

House Environment and Natural Resources Finance and Policy Committee

March 12, 2024

Dear Chair Hansen and Members,

I am opposed to the deauthorizing Upper Sioux Agency State Park, not the Sioux Community.

Closing a public place, a place that has been open to the public for 60 years does not help in understanding our history. I feel Minnesota is a state that is open for all people not just a few.

This history is too important to the state and future generations to close it to the public. How does exclusion help us be more inclusive.????

Closing the Upper Sioux Agency State Park will also have a serious economic impact to the local area and the town of Granite Falls, estimates as high as one million dollars are spent annually these small towns struggle the way it is, taking away economic opportunities is not right and very hurtful.

The public has not been involved in this process, only after the bill was introduced was the public let aware of it, giving the indications that it was a done deal and we had to comply. Not having the public involved is not a democracy, the few should not decide such a major issue for the local community. We need to be a state of inclusion for all, closing this park to the public excludes the majority and does not bring together the Sioux Community with the rest of the residents.

I suggest, that being the state does not want to manage this park, it should be transferred to the county, Yellow Medicine County should take over this park and work with the local Sioux Community to educate people of the history, not hide it. The land or areas that are found by the Sioux Community to be sacred areas should be set aside and off limits to the public, but not the whole park. The county will also maintain the road (old Hwy 67) and the bridge.

Local landowners will have some of their land, land locked within the park, no one is addressing this issue. There are just too many unanswered issues to continue with this bill. Please reject this bill.

This park is also a major horse riders park, it is probably the best park in the state for horse riders, this is a very large group of people you will be excluding and again just not right.

In closing, lets bring the Tribal and local community together to do the right thing and solve this issue, please do not separate, and isolate this community.

Thanks

Tom Finnes
Landowner / taxpayer
Yellow Medicine County
Sioux Agency Township.

Stephanie Chappell
2401 14th Street East
Glencoe MN 55336
952-250-6108 fussy@hotmail.com

March 11, 2024

House Environment and Natural Resources Finance & Policy

HF3508 Section 5 and 9 Opposition

Dear Chair Hansen and Members,

House File 3508, the Land's Bill, removes vital historic resources from State lands, public use, and restricts access to the Minnesota River for all Minnesotans who are not members of two specific federally recognized tribes. In addition, suggested actions remove access to private property. **Please remove Section 5 and 9 from HF3508.**

HF3508 Section 5 calls for the removal of two State Parks. If Upper Sioux Agency State Park is removed, Minnesota and United States History will become inaccessible to all but 550 residents of Minnesota. The Park encompasses a historic site and place where over 300 people were held hostage by Dakota during the US – Dakota War of 1862. Ancestors of these hostages will have no access to connect with this place that is a source of identity to the families of non-Indigenous heritage, a place that is well known within their families as a place of torture, hell, violence and place where their family's dream of America was forever changed.

HF3508 Section 5 will also remove all access to private property, homes and businesses because the transfer of the Park includes the only road to these residences and there has been no attempt to resolve the issue. A mandated report by the DNR failed to acknowledge the situation. The Park and surrounding area create the Upper Sioux Agency Historic District. Removing 1,200 of the 2,000 acres from State regulation destroys the historic district designated in 1971 under the Minnesota Historic District, statute 138.71-75. These property owners have had no representation in the process with notice of the action to close the park coming after introduction in the House and Senate in 2023. The homesteads have a role in Minnesota history as long in length of time as the Upper Sioux Community tribe (the tribe did not occupy the area in 1851, a different Dakota tribe did).

HF3508 Section 5 will continue the errors of Minnesota Territorial Governor Alexander Ramsey. Believing maps and the words of attending Dakota, Ramsey failed to include the Yankton tribe as occupants of the area. In an 1858 treaty, the US acknowledged

this error and granted additional land to the Yankton. 2023 continues the errors made in 1851 and 1858. At any rate, the treaties of Mendota and Traverse de Sioux were terminated when the Dakota killed unarmed civilians. The tribe chose not to hand over the guilty and all treaty agreements were nullified. The claims of the Upper Sioux Community regarding “treaty” land is a mute point.

HF3508 Sections 5 and 9 ignore US government Indian Claims Commission

(established to review and correct treaty unfairness) legal agreements between Indigenous tribes. These agreements specifically addressed MN River Valley lands; the Upper Sioux Community and Lower Sioux Indian Community agreed not to pursue additional land in exchange for payments received through the Commission’s decision. Transfer of these properties to these tribes violates US Indian Claims Commission provisions. Upper Sioux Community and Lower Sioux Indian Community demands to have land transferred to tribal trust are not to be made or honored as the land issues were addressed by the Indian Claims Commission in the 1960s; leaders of the tribes agreed at that time and today’s leaders are to abide.

HF3508 Section 9 includes a battle site, Redwood Ferry, where troops of Captain John Marsh were ambushed by Dakota Indians on August 18, 1862. Half of the company was killed when they entered the MN River to assist the Dakota who claimed they were being attacked by Chippewa (Ojibwe) Indians. Of more than 24 dead soldiers, three bodies remain unaccounted for being last seen in the Minnesota River. The MN Historical Society claimed 2017 legislation transferring some state land did not include the battle site; however, tribal officers claimed ownership of the site at a State Historic Preservation Office conference in September 2023. Further state land transfer of this unreplaceable State and National historic property is unprecedented. A LAWCON Environmental Assessment reveals deception on the part of the nonprofit MNHS and the DNR.

HF3508 Section 9 is land locked as the only other land is privately owned and puts enormous pressure and opens trespass issues between the bill’s proposed “tribal ownership” and landowners. Further, the land borders a historic site that contains the bodies of at least 22 victims who were massacred at the orders of Little Crow, a leader of the Dakota; victims included women and children. These graves are known to the MN Historical Society through 19th century research conducted by the nonprofit and the nonprofit’s publications that map the locations of the dead. However, the nonprofit MN Historical Society failed to acknowledge the known burial area when faced with public comment in 2020 that included technology reports generated by investigations involving the MN Department of Transportation.

HF3508 Section 9 also bars non-tribally enrolled descendants from addressing their family's innocence lost, the area provides a sense of place that resonates with the American dream that their families came to Minnesota for. The area contains settlements spurred by US Government treaties with the Sioux Indians. The area documents the hopes given under the Homestead Act of 1862 and the nightmares of Indigenous Nations. Both were unaware of the promise the land promoted.

It is for these reasons that HF3508 must not pass with its current Sections 5 and 9 included. There was no local financial impact done to either the Redwood or Yellow Medicine land masses. Nothing was done in the order required by the National Park Service. The National Park Service requires all options to be weighed including a "do nothing" option. Neither area has revealed there is no ability for the land to continue at present. The DNR pulled the wool over the National Park Service's eyes when it failed to address the "do nothing" scenario. It worked and both parties looked the other way. The nonprofit MN Historical Society pulled the wool over the State legislature's eyes, claiming the transfer was to continue operating the historic site in Redwood County. In less than two years, the visitors center became a control center for another nonprofit, Landback - there is no ties between Landback and MN History. In the case of Redwood County land, a cemetery exists and must remain intact for all to visit and pay respects. The same can be said of the Upper Sioux Agency State Park where 300 lost their innocence; it is a place that cannot be recreated.

It is the responsibility of the DNR to identify historic sites (statute chapter 86). History is part of recreation. The personal comments made by Bob Meier, Ann Pierce, and Commissioner Strommen are cause for concern in their exclusion of the descendants whose families were forever changed at this place. It is not for an agency staff member to pass judgement on what land should or should not be preserved as all three have done in discussion of Upper Sioux Agency State Park. The DNR stated in its 2024 mandated report that the reason the Park was secured in 1963 was for its history: a federal outpost where food was distributed under stressed conditions, a mission opened by Thomas Williamson, friend to the Sioux, a prison to 300 hundred people targeted because their skin was white.

Remove Sections 5 and 9 from HF3508. Let these places and the remains and memories rest in peace under Minnesota statute and open for all to find closure.

Thank you,


Stephanie Chappell

HF3508 Opposed.

I am very opposed to the donation of the Upper Sioux Agency State Park to the local community and the donation of the Redwood historical site to the Lower Sioux community. I believe that this donation would eliminate part of the area history, cause several people to pay for the Park twice, eliminate several miles of trails designed for hiking or horse riding, and would create several issues with land access (including MY land). Then there is the economic issue of the estimate \$1.1 million (or more) caused to the city of Granite Falls. None of these issues have been addressed.

Also, the current bill did NOT allow for any public discussion on this topic. The DOT did a much better job of communicating their intentions about old highway 67. The first meeting did not even allow all the people on the panel to speak. If this was truly communicated, everyone would have had an opportunity to speak.

Thus, I am opposed to any donation of land!

Sincerely,

M. Todd Hieb

March 11, 2024

House Environment and Natural Resources Finance & Policy

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Thank you,

David Finnes

I've always opposed this land give away, for several, reasons, they don't pay any Minnesota property taxes on these reservations, vote in our state and local elections, despite the above, have no actual proof of any ownership, want appreciated land at zero dollars, then again it goes off of the tax roll, but want our Minnesota taxpayer investment, to maintain, such as Red Lake, those Marijuana Dispensaries, we financed, this time last spring, on the biggest crime ridden, closed reservation in the state.

Stop this insanity and brainwashing to the public, by the liberal media.

Terry Serbuis
Olivia, MN.

March 12, 2024

To: MN House Environment and Natural Resources Finance & Policy Committee

Chair Rick Hansen
Matt Bliss
Heather Edelson
Dawn Gillman
Dave Lislegard
Samantha Vang

Vice Chair Sydney Jordan
Jeff Brand
Leigh Finke
Steven Jacob
Kristi Pursell

Rep. Lead Josh Heintzeman
John Burkel
Peter Fischer
Fue Lee
Roger Skraba

Dear Chair Hansen and Members of the House Environment and Natural Resources Finance & Policy Committee,

I request no action be taken regarding Upper Sioux Agency State Park. HF3508 calls for the park to be “abolished and its lands transferred according to Laws 2023, chapter 50, article 4, section 97.” If this is done, I will be unable to access my private property.

My private property is accessible only by way of former State Highway 67, now a county road. Under the 2023 law, the former highway will also transfer to the tribe meaning I will have no county/state regulated road access to my property.

I am a fourth generation land owner in Sioux Agency township. Portions of my property were settled by my great grandfather Ole Finnes in the 1880s. It is upsetting to see my family history and contributions to the area ignored.

There has been no action taken by the DNR to discuss my land’s value, access, or future property rights and protections. Trust needs to be restored.

Funds set in 2023 legislation, about \$6 million, and additional covid monies and other bridge funds can cover road repair. The bridge built in 1994 is fine. It is the road and approach to the bridge that was ignored by MnDOT.

Thank you,

Pete Anderson
Sioux Agency Township Land Owner
Parcel Number 16-132-1020
PO Box 582
Watford City, ND 58854-0582



Equal Opportunity Employer

**Yellow Medicine County
Board of Commissioners**

180 8th Avenue, Granite Falls, MN 56241
Courthouse Telephone: 320-564-5841
Courthouse Fax: 320-564-3670
Website: www.co.ym.mn.gov

Commissioners:

Greg Renneke – District 1 John Berends – District 2
Mitch Kling – District 3 Ron Antony – District 4
Glen Kaack – District 5

To: The Department of Interior, National Parks Service
Minnesota Senators Amy Klobuchar and Tina Smith
Seventh District Congressional Representative Michelle Fischbach,
State Legislators Senators Gary Dahms and Andrew Lang, Representative Chris Swedzinski

To all:

We are writing this letter as the Yellow Medicine County Board of Commissioners on behalf of all of those who appreciate and benefit by the values this park provides. Legislation that calls for transferring the 1,300 acres of park land to the Upper Sioux Community has led our organization to focus its attention on the process of identifying “replacement recreation values” for its loss.

We want to alert the National Park Service and our elected officials that the replacement process to date is not a sincere one and incapable of meeting the federal mandates attached to the land.

The process has been flawed from the start. The allocation of \$5 million by the legislature towards this objective is completely arbitrary. Step one in this process should be public discussion on what is the appropriate funding to meet the needs. That has not happened.

We ask our legislators to address this fundamental flaw by authoring legislation to provide a more appropriate allocation. We believe the amount should be at a minimum of \$35 million.

Discussions led by the Minnesota Department of Natural Resources have focused on bits and pieces, such as improving amenities in city and county parks in the region.

We call attention to the fact that when citizens have been asked what they would like as a replacement recreational opportunity, the clear and overwhelming response has been a desire to replace what is being lost. Area residents and park users want an operating and staffed park that offers equestrian and hiking trails, a wilderness escape close to home, camping, access to the Minnesota River, and importantly, the opportunity to appreciate and understand the region’s historical and cultural heritage.

The decision to transfer the park occurred without any public input. The greater community was not informed of the possibility of this transfer and as a result, had no opportunity to suggest possibilities such as partnerships that could benefit everyone.

The resulting process has placed the Department of Natural Resources in an adversarial position with the greater community it is to serve.

The ultimate responsibility for this process belongs to the legislature. We ask our local legislators to give us a voice in this process. We ask for legislation to not only increase the allocation of funds for replacement recreational opportunities, but also to establish a process where citizen input is required. Assigning the task of finding replacement value to a state agency and expecting the public to somehow be represented by virtue of an online survey and a couple of public input meetings in the late afternoon hours is a failed approach.

We ask the National Park Service to recognize that the current process will not meet the need to find replacement recreational value. The National Park Service has the responsibility to hold the Minnesota Legislature and the Department of Resources accountable to the law or deny the transfer.

Sincerely,

Greg Renneke, Yellow Medicine County Board Chair

3/12/2024

To Whom it May Concern,

I am strongly opposed to the transfer of any Upper or Lower portions of the state park to the Indian tribes. This land should remain a state park for all Minnesotans to enjoy. In its current state the park is used by the citizens of this state and the Indian tribes. The Indian tribes have full access to the park and hold various functions during the year. They also have permanent structures tepees for these functions. The land is protected in a way as to protect the historical importance for both the Indian tribes and all Minnesota citizens. If you pass this bill what is a symbiotic relation for all to the benefit of only the Indian tribes.

What about the landowners that will become land locked by this move are they being taken into consideration.

Tim Anderson



March 12, 2024

To: MN House Environment and Natural Resources Finance & Policy Committee

Dear Chair Hansen and Members of the House Environment and Natural Resources Finance & Policy Committee,

I oppose transfer of the Upper Sioux Agency State Park to the Upper Sioux Community federal Indian tribe. The Park needs to remain as it was originally intended for the public use and retention of area history and landmarks as well as recreational usage.

These decisions need to include public participation in the future. Likewise, all funding sources need to be reviewed and a public accounting completed to determine all negative impacts to the loss of public lands funded by state and federal sources.

Thank you,

Kathy Skroch, former North Dakota Representative District 26
10105 155th Ave SE
Lidgerwood, ND 58053