

FRESHWATER

2424 Territorial Road Suite B | St. Paul, MN 55114 | 651.313.5800 | freshwater.org

Freshwater Society is a nonprofit organization working to inspire and empower people to value and preserve our freshwater resources.

BOARD OF DIRECTORS

Valery Forbes, PhD,
Chair
Ryan Godfrey, PhD,
Vice Chair
Todd Bolin, *Treasurer*
Josephine Marcotty,
Secretary

Amira Adawe
Risikat Adesaogun
Molly Biedenfeld
Wade Campbell
Ryan Hurt
Dave Leuthe
Corey Lohmiller
Jill Lucas
Joan Nephew
Renee Willette

Emeritus Directors
Blyth Brookman
JoEllen Hurr
Tom Skramstad

May 18, 2021

Legacy Conference Committee

RE: HF 1079/SF 971

Dear Chairs Lillie, Ruud, and Conference Committee Members,

As your working group continues and completes the work of assembling a legacy omnibus bill, Freshwater would like to provide comments on provisions in both the House and Senate bills as well as concerns about the process moving forward.

Thank you for your ongoing support of the Clean Water Council and stewardship of the Clean Water Funds. We appreciate the extent to which the Clean Water Council process has been honored, a process that the Council went through over several months to develop their recommendations.

We do have concerns about the use of Clean Water Funds to pay for Soil and Water Conservation Districts (SWCDs). We say that fully acknowledging the valuable role that SWCDs play as essential partners in their work to protect and restore Minnesota's waters, and we strongly believe that they need a stable and reliably sufficient funding source. We do not believe, however, that the Clean Water Fund is that source.

SWCD staff engage directly with farmers, foresters, other local governments, and landowners to identify problems, provide technical and financial assistance, and implement the projects that make cleaner water and healthier soils a reality. Given their vital role—one that existed before the Clean Water Land and Legacy amendment and one that will continue long past the Clean Water Fund (CWF) sunsets in 2034—it is unfortunate that SWCDs have found themselves in a position of extreme budget uncertainty for the last few biennia. Despite never being included in the Clean Water Council's budget recommendations for CWF appropriations, SWCDs have been funded through the CWF as a short-term solution in the last few budget appropriation bills.

We appreciate the work that the House has done in their Environment and Legacy Omnibus bills, acknowledging the need to shift SWCDs from the CWF to a more permanent, stable funding sources devoted to SWCDs. Consistency of funding is crucial to allow SWCDs the ability to more deeply engage in the long-term planning and relationship building that is necessary to strategically pursue opportunities to advance conservation goals. At present, there are several efforts underway to identify this consistent funding source, including the language in the House omnibus bills, and we are encouraged by the momentum that has built over the last year that moves us closer to a solution. Whether that funding comes from fees, is shifted back to the General Fund where it had been before or is found in other ways—we are committed to seeing the recent reliance on the CWF come to an end.

We believe another idea worth pursuing is convening interested parties from across Minnesota



to explore additional possibilities for meeting the future needs of SWCDs. Convening stakeholders in the original Group of 16 (G16) led ultimately to the Clean Water Funding and the Legacy Constitutional Amendment, and we support considering a similar approach.

If base funding for SWCDs comes from the CWF this year, we encourage the Legislature to once again incorporate the payback provision that has been attached to that temporary funding in the past.

Lastly, as the conference committees' transition to becoming working groups we are concerned over the lack of transparency that may occur in the leadup to a special session. Minnesotans deserve clarity and transparency in how their tax dollars are spent, and Freshwater does not believe that these decisions should be made behind closed doors. These working groups must occur in a public forum, be it virtual or in-person, with public input and knowledge. Transparency creates accountability, and accountability creates better government policy for all.

With gratitude,

John Linc Stine, Executive Director
Dr. Carrie Jennings, Research and Policy Director
Jen Kader, Senior Program Manager

CC: Speaker Melissa Hortman
Sen. Paul Gazelka
Rep. Kurt Daudt
Sen. Susan Kent
Alexis Donath, Office of Gov. Walz and Lt. Gov. Flanagan