

April 16, 2024

Chair Hawj and Members of the Committee:

Thank you for your work on SF 3887 DE, the Senate's supplemental environment and natural resources budget. Minnesota Center for Environmental Advocacy (MCEA) strongly supports the improvements to environmental enforcement, movement toward environmental justice, regulatory authority over non-fuel gas exploration, funding to address fish kills and nitrate pollution, and planning for improved electronic waste recycling in the bill.

Environmental justice and environmental enforcement

MCEA supports the focus on clarifying the authority of the Minnesota Pollution Control Agency (MPCA) to take action to protect human health and the environment when environmental laws are violated. These changes on lines 26.1 - 31.26 are valuable and ensure that the MPCA Commissioner has a full array of options to address environmental law violations. In addition, devoting resources from the environmental fund to enhance enforcement in environmental justice areas (lines 1.26 - 1.33) and for mobile air pollution monitoring equipment (lines 2.9 - 2.15) are key components of Governor Walz's budget request that MCEA supports.

Helium and non-fuel gas leasing and regulatory authority (lines 20.8 - 23.7, 46.13 - 48.14)

MCEA has previously testified in support of SF 5048 (Hauschild), which is incorporated into this bill, since we see a clear need for state regulatory authority over the nascent helium exploration in Minnesota and the potential commercial development of helium, hydrogen, and other non-petroleum gas. We are glad to see earlier language initiating rulemaking on carbon capture and sequestration removed, and replaced with Article 2, Section 30 that established a stakeholder group to make legislative recommendations.

Nitrate pollution and fish kill response

The \$2 million appropriated from the general fund to a Board of Water and Soil Resources manure management grant program established on lines 48.15 - 49.3 is a good investment in water quality improvements related to the nitrate pollution and fish kills in southeastern Minnesota. This program would allow small and medium-sized farms to better manage manure application to avoid water quality impacts, as well as provide buffers around karst features like sinkholes, which can provide a direct path into groundwater.

Planning for improved electronic waste and metal recycling

While MCEA is disappointed that a broader program of electronic waste recycling is not included in this budget bill, we appreciate the inclusion of two sections that should set up future action by the legislature. These are the electronic waste study on lines 52.5 - 52.22 and the critical materials recovery advisory task force on Lines 42.28 - 44.25. The testimony this committee heard on electronic waste showed the potential for action and the opportunity for Minnesota to create jobs and a circular economy. We must stop landfilling and incineration of valuable materials that could be better used to fuel the transition to clean energy.

MCEA is proud to support SF 3887 DE because of the investments in environmental justice, water quality, and waste reduction. We encourage committee members to carefully consider the full scope of this important legislation and we believe you will reach the same conclusion that we have.

Sincerely, Aaron Klemz, Chief Strategy Officer, aklemz@mncenter.org, (763) 788-0282 (cell)

