinoid insecticides on coated seeds are toxic. Recent science shows neonics have [human health effects](#), pesticides kill pollinators outright and sicken them at sublethal doses, neonics contaminate water ([Five surface water pesticides of concern, Minnesota MDA 2020](#)), birds are effected ([Neonic reduces migration in songbirds, Eng 2019](#)) and most recently large mammals such as deer ([Effects of neonics on physiology and reproduction of white-tailed deer, Berheim 2019](#)). Two flagship species- monarch butterfly and rusty patched bumble bee (Minnesota state bee) - are under the watchful eyes of pollinator researchers and declining numbers of monarchs tell us that pollinators are at a critical point for extinction requiring immediate action.

These small steps to steward pesticide coated seed will help keep Minnesota communities safe.

Thank you,
POLLINATOR FRIENDLY ALLIANCE
www.pollinatorfriendly.org

Selected support references:

HUMAN HEALTH EFFECTS OF NEONICS National toxicology report from US Dept. of Health and Human Services ISSN: 2473-4756 https://ntp.niehs.nih.gov/ntp/results/pubs/rr/reports/rr15_508.pdf

NRDC BRIEFING TO CONGRESS on Neonic Pesticide Human Health Harms, October 2019.
<https://www.nrdc.org/experts/jennifer-sass/nrdc-briefs-congress-neonic-pesticide-human-health-harms>

PESTICIDES IN MINNESOTA WATERS: Minnesota Department of Agriculture, *surface water pesticides of concern* (2020)
<https://www.mda.state.mn.us/surface-water-pesticides-concern>

INSECTICIDE COATED SEED CONTAMINATES NEBRASKA COMMUNITY AT ETHANOL PLANT
January 2021: <https://www.theguardian.com/us-news/2021/jan/10/mead-nebraska-ethanol-plant-pollution-danger>

POLLINATOR DECLINE: Xerces Society: *The science behind the role neonics play in harming bees*. Jennifer Hopwood, Aimee Code, Mace Vaughan et al. (2016)
https://xerces.org/sites/default/files/2018-05/16-023_01_XercesSoc_ExecSummary_How-Neonicotinoids-Can-Kill-Bees_web.pdf

NEONIC EFFECTS ON LARGE MAMMALS: Scientific Reports: *Effects of Neonicotinoid Insecticides on Physiology and Reproductive Characteristics of Captive Female and Fawn White-tailed Deer*. Elise Hughes Berheim, Jonathan A. Jenks, Jonathan G. Lundgren, et al. volume 9, Article number: 4534 (2019)
<https://www.nature.com/articles/s41598-019-40994-9>

RESULTS OF PESTICIDE STUDY OF NEONIC EXPOSURE TO WHITE-TAILED DEER IN MINNESOTA
March 1, 201, Minnesota Department of Natural Resources

<https://www.dnr.state.mn.us/news/2021/03/01/preliminary-results-pesticide-study-show-widespread-neonicotinoid-exposure-minnesota-white-tailed-deer>

NEONIC EFFECTS ON SONGBIRDS: Science: *A neonicotinoid insecticide reduces fueling and delays migration in songbirds.* Margaret L. Eng, LeBridget, J. M. Stutchbury, Christy A. Morrissey. Issue 13 Sep 2019: Vol. 365, Issue 6458, pp. 1177-1180.

<https://science.sciencemag.org/content/365/6458/1177>

POLLINATOR PROTECTION RESOLUTION: *Model resolution for cities, counties, state agencies, school districts.* Pollinator Friendly Alliance, Humming for Bees, Pesticide Action Network, Pollinator Minnesota 2020.

<https://static1.squarespace.com/static/59fcf40ab1ffb6ee9911ad2a/t/5f8fb7dcac3e6348089291a2/1603254237712/MODEL+resolution+2020.pdf>

I write to support this legislation: HF766, Section 6.17-6.24. (now combined in the omnibus bill HF4492) which addresses safer disposal and handling of pesticide-coated, aka treated seed. There are not adequate federal nor Minnesota state safeguards for the health of people and the environment regarding treated seed.

HF76 prohibits any insecticide-treated seed to be used for food, feed, oil, or ethanol feedstock and it also deals with proper disposal of insecticide-treated seed. There have several incidents of water contamination due to improper treated-seed disposal.

Let's not have this occur in Minnesota. Pass this bill and hinder chronic pesticide contamination of our waters and soils.

Thank you.

Lee Ann Landstrom, St. Louis Park

Board member of the MN River Valley Audubon Chapter



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April 6, 2022

Representative Rick Hansen and members of the House Environment and Natural Resources Committee
407 State Office Building
Saint Paul, MN 55155

Dear Representative Hansen and members of the House and Environment Finance Committee,

On behalf of the more than 135 cities, counties, businesses, non-profits, and individuals that comprise the Greater Minnesota Parks and Trails organization, we thank you for work putting together the Environmental and Natural Resources Omnibus bill, HF4492 DE4. We wanted to comment on a few sections of the bill.

We appreciate you including funding for the No Child Left Inside Grant Program (art.1, sec.3, subd. 2 (o)). Our organization has been supportive of this program since its inception. We wholeheartedly agree that we should encourage all children, especially those with limited opportunities, to experience nature at a young age. That exposure helps build a life-long appreciation of the outdoors, which in turn, promotes better health and well-being. Thank you for your continuing support for this program.

We also would like to urge the committee to rectify a long-standing oversight by including the regional parks and trails of Greater Minnesota in the lottery-in-lieu funding formula as you make changes to how these funds are dispersed (art. 2, sec.71).

Regional parks and trails play an essential role in the recreation systems throughout Minnesota. They serve as a bridge between the local park around the corner and Minnesota's state parks as a close-to-home option serving the local community and visitors throughout the region. These regional facilities exist throughout the state, yet the current formula for divvying up lottery-in-lieu funds fails to recognize or support the regional parks and trails in Greater Minnesota.

Regional parks and trails have existed outside the metro area for decades, but they were not truly recognized until after the passage of the Legacy amendment in 2008 and subsequent discussions shed light on the fact that regional parks and trails of Greater Minnesota were being ignored. In 2013, the Legislature created the Greater Minnesota Regional Parks and Trails Commission, which has been tasked with developing a system of regionally designated facilities in the 80 counties not served by the Metropolitan Council. Since then, more than 68 facilities across the state have been designated through a rigorous evaluation process.

When the enabling legislation for the lottery-in-lieu funding passed in 2000, it dedicated 22.5% of the available revenues to state parks and trails and 22.5% of the available revenues to metropolitan parks. Perhaps because there was no organization advocating on behalf of the 80 counties and countless cities outside the metro area, the regional parks and trails of greater Minnesota did not receive funding. This oversight should be remedied as HF4492 DE4 moves forward.

The current provision (at line 73.9) would increase the amount flowing to the lottery-in-lieu accounts by 25%. A portion of that increase should be captured for greater Minnesota to remedy this two-decade long oversight. Please include funding for the regional parks and trails of greater Minnesota in the lottery-in-lieu formula.

Thank you for your time and consideration. If you have any questions, please contact either of us. We would love to work with you to ensure that Greater Minnesota's parks and trails continue to thrive and grow.

Sincerely,



Ben Anderson
Chair, Greater Minnesota Parks & Trails
Stearns County, Parks Director



Gina Hugo
Vice Chair, Greater Minnesota Parks & Trails
Sherburne County, Parks Coordinator



DEDICATED TO A STRONG GREATER MINNESOTA

To: Representative Rick Hansen and members of the House Environment and Natural Resources Committee

Re: House File 4492 DE4

Date: April 6, 2022

Dear Chair Hansen and committee members,

I am writing on behalf of the Coalition of Greater Minnesota Cities (CGMC), an organization of more than 100 cities located outside the Twin Cities metropolitan area. We have a great interest in this omnibus bill, HF 4492 DE4, because it has a direct impact on our member cities, which are stewards of Minnesota's waters through their wastewater, drinking water, and stormwater systems.

We appreciate the opportunity to comment and thank you for consideration of our input. We want to voice our support for several aspects of the bill and voice some concerns regarding others.

LEAD LINE REMOVAL

The health problems associated with lead found in drinking water are well known. Multiple hearings on lead-related bills have emphasized the fact that there is no safe level of lead in drinking water. These hearings have also emphasized that lead pipes are present in water systems throughout the state. We applaud this committee's recognition that the state must step up and help homeowners remove residential service lines, but we strongly oppose any program that funds grants only for those who reside in the Twin Cities metropolitan area.

The Minnesota Department of Health (MDH) has stated homes built before 1940 may have lead service lines that connect them to public water. 38% of cities in Greater Minnesota have over one-third of their housing stock built pre-1940s. This same figure is 3.6% for the metro cities. It is irresponsible to move forward with a plan that ignores this problem outside the metropolitan area. Children deserve lead-free water, whether they live in Minneapolis, Moorhead, Mahanomen, or Montgomery.

HF4115 (Rep. Jordan) recognizes the statewide nature of the problem and funds lead service line replacement throughout Minnesota. Directing funds towards a statewide program will save on administrative costs as the MDH is already well-positioned to support such a program for everyone, not just a subset of Minnesota. We urge the committee to direct the funds available to statewide lead removal efforts.

STORMWATER INFRASTRUCTURE GRANT PROGRAM

Over the last decade, our cities have seen more frequent heavy rain and extreme weather events that have caused flooding and property destruction due to overwhelmed stormwater systems. The CGMC supports the creation and funding of a program (art. 2, sec. 47 and art. 2, sec.1) to help local governments address this issue.

PFAS PROVISIONS

We appreciate this committee's continuing focus on addressing the potential health hazards associated with per-and-polyfluoroalkyl substances (PFAS) and appreciate the appropriation of \$2 million to the Minnesota Pollution Control Agency (MPCA) to address PFAS contamination (art. 1, sec.2, subd. 2(d)). The agency recently unveiled its PFAS monitoring strategy, which could require upwards of 100 cities to monitor their influent for PFAS. We understand that some of the prevention funds could be used to pay for this monitoring. Rather than administering these funds

through grants, we believe that a more appropriate approach would be to direct the agency to use a portion of those funds for a more centralized monitoring program.

We have concerns about efforts to address limits for certain types of PFAS through statute, rather than rulemaking (art. 4, sects 10 and 11). For example, although we appreciate the desire to enact water quality standards for perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS), we are concerned that the timeline for completing those standards may put the rules ahead of the science and treatment options.

Finally, this bill contains multiple provisions aimed at addressing the sources of PFAS in our air and water. We do not have feedback on any individual provision because we lack the expertise to evaluate the efficacy of the proposals. We do believe that addressing PFAS at the source is the best approach so long as those efforts are grounded in the best available science.

SEWER OVERFLOW LANGUAGE

The MPCA has worked with our organization, the League of Minnesota Cities, and other city groups on the language regarding notification after sewer overflows (art.2, sec. 45). The compromise language provides a workable solution for our wastewater facilities.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in cursive script, appearing to read "Pat Baustian".

Pat Baustian, Mayor, City of Luverne
President, Coalition of Greater Minnesota Cities

April 5, 2022

Representative Rick Hansen
Chair, House Environment and Natural Resources Finance Committee
407 State Office Building
St. Paul, MN 55155

Re: Support for H.F. 4492, House Environment and Natural Resources Omnibus Bill

Dear Chair Hansen,

The Partnership on Waste and Energy (Partnership) is a Joint Powers Board consisting of Hennepin, Ramsey and Washington counties, formed to address waste management and energy issues. The Partnership seeks to end waste, promote renewable energy and enhance the health and resiliency of communities we serve while advancing equity and responding to the challenges of a changing climate.

We appreciate the opportunity to express support for several provisions of H.F. 4492 that will have significant impact on protecting public health and the environment and help counties and communities be more successful in reaching challenging statutory goals on waste management.

Repay Metropolitan Landfill Contingency Action Trust (MLCAT)

The Partnership strongly supports transferring \$29.055 million from the general fund to repay what was borrowed twice from the MLCAT account since 2003 to balance the general fund budget, plus interest and lost earnings. The MLCAT is an important mechanism to protect public health and the environment and address critical needs resulting from landfill pollution. This provision helps provide what is urgently needed now and in the coming years to address costly care needs at metro area landfills.

Pig's Eye Landfill Task Force

The Partnership strongly supports creating and funding a task force to coordinate remediation and restoration of the Pig's Eye Landfill Superfund site and addressing PFAS contamination of affected water bodies and groundwater. The challenges with this site are significant and complex. Focusing and coordinating solutions among various agencies and interested parties has the promise of creating better outcomes to the benefit of public health, the environment and future users of the area's land and waters.

Reducing Sources of PFAS, Lead and Cadmium

The Partnership is very concerned about the persistent presence of PFAS and toxic heavy metals in the state's land, water and other resources, and the risks these substances pose to human health. Several provisions in H.F. 4492 focus on upstream solutions, which better protect public health and are more effective than dealing with legacy costs that taxpayers are often forced to manage after products have been disposed.

- **Identifying and reducing sources of PFAS** and preventing releases into the environment minimizes the potential for PFAS to appear in waste materials and facilities managing those materials.
- Updating current statutes to apply **prohibitions on lead and cadmium** to a wider range of products reduces the challenges of safely managing these products as wastes and prevents pollution from these toxic substances.

RE: Support for H.F. 4492, House Environment and Natural Resources Omnibus Bill

- Allocating \$1 million for a **lead tackle collection program** will help keep this heavy metal from polluting our land and water and reduce the burden on county collection programs.

Moving Towards a Circular Economy

The Partnership supports several one-time provisions that support waste prevention, recycling and organics management to keep waste out of landfills and help counties meet challenging state waste reduction and recycling mandates.

- \$10 million for a **waste prevention and recycling grant and loan program** goes a long way toward meeting the governor's funding request of \$18.9 million to implement needed infrastructure and other projects and help reach state waste diversion goals.
- \$5 million for **multifamily composting pilot grant program** will help local government, building owners, non-profit groups and others keep more compostable materials out of our disposal facilities and landfills. We encourage equal consideration of all applicant groups when making awards, to assure the strongest, most effective projects get funded.
- \$1.5 million for a **zero-waste grant program** will keep more waste electronics, recyclable materials, reusable goods, and organic materials out of our waste stream and support job creation.
- **Standards and labeling requirements for compostable products and packaging** are critical for achieving sustainable organics recycling. Giving consumers, food establishments, recyclers and composting processors clear information on what products are truly compostable helps ensure material delivered to compost sites is clean and ready to compost.
- Developing a **plan for a carpet stewardship program** through stakeholder engagement has the promise of reducing the burdens faced by local government and Minnesota residents in dealing with waste carpet and valuing carpet as a resource for recycling.

Responding to Emerald Ash Borer Impacts

The Partnership strongly supports the provision to allocate \$10 million for grants to replace trees removed because of the emerald ash borer (EAB). This provision is one more important step among the many that are urgently needed to respond to the EAB challenge as this pest continues to spread to more parts of the state. This grant funding will provide a measure of relief to local governments struggling to combat EAB and restore vital tree canopy lost to this pest.

Thank you for the opportunity to present the Partnership's positions on H.F. 4492. We encourage the committee to act favorably on these and other provisions to prevent pollution, support activities that advance the goals of the Waste Management Act and address growing needs driven by the emerald ash borer. We stand ready to work together on these important issues for the benefit of our communities and the state.

Sincerely,



Commissioner Fran Miron, Washington County
Chair, Partnership on Waste and Energy

cc: House Environment and Natural Resources Finance and Policy Committee members



Marathon Petroleum Company LP

301 St Paul Park Road
St Paul Park, MN 55071
Tel: 651.459.9771

April 6, 2022

Dear Chair Hansen and member of the House Environment and Natural Resources Committee:

Thank you for the opportunity to submit comment on House File 4492, as amended, specifically Article 4, sections 8 and 9 on Class B firefighting foam. Because there is, at this time, no commercially available fluorine-free foams that are effective for all applications required at a refinery, terminal, or bulk storage facility, we respectfully urge the committee to remove this provision from the omnibus bill.

Marathon Petroleum Corporation, through its subsidiaries, owns and operates the 104,000 barrel-per-calendar-day refinery located in St. Paul Park, MN. The safety of our employees, contractors, business partners, customers and the community is, and always will be, our number-one priority. Every day, the people who work at our plant do so with the highest commitment to safety and a vigilant focus on care for the environment. We want the refinery to be safe, and we want our communities to be safe.

Class B firefighting foams serve a vital role in controlling combustible and flammable liquid fuel fires that may be found at military bases, airport operations, storage tanks, petroleum/chemical operations, rail transportation and some power generating facilities. Fluorine-free foams have not proven effective in fighting fires involving large tanks or spill containment areas. Over the past few years, fire departments like the one at the refinery in St. Paul Park have transitioned from C8 foam to C6 foam. This foam is PFOS-free but still proves effective on large-scale chemical fires. While we work every day to prevent an incident such as these, should they occur, our firefighters need the only proven-effective tool in order to mitigate risk to our communities and our employees.

Once a proven technology is available, an adequate transition time will be necessary to move to fluorine-free foams. Commercially available fluorine-free foams are not “drop-in” substitutes for PFAS-containing foams. Due to potential contamination concerns, equipment that has been used to deliver PFAS-containing foams cannot be used to deliver fluorine-free foams without first being cleaned or replaced. Additionally, in order to be effective, the fluorine-free foams may require higher foam volumes and, therefore, different application techniques or equipment.

Marathon Petroleum urges this committee to remove sections 8 and 9 in Article 4, and to ensure that fire departments across the state have access to the only available proven-effective tool to protect life and property. Thank you for your consideration.

April 7, 2022

Chair Hansen and Members of the House Environment and Natural Resources Finance and Policy Committee:

Thank you for the opportunity to submit comments on the DE4 amendment to HF 4492.

Minnesota Realtors® submitted written testimony on Rep. Ecklund's HF 2814 for the March 1, 2022 House Environment and Natural Resources Finance and Policy Committee, however, we wanted to remind committee members of our concerns with provisions from that bill that can be found on page 91, lines 24 – 29 of the DE4, which would require soil testing for evidence of chronic wasting disease (CWD) prior to the sale or transfer of farmed Cervidae properties.

At the February 14, 2022 House Agriculture Finance & Policy Committee hearing on HF 2814, members heard testimony indicating that testing soil for CWD is “extremely problematic.” Requiring inconsistent or unreliable soil testing prior to the sale or transfer of property could interfere with the property owner's fundamental property right of disposition.

We recommend striking this provision from the bill and encourage collaboration with all stakeholders regarding how best to ensure current and future owners understand the requirements associated with detection of CWD on a farmed Cervidae premises, while also avoiding the creation of impractical or unnecessary barriers associated with the sale or transfer of property.

Again, thank you for the opportunity to provide written comments on this bill.

Sincerely,



Matt Spellman
Director, Governmental Affairs
Minnesota Realtors®

April 5, 2022

Chair Hansen and members of the committee,

Our calling is to protect birds and the places they need. This lofty goal can only be achieved by using the best science to guide our ethical commitment to a thriving environment. A recent publication by [Rosenberg et al. \(2019\)](#) revealed that North America has lost roughly 30% of its birds, three billion overall, since 1970. This shocking revelation, paired with our understanding of birds as environmental bellwethers, has highlighted the need to discern and respond to the factors responsible for bird declines.

Audubon Minnesota appreciates the opportunity to comment on HF4492, as amended, and specifically supports the following provisions:

- Inclusion of the Swan Protection Act, in addition to the definition of native swan and prohibitions on taking, harassing, destroying, buying, selling, possessing, transporting, or shipping native swans
- \$1 million appropriation for Lead Tackle Collection Program
- The use of non-toxic shot when hunting small game on a WMA in the farmland zone
- Continued funding of the Lawns to Legumes program
- \$30M for Conservation Reserve Program
- \$3.3M for improved maintenance in Minnesota's Scientific and Natural Areas
- \$10M for tree replacement (of trees removed due to emerald ash borer), prioritizing environmental justice areas
- \$8M for conservation tree planting
- Prohibition on the use of neonicotinoids and chlorpyrifos in wildlife management areas, state parks, state forests, aquatic management areas, and or scientific and natural areas
- Expansion of the walk-in access program to include birdwatching, nature photography, and similar compatible uses
- The establishment and funding of statewide soil health goals

Ingestion of lead causes suffering and death of birds in Minnesota, and a growing body of literature points to population-level effects for long-lived birds. Premature mortality from lead poisoning not only removes the individuals from the population, but it prevents their contribution of future offspring which can slow population growth, or even cause declines. These findings, paired with the heartbreaking stories of birds enduring horrific deaths as their organ systems shut down when poisoned by lead, motivate our support of policies that reduce lead in our environment. Based on this evidence, we strongly support the inclusion of the Swan Protection Act, the lead tackle collection program, and the use of non-toxic shot in certain areas.

Minnesota's birds also need native plants and the insects that have co-evolved with them to survive. Reducing the use of insecticides, such as neonicotinoids and chlorpyrifos, is good for birds. Audubon Minnesota supports the prohibition of the use of these pesticides on certain public lands. Similarly, the successful Lawns to Legumes program increases habitat for bees, birds, and butterflies when we are seeing dramatic declines in their populations. With 96 percent of all land-based bird species in North America feeding insects to their young, we need native plants that support the food web.



2355 Highway 36 Suite 400
Roseville, MN 55113

While many factors contribute to bird declines, the loss, and degradation of habitats are the most important. Audubon Minnesota supports appropriations to improve maintenance in Minnesota's Scientific and Natural Areas and for conservation tree planting. We additionally support the appropriation of funds to replace trees impacted by emerald ash borer and thank this committee for prioritizing environmental justice areas.

Finally, the U.S. Fish & Wildlife Service report "[Birding in the United States: A Demographic and Economic Analysis](#)," tells us that, as of 2016, there were 45 million bird watchers in the United States, a number that has surely grown since the pandemic reinvigorated Minnesotan's interest in the outdoors. As of 2016, trip and equipment-related expenditures by these forty-five million bird watchers generated nearly \$96 billion in total industry output, 782,000 jobs, and \$16 billion in local, state, and federal tax revenue, with an impact distributed over local, state, and national economies.

Clean water, clean air, native plants, trees, and natural habitats are good for birds, good for people, and good for our economy.

Thank you.

Rob Schultz

Executive Director, Audubon Minnesota
Vice President, Upper Mississippi River

Dr. Dale Gentry

Conservation Manager, Audubon Minnesota



April 6, 2022

Re: LMC Comments on DE4 amendment to HF 4492

Dear Chair Hansen and members of the Environment and Natural Resources Finance and Policy Committee:

The League of Minnesota Cities, representing 837 of Minnesota's 854 cities, appreciates the opportunity to submit comments related to the DE4 amendment to H.F. 4492. Many of the provisions in this bill have impacts on Minnesota cities and how they provide services and governance to their residents and businesses.

As a disclaimer, our comments on overall funding levels and statewide accessibility to resources cannot be accurately made right now. Many of the programs proposed in this bill have portions of the programs that will be funded in other omnibus bills related to health, climate and energy, taxes, and capital investment. The League will submit comments to all of the relevant chairs and committees once the total packages can be evaluated.

Article 1

The supplemental budget article contains numerous appropriations that could apply to environmental protection and restoration in Minnesota cities. Items of particular interest include:

- Sec. 2, subd. 2(a): \$10 million in grants for city projects related to protect against increased threat of localized flooding and heat island effects is badly needed to address stormwater improvements and urban planting and tree canopy issues. *The League supports this appropriation.*
- Sec. 2, subd. 2(d): Funds to identify sources of PFAS and prevent or reduce their release are extremely important as Minnesota cities work to keep PFAS compounds out of municipal water, wastewater, stormwater, and solid waste. *The League supports this appropriation.*
- Sec. 3, subd. 2(k): Additional funds for managing emerald ash borer are desperately needed in cities across the entire state as the problem spreads in urban forests. Limitations in the eligibility requirements for these funds, however, will significantly limit where money can be used. *The League generally supports this appropriation but will work with the chair and the DNR to understand the impacts of those restrictions and make sure it is clear to cities and the public what projects and specific areas might be eligible so that communities and urban forestry advocates do not waste time and resources applying for funds they are not eligible to receive.*
- Sec. 4(f): *The League supports funding for the lawns-to-legumes program as the appropriate way for the state promote natural and pollinator-friendly landscaping in urban settings. We have expressed opposition to related language in the State Government and*

Elections omnibus bill to language mandating all cities to allow natural landscapes on all parcels within their boundaries. While we appreciate the intent of that legislation to expand the ability of property owners to opt for properly managed natural landscaping, we feel that existing procedures for local elected officials to propose, discuss, and decide changes to local ordinance related to property and landscaping are the best way to deal with these issues.

- Sec. 4(h): *The League supports funding for permanent easements and contracts for projects to store and treat water to achieve water quality improvements.*

Article 2

- Sec. 2 and 3: *The League supported the adjustment to city pesticide authority made in these sections last session and continues to request that these changes be made.*
- Sec. 32: *The League supports establishing the lawns-to-legumes program as an ongoing state program.*
- Sec. 36-38 and 40-44: These sections create broad new enforcement authority for the DNR over water appropriations. While we understand the DNR's need to deal with non-compliance by unpermitted water users and those who no longer need a permit and have not completed remediation of non-compliance issues, city water systems have no history of non-compliance requiring such enforcement powers being extended to their permits. The expansion of these powers also opens the possibility that courts could force the department to use these authorities against cities even if the department had not found that to be appropriate or necessary. *The League opposes these changes.* We remain willing to work with the chair, the author of the original legislation, and the DNR on alternative solutions that more appropriately target where increased enforcement options seem necessary to achieve compliance.
- Sec. 45: City organizations and wastewater operators worked on this language with the MPCA to address concerns they had with current release notification requirements. *The League supports this language.*
- Sec. 47: City compliance with state and federal stormwater requirements has been a massive unfunded mandate for the past 20 years that is increasing in cost and complexity with each permit cycle. Adapting these systems to the dramatic changes occurring with rainfall frequency and intensity adds even more strain and cost to city stormwater management efforts. Existing state funding options for wastewater or non-point water projects do not match the needs of these programs well, and the projects seldom compete favorably with the sort of projects traditionally funded through PFA and BWSR. *The League supports establishing a stormwater infrastructure grant program.*

Article 4

- Sec. 1-6: PFAS compounds are a major emerging concern for public health and the environment. Treatment is not a feasible option for removal of these compounds from wastewater effluent and solids, stormwater, or solid waste and is a tremendously expensive means of dealing with them in drinking water. While the League has not specifically assessed the current science on the specific products included in these sections, where sound science exists, *League policies support removal of pollutants prior to them entering*

the waste stream as the most efficient and appropriate way to reduce water quality impacts.

- Sec. 10: The League has opposed this mandatory rule completion process in previous sessions, primarily due to the fact that the federal review to set appropriate water quality standards for these compounds is still underway. While that remains a concern, the timing is becoming less likely to be problematic. *The League no longer opposes the rules being required, but recommends removal of the mandated completion date to prevent the state from ending up in a timing conflict with federal water quality standard development.*
- Sec. 11: The League does not believe it is good policy to set environmental or public health standards in statute, as that opens them up to future politicized adjustment. Development of these limits should follow the thorough evidence-based public hearing process of our administrative rules process. *The League opposes placing the PFOS health risk level in statute.*

With these sections, or any others where input or discussion of city impacts and positions is desired, we are ready to work with the chair and the future conference committee and are happy to respond to any questions about our testimony. Thank you for your time and attention to these important matters and to our comments.

Sincerely,

A handwritten signature in black ink that reads "Craig A. Johnson". The signature is written in a cursive, flowing style.

Craig A. Johnson
Intergovernmental Relations Representative
League of Minnesota Cities



April 6, 2022

Representative Rick Hansen, Chair
House Environment and Natural Resources Finance and Policy Committee
407 State Office Building
St. Paul, MN 55155

Mr. Chair and Members,

On behalf of the Minnesota Tourism Growth Coalition, a statewide group of public, private, and nonprofit tourism organizations, and businesses, we want to thank you for including \$10 million for the Tourism Industry Recovery Grant Program in the House Environment and Natural Resources Finance Omnibus Bill, HF 4492.

While there has been some recovery in the tourism and hospitality industry – that recovery has not been consistent, there have been multiple starts and stops, recovery is not even across the state or across tourism sectors, and full recovery will take several years.

The \$10 million for the Tourism Industry Recovery Grant Program will flow through Explore Minnesota Tourism, with 100% of the funds going directly toward accelerating tourism recovery. The grants will be used to support meetings, conventions and group business, multi-community and high-visibility events, and tourism marketing. It is important to note, that no other state agencies are serving the needs of Minnesota's destination marketing organizations, event organizers, or meetings industry with a grant recovery program and this request does not overlap with existing Explore Minnesota programs.

The recovery funds could not come at a better time, data from Explore Minnesota shows that Minnesota's tourism industry has suffered nearly \$12 billion in travel spending losses since 2019.

- Leisure and Hospitality Gross Sales fell from \$16.6 billion in 2019 to \$11.7 billion in 2020.
- State Sales Tax collections fell from \$1.1 billion in 2019 to \$731 million in 2020.
- And jobs in these categories are down by approximately 70,000 workers.

We know that the success of the tourism and hospitality industry plays a strong role in the success of a community, regional centers, and the state. Local, regional, and state taxes provide support for community services and increased tourism activity benefits local bars and restaurants, gas stations, grocery stores, theaters, event planners, stage crews, printing shops, outdoor recreation providers and many more businesses.

Thank you for again for your strong support of the tourism and hospitality industry and for including \$10 million for the Tourism Industry Recovery Grant Program bill, we look forward to a full return of the state's vibrant tourism and hospitality industry!

Sincerely,

Minnesota Tourism Growth Coalition Leadership Team

Terry Mattson, Visit Saint Paul

Paul Larsen, Ed-Ventures, Rochester

Megan Christensen, Visit Grand Rapid

Luci Botzek, Visit Roseville Board



100% Campaign
705 Raymond Ave. - Suite 100
Saint Paul, MN 55114
www.100percentmn.org

April 6, 2022

Chair Hansen and Members of the Committee,

We are writing to share our support for several of the provisions of the Environment and Natural Resources omnibus budget bill, as amended by HF4492DE4.

Minnesotans have a deep connection with our land, air, and water. From the Driftless Area to the peat bogs, from urban farms to well stocked lakes, whether we're on a bike or in a boat, Minnesotans love being outdoors. We've committed to protect our environment over and over in Minnesota, but we can't take those efforts for granted. Our climate is changing and with it, our land, air, and water is changing too. This session, our state budget surplus, and this omnibus bill are opportunities to renew our commitments to protect the places we love. This bill would advance six critical strategies to prepare for and adapt to our changing climate.

First, the Environment and Natural Resources omnibus bill invests in **climate adaptation** and resilience. It does so by investing in state-owned lands, local water management strategies, and the mapping of climate risks in the Twin Cities. These are resources communities need to plan, build, and prepare for our future.

- Adaptation of DNR-Managed Infrastructure, Lands & Waters = \$25m in FY 23 on 9.15-9.26
- Local Flood Resiliency Projects = \$10m in FY 23 and \$266k in FY 24-25 for PCA on 2.5-2.20
- Water Storage & Management = \$10m in FY 23 and \$334k in FY 24-25 at BWSR on 14.14-14.26
- Public Inflow and Infiltration Grants to Cities = \$2.5m in FY 23 on 17.28-18.18 for Met Council
- Private Inflow and Infiltration Grants to Cities = \$2.5m in FY 23 on 18.19-19.2 for Met Council
- Creation of a Stormwater Infrastructure Grant Program at PCA = 52.9-54.10
- Metropolitan Council Climate Risk Mapping = \$2.5m in FY 23 on 17.22-17.27

Second, the bill advances **environmental justice** initiatives designed to make our state more healthy and more equitable. It includes Rep. Fue Lee's cumulative impacts analysis, grants for residential lead service line replacements, and state planning to clean up brownfields. These are overdue investments in overburdened communities.

- Cumulative Impacts Analysis = \$9.08m in FY 23 for PCA on 5.8-5.18; 60.17-61.21; 62.12-66.13; 67.24-68.3; 68.10-68.19
- Air Quality Monitoring Program at PCA = \$5m in FY 23 on 5.19-5.24
- Air Quality Monitoring Devices at PCA = \$540k in FY 23 on 5.25-5.33
- Air Quality Monitoring Pilot Program Grants at PCA = \$500k in FY 23 on 6.1-6.7; 77.12-79.25
- Air Toxics Rulemaking at PCA = \$500k in FY 23 on 6.8-6.12; 79.26-81.24
- Public Hearing Requirements for PCA Polluter Settlements over \$25k = \$48k in FY 23, 24, & 25 on 8.14-8.18; 51.20-52.8
- Residential Lead Service Line Replacement Grants to Private Owners = \$2.335m in FY 23 on 19.3-19.28; 76.16-77.4 for the Metropolitan Council

- Brownfields Investigations & Planning at PCA = \$1m in FY 23 on 3.3-3.13

Third, the bill would invest in planting **five million trees per year**, one tree for every Minnesotan. It does this through three programs:

- Replacing Ash Trees = \$10m in FY 23 for DNR on 11.20-12.10
- Accelerated Tree Planting = \$8m in FY 23 for BWSR on 16.24-17.8
- School Grounds Tree Planting = \$1m in FY 23 for DNR on 12.11-12.20

Fourth, the budget builds out Minnesota's **recycling and composting** programs to include more Minnesotans, in particular, those living in multifamily homes.

- Waste Prevention & Recycling Grant & Loan Program at PCA = \$10m in FY 23 on 3.24-3.32
- Multifamily Building Composting Pilot at PCA = \$5m in FY 23 on 5.3-5.7; 54.11-55.20
- Zero-Waste Grant Program at PCA = \$1.5m in FY 23 on 7.7-7.10; 55.21-59.2

Fifth, the bill would establish statewide **soil health** goals and support the programs to help us meet them. These are essential strategies for sequestering carbon, protecting our soil, and preserving our ability to grow healthy food in Minnesota for generations.

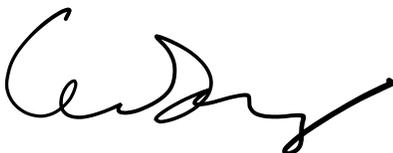
- Peat Soil Restoration Goal of 25% by 2030 / 50% by 2040 for BWSR = 24.27-25.1
- Soil Health Goals of 23m acres by 2030 for BWSR = 42.18-42.25
- Soil Health Program at BWSR= \$5m in FY 23 on 14.30-14.33; 43.23-44.27
- Soil Health Action Plan at the U of MN = \$180k in FY 23 on 21.19-22.4

Sixth, the bill would continue Minnesota efforts to **protect and restore environmentally sensitive lands**, wetlands, and lawns. These are proven and popular programs that support the landowners who choose to participate.

- Conservation Reserve Enhancement Program at BWSR = \$30m in FY 23 on 16.5-16.23
- Conservation Reserve Program State Incentive at BWSR = \$10m in FY 23 on 15.7-15.30
- Wetland Restoration at DNR = \$5m in FY 23 on 9.31-10.4
- Lawns to Legumes at BWSR = \$5m in FY 23 and \$1.25m in FY 24 & FY 25 on 15.31-15.35; 42.9-42.17

Please support the Environment and Natural Resources omnibus budget bill, as amended by HF4492DE4.

Sincerely,



Chris Conry
Campaign Director
100% Campaign
705 Raymond Ave. - Suite 100
Saint Paul, MN 55114



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April 6, 2022

Members of the House Environment & Natural Resources Finance & Policy Committee,

The Land Stewardship Project's mission is to foster an ethic of stewardship for farmland, promote sustainable agriculture, and develop healthy communities. LSP represents over 4,500 member households in Minnesota – primarily farmers and rural residents, as well as urban and suburban allies. Some of the Land Stewardship Project's greatest priorities are keeping small and mid-sized farmers on the land, growing the number of farmers stewarding the land, and advancing adoption of sustainable and regenerative agricultural practices

With a historic budget surplus, we have a unique opportunity to deliver for Minnesota farmers and landowners, our rural communities, and our soil, water, air, and climate this legislative session. The Land Stewardship Project strongly supports numerous provisions of the H.F. 4492 DE Amendment and thanks the Chair and original bill authors for their inclusion:

- \$5 million to accelerate the adoption of soil health practices (*Lines 14.30 to 14.33 and lines 43.23 to 44.23*)
- \$180,00 to develop a soil health action plan in consultation with the Minnesota Office of Soil Health, NRCS, and other state agencies (*Lines 21.19 to 22.4*)
- Establishing state-wide voluntary soil health goals that set our state on track to ensure our soil, water, air, climate, economy, and communities are stewarded for current and future generations (*Line 48.18 to 42.25*)
- \$10 million for incentives for the federal Conservation Reserve Program (*Lines 15.7 to 15.30*)
- \$5 million for the lawn to legumes program (*Lines 15.31 to 15.35 and Lines 42.9 to 42.17*)
- \$30 million to purchase and restore permanent conservation sites (*Lines 16.5 to 16.23*)
- Prohibiting application and use of pollinator-lethal pesticides within the geographic boundaries of a city prohibiting such use (*Lines 23.7 to 23.22*)
- Various efforts to strengthen environmental justice, transparency, and public participation in our state agencies and environmental review and permitting processes (*Various*)
- Prohibiting seeds treated with neonicotinoid pesticides to be used or sold as food, feed, oil, or ethanol feedstock (*Lines 6.21 to 6.24 and Lines 23.27 to 24.18*)
- Creating and requiring retailers to post consumer guidance regarding proper use and disposal of seed treated with neonicotinoid pesticide (*Lines 6.17 to 6.20 and Lines 24.20 to 24.26*)
- Prohibiting the use of pesticides containing neonicotinoids or chlorpyrifos in a wildlife management area, state park, state forest, aquatic management area, or scientific and natural area (*Lines 25.3 to 25.5*)

- Directing the MPCA, MDA, and UMN to adopt rules for the safe and lawful disposal of unwanted or unused seed treated with neonicotinoids (*Lines 83.11 to 83.16*)

Thank you for putting together a robust Environment & Natural Resources Omnibus Bill that, if passed, will greatly benefit our farmers, landowners, rural and urban communities, pollinators and wildlife, soil, water, air, and climate.

To strengthen the bill even further, we ask you to remove lines 44.24 to 44.27, which allow the state to participate in a national carbon market or similar programs. Currently, we are unable to accurately measure soil carbon sequestration nor are many of the practices used in these programs practices that lead to meaningful long-term sequestration. For example, cover cropping builds soil organic matter which leads to increased soil carbon, but the bulk of the carbon they are sequestering is released back into the atmosphere when harvested. Essentially, carbon markets allow polluters to “offset” their pollution using inaccurate science and temporary cropping systems, resulting in a majority of offsets being either temporary or false. We believe a better solution is to continue to curb greenhouse gas emissions while ramping up sustainable and regenerative practices, particularly those that are more perennial and permanent (i.e., managed rotational grazing of perennial pasture, perennial cropping from asparagus to Kernza, and agroforestry).

Additionally, we ask you to consider the proposals from the Governor’s Office and the Climate Action Caucus that fund healthy soils programs at \$20-27 million now and in future sessions. We are seeing that there is a significantly greater demand for these programs than there are dollars available. With 23 million acres of grazable and tillable acres in Minnesota, we must ensure that we have sufficient funding between now and 2040 to reach the soil-healthy farming goals included in this omnibus bill.

On behalf of our members, we urge you to vote yes on this excellent bill. With a historic budget surplus, you have a unique opportunity to deliver for farmers and rural Minnesotans this legislative session.

Sincerely,

Laura Schreiber & Amanda Koehler

Policy Organizer & Policy Manager

Land Stewardship Project



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Dakota
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nature.org

Chair Rick Hansen
Environment and Natural Resources Finance Committee
407 State Office Building
100 Rev. Dr. Martin Luther King Jr. Blvd.
St. Paul, MN 55155

RE: Environment Finance and Policy Omnibus, HF 4492 DE

April 6, 2022

Dear Chair Hansen and members of the Committee:

Thank you for the opportunity to provide comments as the Committee considers the DE4 delete-all amendment to HF4492, the Omnibus Environment and Natural Resources Finance and Policy bill. We appreciate the inclusion of several proposed supplemental budget investments and policy provisions in the bill that will benefit carbon sequestration, address water quality and quantity challenges, and direct investments toward nature as threats to the state's natural resources continue to grow. We specifically thank you for including the following items:

Minnesota Pollution Control Agency

- A \$10 million appropriation for adaptation action grants and water storage programs that build community resilience. (*Article 1, Section 2 (a)*)

Department of Natural Resources

- A \$5 million appropriation for grassland and wetland restoration on Wildlife Management Areas (WMAs). (*Article 1, Section 3 (c)*)
- A \$3.3 million appropriation for maintenance funding at Scientific and Natural Areas (SNAs). (*Article 1, Section 3 (j)*)
- A \$10 million appropriation for grants to communities to remove and replace ash trees killed by emerald ash borer. (*Article 1, Section 3 (k)*)
- A \$70,000 appropriation to the nongame wildlife management program. (*Article 1, Section 3 (r)*)
- A \$750,000 appropriation in the Natural Resources Fund for state trails, parks, and recreation through the lottery in lieu revenues, and a statutory change to increase the ongoing percentage of lottery in lieu revenues to this account from 73.43% to 97%. (*Article 1, Section 3 (t)*); *Article 2, Section 71*)

Board of Water and Soil Resources

- A \$10 million appropriation for adaptation action grants and water storage programs. (*Article 1, Section 4 (a)*)
- A \$5 million appropriation to accelerate the adoption of soil health practices. (*Article 1, Section 4 (c)*)



The Nature Conservancy in
Minnesota, North Dakota, South
Dakota
1101 West River Parkway, Suite 200
Minneapolis, MN 55415-1291

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nature.org

- A \$10 million appropriation for incentives to existing enrollees in the Conservation Reserve Program (CRP). (*Article 1, Section 4 (e)*)
- A \$30 million appropriation for the federal Conservation Reserve Enhancement Program (CREP). (*Article 1, Section 4 (h)*)
- An \$8 million appropriation for the accelerated conservation planting program, which would provide grants to support tree-planting among private landowners. (*Article 1, Section 4 (i)*)

In addition to these supplemental funding provisions, we also offer the following reflections on policy items in the bill we hope will be further discussed with these additional considerations:

- Soil health goals (*Article 2, Sections 33*): There is a need for stakeholder participation to develop a comprehensive plan with a goal to expand soil health practices across the state for all types of farming operations. Such a process should also encourage and leverage private sector involvement and investments alongside state investments in soil health.
- Soil health cost-share program (*Article 2, Section 35*): We support the proposed investments in soil health for cost-sharing practices, however the current program referred to in the bill (Minn. Statutes 103C.501) does not meet fully the needs and opportunities across Minnesota's farmlands where gains can be made to implement and maintain durable soil health practices. Modifying the program to allow grants will help overcome real barriers to soil health adoption in conjunction with financial assistance to landowners.

Thank you for your work to put forward this omnibus proposal and for all your efforts on behalf of Minnesota's environment and natural resources.

Sincerely,

Stephanie Pinkalla
Government Relations Manager
The Nature Conservancy in Minnesota



MINNESOTA DEER HUNTERS ASSOCIATION

460 Peterson Road, Grand Rapids, MN 55744

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BUILDING OUR HUNTING & CONSERVATION LEGACY THROUGH HABITAT, EDUCATION & ADVOCACY.

April 5, 2022

Representative Rick Hansen
Chair

Minnesota House Environment and Natural Resources Finance and Policy Committee
St. Paul, MN 55155

Re: Written Testimony on HF 4492

Dear Chair Hansen:

I am writing today on behalf of the Minnesota Deer Hunters Association (MDHA) to submit testimony supporting a number of measures in Article 3 of HF 4492 pertaining to farmed cervidae. Several of these provisions are carryovers from last session and MDHA maintains its support for those as set forth previously. I would like to highlight a few policy positions, some of which are not contained in HF4492, that MDHA believes are particularly important in the effort to protect Minnesota's wild deer herd.

Moratorium on New Cervid Farm Registrations

MDHA supports legislation stating that the Board of Animal Health must not approve any new registrations for farmed cervids. MDHA would not oppose a person holding a valid registration from selling or transferring the person's herd and registration to a family member.

Voluntary Buyout of Registered Operations

MDHA supports appropriating funds from the general fund to offer a buyout payment to the owners of farmed cervids registered under Minnesota Statutes, section 35.155. The State of Minnesota must establish buyout payment amounts and criteria. Under no circumstances does MDHA support the use of deer license revenues or Game and Fish funds for this voluntary buyout.

Rick Hansen
April 5, 2022
Page Two

Antemortem Testing of Farmed Cervids

MDHA supports a requirement that all farmed cervids in Minnesota be tested annually for chronic wasting disease (CWD) once an antemortem test is approved by the United States Department of Agriculture (USDA). If a farmed cervid tests positive for CWD, a second antemortem test shall be performed. If the second test is positive, the owner must have the animal destroyed and tested for CWD using a postmortem test approved by the Board of Animal Health. If the postmortem test is positive, the owner must depopulate the cervids on the premises as required by Minnesota law.

Importation Ban

MDHA supports a requirement that a person must not import cervids from any herd originating from a state or province where CWD has been detected in either farmed or wild cervids. For states and provinces where CWD has not been detected, if there is an antemortem test for chronic wasting disease validated by USDA, a person may only import cervids that have tested negative immediately prior to importation.

MDHA appreciates having the opportunity to comment on these bills and amendments and looks forward to continuing to participate in this process.

Sincerely,



Craig L. Engwall
MDHA Executive Director



April 6, 2022

Chair Rick Hansen
House Environment Committee
407 State Office Building
St. Paul, MN 55155

RE: HF 4492

Dear Chair Hansen and Members of the Committees,

The Minnesota Farm Bureau Federation (MFBF) appreciates the opportunity to offer written testimony in response to provisions included in HF 4492.

Thank you for the work this committee has done over the last few weeks. However, there are pieces of HF 4492 as amended that MFBF **opposes** including:

- Transition of the farmed Cervidae program from the Board of Animal Health to the Department of Natural Resources.
- The drainage registry information portal. This should be vetted by drainage stakeholders at the Drainage Working Group to foster mutual understanding of how the proposed registry will operate and be used. Further conversation needs to be held to determine how the registry will impact drainage system operations, particularly the maintenance of existing drainage systems.
- Financial assurance for feedlot permits. This language creates an unnecessary burden for farmers holding or seeking feedlot permits where there are current protections and incentives already in place.

MFBF believes that farmers lead the way in climate-smart practices that improve our environment through voluntary stewardship. We appreciate the soil health cost-share program that will help to continue to implement long-term soil health practices in ways that work best on each farm.

Again, thank you for the time this committee takes to address the environmental issues facing Minnesota. We appreciate the continued opportunity to express the positions stated above.

Thank you,

Dan Glessing
President

Physical Address: 3080 Eagandale Place, Eagan, MN 55121-2118 Mailing Address: P.O. Box 64370, St. Paul, MN 55164-0370

Phone: 651.768.2100 Email: info@fbmn.org www.fbmn.org

Environment and Natural Resources Finance and Policy Committee
Rep. Rick Hansen Committee Chair,
Rep. Ami Wazlawik Vice Chair,

Re. HF4492 (Hansen) Environment and Natural Resources Omnibus Bill.

Testimony of Dell Eriksson

April 6, 2022

Opposing parts of HF-4492 Environment and Natural Resources Omnibus Bill regarding Establishing Outdoor Recreation Office (HF4356) .

Dear Committee,

I encourage the Committee to delete all parts of HF-4492 regarding Establishing Outdoor Recreation Office (HF4356) .(Davnie).

The following 6 points are reasons HF4356 should not be included in the Omnibus Bill:

1. HF4356 was hurried through the democratic process without adequate time for public review or input. The Bill was “Posted” on March 17, 2022 and heard only the following week, on March 24, 2022. Posting only meant those who were involved would know of the Bill while the public would have to wait until the Bill was scheduled by a committee, in this case, the Minnesota Environment and Natural Resources Finance and Policy Committee. The Minnesota House Research Department’s “research Summary” was apparently done by a hurried analyst Janelle Taylor on the day preceding the hearing, March 24, on March 23, 2022. It merely recites the bullet points in the Bill; it does not mention any fiscal matters, no discussion of funding is evident. In short, neither the public nor the State’s research department had sufficient opportunity to evaluate the Bill. Indeed, only the insiders of the industry knew of it and had the opportunity to be heard and to provide testimony.

2. HF4356 is in violation of 2021 Minnesota Statutes Chapter 86A.02 Policy, Subd. 3 because it reduces Minnesota’s natural habitats heritage and reduces supply of usable lands and waters to accommodate the outdoor recreational needs of Minnesota's citizens.

3. HF4356 would duplicate an existing tourism department, Explore Minnesota Tourism, the state’s tourism promotion office. Moreover, there also is the Minnesota Tourism Connection promoting Minnesota tourism. <https://mntconnect.org/about-mntc/>

Explore Minnesota Tourism is, “firmly positioned as a leader in state destination branding and marketing in the United States.” Operationally, it also has a “ Tourism Council” consisting of 28 people advising the Governor in promoting tourism from all Minnesota tourist sectors. (There are no environmental organizations on the Council.)

Contrary to what the RV, trailer, and boating industry would have you believe, Explore Minnesota Tourism very effectively promotes the State.

With its 2020-2021 \$14.2 million budget, its digital reach was 8,073,879, had 277,582 email subscribers, and social media connection of 155,868,054. In 2021 it had an amazing 5 billion media results from locally WCCO to National Geographic Magazine, and many foreign nations. 2021 additional visits due to promotions were forecast to be 2.2 million trips, additional spending in an overall Covid limited lackluster year of \$745 million with \$73 million in incremental state and local taxes collected from travelers. "Millions of travelers stop by our Welcome Centers, call and email us every year wanting travel information."

The benefits to Minnesota are astounding. 2021 hopefully leads to an even more robust 2022, Strategic Direction plans with more than 75 million new visitors, \$18.1 billion in sales, \$1.17 billion in state sales tax revenues and the creation of 281,000 Minnesota jobs.

Consistent with the above, nationally the first 3 months of 2022 showed a 33% consumer increase in hotel and food services spending along with a nearly 15% increase in recreation. On the other hand, reflecting higher gasoline prices recreational vehicles sales (RVs and Winnebagos!) declined nearly 13%. Inevitable rising gasoline prices could be an underlying reason for this Bill. HF4356 is a means of directly and indirectly subsidizing RV, Winnebago, and trailer sales. These would be subsidies to the well-off, elites, 1%'rs, and their companies.

The unwise political responses to Covid and now rising gasoline prices and the Ukraine situation has turned consumer sentiment very negative, approaching recession lows even as the stock market is near its highs. The data illustrates consumers desperately want to get out and spend, but their sentiment has begun to slow their actual spending. Explore Minnesota Tourism has their work cut out for them. HF4356 is wasted time.

Explore Minnesota Tourism actively encourages public/private partnerships, advertising to new audiences and markets, participation in many state-funded programs, initiatives, "developing the long-term sustainability of Minnesota's tourism industry while ensuring economic prosperity for communities statewide, and creating accessible and affordable cooperative programs to assist Minnesota communities and businesses in tourism promotion."

Explore Minnesota Tourism does all this while being committed, "to honoring the value and dignity of all individuals and fostering an environment that respects diversity, inclusion and accessibility, so that all who travel here feel welcome."

On the other hand, no RV, trailer, boating, or related associated organization or company are partners or collaborates with Explore Minnesota Tourism.

4. Explore Minnesota Tourism is vigorously promoting Minnesota tourism with its novel, "Dream State" program.

<https://www.exploreminnesota.com/order-travel-guides?gclsrc=aw.ds&>

Dream State" Overview

- The winning concept is "Dream State", which invites our travelers to feel part of something bigger while exploring the many, magical experiences our state has to offer;

- Our travelers love the new campaign - and tourists loved the magical moments and inspired them to visit us;
- Without using "north" or "true north" the new exploreminnesota.com hit six million visitors for the first time;

* Provided more than \$3 million in grant funding to hundreds of communities across the state, launched several social engagement campaigns; and

* Received a Mercury Award from the U.S. Travel Association for using CDC data on COVID-19 cases to help plan our media strategy in key markets. We also won an Adrian Award from the Hospitality Sales and Marketing Association.

Website: <https://www.exploreminnesota.com/>

Facebook: <https://www.facebook.com/ExploreMinnesota/>

5. Nature Over Loved

The overarching assumption is that Minnesota's lakes and natural areas are currently under utilized and expanding use is necessary.

The Committee is fully aware that that is the furthest from the truth. Minnesota's natural areas are overloved.

All of nature in Minnesota is deteriorating; to reduce damage natural resources of every kind are being allocated by regulation and by dollars; limits to access are spreading; fishing limits hunting limits are being restricted; there are simply insufficient natural resources for the population to be able to enjoy except by setting access and use limits.

6. I'll discuss the two organizations testifying on behalf of the original HF4356 illustrating why the original was misplaced.

* The Outdoor Recreation Roundtable is a business enterprise not environmental. It is, "comprised of 35 members representing more than 110,000 American businesses";

* an example would be \$5.8 billion Brunswick. You would know them as Mercury outboards and their 16 types of boats (NYSE: BC, \$88 per share, 3-29-22);

* there are numerous RV business signers, a standout example is the National RV Dealers Association with its 25 regional associations (Wisconsin and Michigan are included) that, "market expansion programs that promote the increased sale and use of RVs" and "is at the forefront of dealer-manufacturer issues, state and federal legislation that affects RV retailers";

* boating is another big influence: "in the heart of Central Minnesota, Powrtran has been providing boaters with high-end performance accessories for nearly 30 years";

* and there's our good close by friend Rapala in Minnetonka;

* of course the "disadvantaged" need a way to drive to the lake and Winnebago Industries is the

answer. The \$2.4 billion corporation headquartered in nextdoor Iowa is, "a leading U.S. manufacturer of Winnebago, Grand Design, Chris-Craft, Newmar and Barletta brands, and quality motorhomes, travel trailers, pontoons, inboard/outboard and sterndrive powerboats" (NYSE: WGO, \$56.23, 3-29-22);

* none of the 28 signers were environmental organizations;

* the Outdoor Recreation Roundtable believes, an industry that already generates \$689 billion dollars in output is not enough;

* believes, in Minnesota, \$8.4 billion in revenues and the already, "healthy, sustainable communities in every corner of the state" are not enough;

* and that these many departments in state government, "already support and promote Minnesota's outdoor recreation opportunities" is not enough;

* and although part of producing \$689 billion nationally and \$8.4 billion in Minnesota, these state departments are inadequate, (but overused!), they want to provide even more, "access to the outdoors and nature-based experiences for Minnesotans";

* to attract new business, improve rural quality of life; attracts year-round tourism; creates sustainable local economies; and expands access to the outdoors for all residents, creating positive benefits across economic, health, and social indicators.

Isn't that exactly what Minnesota has now? A thriving outdoors? Yes indeed!

* and they miraculously claim it would, "develop a next-generation workforce";

* and while re-characterizing natural areas they say a goal is to, "promote environmental stewardship";

The facts are just the opposite!

* and this amazing, dare I say alarming statement, "creating a Minnesota OREC would" literally oversee and regulate, "multiple agencies" by having a "Director of Outdoor Recreation implement strategic plans that grow outdoor recreation through policies, programs, and initiatives";

There's also the "**100% Organization**". Testimony of "100% Campaign", Chris Conry, Campaign Director, March 24, 2022. <https://www.100percentmn.org/>

It masquerades as environmental when its little of the kind.

<https://www.100percentmn.org/policy-platform>

For example, take, "The Seasons of Citizenship program. We all deserve a government that's representative and responsive, regardless of our country of origin and legal status."

It is advocating the open borders Obama immigration 'reform'. An extremely anti-environmental position!

While shutting down existing power plants, 100% legislation will, "direct the Public Utilities Commission to ensure that we create high-paying jobs, protect workers (including illegals), strengthen impacted communities, and reduce air pollution while maintain affordable electricity, particularly for low-income Minnesotans."

Also proving they are not interested in protecting habitats and natural areas and resource, 100% is active in legislation calling for "voting rights".

The 100% Campaign is "bringing Minnesotans together – people just like you – who believe we need an equitable clean energy future for everyone in our state".

In reality, it is advancing the motorization and pollution and greenhouse emissions in the out of doors.

With both organizational partners and individual endorsees, "the 100% Campaign is grounded in the idea that "to change everything, we need everyone" and "a cross-sector, statewide, multi-racial, intersectional campaign to build an equitable clean energy economy".

That statement connects with th Outdoor Rountable's promotion of a larger than life State Department.

And there is this jewel, "remove logistical and financial barriers to access, and promoting shared conservation strategies that unite the diverse Minnesotans who recreate in our state ... and to "define what recreation will be in the coming decades." (New Director an purpose.)

Committee, it is clear the parts of the Environment and Natural Resources Finance and Policy Committee Omnibus Bill HF-4492 regarding Establishing Outdoor Recreation Office (HF4356) should not be included in the Omnibus Bill.

April 6, 2022

The Honorable Rick Hansen
Chair, Environment and Natural Resources Finance and Policy Committee
407 Rev. Dr. Martin Luther King Jr. Blvd.
Saint Paul, MN 55155

Dear Representative Hansen,

We are writing to express our strong support for the DE-4 amendment to House File 4492. This amendment appropriates significant additional funding to operate and maintain the Metropolitan Regional Parks System, and we look forward to adoption of the amendment and passage of the amended HF 4492.

The Metropolitan Regional Parks System includes 54,000 acres of land, 56 regional parks and park reserves, and more than 400 miles of interconnected trails. The system hosted more than 63 million visits in 2019, and during the pandemic, the importance of the system to residents and visitors to the Twin Cities region has only grown. People rely on it as a safe place to gather with family and friends outdoors and discover nature. Due to the popularity of the system, our parks are in danger of being "loved to death," and funding to operate and maintain the system is greatly needed.

The proposed DE-4 amendment restores the payment in lieu of sales tax on lottery ticket sales to the original funding level (97 percent) established by the Legislature in 2000. This change, coupled with the additional lottery in lieu appropriation and the added funding allocated to the Metropolitan Council for parks, would provide an additional \$5.85 million for operations and maintenance of the Metropolitan Regional Parks System – raising the State's support of operations and maintenance of Metro Regional Parks closer to the 40 percent specified in MN Law 473.351 in 1985. We urge adoption of the DE-4 amendment to HF 4492, and we thank you for your continued support of Metropolitan Regional Parks.

Sincerely,

Jeff Perry
Parks Director
Anoka County

Mark McCabe
Director of Parks and Recreation
Ramsey County

Ann Kattreh
Parks and Recreation Director
City of Bloomington

Tom Russell
Interim Parks and Recreation Director
City of Saint Paul

Martin Walsh
Parks and Recreation Director
Carver County

Patricia Freeman
General Manager of Parks and Trails
Scott County

Niki Geisler
Director of Parks
Dakota County

Boe Carlson
Superintendent
Three Rivers Park District

Al Bangoura
Superintendent
Minneapolis Park and Recreation Board

Sandy Breuer
Parks Director
Washington County



Humming for Bees

www.hummingforbees.org

P. O. Box 712, Excelsior, MN 55331 / info@hummingforbees.org

April 6, 2022

To: Minnesota House Environment and Natural Resources Finance and Policy Committee

Subject: Support for HF766 and HF4492 Omnibus Section 6.17-6.24, Handling and Disposal of Pesticide Coated Seed

Dear Rep. Hansen and Committee Members,

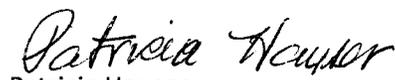
Humming for Bees, along with our members and supporters, strongly supports safer handling and proper disposal of pesticide treated seed presented in HF766 and included in HF4492, Section 6.17-6.24. With this action, Minnesota will better protect our lands, wildlife, and waters through more responsible handling of pesticide treated seeds. Better management of these pesticides, including neonicotinoids, will reduce residual amounts that can remain in our environment, be consumed by wildlife and affect ground water. The growing body of evidence is showing neonicotinoids, as well as other chemicals when not managed properly, have negative and lethal effects on pollinators, insect life, water born life, birds and even mammals. Proper disposal of unplanted seeds must be encouraged and needs to happen.

Please continue Minnesota's leadership and stewardship in the valuing of the quality and diversity of our environment and move this legislation forward.

Thank you,



Jeff Dinstmore



Patricia Hauser

Co-founders, Humming for Bees



April 6, 2022

Dear Chair Hansen and Members of the House Environment Committee:

Metro Cities, representing the shared interests of cities across the metropolitan area, appreciates the opportunity to comment on several provisions in HF 4492 – Hansen, as amended by the DE4 amendment:

Emerald Ash Borer – Direct grants to cities are desperately needed for the identification, removal, replacement, and treatment of trees impacted by emerald ash borer (EAB). Metro Cities appreciates the \$10 million for grants to local governments to replace trees that are removed because of EAB.

Lawns to Legumes – Metro Cities supports the \$5 million in FY 2023 for the Lawns to Legumes program. Metro Cities supports state funding for programs that create pollinator habitat on both public and private lands and would support expanding eligibility of the Lawns to Legumes program to include municipality-owned land.

Local Inflow and Infiltration Mitigation – Metro Cities supports funding for metropolitan cities to assist with improvements to municipal wastewater systems to reduce the amount of inflow and infiltration to the regional sanitary sewer system and supports funding to assist property owners in mitigating private property inflow-infiltration.

Adaptation Action Grants and Water Storage – Metro Cities supports the \$10 million in Article 1 of the DE4 appropriated to the Minnesota Pollution Control Agency (MPCA) for grants to local governments to upgrade local infrastructure, critical facilities, and other assets to protect against flooding and heat impacts.

PFAS – Metro Cities supports the \$2 million in the DE4 for the MPCA to provide grants for projects that prevent PFAS releases into the environment, identify sources of PFAS, and implement reduction strategies.

Metropolitan Council – Metro Cities supports funding for the Metropolitan Council in Article 1 Sec. 6 of the DE amendment to assist local partners in mitigating risks associated with climate change and replacing residential lead service lines. Metro Cities also supports the additional funding in the bill for metropolitan parks and trails.

Metro Cities opposes the expanded enforcement and penalty authority over city water supply permits included in Article 2. Metro Cities' policies emphasize the importance of adequate and sustainable water supply. The proposed language imposes harsh penalties and could result in significant mandates that could have dramatic impacts on local budgets. There are no examples of public water suppliers failing to address issues.

Thank you for your consideration of this letter. We look forward to working with you as the environment omnibus bill advances this session. Please contact me if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Mike Lund". The signature is written in a cursive, flowing style.

Mike Lund
Government Relations Specialist
Metro Cities



April 06, 2022

Representative Rick Hansen
Environment and Natural Resources Finance and Policy Committee
407 Rev. Dr. Martin Luther King Jr. Blvd.
Saint Paul, MN 55155

Re: Boater Education Coalition Support for HF4492 – Lines 30.10 – 34.31

Dear Chair Hansen, Vice Chair Wazlawik, Ranking Member Heintzeman & Committee Members,

On behalf of the undersigned organizations and leaders in the lake and recreational boating communities, we continue to ask for your support mandatory recreational boating safety education program in Minnesota. **We are encouraged and thankful for inclusion of lines 30.10 – 34.31 in HF4492 to expand the boater education program and kindly ask for your continued support.**

Boating and lake life is woven into the fabric of life in our great state, as many Minnesotans use their boats to enjoy our many lakes and rivers. In fact, Minnesota ranks second in the nation for registered boats with more than 825,000 registered boats, which equates to nearly one boat for every six people.

With continued growth and popularity of boating also comes a responsibility to look out for our community through establishing safety standards and best practices to protect aquatic ecology and decrease conflicts among user groups so that all can enjoy the waters in a responsible manner for years to come. As outdoor recreation is at an all time high, it is the time to implement boater education to ensure all are safe on the water and are the best stewards of the resource.

Most states require some form of boater education, and while Minnesota requires an operator safety education course for every other motorized recreational product, it does not require such a course for boating. It is our collective priority to expand access and participation in boater education programs. We would like to see the Minnesota legislature adopt mandatory boater safety education for all operators this legislative session.

This language will establish:

- An expansion of the boater education course with national recognition and offers reciprocity for users.
- A proven way to dramatically improve boater safety on the water.
- An opportunity to deliver key messages on best practices to protect aquatic ecology and reduce conflicts among users of our many lakes and rivers.
- Expanding awareness on the threat of aquatic invasive species and puts additional responsibility on boaters to prevent the spread.
- An opportunity for stakeholders to work with the Minnesota Department of Natural Resources on coursework development and implementation of the program.



Thank you for your consideration and we look forward to working with you on improving boater safety in the days ahead.

Sincerely,

Joe Shneider
President
Minnesota Coalition of Lake Associations (MN COLA)

Jeff Forester
Executive Director
Minnesota Lakes & Rivers Advocates (MLR)

Matt Gruhn
President
Marine Retailers Association of the Americas (MRAA)

Jill Sims
Manager of Great Lakes Policy & Engagement
National Marine Manufacturers Association (NMMA)

Gabriel Jabbour
Owner
Tonka Bay Marina



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www.mcpr-cca.org

April 6, 2022

Chair Rick Hansen
House Environment & Natural Resources Finance and Policy Committee
407 State Office Building
100 Rev. Dr. Martin Luther King Jr. Blvd.
St. Paul, MN 55155

Chair Hansen & Environment & Natural Resources Finance & Policy Committee Members:

On behalf of the Minnesota Crop Production Retailers (MCPR), I thank you for the opportunity to provide comments regarding the DE Amendment to H.F. 4492. Our organization appreciates the time and effort you and your fellow committee members have put in to craft the Omnibus Environment and Natural Resources Supplemental Finance & Policy Bill that is before the committee this week.

MCPR is a nonprofit organization representing agricultural retailers and distributors, crop input suppliers, crop advisors, and registrants who manufacture crop inputs for farmers throughout Minnesota. Our organization strives to promote the proper use, storage, and application of crop production inputs in an environmentally safe and agronomically sound manner.

Among the provisions included in the DE Amendment to H.F. 4492, MCPR is opposed to several sections included in Article 2 dealing with treated seed consumer guidance and the prohibition on the application of certain pesticides by authorizing cities to adopt pesticide control ordinances.

For background, a seed treatment is the application of biological organisms/products and chemical ingredients to a seed with the intent to suppress, control, or repel plant pathogens, insects, or other pests that attack seed, seedlings, or plants. They are used to help protect the developing seed during its most vulnerable time—planting through germination and emergence – from early-season insect and disease damage that can severely impact crop establishment and yields. Treated seeds provide a sustainable solution to farmers in a highly targeted and precise approach that also means less impact on the surrounding environment.

The first provision in the DE Amendment to H.F. 4492 that MCPR opposes is:

- **The requirement that MDA develop and maintain consumer guidance regarding the proper use and disposal of neonicotinoid-treated seed.**

This language is included in Sections 4, 5, 6, 50 and 83 of Article 2 and is also the underlying language contained in H.F. 766 which was also recently heard this session by the Agriculture Committee and the Environment and Natural Resources Committee in the House.

The agricultural sector is fully committed to following all laws, regulations, and guidelines for the safe use of seed and management of surplus seed. Companies who produce treated seeds work closely with the agricultural industry and grower partners to communicate the importance of following proper guidelines at every step of the process. Seed treatment pesticide products are highly regulated and it is absolutely essential that anyone who treats, handles, transports, plants, recycles, re-uses or disposes of treated seeds manage them properly and in accordance with label instructions to minimize the risk of pesticide exposure to humans and the environment.

Treated seeds undergo a thorough evaluation by the EPA, and applicable state agencies, prior to commercialization and periodically thereafter. Only after a product is approved by the relevant federal and state agencies, can the seed treatment product be used in accordance with the EPA-approved label. Labels for commercial seed treatment products carry language that must be placed on the seed tags accompanying treated seed packages regarding permitted & prohibited practices.

Treated seeds that are damaged, do not meet quality specifications, or have become nonviable may require disposal. There are several ways surplus treated seed is managed, including:

- Alternative Fuel Source for Power Plants or Cement Kilns
 - There are a number of power plants and cement companies that utilize alternative fuels. The EPA National Electric Energy Data System includes a list of power plants utilizing biomass, municipal solid waste, or non-fossil waste as an alternative fuel.
- Alternative Fuel Source for Ethanol Plants
 - A very limited number of ethanol plants in the U.S. have the permits necessary to dispose of treated seed through the ethanol fermentation process. None of these plants are located in Minnesota. In all situations, byproducts from the ethanol production process cannot enter the food or feed channels and no measurable pesticide residues are allowed. The same situation applies for wastewater and air emissions, as well.
- High-Temperature Incineration by a Waste Management Facility
 - These waste management facilities run a disposal business and confirmation of the proper permits is required.
- Disposal in Approved Municipal Landfills
 - State rules vary in approach. In addition, treated seed, and the resultant seed dust, are subject to solid waste regulations at the state and local levels.

The next provision in the DE Amendment to H.F. 4492 that MCPR opposes is:

- **Application of Certain Pesticides Prohibited by Authorizing Cities to Adopt Pesticide Control Ordinances.**

This language is included in Sections 2 and 3 of Article 2 and is also the underlying language contained in H.F. 718 which was heard by the House Environment and Natural Resources Committee during the 2021 session.

MCPR opposes local ordinances that would repeal statewide exemption of local ordinances regarding crop production inputs. This language would remove existing state authority that ensures safe and consistent regulatory standards for pesticides in the state. MCPR also opposes this language as it will weaken the state's ability to effectively regulate pesticides that are registered and regulated by the Minnesota Department of Agriculture (MDA). These regulations enforced by the MDA ensure safe and proper pesticide use in the state through registration of pesticides, licensing of pesticide applicators, and through research and enforcement activities. Uniform state law comprehensively regulates virtually every other aspect of labeling, distribution, sale, storage, transportation, use and application, and disposal of pesticides in the state. State regulation of pesticides also ensures uniformity with federal regulation, and between states and their municipalities to avoid confusion that may endanger public health or the environment from differing requirements.

This provision would also remove this authority and weaken important standards, increase costs to Minnesotans due to a patchwork of compliance and additional needed resources, and create confusion and the potential for endangering people and natural resources. Pesticides are important public health and environmental tools, protecting people, pets, and property from pests and insect-borne diseases, invasive and non-native plants, and providing safe and healthy places to live, work and play. Pesticides play an important role in agriculture and IPM (Integrated Pest Management). Crop protection tools and technologies are vital to protect farmers' crops and enable farmers to grow more food using less land and resources, therein protecting farmers investments, and making food more affordable.

In closing, MCPR thanks you for the opportunity to provide these comments.

Sincerely,

A handwritten signature in black ink that reads "Patrick Young". The signature is written in a cursive style with a large, sweeping flourish at the end.

Executive Director
Minnesota Crop Production Retailers

Dear Representative Hansen,

I will be unable to testify at the hearing on the House omnibus bill on Thursday because I need to take my wife to a medical appointment, but I wish to take this opportunity to express my sincere appreciation to you, your fellow representatives, and your staff for all of the important features that are included in the bill. It is an outstanding natural resource package, including features important to me:

Funding a lead tackle collection program which to reduce the cumulative pollution of our lakes that poisons loons, swans, and other wildlife.

Funding and designation of swan resting areas and education and outreach regarding protection of native swans.

\$3.3 million in funding for Scientific and Natural Areas.

\$70,000 for the Nongame Wildlife Management Program (however, I did not see how that money was to be used.

Funding for the new Minnesota Outdoor Recreation Office to advocate for equity, diversity, and inclusivity. (I am currently working to help preserve a grassland area in Maplewood important for native nesting songbirds and promoting new "birdability" facilities for blind or vision-impaired birders to hear the songs of nature along the margins of the grassland. This would be the first "birdability" site in Minnesota.

Clarifying turtle harvesting regulations for turtles.

Eliminating use of lead shot for upland game hunting on wildlife management areas in the farmland zone. Wonderful news!!!

Again, thanks to you, your committee members and your staff for all their tireless work on behalf of Minnesota's wildlife.

Sincerely,

Carrol Henderson
640-119th Lane NE
Blaine, MN 55434
carrolhenderson@prodigy.net
763-755-4048

Evaluation of Rough Fish: HF4492DE 4

PG. 10 LINES 10.5-10.18 TESTIMONY WITH REFERENCES

Tyler Winter 4/6/2022

100 Talmadge Way Fridley, MN 55432

651-260-3474 TylerJWinter@gmail.com

Minnesota is home to 143 species of native fish.¹ However, 26 native species are designated as “rough fish”. The “rough fish” are generally species large enough to be caught with conventional angling gear, but not commonly utilized in American cuisine. (Fig 1) The term “rough fish” is defined by state statute (Minn. Stat. 97A.015, Subd. 43) but has no biological justification².



Fig 1. Shorthead redhorse are a designated rough fish.

The current regulations for the 26 species of native rough fish are largely unchanged since 1909 (Minnesota Statutes, 1909, Chapter 545, § 2). However, some species have been removed from the rough fish definition, including yellow perch (*Perca flavescens*) and turtles. Most recently, burbot (*Lota lota*), lake whitefish (*Coregonus clupeaformis*) and lake herring (*C. artedi*) were recategorized.

Early management of native non-game fish was preoccupied with the presumed impacts of so called “rough fish” on game fish. However, those impacts have not been documented.^{2,3} In fact, experimental rough fish removals conducted by the Minnesota DNR demonstrated the value of native rough fish to game fish.³ Native rough fish provide many ecosystem services.² They are prey for game fish and birds of prey. They are hosts to imperiled freshwater mussels⁴. They can enhance the productivity of streams⁵. And, they compete with and prey on invasive species⁶. Furthermore, many species of rough fish are threatened in all or part of their range⁷. Seven species of Minnesota’s rough fish are listed as threatened by another state.

Research shows that recreational harvest has a negative impact on fish populations.^{8, 9, 10, 11, 12} Possession limits are traditionally used to regulate recreational harvest on the assumption that harvest is density dependent.¹³ However, recreational harvest is not density dependent because fishing effort is directed to areas where fish concentrate.¹¹ Active harvest methods which target schools of spawning fish are 200 times more efficient than angling.¹⁴ This efficiency allows recreational fishers to maintain high catch rates even as populations decline. Highly efficient density independent fisheries require careful management to prevent stock collapse. Researchers are raising concern^{2, 15} and proposing regulatory reforms to address these issues.¹⁶

A growing public awareness of our native rough fish^{17, 18} is creating an opportunity for regulatory reform. The Minnesota Division of the Izaak Walton League of America just passed a resolution calling for reforms to our native rough fish regulations. Adopting new regulations, which balance utilization and protection, will create responsible and sustainable fisheries.¹⁹

The regulations and administrative rules applied to fish listed in Minn. Stat. 97A.015, Subd. 43 are urgently needed. First, the statutory definition does not include scientific nomenclature making it ambiguous. Second, the statute excludes “any fish species listed as endangered, threatened, or of special concern in Minnesota Rules, chapter 6134.” Unfortunately, Minnesota Rules 6262.0200 Fishing regulations for inland waters, does not include this exemption. This contradiction between statute and administrative rule is prima facie justification for review of current rough fish designations. If further justification was asked for, the conservation status of these fish in other states, their commercial importance, the increased harvest, and ecosystem services are also pertinent. Lastly, the status and regulations of designated rough fish have never been systematically evaluated, before or after, liberalized seasons and harvest methods were legalized.

This evaluation of designated “rough fish” is the first step in regulatory reform which should be supported by all Minnesotans - especially those of us who pursue native, so called, rough fish.

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April 6, 2022

Re: County Input on HF4492, as amended by the DE4 Amendment

Dear Chair Hansen and Members of the House Environment and Natural Resources Committee:

On behalf of the Association of Minnesota Counties (AMC), a voluntary association representing all 87 counties, we want to thank you for your work this session. We appreciate the time you have invested in hearing legislation and allowing us to offer support and critiques along the way.

The House Environment Omnibus bill includes many provisions of interest to counties. We share committee concerns about the spread of Chronic Wasting Disease (CWD) and support efforts to effectively manage its spread. Appropriations for local governments to replace trees lost to drought/invasive pests and for the DNR to make progress on aggregate mapping are also supported by counties for the value they add to our communities and decision-making at the local level.

There are numerous finance and policy provisions included in HF4492, as amended by the DE4 amendment, that impact county government operations, responsibilities, and finances. **AMC is happy to support numerous items included in the bill:**

- **Use of Proceeds from Sales of Tax-Forfeited Lands** (Art. 2, Sec. 70): Counties are charged with the management of tax-forfeited properties and incur the costs required to clean-up and maintain these properties until they are returned to their best use. Addressing these costs been an ongoing priority for AMC. Giving counties the option to use receipts from sales or rentals of forfeited lands for these remediation efforts will help mitigate some of the financial impact and is beneficial to the whole community.
- **Metropolitan Landfill Contingency Action Trust** (Art. 1, Sec. 2, Subd. 3): AMC supports the \$29.055 million to repay funds transferred from the Metropolitan Landfill Contingency Action Trust (MLCAT). MLCAT is necessary to address emergency and long-term care at landfills and waste disposal sites in the seven-county metro area and the fund balance is already inadequate to address the expected expenses at eligible sites within three years.
- **Lands Provisions** (Art. 5): AMC supports the inclusion of the state lands provisions in Article 5. In addition to the land transactions specific to 10 counties, we also support authorizing conservation easements on tax-forfeited land.
- **PFAS Prevention Grants** (Art. 1, Sec. 2): AMC supports this investment of \$2 million for grants for community PFAS prevention. Monitoring to identify problem areas and sources is a critical early step. The MPCA recently released a voluntary monitoring program, but this testing can be costly. The MPCA cost estimates for the monitoring at publicly owned solid waste sites totals \$2.12 million. AMC would encourage the committee to increase this appropriation and dedicate it to the monitoring program. This action will increase participation and the quality and quantity of data collected.

- **Waste Prevention and Recycling Grants and Loans** (Art. 1, Sec. 2, (f)): AMC appreciates the significant onetime investment in grant and loan programs. Without program language in place, we have few details about how this will be used but understand it will provide opportunities for infrastructure and program establishment. We look forward to working with the MPCA to make it a success. Of course, it is the boots on the ground and local programming will see this through and proceed those results. For that work to get done **we must increase the state investment in SCORE activities.**

There are a variety of other items that AMC views positively but have less direct county impacts. **Unfortunately, there are also proposals included in the DE4 amendment that raise concerns for counties:**

- **Drainage Registry Information Portal** (Art. 2, Sec. 34): AMC opposes this proposal. Drainage law already includes requirements for notice and opportunities for engagement through public hearings. We have concerns about how the registry will impact drainage system operations, particularly the maintenance of existing drainage systems. The proposal also puts a hold on routine maintenance and emergency repairs, both of which have potential to cause property damage and negative environmental impacts. This type of proposal should be reviewed by the drainage work group so all parties can provide input and understand the effects.
- **Feedlot and Manure Storage Reporting** (Art. 2, Sec. 84): AMC appreciates the interest in collecting this data but believes it should be specifically directed to the Minnesota Pollution Control Agency. Counties, in general, do not have the personal with knowledge to do this work. In counties with feedlot officers, we have signed delegation agreements with the state to perform specific categories of work. It is a concern if delegation is going to begin creating obligations outside of the delegation agreements.
- **Changes to nonconformities on certain properties** (Art. 2, Sec. 73): AMC has concerns with this change to county zoning authority in MS Chapter 394. We believe the current authority adequately addresses nonconformities and in cases where the law might be too restrictive, a variance could be applied for. We are still gathering analysis of this language but there is potential that this extra flexibility for these properties could be construed to limit authority for nonconformities on other property classes.

Thank you for your consideration of our perspective. Should you have any questions about the information provided above, please don't hesitate to contact me.

Sincerely,



Brian Martinson, Policy Analyst
Association of Minnesota Counties
bmartinson@mncounties.org
651-246-4156



Testimony of Deanna White to the House Environment Committee April 7, 2022

Good afternoon, Chair Hansen and members of the committee,

My name is Deanna White and I am the State Director of Clean Water Action. On behalf of our more than 50,000 members across Minnesota, I thank you for including so many important environmental protections in the Omnibus bill that you are considering today.

There are many provisions in the bill that we are particularly pleased to see in the bill and would urge you to keep in the bill.

First of course, are the provisions that are meant to begin to address the incredibly important issue of PFAS contamination in our state. Article 4, Section 1-11 contains measures that will begin to stem the tide of PFAS pollution and will give us important tools and information in combating the pollution that is already in our environment. I have spoken to this committee many times about the terrible impacts of PFAS and the need to eliminate it wherever possible through efforts like our PFAS Prevention Package. These provisions are important investments in Minnesota's future and in preventing future contamination in our environment and the costly health impacts that result from that contamination. Please do all that you can to ensure that these measures remain intact as the bill moves forward.

The difficulty and expense in treating PFAS contamination is a burden on communities and water systems. We know that a growing number of Americans are drinking water containing PFAS. We know that this problem will only get worse if we don't take action now.

Secondly, we are particularly glad to see Article 2, Section 49 and the creation of a zero-waste grant program. Waste reduction efforts must be a significant part of our work and this program will help us make progress toward a zero-waste future that reduces the need for incineration and landfills.

301 4th Ave S Suite365N, Minneapolis, MN 55415

Phone 612-623-3666

www.CleanWaterAction.org/MN

Third, we urge you to continue to emphasize efforts that offer additional opportunities and protections to environmental justice communities in addressing legacy pollution issues as well as potential future pollution issues.

We support the bill as a whole and thank you for making environmental protection a priority for the State Legislature.

April 6, 2022

Environment and Natural Resources Finance and Policy Committee
Minnesota House of Representatives
St. Paul, MN 55155

Re: Prohibition of Lead Ammunition for Taking Small Game on WMAs **Position: Oppose**

Dear Chair Hansen and Committee Members:

On behalf of the National Shooting Sports Foundation (NSSF), I express strong opposition to House language in HF4492 (Hansen) which seeks to ban the use of traditional, or lead, ammunition while hunting on wildlife management areas in Minnesota.

As the trade association for America's firearm, ammunition, hunting, and recreational shooting sports industry, NSSF seeks to promote, protect, and preserve hunting and the shooting sports. NSSF has a membership of more than 12,000 manufacturers, distributors, firearms retailers, shooting ranges, and sportsmen's organizations. Our manufacturer members make the firearms used by law-abiding Minnesota sportsmen and women, the U.S. military, and law enforcement agencies throughout the state.

The proposed prohibition of the choice of lead shot on WMAs will undoubtedly cause an artificial shift in supply and demand that will result in an increase in the price of alternative ammunition. While growing in popularity with hunters, alternative ammunition made of copper, tungsten, bismuth, and steel are more expensive to produce and purchase than their counterparts.

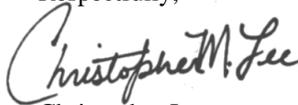
Coupled with the ammunition shortage we are currently experiencing, removing lead shot as an ammunition choice is likely to have a detrimental impact on the number of hunters choosing to purchase Minnesota hunting licenses. Barriers for hunters affect not only sportsmen and women and Minnesota's tourism economy, but wildlife and conservation efforts in Minnesota in lost license revenue as well as collection of Pittman-Robertson funds which contributes 11% of every ammunition purchase to wildlife management and habitat. For FY22, that amounted to \$32,250,271 that Minnesota received from USFWS to be used for wildlife conservation.

Our industry is proud of its strong presence and economic impact in Minnesota and are mindful of the important role sportsmen play in Minnesota's economy. Our membership includes Minnesota-based federally licensed firearms retailers, most of which are small "mom-n-pop" businesses that are the backbone of the state's economy, and large ammunition manufacturers such as Federal Premium Ammunition. In 2021, the Minnesota firearm industry employed over 11,600 Minnesotans and had an economic impact of over \$2.7 billion on the state. Banning lead ammunition on WMAs and creating an artificial shift in the market could lead to the closure of small businesses impacting mostly rural communities.

Additionally, any action taken by the legislature that leads to the reduction in the number of hunters or creates barriers for new or reactivated hunters will adversely affect management and restoration of wildlife in Minnesota. Raptor populations are thriving in Minnesota and across the country thanks to investments in wildlife conservation, which have been funded largely by the sale of firearms and ammunition. Attempts to ban lead ammunition are based on emotion and would certainly have a negative impact on Minnesota.

For these reasons, the NSSF strongly opposes any attempt to ban the use of lead ammunition, or lead shot, also known as traditional ammunition.

Respectfully,



Christopher Lee

To: Representative Rick Hansen, Chair
House Environment and Natural Resources Finance and Policy Committee

From: Ellen Fuge
75 Hickory Street
Mahtomedi, MN 55115

Subject: HF4492DE4 – Written Testimony

Dear Rep. Hansen:

I worked as Management Supervisor for the Scientific and Natural Areas (SNA) Program from 1987 until my retirement in 2013. This is my written testimony **in favor of HF4492DE4**.

The **decline of General Fund money from the SNA Program** in the last 20+ years is **threatening** the survival of the **rare resources** sustained on and the **state funds invested** in these areas.

Lands in Minnesota administered by the Scientific and Natural Areas Program (SNA) include **168 SNAs encompassing 192,000 acres and 157 Native Prairie Banks (NPB) with 14,000 acres**.

These sites are acquired, primarily with state funds and others through private donation or are on an existing public land base, for the purpose of **protecting and perpetuating rare plant and animal species, plant communities and geological features that are of statewide significance**

General Fund money on an annual basis to support permanent staff for the SNA Program has declined since the early 2000s to the point that the rare resources, plants, and animals protected by SNAs are being threatened and lost. Special and temporary funding such as the Outdoor Heritage Fund and the Environmental and Natural Resources Trust Fund cannot be efficiently utilized for permanent staff to direct and monitor essential activities for maintenance of these resources. These other funding sources may also have limits as to how they may be used.

Once an SNA is acquired, annual maintenance is essential to maintain the integrity of these sites. This may include prescribed burns on prairies to exclude invasive trees and brush; invasives control for weeds such as garlic mustard or buckthorn in woodlands that destroy the native habitat and rare plants or animals that need them. The ability to hire permanent staff to direct and monitor professional contractors to carry out maintenance activities is required.

There is currently a shortage of permanent staffing for SNAs throughout the state. For example, in the DNR's southwest Region 4, there are **32 counties with 37 SNAs and 110 Native Prairie Banks (NPB)** (also managed by the SNA Program). In total, SNAs and NPBs protect nearly **12,000 acres** of native plant and animal communities, but there are **only 4 SNA personnel** to carry out all the monitoring and maintenance activities needed in the region. As a result, some sites may not be visited, monitored, or have needed maintenance carried out for years. Without attention, rare native species and features are lost as is the investment in these areas.

HF4492DE4 would provide the **\$3.3 million of state General Funds** needed for basic staffing necessary for the maintenance required by the SNAs statewide.



“To promote a zero-waste society that advocates for reducing waste, sustainably reusing resources and less landfill use.”

April 7, 2022

RE: HF 4492 (HANSEN)

Dear Chair Hansen and Environment and Natural Resources Committee Members:

On behalf of the Minnesota Resource Recovery Association (“MRRA”), I write in my capacity as a board member to thank you in advance for receiving this letter. MRRA is in favor of working together to promote zero-waste, advance product stewardship programs, and advance environmental justice (“EJ”) for all citizens. However, **MRRA strongly opposes the Cumulative Impacts language provision in the DE-4 to HF 4492**, as currently written.

Additionally, **MRRA also opposes other proposed Air Quality / EJ issues in the DE-4**, due to lack of clarity/details on the impact on existing permitted facilities, which will be dependent on the implementing regulations and/or the Minnesota Pollution Control Agency’s (MPCA’s) interpretation thereof. Depending on interpretation of potential increases of pollution, toxicity of emissions, or impact, and because facilities are in the vicinity of multiple EJ areas as currently defined, any permit action for these facilities could require a cumulative analysis

MRRA Strongly Opposes:

- 62.12-66.13: **Cumulative Impacts language** (amend air quality permit language (116.07) to include environmental justice study and revoke or modify permits that impact these areas
 - *Adds significant time and cost to the permit application and issuance process*
 - *Adds permit conditions (e.g., restrictions on operation, requirements for air pollution controls) that cap emissions at existing levels (as currently permitted for existing facilities, emissions for new permittees)*

MRRA Opposes:

- 60.29-62.11: **Adds definitions** to Chapter 116. MPCA for Environmental justice, Environmental justice area, microplastics, nanoplastics, & plastic.
 - *The current definition of Environmental Justice is consistent with the Environmental Protection Agency’s current definition*
 - *Environmental justice area in the legislation is defined differently compared to what MPCA’s online EJ MNRisk screening tool considers an area of concern*
- 67.24-68.3: Petition to **add to environmental justice area** determination.
 - *HF 4492 could move facilities currently outside an EJ area into an EJ area*

MRRA Potentially Neutral:

- 77.12-79.25: Establishment of a **community air monitoring system pilot** grant program within an environmental justice area in Minneapolis.
- 79.26-81.24: **Rulemaking for air toxics** and then follow up to modify permits to include air toxics.

MRRRA has 9 facilities across the state. Our facilities operate primarily in rural MN counties (Blue Earth, Otter Tail, Polk, Pope, Douglas, Goodhue) as well as metro country areas such as Olmsted, Washington, and Hennepin. Many of our facilities are built in the heart of some of the most successful destination locations in Minnesota. Our state-of-the-art air emission controls ensure a safe and clean place for people to visit, vacation, work and live. **Often, people that are unfamiliar with facilities like ours, mistake steam for pollutants. This is frequently the case during winter months.** Perham, Alexandria, Fosston, Red Wing, Rochester, and Mankato are envied by neighboring communities for the jobs and financial benefits created by our facilities. The local business reduces transport costs and harmful emissions and greenhouse gases caused by trucking waste to remote landfills, not in our backyards. We think globally and act locally.

We believe in moving Minnesota towards zero landfilling and leaving a legacy of a better Minnesota for future generations. For this reason, we respectfully request involvement in developing environmental justice bills to ensure that they are compatible with our shared environmental goals. In the short-term, our facilities are more expensive to operate than the nearest landfills; however, long term they are less costly due to lower environmental risks. Currently, Minnesota's taxpayers have nearly \$1 billion in landfill clean-up costs. In accordance with MPCA guidelines our member counties choose resource recovery over landfilling as it ranks higher on the waste management hierarchy and creates less risk to the public's health and pollution risk to the environment.

MRRRA members fully embrace the scientifically proven waste management hierarchy. We are currently advancing multiple regional programs of higher priority than resource recovery, which include waste reduction, waste re-use, recycling, and composting; these initiatives work towards zero landfilling. If resource recovery is weakened in integrated programs, Minnesota will move backwards, not forwards in waste management. These waste management strategies are recommended by the United States Environmental Protection Agency and required by Minnesota state law. Global leaders in environmental solid waste management which include countries such as Norway, Denmark, Sweden, Switzerland, Belgium, Germany and the Netherlands have the same perspective.

Minnesotans continue to generate more waste. The waste is more toxic and less recyclable. Let us carefully build environmental justice into environmental permitting without hurting the solid waste programs that were built to protect our constituents. I hope I have represented the need for Waste-to-Energy in Minnesota. If I did, you now know we are leaders of Minnesota's efforts to protect our environment. We thank you for your work to help Minnesota protect our climate by protecting Minnesota's investments in Waste-to-Energy. Thank you, we look forward to working with you.

Chris McConn (cell: 218.770.2810)

A handwritten signature in black ink, appearing to be the name 'Chris McConn', written in a cursive style.

MRRRA Board Member / Prairie Lakes Municipal Solid Waste Authority



Minnesota Solid Waste Administrators Association | 125 Charles Avenue, St. Paul, MN 55103-2108 | www.mn-swaa.org

April 6, 2022

Re: County Input on HF4492, as amended by the DE4 amendment

Dear Chair Hansen and Members of the House Environment and Natural Resources Committee:

The Minnesota Solid Waste Administrators Association (SWAA) is an organization of county and solid waste district professionals and affiliated waste specialists and is an affiliate of the Association of Minnesota Counties (AMC), which represents all 87 Minnesota counties. SWAA advocates for policies and funding that improve and promote responsible waste management and reduce environmental impacts of solid waste.

SWAA appreciates the provisions in this legislation that support efforts to reduce and manage waste, and to deal with the health and environmental impacts of solid waste. **We were happy to see the inclusion of \$29.055 million for repayment of funds transferred from the Metropolitan Landfill Contingency Action Trust (MLCAT)** (Art. 1, Sec. 2). MLCAT is necessary to address emergency and long-term care at landfills and waste disposal sites in the seven-county metro area and the fund balance is already inadequate to address the expected expenses at eligible sites within three years.

There is also a significant investment made in the Minnesota Pollution Control Agency's (MPCA) waste efforts through a \$10 million appropriation for waste prevention and recycling grants and loans (Art. 1, Sec. 2). **SWAA supports the further investments in waste infrastructure** and look forward to learning more about how the money will be prioritized and distributed by the MPCA.

We would be remiss not to mention that these infrastructure investments need the programing, personnel, and public education funded through SCORE Grants in order to be effective. **We appreciate this committee's support of the SCORE proposal (HF2367) and encourage you to advocate for that investment with your colleagues.**

This a comprehensive bill and SWAA would like to offer the following feedback on items that impact our work and responsibilities to the public and the state:

- **PFAS Prevention Grants** (Art. 1, Sec. 2): SWAA supports this investment of \$2 million for grants to public and private entities dealing with PFAS pollution. One of the MPCA's priorities for this funding is monitoring PFAS receiver sites, like solid waste facilities. The MPCA recently released a voluntary monitoring program, but this testing can be costly. The MPCA estimates costs for the monitoring at just the publicly owned solid waste sites totals \$2.12 million. We would encourage the committee to consider increasing this appropriation and dedicating it to the monitoring program so that all sites can afford to participate.
- **Labeling of Compostable Products** (Art. 4, Sec. 7): SWAA supports proper labeling of compostable and biodegradable products. Contamination is a costly problem for collection programs and composting operations. Accurate and understandable product labeling will eliminate confusion for residents and businesses trying to act responsibly and support industry success in Minnesota.

- **PFAS Disclosure** (Art. 4, Sec. 6): SWAA participates in the PFAS Advisory Council focused on source identification and reduction. Understanding sources provides us with better opportunities to manage these contaminants. Requiring PFAS producers and users to report this information will reduce the costs of analysis and focus our efforts on management and reduction of these substances.
- **PFAS Prohibitions** (Art. 4, Sec. 1-5): SWAA supports producer responsibility that obligates manufacturers to minimize environmental and social impacts of their products. The primary effort for reducing the environmental impacts and human exposure is to stop introducing sources of contaminants. Prevention is the most effective and least costly tool. To that end, these provisions focus on source reduction and direct producers to develop safer alternatives.
- **Zero-Waste Grant Program** (Art. 1, Sec. 2, Art. 2, Sec. 49): SWAA supports waste reduction efforts and believes the data shows them to also contribute significantly to the state's economy. We appreciate that the committee is interested in funding these projects.
- **Carpet Stewardship Program Report**, (Art. 1, Sec. 2, Art. 2, Sec. 88) SWAA supports product stewardship among manufacturers, retailers, and consumers that creates producer-led material and toxicity reductions, reuse, and recycling programs. SWAA has engaged in discussions on carpet programs numerous times and would do so again if this proposal is advanced. However, we would like to have an organized approach to product stewardship that prioritizes the items to work on.
- **Cumulative Impacts provisions** (Art. 2, Secs. 60, 62) SWAA has concerns with some of the provisions included in this that impact current and future responsibilities and environmentally preferable methods of processing solid waste. We recognize the potential impacts of waste management activities and seek solutions that minimize negative impacts and do not burden one group more than another.
- **PFAS Health Risk Limit established in statute** (Art. 4, Sec. 11): SWAA opposes setting Health Risk Limits in statute. Health risk limits should be set through the state administrative rulemaking process. These processes are meant to involve science-based decision making and provide for the tools to reset limits as if better information become available.

We appreciate the opportunity to provide you with our perspective on HF4492. Should you have any questions about the information provided above, please contact Brian Martinson, AMC Policy Analyst, at bmartinson@mncounties.org or 651-246-4156.

Sincerely,



Laine Sletta, Brown County Planning & Zoning Administrator
President, Solid Waste Administrators Association