



117 South First Street • Montevideo, MN 56265

February 22, 2024

Chair Hawj
Senate Environment, Climate, and Legacy Committee
2319 Minnesota Senate Building
St. Paul, MN 55155

Re: Public Waters Protection; S.F. 3358

Dear Chair, Hawj and Committee Members,

My name is Peg Furshong, I am the director of programs at CURE in Montevideo. CURE is a nonprofit that has worked on water issues in Minnesota since 1992.

This public waters fix is not just an administrative issue, it has a real-world impact on people and communities across Greater Minnesota. One afternoon, I was driving home from work and saw a backhoe out near Limbo Creek about a 1/3 of a mile northwest of our family farm in Renville County. I was surprised and felt compelled to know what was going on. Renville County has more miles of ditches than it has roads and this section of Limbo Creek near our home is one of the last free-flowing public waters in the county. I learned that because Limbo Creek was not correctly identified as a “public water” on the DNR’s Public Water Inventory, it was vulnerable to be ditched by a local landowner without the permit needed.

The Minnesota Supreme Court’s 2022 decision protects Limbo Creek but does not address the over 600 miles of public waters that meet the statutory definition of a “Public Water” in Minnesota but are not on the DNR Public Water Inventory.

In my capacity at CURE, I see that our constituents across the state of Minnesota care deeply about water and look to CURE when it comes to protecting our natural resources. This is why CURE joined MCEA and others to intervene on behalf of Limbo Creek. While Minnesota may be the “Land of 10,000 Lakes” much of our water is at risk. Furthermore, as we look to the challenges we face in the future with drought and climate impacts, it is imperative that we accurately identify the state’s water resources and protect those resources for future generations.

We ask you to extend the outcome of the Limbo Creek decision to ensure that Minnesota Public Waters are correctly identified and protected across the state.

Sincerely,

/s/ Peg Furshong

Director of Programs

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