Summary of Activities and Accomplishments of the Legislative Water Commission and the Legislative Subcommittee on Minnesota Water Policy, 1989-2025

(Compiled with assistance for the Minnesota Legislative Reference Library)
Jim Stark, October 2025

Legislative Water Commission_ Subcommittee on Minnesota Water Policy
Active dates: 1989-1996; 2014-2019; 2019-2025: Authority: 1989 Minn. Laws Chap. 326 Art. 2 Sec. 1 Minn. Stat. 3.887 [Repealed, 1995 c 248 art 2 s 6]
2014 Minn. Laws Chap. 312 Art. 4 Sec. 3 Minn. Stat. 3.886

Summary:
The Minnesota Legislative Water Commission (LWC) and its successor, the Subcommittee on Minnesota Water Policy, operated in three periods (1989–1996, 2014–2019, and 2019–2025) to review water policy, conduct research, and make legislative recommendations on issues like groundwater and surface water protection, drinking water, and pollution management. Key accomplishments included overseeing the implementation of the Comprehensive Groundwater Protection Act and influencing the passage of water-related legislation during the period from 2018 through 2025. For more details, visit LCC Subcommittee on Minnesota Water Policy.

Function:
The Legislative Water Commission (Commission) was established in 1989 to review water policy reports and recommendations of the Environmental Quality Board, the Board of Water and Soil Resources, the Pollution Control Agency, the Department of Natural Resources, the Metropolitan Council, and other water-related reports required by law or by legislature. The Commission also coordinated with the Clean Water Council after it was established in statute.

History:
The Commission was established to oversee programs created under the Comprehensive Groundwater Protection Act. The Commission was given additional responsibilities, after 1989, related to the following: water supply, local water planning, nonpoint source water pollution control, wastewater treatment, sustainable agriculture and water quality, water program financing, and drinking water. The Commission oversaw agency programs, held hearings, received and reviewed reports, prepared reports, conducted research, and made

recommendations in order to assist the legislature, as a whole, in the effective protection and management of Minnesota's water resources. At the time, the Commission had 10 members. The directors included Susan Schmidt, Pat Jensen, Barb Huberty, and James Stark

When the Commissions was established, it consisted of ten members appointed as follows: (1) five members of the Senate with minority representation proportionate to minority membership in the Senate to be appointed by the subcommittee on committees and to serve until their successors are appointed; and (2) five members of the House of Representatives with minority representations proportionate to minority membership in the house to be appointed by the speaker of the house and to serve until their successors are appointed. Two subcommittees were established: one on groundwater and one on surface water.

The Commission reviewed water policy reports, recommendations of the environmental quality board, the biennial report of the Board of Water Resources, and other water-related reports as required by law or the legislature. The commission oversaw the activities of the Pollution Control Agency. They conducted public hearings and secured data and comments related to water. The Commission held annual hearings on issues relating to groundwater, including, in every even-numbered year, a hearing on the groundwater policy report required by section 103A.204; The Commission also made recommendations to assist the legislature in formulating legislation. Data or information compiled by the Commission or its subcommittees was made available to the Legislative Commission on Minnesota Resources and standing and interim committees of the legislature on request of the chair of the respective commission or committee.

The Commission studied recommendations from the Environmental Quality Board for the management and protection of water resources in the state and held hearings on groundwater policy every even-numbered year. The Commission also studied the implementation and effects of sustainable agriculture including current and potential practices and their effect on water and groundwater.

The Legislative Library has on file a "Notice of Closure" for The Legislative Water Commission stating that the Commission was abolished effective June 30, 1996 (1995 Minn. Laws, Chapter 248, Article 2, Section 6, Subdivision 1).

In 2014, the Legislative Water Commission was reinstated, consisting of 12 members (six senators, six representatives). The Legislative Coordinating Commission (LCC) employed staff and contracts with consultants as needed. Barb Huberty was hired as the Director and policy

reviews, report reviews and recommendation work continued. The Commission met in person, with limited remote participation, within the Capitol complex ten times each fiscal year with meetings occurring during interims. Jim Stark assumed the role of Director in 2017, and Senate Counsel, Research and Fiscal Analysis staff provided support. House Research Department and House Fiscal Analysis Department provided support beginning FY24.

In 2019, the Commission's expiration date was not extended during the session. However, the Legislative Coordinating Commission (LCC) passed a resolution, in June 2019, to establish an LCC Subcommittee on Minnesota Water Policy. This group continued the work of the commission. The Subcommittee consisted of 12 members; six members of the Senate, including three majority party members appointed by the majority leader and three minority party members appointed by the minority leader; and six members of the House of Representatives, including three majority party members appointed by the Speaker of the House and three minority party members appointed by the minority leader. The LCC was given administrative authority to the Subcommittee and was tasked with employing staff and contracting consultants as necessary to enable the Legislative Water Commission to carry out its duties and functions. James Stark was appointed director.

The Subcommittee was tasked with reviewing water policy reports and recommendations of the Environmental Quality Board, the Board of Water and Soil Resources, the Pollution Control Agency, the Department of Natural Resources, the Department of Health, the Department of Agriculture, the Metropolitan Council, and other water-related reports as may be required by law or Legislature. They were asked to make recommendations to assist the legislature in formulating legislation. The 2021-22 members included Senator Chris Eaton, Co-chair; Senator Rich Draheim; Senator Kent Eken; Senator Michael Goggin; Senator Bill Weber; Senator Charles Wiger; Representative John Poston, Co-chair; Representative Patty Acomb; Representative Peter Fischer; Representative Josh Heintzeman; Representative Todd Lippert; and Representative Paul Torkelson. The work of the subcommittee continued through the 2025 session. After the 2025 session ended and after the tragic death of Speaker Hortman, the Legislative Coordinating Commission did not meet and the Subcommittee on Minnesota Water Policy was not reestablished. Following are some of the accomplishments of the commission and subcommittee, by year:

2025 Session Review:

Members: Representative Hemmingsen-Jaeger (Co-Chair) Senator Weber (Co-Chair), Representative Fischer, Representative Jacob, Representative Schultz, Senator Hoffman, Senator Kupec, Senator Wesenberg, Senator Lang, Senator Putnam, and Representative Skraba

Legislative Update –Water Related Legislation—2025 session review. This review is based on my notes as well as session recaps from non-partisan Legislative staff, the Clean Water Council, and the Freshwater Society. Minnesota's 2025 legislative session ended with some progress for state water policy and funding. The regular session ended on May 19, with work left to accomplish, requiring a special session to finalize bills and the two-year state budget. On the morning of June 10, the Legislature concluded a one-day special session, passing 14 bills that have been signed into law by Governor Walz. Highlights regarding some of the water-related legislations are as follows:

Bills Introduced by Subcommittee Members- 2025 session

1. Keep our Lakes Clean Initiative: Ice fishing has changed, and winter has become a popular time for lakes. Winter fishing on Lake of the Woods had tripled compared to 20 years ago. Lakes have become recreational vehicle campgrounds. However, there were no ground rules or services for trash and human waste. As part of a proposed program, the DNR would have coordinated outreach to local units of government and non-governmental organizations. The DNR would have developed a grant program to implement local efforts to prevent water pollution due to waste left on the ice. (Represenative Myers introduced the bill as HF3662 with support from Representatives Nadeau, Baker, Berg, Witte, Hansen, Jordan, Zeleznikar, Skraba, Hemmingsen- Jaeger. Senator Putnam introduced the bill as SF3957 with support from Senators Gustafson, Kupec, Hauschild and McEwen. It was heard in the Senate Environment committee and laid over) The Keep it Clean Group worked on bill language with Rep Myers and Sen Hauschild. Rep Fischer was supportive and coordinated with Rep Heintzeman. HF788; SF492. Some parts of the bill were incorporated into other bills and work on the program will likely continue.

2. Reduce Salt Use- Save our lakes: Salt applicator's voluntary certification and limited liability for applicators given training and certification: HF0820: Representatives Tabke, Acomb, and Fischer introduced the bill, and it was referred to Judicial and Civil Law. The Senate also heard the bill and was referred to Judiciary and Civil Law Environment Committee (SF0755:Morrison, Nelson). HF3565 also introduced—Representatives Hollins, Pursell, Curran, Kraft, Hemmingsen-Jaeger, Fischer, Hanson, Brand. SF0755 was heard in "Environment" in 2023 and referred to Judiciary. Senator Putnam re-introduced the bill as SF3954, with support from Senators McEwen, Morrison, Carlson, and Hawj and it was referred to the Environment Committee. The Minnesota Landscape Association supported this bill with support from Senators Weber, Hoffman, Putnam (author) as well as Representatives Fischer and Hemmingsen-Jaeger. The bill was drafted through Representative's Hollin's office. Represenative Fischer was also supportive, and the bill was

jacketed as HF3565 for Rep Fischer. Senator Putnam introduced it in the Senate; SF0492-Certified salt applicator program establishment.

3. Lake and stream protection in the Upper Mississippi: Protecting our drinking water and protecting high-priority lakes and streams in the Upper Mississippi River: This bill would have provided policy and plans to protect our most highly valued waters. Forests protect water quality, and based on DNR research, maintaining 75 percent of forestland is critical for water quality. It also would have protected our source for our drinking water in the Metro. The initiative focused on priority lakes and streams located in the upper Mississippi River basin. It would have applied strategies that have been developed by the DNR and other partners. A long-term funding strategy has been proposed to the Clean Water Council to implement the Priority Lakes Initiative over the next ten years. This would have helped implement the Council's goal to protect 100,000 acres of private forestland in the UMRB. It also would have supported watershed management plans through BWSRs 1W1P Program. The bill would have created a fund to support incremental progress toward protection goals. It would have set aside $8 million per year, for each of the next 10 years, to fund the completion of the Initiative. The funds would have been based on a 50-50 split, where half of the 91,411-acres needed would have been protected with conservation easements (Clean Water Council, LCCMR, and the LSOHC). The other half would have been protected by the Sustainable Forest Incentives Act (SFIA) program (which is funded by the State of Minnesota's general fund). This initial legislative appropriation requested in this bill, for the 2025 session ($5 million), was to plan and begin the process of increasing private forested lands. Legislative history: 2023-24: HF1394; SF2192) Fischer/McEwen. Crystal Mathisrud, Hubbard Co SWCD initiated work on the bill. The bill was revised Rep Fischer agreed to introduce in the House. Senate non-partisan staff drafted the bill. The bill did not receive a hearing.

4. Water Allocation Process: The bill would have changed the highest priority water allocation priorities to include schools and hospitals. White Bear Lake case identified this problem. History, 2024: Fischer introduced the House bill as HF3412. Representatives Curran and Hemmingsen-Jaeger supported. Senator Putnam supported the bill as well (SF4941). Senator Xiong introduced the bill .Rep Fischer was supportive and agreed to introduce the bill in the House. The bills did not get hearings.

5. Red River Water Storage: The states of Minnesota and North Dakota, by cost sharing with local and federal partners, needed to make a financial investment of about $3.5 billion over the next 10 years to address flooding in the basin, using a structural approach. Funding needs in Minnesota, for the next 10 years, were estimated to be $271 million, from local

and state sources. Funding in North Dakota, needed for the next 10 years, is estimated to be $536 million from local and state sources. Local funding at the RRWMB and RRJWRD levels needed to be increased and maintained at a two-mil levy. Sponsor: Red River Water management Board. RRWMB had a bill drafted and had found authors in the House and Senate

6. Tax credit for private riparian buffer lands: This bill would have provided a tax credit to landowners for riparian buffer lands taken out of agricultural production. Bill history: 2023: Sen Goggin and Rep Heintzeman introduced the bill with Support from Senators Eken, Wiger, Eaton, Weber, Poston, Fisher). The bill was heard in Taxes in the Senate (SF2868; HF 4597 (023) Senator Weber introduced bill SF1552 in 2024. The Corn Growers worked with Sen Putnam on a buffer property tax exemption bill. This language was previously included in a 2022 Senate property tax division report and was language agreed to with the MN assessor's association. Senator Weber introduced the bill in Taxes in the 2025 session (SF0960-Agricultural riparian buffer property tax exemption establishment, taxing jurisdictions reimbursement requirement, and appropriation). The bill did not get a hearing.

7. Enhanced Groundwater Recharge: The legislature funded, through the Freshwater Society and the University of Minnesota, an effort to examine the feasibility of expanded groundwater recharge. To capitalize on this study, policy and funding to the DNR and MDH are needed to allow and to encourage groundwater recharge, where needed. 2024: Senators Hawj and Kupec and Representatives Rehm, Hemmingsen- Jaeger, Fischer, and Skraba supported the bill. 2025: HF1392-Fischer introduced the bill It was referred to ENR, Finance and Policy.

8. Voluntary private well testing: Water from domestic wells needs to be safe for all of Minnesota's citizens. The bill included an allocation to the MDH/UM to support private well safety water testing clinics by a non-profit (UM report) in 2023 the bill was supported by Senators Wiger, Eaton, Eken, and by Representatives Acomb, Lippert, Torkelson, Heintzeman, Poston, and Fischer. HF3006 was heard in House-Preventative Health during previous sessions. It was introduced in 2025-- Representative Acomb (HF 1559) and Senator Kunesh as SF2012. Represenative Fischer also supported the bill.

9. Aquatic Invasive Species (AIS) There is a great need for increased funding to supplement the financial contributions of local governments and lake associations for AIS management. A bill was drafted to address the need for increased funding to manage and control invasive aquatic plants. Sponsor: Minnesota Lakes and Rivers. Jeff Forester. The bill did was not introduced.

10. Wake Surfing: This bill addressed the growing popularity of wake surfing, its economic impact, and the associated conflicts and environmental concerns, such as shoreland erosion, damage to docks, and ecological disturbances. The St Anthony Falls Laboratory has conducted research on impacts with a focus on educating the public and implementing local ordinances based on study findings. This has resulted in guidelines for wake surfing to mitigate its negative impacts, such as maintaining a distance of 500 feet from shore and operating in water at least 20 feet deep. An educational program was supported by . Minnesota Lakes and River's for training and certification program. The bill was not introduced.

11. Establish a Minnesota River Board: A new institutional structure is needed to ensure government accountability and citizen participation in meeting Minnesota River cleanup goals. The Minnesota Citizens' Advisory Committee proposed the creation of the Minnesota River Commission. The Commission would not be involved in the day-to-day operations of agencies and would be accountable to the Governor and the Legislature. Non-partisan staff suggest that there needs to be many details worked out before a bill can be prepared. Represenative Fischer has discussed the bill with Represenative Hansen. The bill did not receive an informational hearing.

Other Water Legislations during the 2025 Session

Bonding Bill: A bonding bill had not been passed since 2023, leading to a backlog of deferred drinking water, stormwater and wastewater projects. The Capital Investment bonding bill (HF18/SF21) passed during the 2025 Special Session. HF18 passed the House and Senate with the required supermajority votes. The bill included $87 million for the Public Facilities Administration's (PFA)Water Infrastructure Funding Program; $32 million for the PFA's Point Source Implementation Grants Program; and $18 million for a new Emerging Contaminants program meant to fund water system upgrades for contaminants like the forever chemical (PFAS). No funding for CREP was included in HF18.

The Omnibus Agriculture Bill included a $75,000 appropriation to conduct a study of the practices and performance of the Olmsted County groundwater protection and soil health initiative (lines 6.10-6.25 of the bill). This program is being conducted by the Olmsted County SWCD and has been successful at incentivizing and educating farmers to implement practices that can reduce nitrate, such as cover crops, small grains and haying or grazing. Since 2023, the program has reduced about 295,000 pounds of nitrogen and could serve as a model for other parts of the state. Additionally, the Omnibus Agriculture bill established a pilot program

for Biofertilizer Innovation and Efficiency (lines 71.21-72.26) and appropriated $250,000 in FY26 and FY27 to establish and administer the program. Coordinated by the Minnesota Department of Agriculture and the University of Minnesota, the program intends to improve water quality by incentivizing farmers to reduce nitrogen fertilizer use through biofertilizers and innovative technologies. It provides a per-acre payments to farmers who reduce nitrogen by 15 percent or 30 pounds per acre. Farmers must reside in one of the specified counties (mostly in southeastern, central and southwestern Minnesota), document their nitrogen reductions and methods, and enroll at least 40 acres. Section 4 (17.117, subdivision 3) raises the maximum statutory amount the PFA can appropriate from the clean water revolving fund for the agriculture best management practices loan program from $140,000,000 to $280,000,000. Section 11 (18B.26, subdivision 8) amends the PFAS prohibitions so the subdivision no longer applies to cleaning products as defined in section 18B.01, subdivision 4d, and would instead apply to products listed in section 116.943.

Omnibus Tax bill (HF9/SF20) – The tax bill did not include increases for SWCD aid, and the aid will remain at $12 million per year. SWCD's have historically been funded at insufficient levels and the Clean Water Fund provided supplemental support in recent years. In 2023, the Legislature created an SWCD aid fund with $30 million for FY 24-25 ($15 million per year) and $12 million per year in FY 1 26-27. It was appropriate to shift base funding for SWCD's to the General Fund, but this resulted in a significant reduction in services that are key to achieving state water goals.

Omnibus Legacy Finance bill (HF2563/SF2865) – The Clean Water Council proposed its FY26-27 funding recommendations early in the session and they were incorporated into the bill. These included a number of key items such as the private well initiative (MDH), aquifer monitoring for water supply planning (DNR), conservation equipment assistance (MDA), chloride reduction efforts (MPCA), and accelerated implementation of watershed plans (BWSR). On May 18, the House and Senate voted for the bill and on May 21, Governor Walz signed the bill into law. The only change to the Clean Water Fund's portion of the bill was a requirement for the Clean Water Council to break out spending by fiscal year in its biennial recommendations.

One of the major issues of contention going into the 2025 Legislative Session was protecting the integrity of the state's constitutionally dedicated funds, including recommendations made by the Legislative-Citizen Commission on Minnesota Resources (LCCMR) and the Clean Water Council. Omnibus Environment Finance bill. The reauthorization of the Environmental and Natural Resources Trust Fund (passed by 77 percent of voters in November) included an additional 1.5 percent of the fund to be annually directed to a new Community Grants

Program through the Minnesota DNR. As before, 5.5 percent of the fund continues to go toward LCCMR projects. The Omnibus Environment Finance bill (HF8/SF3) passed during the special session. The bill includes LCCMR funding recommendations, and the Community Grants program funded fully at $28.18 million. An advisory council oversees the Community Grant Program funds. State agencies and the University of Minnesota can't receive these funds, and the DNR is required to report back to the Legislature, by December 15, 2025, on its plans to implement the program. Intended to provide grant access to new and smaller organizations, the program became a point of contention with a House proposal that would have redirected 95 percent of Community Grants funding to other projects. In addition, the bill contained the following: Article 4 – Environment and Natural Resources Policy Section 1 required the DNR to ensure that its work is carried out in a manner that facilitates enhanced outreach to all Minnesotans. Section 4 authorizes peace officers to tag abandoned watercraft and requires the DNR to notify the registered owner that the watercraft has been tagged. It requires the DNR to seize and forfeit the watercraft if the condition that led to its tagging has not been remedied within 14 days. It requires that the owner be criminally and civilly liable for abandoning the watercraft. Section 5 [Watercraft Surcharge Increases] increases the aquatic invasive species surcharge for watercraft effective January 1, 2026. It replaces the current surcharge ($10.60) with a surcharge that varies based on the size, type, and use of the watercraft. Section 15 increases water-use permit fees, effective January 1, 2026. Section 16 increases the water appropriation permit application fee, effective January 1, 2026. Section 17 Extends the statutory appropriation of money from the closed landfill investment fund by four years (from 2025 to 2029) and increases the annual appropriation from $4.5 million to $6.5 million. Section 20 exempts from the prohibition on selling items that contain intentionally added PFAS items that contain PFAS only in internal components. Section 21 exempts PFAS-containing firefighting foam used in fixed firefighting systems at airport hangars from the ban on PFAS-containing firefighting foam. Section 28 repeals a drainage-related reporting requirement and, effective January 1, 2026, repeals the shotgun zone.

Article 6 – Environmental Permitting Reform: Section 1 modifies PCA permitting efficiency requirements in various ways. It requires a PCA annual permitting efficiency report to focus on the more complicated Tier 2 permits and includes additional information about permits that have not met the statutory goal, as well as other modifications. It also requires the PCA to give permit applicants five business days to remedy identified deficiencies in permit applications. Section 2 authorizes the PCA to decline providing expedited permitting when it lacks the staff or contractor capacity to provide it. In addition, it authorizes expedited permitting agreements. Section 3 requires signatories to a petition for a discretionary environmental assessment worksheet (EAW) to reside in the county in which the proposed action will be undertaken or in one or more adjoining counties. Section 4 authorizes a local

government unit to begin reviewing a feedlot permit application that is subject to environmental review before environmental review has begun. Section 5 requires the Environmental Quality Board (EQB) to amend its rules to remove the requirement to produce a scoping EAW where state law mandates the creation of an environmental impact statement (EIS). Section 6 states that the intent of the article is to balance the state's economic interests with the protection of the state's environment and natural resources. Section 7 requires the Board of Water and Soil Resources (BWSR) to report on the number of extensions of certain local government wetland-related decisions made during a two-year period.

Additional water-related legislation: Data centers house a technology company's information technology hardware. They run the internet and mobile applications, and they are getting bigger and use more electricity,` and more water as a cooling agent for their equipment. With an influx of proposed data centers, and other water-intensive development in Minnesota, the siting and design of these facilities is critical to the future of drinking water supplies and aquatic ecosystems. Representative Pursell (DFL-Northfield) and Senator McEwen (DFL-Duluth) with bipartisan coauthors, introduced a water availability atlas bill (HF2918/SF3015). The bill proposed allocating $300,000 to the DNR to work with the Minnesota Geospatial Information Office to develop a siting methodology for large water users. While the bills received hearings in both bodies, they were not included in the Omnibus Environment Bill. However, the Omnibus Environment Bill included funding for a GIS platform to identify sites with the least amount of conflict for complex development projects. Representative Acomb (DFL-Minnetonka) was a lead legislator focusing on data center issues as co-chair of the House Energy Finance and Policy committee. Representative Acomb, Senator Ann Johnson Stewart (DFL Plymouth) and others co-authored HF3007/SF3320, which proposed a suite of provisions for increased oversight of water-intensive projects and laid the groundwork for a data center bill that passed during the special session.

Data Center bill (HF16/SF19) – The special session agreement between leaders included a standalone data center bill, HF16. This bill included energy and water provisions, as well as definitional and policy provisions around hyperscale data centers The bill set environmental and energy regulatory requirements for data centers and modified their sales and use tax exemptions. Sponsored by Representative Greg Davids (R-Preston), HF16 passed 85-43 and sent to the Senate where it passed 40-26 and was signed by the Governor. Among the bill's provisions, it would: establish annual fees linked to a large-scale data center's peak electricity demand of between $2 million and $5 million, extends the state's sales tax exemption for software and information technology equipment to large scale data centers to 35 years, requires pre-application evaluation of projects using more than 100 million gallons of water per year and sets permit conditions, institute prevailing wage requirements for laborers and

mechanics constructing or refurbishing large scale data centers, require data center inquiries to be referred to the Department of Employment and Economic Development's Minnesota Business First Stop program, allowing the Public Utilities Commission to approve, modify or reject tariff or energy supply agreement with a data center, requires each public utility to offer a clean energy and capacity tariff for commercial and industrial customers, includes large-scale data centers in the state's solar energy standard, exempts large-scale data centers from requirements under an energy conservation optimization plan and establishes that large-scale data centers must attain certification under one or more sustainable design or green building standards. HF16 also establishes permit conditions for water use permits for data centers consuming more than 100 million gallons of water per year. These conditions include requiring protection for public welfare, water conservation practices, and conflict resolution for water use; an aquifer test can also be required as needed. Chloride/smart salting legislation:

Anthony Falls Cutoff Wall Study extension – An extension of this study to 2026 was included in the Omnibus State Government bill, HF2783/SF3045.

Infrastructure Advisory Council repealed – SF3045 repealed the new Infrastructure Advisory Council.

Minnesota Geological Survey funding: Earlier in session, the Senate Omnibus Higher Education bill zeroed out the Minnesota Geological Survey's base funding. Ultimately this reduction was not included in the final Higher Education agreement.

Sustainable aviation fuel: During the regular session, an agreement was reached between industry, agriculture groups, environmental stakeholders, and state agencies on policy regarding eligibility for the Sustainable Aviation Fuel (SAF) tax credit. These eligibility requirements were based on feedstocks and lifecycle emissions. However, this SAF policy was not included in the final Tax bill (HF9) that passed during the special session. The only SAF item in the tax bill is an extension of availability for the existing credit.

PFAS: There were a number of proposals this session to loosen PFAS restrictions under Amara's Law such as exemptions for cookware and other nonessential uses. The Omnibus Environment bill 4 included a few minor changes to PFAS policy, including extensions for airport hangars as they work to switch over from Class B firefighting foam, exempting internal components in existing banned products until 2032, and exempting juvenile ATVs and OHVs from the "juvenile products" category.

Drinking Water: Support for private well owners and continued nitrate contamination mitigation. Unsafe levels of nitrate and other contaminants in drinking water are a serious health concern across Minnesota, especially in the southeastern part of the state where the karst geology makes groundwater particularly vulnerable to land-use practices. A nitrate mitigation bill (HF821/SF1183) introduced by bipartisan authors and coauthors had a $3.866 million appropriation in FY26 and FY27 for reverse osmosis, well repair and well reconstruction of private drinking water wells with nitrate levels above 10 milligrams per liter. Targeted to southeastern Minnesota counties, this work would have been shared between the Department of Agriculture and the Department of Health. This appropriation was not included in the Omnibus Agriculture bill

2024 Session

Bills heard and considered by the Subcommittee

Members: Representative Hemmingsen-Jaeger (Co-Chair) Senator Weber (Co-Chair), Representative Fischer, Representative Jacob, Representative Schultz, Representative Skraba,
Senator Hoffman, Senator Kupec, Senator Wesenberg, Senator Lang, Senator Putnam,

1) Support for voluntary private well testing: (Tannie Eshenaur, MDA). Bill history: 2023: (HF 1559—Representatives Fischer and Acomb). In 2024, the bill was introduced in both bodies (SF2012). The bills were referred to the Health Committees in both bodies. Supporting members included Representatives Schulz, Fischer, Skraba, Acomb, Torkelson, Heintzeman, and Hemmingsen-Jaeger as well as Senators Putnam, Kupec, and Hawj. The bill did not get a hearing.

2) Water Safety Plans for Cities: (A pilot based on a UM/MDH report): Supported by Representatives Rehm, Hemmingsen- Jaeger, Fischer and Senators Kupec and Putnam (contact Peter Calow, Marcelle Lewandowski, Tannie Eshenaur): Bill History 2023: HF2528- Fischer. Older versions of the bill included support from Representatives Poston and Fischer and from Senators Eken and Wiger. (HF3115) (SF2684). In 2024, the bill was introduced in the Senate. The bill was also introduced in the House and referred to ENRF Finance and Policy. Supporters, in 2024, included Representatives and Senators Rehm, Putnam, Kupec, Brand, Fischer, Hawj, Skraba, Edelson, Fredrick, and Fiest.

3) Water Retention—Urban Storm Water Retention. There were growing concerns about contaminants infiltrating into groundwater from urban storm water basins. Bill History: 2023: HF1391 was supported by Members Hemmingsen-Jaeger, Pursell., Fischer, Kraft. In

2024 Supporters included Senators Hawj, Putnam, Gustafson, Kunez, and Kupec and Representatives Pursell, Rehm, Hemmingsen-Jaeger, Skraba, Fischer, and Skraba. SF4338 was introduced but did not get a hearing.

4) Reauthorization of Agricultural Fertilizer Research and Education Council for 10 years: (contact Bruce Montgomery): Representatives Fischer, Hemmingsen- Jaeger introduced the House bill (HF3411). Other supporters included members Skraba, and Rehm, Putnam, Hawj). SF3719 was also introduced. (Senators Putnam, Weber, Hawj, Gustason, and Kupec) and referred to the State and Local Government and Veterans Committee. The action was included in the supplemental budget from the Governor.

5) Support to the University of Minnesota for Improved Water and Agriculture- Precision Ag--Improved Water and Agriculture: Bill History: 2023 HF1387- Representatives Fischer and Pursell introduced the bill, and it was referred to Ag Finance and Policy. In the Senate, SF2038 was introduced by Senator Morrison and referred to Agriculture, Broadband and Rural Development. (Contact David Mulla (UM)). In 2024, the bills needed hearings in both Agriculture committees. Supporters included Members Fischer, Hemmingsen-Jaeger, Heintzeman, Pursell, Myers, Tabke, Jacob, Rehm, Putnam, Kupec, Morrison, and Skraba. The bill was not introduced.

6) Tax credit for private riparian buffer lands: 2023: (SF1552- Senator Weber introduced the bill and it was heard in the Senate Environment committee. It was referred to taxes. In the House, Representatives Heintzeman, Fischer, Myers, and Tabke introduced the bills, and it was referred to Taxes (e). 2024 actions: A Senate hearing was requested in Taxes as well as in the House. Supporters included Fischer, Heintzeman, Myers, Tabke, Jacob, Putnam, Skraba, Schultz, Weber, Kupec, Fischer, Pursell, Myers.

7) Re-establishment of the Legislative Water Commission. Bill History: Reactivation has had strong support from surveys and during stakeholder meetings. 2022-- SF8773and SF8774. Reactivation of the LWC and the Water and Wastewater Advisory Council Eaton/Poston. Senator Rest was a coauthor in 2022. 2023: Senator Hawj introduced the bill as SF1918. It was referred to State and local Government and Veterans. It was Represenative Fischer's highest priority with support from Representative Torkelson, Assistant Minority Leader, who was a co-author of the bill (HF 1338: with support for Reps Fischer, Torkelson, Hemmingsen-Jaeger, Acomb, Brand. The House heard the bill and referred it to ERN Finance and Policy. The bill was incorporated into the omnibus bill. It was dropped by the Environment Omnibus bill because it had not been heard in the Senate Government Committee. In 2024 it needed to be included in the House Omnibus bill and heard in the

Senate Government Committee. Supporters included Hawj, Fisher, Hemmingsen- Jaeger, Torkelson, Schultz, Rehm, Putnam, Kupec, Skraba, Weber, Acomb, Brand.

8) Minor changes to the highest priority water allocation including schools, hospitals, and other essential needs: The issue arose around the White Bear Lake Judgement. Representative Fischer introduced the House bill: HF3412: Supporters included Fischer, Schultz, Hemmingsen- Jaeger, and Skraba. In the Senate the bill was supported by Putnam, Kupec, and Hawj. The bill did not get a hearing.
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9) Defining sustainable groundwater limits using technological advances- next step in County Geological Atlas program. Bill History: In 2023, (HF1388)- Pursell and Fischer introduced the bill in ENR finance and policy. It needed hearing. The Senate jacket was misplaced and re-created. The Jacket was given to Senator Putnam. The bill did not have a hearing in the Senate or the House. Supports included Kupec, Putnam, Hawj, Skraba, Pursell, Fischer, and Hemmingsen- Jaeger. In 2024, Senator Putnam introduced the bill as SF4215. It was supported by members Pursell, Fisher, and Hawj, The bill was referred to Health but did not get a hearing.

10) Support for Enhanced Groundwater Recharge-based on UM/Freshwater report on Enhanced Groundwater Recharge: (Contact: Carrie Jennings). In 2023, (HF1392) Fischer introduced the bill. It was referred to ENR, Finance and Policy. The Senate bill was lost. 2024: Representative Skraba introduced the bill in the House with support from Representatives Pursell, Rehm, Hemmingsen-Jaeger, and Fisher. Senate supporters included Hawj, and Kupec,

11) Complete land management goals for water quality and quantity for the upper Mississippi (Contact Crystal Mathisrud). Bill History in 2023,: HF1394-Represenative Fischer introduced the bill, and it was referred to Environment Finance and Policy. In the senate (SF SF2192) Senator McEwen introduced and referred to Environment, and Legacy. 2024: Hearings were needed in the Environment Committees. Supporters included Members Fischer, Hemmingsen- Jaeger, Rehm; Kupec, Putnam, McEwen. Representative Rehm requested a hearing

12) Keep our Lakes Clean Initiative (contact Mike Hirst. Lake of the Woods SWCD). The authors sought to address two issues: 1) Technical and financial support was needed for local infrastructure to assist local communities: and 2) State agency partnership to provide a statewide program. Senators Morrison and Representative Myers agreed to introduce the bill. Representative Myers introduced the bill as HF3662. Senator Putnam introduced

the bill as SF3957 with support from Senators Morrison, Gustafson, Kupec, Hauschild and McEwen. Representative supporters included Jacob, Schultz, Myers, Rehm, Fischer, and Skraba. The bill was heard in the Senate, Environment Committee and was laid over.

13) Reduce Salt Use- Save our lakes: Salt applicator voluntary certification and limited liability for applicators: Contact (Sue Nissan). History 2023: HF0820- (Members Tabke, Acomb, Fischer. Representative Fischer introduced the bill in the House, and it was referred to Judicial and Civil Law. The Senate heard and referred to Judiciary and Civil Law Environment Committee (SF0755 (Morrison, Nelson)). HF3565 was also introduced (Members: Hollins Pursell, Curran, Kraft, Hemmingsen-Jaeger, Fischer, Hanson, and Brand). SF0755 was heard in Environment and referred to Judiciary. Senator Putnam also introduced the bill as SF3954. It referred to Environment.

2023 Session

Recap of bills heard and recommended by the subcommittee

Members: Representative Hemmingsen-Jaeger (Co-Chair) Senator Weber (Co-Chair), Representative Rehm, Representative Fischer, Representative Jacob, Representative Schultz, Senator Hawj, Senator Kupec, Senator Wesenberg, Senator Lang, Senator Putnam, and Representative Skraba

Subcommittee Related Bills this Session: During the 2023 session, 21 bills were drafted resulting from discussions at subcommittee hearings. Of those, nine of the bills were heard in the House, Senate or in both bodies. Several of those bills were incorporated into Omnibus bills, passed by both bodies and signed by the Governor. Following is a summary of the bills drafted for introduction in one or both bodies:

1. Needed Update of the 1989 Groundwater Act: In 1989, the Groundwater Protection Act became law. The Act solidified efforts to protect Minnesota's groundwater and set the future course for improved protections focused on preserving groundwater. The Act has been a positive influence. However, the Act is now more than 30 years old. Consequently, it does not address many of the emerging threats to groundwater. There is need to address emerging groundwater issues not recognized when the Act passed, as well as specific issues recognized in the Act that are yet to be accomplished. Priority actions are grouped into three categories that are shown below. A legislative request to update the Act is needed. The bill did not get a hearing. It addressed the following legislative update needs.
    - Ensured Stable Funding: Funding for critical groundwater activities must be ensured

for the future. Reliance on the Clean Water Land and Legacy Amendment will be problematic if the Amendment sunsets in 2034.

- Groundwater Sustainability: Sustainable groundwater management should be based upon water budgets, where thresholds leading to unacceptable effects are understood, the DNR defined groundwater sustainability in statute; this definition could be made more useful through adoption of operational definitions.

2. Options for water scarcity in the Northeast Metro: Funding for the construction and operation of a pipeline, and treatment facility, to provide water to augment the level of White Bear Lake. This pipeline and plant's footprint could provide land for a more sophisticated treatment plant that might be needed, in the future, for augmenting municipal water supplies. The proposed facility would be operational only when White Bear Lake requires augmentation, while providing supplemental water as a source of water for the municipalities in the future. The bill did not get a hearing.

3. HF1830: Creation of the Advisory Council on Water Supply and Wastewater Treatment. The Advisory Council on Water Supply Systems and Wastewater Treatment Facilities advises the commissioners of Health and the Pollution Control Agency regarding classification of water supply systems and wastewater treatment facilities; qualifications and competency evaluation of water supply system operators and wastewater treatment facility operators; and additional laws, rules, and procedures that may be desirable for regulating the operation of water supply systems and wastewater treatment facilities. The advisory council would be composed of 11 voting members, of whom (1) one member must be from the Department of Health, Division of Environmental Health, appointed by the commissioner of health;(2) one member must be from the Pollution Control Agency, appointed by the commissioner of the Pollution Control Agency; (3) three members must be certified water supply system operators, appointed by the commissioner of health, one of whom must represent a nonmunicipal community water system or a non-transient noncommunity water system. The bill was passed and signed by the Governor.

4. HF 2995: The commissioners of health and education shall jointly develop a model plan to require school districts to accurately and efficiently test for the presence of lead in water in public school buildings serving students in kindergarten through grade 12. To the extent possible, the commissioners shall base the plan on the standards established by the United States Environmental Protection Agency. The plan may be based on the technical guidance in the Department of Health's document, "Reducing Lead in Drinking Water: A technical Guidance for Minnesota's School and Child Care Facilities." The plan must include recommendations for remediation efforts when testing reveals the presence of lead at or

above five parts per billion. The bill did not get a hearing.

5. HF 2310: $3,000,000 in the first year is to develop a comprehensive plan to ensure communities in the White Bear Lake area have access to sufficient safe drinking water to allow for municipal growth while simultaneously ensuring the sustainability of surface water and groundwater resources to supply the needs of future generations. The Metropolitan Council must establish a work group consisting of the commissioners of natural resources, health, and the Pollution Control Agency, or their designees, and representatives from the Metropolitan Area Water Supply Advisory Committee; the St. Paul Regional Water Services; the cities of Stillwater, Mahtomedi, Hugo, Lake Elmo, Lino Lakes, North St. Paul, Oakdale, Vadnais Heights, Shoreview, Woodbury, New Brighton, and White Bear Lake, and the town of White Bear to advise the council in developing the comprehensive plan. This is a one-time appropriation and is available until June 30, 2027. The bill was passed and signed by the Governor.

6. HF 1938; Levy increase for Watershed Districts: A general fund, consisting of an ad valorem tax levy, may not exceed 0.096 percent of estimated market value, or $500,000, whichever is less. The money in the fund shall be used for general administrative expenses and for the construction or implementation and maintenance of projects of common benefit to the watershed district. Managers may make an annual levy for the general fund as provided in section 103D.911. In addition to the annual general levy, the managers may annually levy a tax not to exceed 0.00798 percent of estimated market value for a period not to exceed 15 consecutive years to pay the cost attributable to the basic water management features of projects initiated by petition of a political subdivision within the watershed district or by petition of at least 50 resident owners whose property is within the watershed district. The bill did not get a hearing.

7. HF 2310: Storing garbage and other waste on ice: Prohibition: A person using a shelter, a motor vehicle, or any other conveyance on the ice of state waters may not deposit garbage, rubbish, cigarette filters, debris from fireworks, offal, the body of a dead animal, litter, sewage, or any other waste outside the shelter, motor vehicle, or conveyance unless the material is placed in a container that is secured to the shelter, motor vehicle, or conveyance; and not placed directly on the ice or in state water. A violation of this section is a petty misdemeanor, and a person who violates this section is subject to a civil penalty of $100 for each violation. The bill was passed.

8. HF 1830: St. Anthony Falls Study: $1,000,000 in fiscal year 2024 is appropriated from the

general fund to the Board of Regents of the University of Minnesota for a geophysical study and hazard assessment of the St. Anthony Falls area and the St. Anthony Falls cutoff wall. The study must include a field-based investigation of the cutoff wall and other subsurface structures, modeling of the surrounding area, examination of public safety and infrastructure risks posed by potential failure of the cutoff wall or surrounding area, and emergency response plan for identified risks. By conducting this study, the Board of Regents does not consent to accepting liability for the current condition or risks posed by a potential failure of the cutoff wall. By July 1, 2025, the Board of Regents must submit a report to the legislative committees with jurisdiction over state and local government policy and finance. This appropriation is available until June 30, 2025. The bill was passed.

9. Define Sustainable groundwater limits using technological advances. Conduct a pilot in a one-water/one plan watershed. The Minnesota Geological Survey (MGS) has advanced the science of analyzing geologic data to the extent that it can now be used to efficiently define water bank accounts for aquifers and for watersheds. This kind of effort is a priority in the University's water sustainability report. Technological advances can now be used to enhance water management for the one watershed/one plan process being implemented across the state. The bill would support a pilot that would combine geological data analyses, by the MGS, with modeling by the DNR. The product would increase water budget information to manage on a sustainable basis. It would serve as a pilot of watersheds and aquifers across the state. The bill did not get a hearing.

10. Voluntary private well testing: Water from domestic wells needs to be safe for all of Minnesota's Citizens. Private wells supply over a million Minnesotans with drinking water. Yet, there are no state requirements for water safety testing. A program is needed to support systematic testing of the water quality in private wells, including the notification of testing results, and education on possible actions. Periodic testing of private wells that provide drinking water to rental properties also is needed. The bill would provide minimal funding to assist non-profit organizations, who are volunteers, to conduct local testing. The bill could also provide funding for analyses of lead and arsenic, provide assistance for water treatment, and include well safety education. Water safety for private wells is called out as a priority in a recent report to the legislature, by MDH and the UM. The allocation would be to the MDH, or the University of Minnesota, to support the cost of water testing, educational materials, and information storage. The bill did not get a hearing.

11. Ensuring the Safety of Private Wells by Identifying and Monitoring Vulnerable Aquifers Involves water safety for those using private wells. This bill would identify and monitor

aquifers that are vulnerable to being contaminated. Several state agencies have programs for groundwater monitoring. However, support is needed to coordinate water sampling and testing from those networks, and in some areas, expand the networks over the most sensitive aquifers. A plan is needed to identify areas requiring additional attention because the aquifers that supply water to private wells are particularly vulnerable to contamination. In these areas, increased monitoring, and education for well owners, are needed to ensure water safety. Funding, and a report from the MDA and MDH, is needed that outlines the need for additional testing and the development of a sentinel-well network to document trends and changes in water quality over time. The effort would identify aquifers that are most vulnerable to contamination and would design a sentinel monitoring well network in those areas, as an early warning system. The resulting effort, coordinated across the agencies (MDH lead) and the MGS, would provide a means to increase source-water protection safety of those using private wells. The bill simply directs the preparation of a plan. The bill did not get a hearing.

12. Assessing Emerging and Unregulated Contaminants in Drinking Water: Contaminants of emerging concern (CECs) are synthetic compounds that unexpectedly occur in water. An example is the occurrence of perfluorochemicals (PFCs) across much of Washington County. Other examples of CEC contaminant groups include pesticide metabolites, endocrine disruptors, and pharmaceuticals. There is an ever-increasing number of drinking-water contaminants related to industrial, agricultural, and domestic sources. These chemicals threaten drinking water, and the problem is exacerbated by population pressure, climate change, and aging water infrastructure (University of Minnesota, 2020). Population shifts, from rural to urban areas, have created financial challenges for small communities which need to make purchases of sophisticated and costly water-treatment equipment. Because many emerging contaminants are not fully addressed at the Federal level, it is important to provide funds, to the MDH, to prioritize the contaminants and to develop a management plan to manage them in order to make sound decisions about optimizing treatment between the source and the tap. The bill did not get a hearing.

13. Emerging Contaminant Sentinel Monitoring Program: We don't know the extent and threat of forever chemicals in drinking water used by citizens of the state. There is a great need to address drinking-water safety by expanding an LCCMR-MDH project into a program at the MDH, focused on emerging contaminants in drinking water. The occurrence and distribution of unregulated contaminants, including the forever chemicals (PFOA and PFOS), is mostly unknown outside of Washington County. It is likely that this suite of chemicals is widespread in groundwater. This proposed program would build on results from an on-going LCCMR- MDH project. The initial step would be the development

of a sentinel network of monitoring sites that includes community and non-community (transient and non- transient supply wells) as well as lakes and rivers that are sources of drinking water to supplement the LCCMR project network. This network would test water that residents (particularly children by including schools) drink. By strategically developing an appropriate sampling network, and an appropriate list of chemicals for sampling, results could be extrapolated to identify and prioritize areas where contaminants may be found in other wells (sensitive areas). Results would be able to be used to identify sensitive aquifers where these emerging contaminants may be found in aquifers that supply private drinking wells. Therefore, the program would address the problem of water safety for those using private wells and municipal wells. Funding would be provided to the MDH to develop a program that supplements MDH monitoring efforts. The bill did not get a hearing.

14. Water safety plans for cities– a pilot: This bill involves water-safety planning for cities. It would involve an effort described, in detail, in the recent UM drinking water report to the legislature. Source-to-tap water safety assessments would provide a flexible approach to local drinking-water-safety planning, resulting in water safety plans that would be approved by the MDH. The bill would simply direct the preparation of a prototype plan for one city, coordinated by the MDH. The bill did not get a hearing.

15. Enhanced Groundwater Recharge: Natural groundwater recharge occurs as precipitation falls on the land surface, infiltrates into soil, and moves to the water table. Groundwater levels in some parts of the state are declining because withdrawals exceed the rate at which aquifers are naturally replenished. In areas of groundwater depletion, artificial recharge could supplement natural recharge. This could be accomplished using injection wells or surface infiltration. Artificial recharge is a common practice in many parts of the county. However, the practice has generally been discouraged in Minnesota. The legislature funded, through the Freshwater Society and the University of Minnesota, an effort to examine the feasibility of expanded groundwater recharge. In order to capitalize on this study policy and funding, to the DNR and MDH is needed to allow and to encourage groundwater recharge, where needed. The bill did not get a hearing.

16. Groundwater Quality: GW Quality: Pesticide and Nutrient Policy and Management: Pesticides and Nutrients in Groundwater: Groundwater quality protection was a significant driver for the 1989 Groundwater Act (Act). As a result, the MDA proposed budget increases to fund the pesticide and nutrient rule development, following passage of Act. However, the Legislature funded only one chemical program. The MDA chose to continue development of a pesticide program. This meant that nutrients (nitrogen) lagged until

Legacy funds became available. The ACT gave the MDA the opportunity to develop and establish additional rules, in addition to those that have been implemented. An agency review of policy plans is needed as related to a full management approach for pesticides and nutrients. The bill did not get a hearing.

17. Chloride Reduction: Research, Policy and Implementation: We overuse deicing salt, and it degrades the waters of the state. De-icing roads, parking lots, and sidewalks, water softening, and dust suppression each introduce chloride to lakes, streams and groundwater. Chloride degrades our waters, and it is very difficult and expensive to remediate. It is feasible to reduce the use of salt. Legislation would provide support for continued applicator training. There also is a one-time need to determine the significance of other sources of chloride, such as water softening and dust suppression. The bill did not get a hearing.

18. Address Disconnect Between Land Use and Water Quality Management Issue: Land use planning and water policy and management are not well connected although they influence each other. Although the connection between land use and water quality has long been recognized, the effects of land use change on water quantity and quality are not fully understood (WRC, 2011). As statewide demographics shift, partially in response to climatic change, water quantity, quality and recharge will be affected. Current policy and management that we have does not recognize that land use affects water quality and quantity. The bill did not get a hearing.

19. Plan for Changes to Water Resulting from Climate Change: All but two years since 1970 have been wetter and warmer than 20th century averages, and the 10 combined wettest and warmest years on record occurred after 1998. During 2019, more precipitation fell across the state than any other year on record back. Minnesota has experienced 11 mega-rains in the 20 years since 2000 as compared to six in the 27 years from 1973 through 1999. Minnesota has warmed considerably, but mostly during nights and winter. Annual temperatures have climbed 2.9 °F since 1895, but winter low temperatures have increased by 6.1 °F. Climate model projections made specifically for Minnesota generally suggest we will see more precipitation by the end of this century, with continued increases in heavy rainfall and lifter intervening dry spells. All for these changes will affect water resources, and we need to plan for these continued changes. Climate change will likely affect groundwater quality and quantity. A plan is needed to address how climate changes will affect water across our landscapes. Funding to the DNR is needed for this plan. The bill did not get a hearing.

20. Water Appropriations: Inter-basin Transport and Protections: Inter-basin water transfers have become an important issue. The inter-basin transfer involving the Missouri River opened the discussion (Lewis and Clark). Recently, a Lakeville-based railroad company filed an application to drill wells in Dakota County. Water from the wells, 500 million gallons a year, was proposed to be shipped, by train, to the Southwest United States. The proposal was not approved because the aquifer involved (Mt Simon and Hinckley) has unique legislatively mandated protection. However, that may not be the case for other aquifers. The commerce clause may prohibit future appropriation denials. The proposal was the first of its kind in Minnesota and could set a precedent about similar projects that could be allowed based on state statutes and rules. There is a need to revise water appropriation policy based on the recent water train controversy. An examination or current statutes is needed to provide policy to protect the state from future similar initiatives with a report to the legislature (DNR). The bill did not get a hearing.

21. Adjusting water appropriation priorities for commercial entities with conservation plans: Golf courses, and other commercial entities, who focus on water conservation and water-quality improvement, should be allowed to water for operations during times of drought. The Minnesota golf industry has been working to financially support the University of Minnesota's research to develop drought-resistant and water conserving turf varieties, pursue new technologies to reduce the need for irrigation, to conserve water and to develop drought management practices. A bill could change the appropriation permit hierarchy to "water conservation" commercial entities during times of drought. The bill did not get a hearing.

Other bills related to water:

The 2023 Omnibus Bills contained several other bills related to water. They are summarized as follows:

The House and Senate passed a pair of capital investment bills. HF669 includes bonding with the following water-related items: $10,700,000 in funding to the Conservation Reserve Enhancement Program; $315,890,000 to the Public Facilities Authority for drinking water and wastewater treatment; and$12 million to the Metropolitan Council for inflow and infiltration grants.

HF670 was a "cash" capital investment bill. The Senate approved it and the House voted in favor. It includes: $236,860,000 to the Public Facilities Authority for drinking water and wastewater treatment, including $22 million for the Point Source Implementation Grant (PSIG) program; $3.5 million for the Reinvest in Minnesota (RIM) Reserve program for conservation easements; and $10 million to the Metropolitan Council for inflow and

infiltration grants.
Environment & Natural Resources Trust Fund Renewal (HF1900/SF2404): A bill gave voters the opportunity to renew the Environment and Natural Resources Trust Fund (ENRTF) passed the House. The Senate voted in favor. The Governor's signature is not required for a Constitutional amendment. Constitutional amendments can only be on the ballot in even-numbered years, or 2024.

Tax Bill (HF1938): The Tax bill includes funding for soil and water conservation districts (SWCDs). The agreement includes $30 million ($15 million annually) for FY24-25 for SWCDs. In FY26-27, support drops to $24 million, or $12 million per year. SWCDs have advocated for $44 million every biennium going forward.

Environment & Natural Resources Finance Bill (HF2310): The House and Senate passed the bill.

Lead Service Lines (HF24/SF30) will infuse $240 million into replacing lead service lines in public water systems. It also sets a goal of removing all lead service lines by 2033.

Legacy Finance Bill (HF1999: The bill includes recommendations of the Clean Water Council for the Clean Water Fund that total more than $318 million.

Agriculture Finance Bill (SF1955) includes funding for Forever Green and soil health and allows the Department of Agriculture to set fertilizer fees within a set range.

2022 Session
Members: Rep Poston (co-chair) Sen Eaton (co-chair), Sen Wiger, Sen Eken, Senator Weber, Sen Goggin, Sen Draheim, Representative Fischer, Representative Heintzeman, Rep Lippert, Rep Torkelson, Rep Fischer

Bills discussed and introduced from the Subcommittee on Water Policy. Members supporting the bills are shown below.

1. Define Sustainable groundwater withdrawal limits using technological advances--define limits in a pilot one-watershed/one plan (UM Sustainability report): Members Eken, Fisher, Eaton, Wiger and Poston) (HF3032) (SF2812)
2. Improving Water Quality: Allocation to the UM for research/outreach for precision agriculture: Members Weber, Lippert, Eken, Eaton, Wiger, Poston, and Fisher) The bill was not introduced.
3. Tax credit for private riparian buffer lands: Members Goggin, Heintzeman, Eken,

Wiger, Eaton, Weber, Poston, Torkelson (Heard in Taxes in the Senate) (SF 2868; HF4597)

4. Safe drinking water—allocation to MDH/UM to support private well safety water testing clinics by a non-profit (UM report) Members Wiger, Acomb, Eaton, Eken, Senjem, Lippert, Torkelson, Heintzeman, Poston, and Fisher) (HF3006) Heard in the House-Preventative Health). Had fiscal note (SF3117)
5. Ensure safety of private wells-identify vulnerable aquifers: Coordinate and supplement agency monitoring. Members Eken, Torkelson, Fischer, Eaton, Wiger, Lippert, and Poston) (HF 3121) (SF2809)
6. Water safety plans for cities—appropriation for a plan and pilot (UM/ MDH recommendations) Members Eaton, Poston, Eken, Wiger, and Fisher) (HF3115) (SF2684)
7. UM allocation-- prepare a soil-health action plan including research, implementation, and outreach, Members Eken, Lippert, Poston, Wiger, Eaton, Fisher (SF2811). Represenative Lippert has amended the soil health plan portion of HF1010 onto a soil health bill that was heard in the House Environment and Natural Resources and held over.
8. Reactivation of the LWC and the Water and Wastewater Advisory council. Members Eaton and Poston. Senator Rest introduced the Senate bills: (HF 3127 and SF 2686) (HF 3128; SF 2685)
9. Complete land preservation objective to preserve high-valued lakes in the Upper Mississippi—reaching the goal: Members Eaton, Poston, Lippert, Wiger, Eken, and Fisher. (HF3476) (SF2683)
10. Environmental Justice: Ensure that all have drinking water free from lead—focus on children, private wells, and rental properties. Members Wiger, Acomb, Eken, Eaton, Poston, Fischer, and Lippert) (HF3003). Heard in Presentative Health/Finance and in Cap Invest in the House) (SF 3118)
11. Policy and an appropriation to encourage groundwater recharge where needed, with restrictions: Members Weber, Fischer, Eken, Wiger, Eaton, and Poston,
12. ,Keeping water on the land, water retention. Members Weber, Torkelson, Eken, Wiger, Eaton, Poston, Lippert, and Fischer) (HF 3028) (Heard in the Senate Env and Natural Resources) (SF3044)
13. Watershed Districts- changing the general fund appropriation limit to support fixed costs. Members Eaton, Torkelson, Eken Wiger, Poston, and Fischer)(HF 3029) (SF 3046). Heard in Senate, Env and Natural Resources.

2021 Session Legislation

Water Policy Subcommittee: Members: Rep Poston (co-chair) Sen Eaton (co-chair), Sen Wiger, Sen Eken, Senator Weber, Sen Goggin, Sen Draheim, Representative Fischer, Representative Heintzeman, Rep Lippert, Rep Torkelson, Rep Fischer

The 2021 Session was a period of Covid lockdown and remote meetings: During the session, members of the subcommittee reached consensus on and introduced 8 bills based on 33 bill ideas. The bills focused on Water Quantity, Water Quality, Safe Drinking Water, Wastewater, Water Retention, Water Governance and a Buffer Tax Credit. Some of the bills moved forward. However, bills involving complicated policy changes did not fit well with the priories of the session. The bills that follow were introduced in one or both bodies but did not move forward as the session ended

Bill 1: Water for the Future--Ensuring Water for the Environment and Economy (Water Quantity) Senators: Weber, Eaton, and Wiger). Representatives: Fischer, Poston, Heintzeman, and Lippert)

This bill included four sections. Each is intended to help ensure that Minnesota's citizens have adequate water for the future. The issues include changes in the water appropriation permit process, policy on artificial recharge, and an enhancement to the County Geologic Atlas program that focuses on water budgets and our water bank account.

- Policy on sustainability of Minnesota's groundwater and surface water. Response to the "Water Train" issue.
- Policy on groundwater recharge. Based on recommendations in the Freshwater/UM report regarding the feasibility of artificial recharge.
- Water appropriation allocation priorities modified for golf courses that are good water stewards.
- Develop a pilot plan to ensure safe and sustainable drinking water by enhancing and leveraging County Geologic Atlas information. Planning for the future program.

Bill 2: Increased Water-Quality Protection: This bill also includes four sections that focused on water-quality protection. Some of the sections deal with reducing deicing salt that impacts our streams and groundwater. In addition, that bill contains a section that would encourage water pollutant trading.

- Reducing chloride contamination in state waters--required use-reduction implementation of chloride alternatives. Appropriating a small amount of funds to begin to begin implementation of the statewide chloride management plan.
- Policy for limiting liability for trained and certified salt applicators.
- Proposed bill section: Reducing chloride contamination in state waters—banning future sales of water softeners that overuse salt.

- Encourage pilot pollutant trading. Policy to allow a third-party water-quality broker system. Implementation funding to plan a program for beach monitoring

Bill Number 3: Agricultural incentives for improving water quality, soil health and agriculture: This bill was intended to help improve agriculture, soil health and water quality. It involved provisions for a state-wide soil action plan, precision agricultural research plan and monies to enhance agricultural and environmental revolving loan accounts:

- Develop a Statewide Soil Health Action Plan.
- Precision agriculture research and outreach—develop a plan. Some funding would be required
- Plan for transferring monies from the general fund to the commissioner of agriculture for deposit in the agricultural and environmental revolving loan account.

Supporting members in included Senators Eaton, Wiger, and Eken) and Representatives Lippert and Fischer.

Bill Number 4: Safe Drinking Water: This bill contained sections that would each protect drinking water. It included plans for increased monitoring of emerging contaminants, helps to correct problems with "forever chemicals" in food packaging and includes a provision to test waters from private wells during property transfers.

- Emerging Contaminant Monitoring PFAS: Develop a plan for a network to monitor unregulated contaminants in sources of drinking water
- Forever chemicals in food waste: Policy for acceptance of compostable products containing PFSAS
- Testing private and domestic wells: The UM Future of drinking water report recommends a statutory requirement for well testing during the transfer of properties with wells. This would protect buyers and send a signal that the quality of water from private wells needs to be addressed.
- Supporting Members included Senators: Wiger, Eaton, and Weber and Representatives Heintzeman and Fischer.

Bill 5: Improving Wastewater Treatment: This bill focused on wastewater treatment facilities. One section was devoted to the correct labeling and packaging or disposable wipes that create significant problems to the efficiency for wastewater treatment facilities. The second part of the bill would focus on how wastewater treatment facilities treat emerging contaminants. This has an impact on down steam sources of drinking water.

- Flushable wipes- labeling or ban: No non-woven disposable product for sale in the state may be advertised, packaged, or labeled as flushable, septic safe, or sewer safe unless it meets the definition set forth

- Determine the threats of Emerging Contaminants: Because many emerging contaminants are not fully addressed at the federal level, it is important to prioritize and manage them in order to make sound decisions about optimizing treatment between the source and the tap (UM report)

Supporting members included Senators Eaton, Eken, Weber and Wiger) and Representatives Fischer and Heintzeman.

Bill 6: Water Retention--Keeping Water on the Land: This bill was about water retention. It is common knowledge keeping water on the land improves the water quality of our lakes and streams. The bill has urban and a rural components. We needed to understand if storm water retention results in negative impacts on groundwater. In agricultural areas, we needed to develop an understanding of the best locations for water retention—those that will reduce peak streamflow's and improve water quality. The bill would have included:

A pilot Program to Enhance Efforts to Keep Water on the land:

Appropriated money to study storm water retention and infiltration.

Supporting members included Senators Weber, Eaton, and Wiger) and Representatives: Torkelson and Fischer

Bill 7: Improvements to Water Governance: This bill had several sections that involved changes to the structure of how we manage on plan for improved water quality. It would:

- Reestablished the Advisory Council on Water Supply Systems and Wastewater Treatment Facilities
- Reestablished the Legislative Water Commission
- Provided a plan to phase-out some of the Clean Water Fund (CWF) as funding source for Soil and Water Conservation Districts (SWCDs). Reduced SWCD grants from CWF in FY21 by $3 million; required the CWF to fund SWCDs at $6 million in FY22 and $3 million in FY23.
- Provided funds to evaluate Models for Assessing Best management Practices: Evaluation of water quality best management practices
- Supporting members included Senators Goggin, Wiger, Draheim, Eaton, Weber, and Eken and Representatives Torkelson, Poston, Fisher, Fischer, and Lippert.

Bill 8: Compensation for Ag Buffers: This bill would have created an agricultural Riparian Buffer Credit. This bill was intended to provide some tax relief for producers who have lost land to riparian buffers that protect our rivers, streams and lakes. Supporting members included Senators Draheim, Eaton, Eken, Goggin, Weber, and Wige) and Representatives Poston and Fischer.

Other water related bills introduced during the session included:

Reactivation of the LWC as part of HF2368 from 2021. That bill also included reactivation of the advisory council. It included a five-year extension. Representative Fischer introduced: H. F. 2368, as a bill reestablishing the Legislative Water Commission; requiring statewide drinking water plan; establishing soil and water conservation district grant program; reestablishing Advisory Council on Water Supply Systems and Wastewater Treatment Facilities

HF3971/SF3958 also included language about the advisory council: Governance: Re-activation of Water Supply Systems and Wastewater Treatment Facilities Advisory Council (council) Supporting Members included Representatives Fischer and Heintzeman) and Senators Weber, Wiger Eaton, and Eken.

2020 Session

Members: Rep Poston (co-chair) Sen Eaton (co-chair), Sen Wiger, Sen Eken, Senator Weber, Sen Goggin, Sen Draheim, Representative Fischer, Representative Heintzeman, Rep Lippert, Rep Torkelson, Rep Fischer, Rep Brand

During the 2020 session the subcommittee introduced, or was in the process of introducing, 27 bills in the House and Senate when the COVID-19 emergency developed. Some of those bills had a first hearing. Some elements of those bills moved forward in introduced bills. Subcommittee bills were based on on consensus decisions from subcommittee members. Most of these bills involved policy decisions that would have required minimal funding. Generally, these issues required reports to the legislative that would have informed funding decisions for the next budget cycle. In so doing, this subcommittee was preparing a substantive legislative agenda for the 2022 budget cycle. Member support for each of the bills and the status at the end of the session is noted below. Most of the bills were introduced and heard during and some of the bill's objectives moved forward due, in part, to the work of the subcommittee members.

Subcommittee bills that likely were introduced are as follows.

1. HF 3595 (Torkelson): SF 3864 (Weber, Franz) Water Retention. This bill was similar to a bill prepared by the subcommittee. The subcommittee's bill was not introduced. This bill was included in omnibus bills in each of the chambers.
2. HF3943: (Lippert, Fischer): SF:3943 (Weber, Eaton, Wiger, Eken): Required DNR report on water sustainability

3. HF3944 (Fischer), SF 3925 (Weber): Emerging Contaminant Monitoring PFAS: Would establish monitoring for Upregulated Contaminants in Sources of Drinking Water: It would have appropriated money to develop network for monitoring unregulated contaminants in sources of drinking water. A similar bill was introduced in the House.
4. HF3950: (Lippert, Fischer), SF 3951 (Eaton, Wiger): Required a well water test within six months of sale of property: Drinking Water Safety Private Wells and Safety Education for Private Well Owners: Required well sampling and disclosure to buyers.
5. HF3967: (Heintzeman, Brand, Fischer), SF3413 (Weber, Eaton, Wiger, and Eken): established a chloride contamination reduction plan and funding for training and for a feasibility analysis of chloride alternatives and water softening changes. Bill with some of the components moved forward.
6. HF3971: (Torkelson, Fischer, Heintzeman), SF 3958 (Weber, Wiger Eaton, Eken): Advisory Council on Water Supply Systems and Wastewater Treatment Facilities reestablished, and money appropriated to improve drinking water infrastructure. Portions of this bill moved forward in another vehicle.
7. Flushable wipes- labeling or ban: Non-woven Personal Care Disposable Products; Senate: Wiger, Eaton, Weber, Eken, House: Heintzeman, Fischer. Catlin and Fisher had similar bills in the House. A decision was made not to introduce the subcommittee bill. Similar bill in the Senate (SF3139). Portions of this bill moved forward in another vehicle.
8. SF3955 (Wiger Eaton) (Heintzeman): Forever chemicals in food waste, Accepting Certain Compostable Products Containing PFAS, Water Quality Monitoring for PFAS; Appropriation. The committee's bill was not introduced in the House. Rep Claflin introduced a similar bill in the House. (HF3180
9. HF 1439 (Poston, Fischer): SF 4206 (Wiger, Draheim, Eaton, Goggin, Weber, Eken): Compensation for Ag Buffers--Agricultural Riparian Buffer Credit. The bill did not move forward.
10. HF3940: (Fisher), SF3952 (Wiger, Eaton, Eken): Required collaboration among and a report from Legislative-Citizens Commission on Minnesota Resources (LCCMR), Lessard-Sams Outdoor Heritage Council (LSOHC), and the Clean Water Council.
11. HF3941: (Torkelson, Lippert, Fischer, Heintzeman): SF4265: (Wiger, Draheim, Goggin, Weber, Eken): Soil and Water Conservation District Grands, Appropriation: Phases out some of the Clean Water Fund (CWF) as funding source Soil and Water Conservation Districts (SWCDs). Reduce SWCD grants from CWF in FY21 by $3 million; require CWF to fund SWCDs at $6 million in FY22 and $3 million in FY23.
12. HF3942: (Lippert) (Weber Wiger, Eaton, Eken): Sustainable Drinking Water: Pilot Program to Ensure Safe and Sustainable Drinking Water for the Future by enhancing and leveraging County Geologic Atlas data. Consisted of a plan for Developing a

Network of Monitoring Wells and Well Owner Education with appropriations. Also, created a blank appropriation for a well monitoring and education program for private well owners. Senator Weber signed the jacket, but it was not introduced

13. HF3945 (Brand, Fischer, Lippert); SF 3961 (Wiger, Eken): Precision agriculture research and outreach funding provided, and money appropriated.
14. HF 3946 (Lippert, Fischer, Brand): SF 3953 (Wiger, Eaton, Eken): Increase Ag BMP loan program: Agricultural Best Management Practices Loan Program.
15. HF3947: (Poston, Fischer: SF 3956 (Wiger, Eaton): Provides a third-party water-quality broker system and money appropriated. Encourages a pilot pollutant trading
16. HF3948: (Fischer): SF 3954 (Wiger, Eaton): Appropriates money to study storm water retention and infiltration. Policy on storm water infiltration. Provides for storm water retention and infiltration study.
17. HF3951 (Lippert, Fischer), SF3996 (Weber): Encourage GW recharge policy and a report on artificial recharge. Artificial aquifer recharge use facilitated where appropriate, and report required.
18. HF3952: (Fischer): (Weber signed, Eaton, Wiger, and Eken): Water quality at beaches funding provided for a monitoring program, and money appropriated. Trying to locate the Senate bill.
19. HF3968: (Heintzeman, Poston Fischer); SF 3957 (Wiger, Eaton):Water appropriation allocation priorities modified, Water Appropriation-Golf Courses
20. HF3969: (Poston, Fischer): SF 3995 (Weber): Water quality standards report required on methods to simplify and increase efficiency of process to adopt and amend standards. Simplifies and increases the efficiency of the process to adopt and to amend water quality standards
21. Keeping water on the land, water storage: Pilot Program to Enhance Efforts to Keep Water on the land: Appropriation: Senate interest: Wiger and Weber. This bill was put on hold as per Fischer because of a similar bill proposed by Torkelson and Weber, in the House and Senate, respectively.
22. SF 4007 (Eken, Wiger Eaton) HF (Bill was not introduced in the house) Best models for BMP evaluation: Water Quality: Evaluating Models for Assessing Best management Practices: Appropriation
23. SF 3959 (Wiger and Eaton), Lippert and Fisher: Soil Health: Statewide Soil Health Action Plan, Appropriations. May not have been introduced in the House.
24. SF2102 Draheim: Creating a Department of Water Resources: Draheim and Fischer SF2102. Bill not introduced in the House
25. Evaluate and update 1989 GW Act (support from Wiger, Brand, and Fischer) Bill not needed. Minnesota Ground Water Association is conducting a review. Bill was not introduced

26. Preparing for an uncertain future (Wiger and Fischer expressed interest) EQB is including climate change in the required State Water Plan
27. Increase generic EIS process. Wiger and Fischer expressed interest. There was little support in the subcommittee

2019 Session

Members: Rep Poston (co-chair) Sen Eaton (co-chair), Sen Wiger, Sen Eken, Senator Weber, Sen Goggin, Sen Draheim, Representative Fischer, Representative Heintzeman, Rep Lippert, Rep Torkelson, Rep Fischer

Legislative Water Commission: Draft Legislative Priorities

The Legislative Water Commission (Commission) announced legislative recommendations for the 2019 session. At the release of the recommendations, Commission Co-Chairs issued the following statements: Representative Paul Torkelson stated that "Minnesota's economic strength flows from our water. Water is fundamental to industry, agriculture, recreation, and to public health" Senator Chuck Wiger noted that "Minnesota truly is the State of Water. We need to protect this precious resource for now and for future generations. When we consider water policy, we need to think both short term and for the long run." Based on feedback from Commission members, the Administration, agency staff, and stakeholders, the priority water issues facing Minnesota included the following:

Background: In 2008 Minnesota's citizens passed the Clean Water, Land and Legacy Amendment to the Constitution that dedicated a portion of the state sale tax for water. These resources created significant opportunities to achieve a sustainable water future for our state. Much has been accomplished, including research, monitoring, mapping, planning and implementation. However, recent information suggests that improvements to our state's water, when the amendment expires in 2034, may not meet citizen expectations. As the amendment period reaches a half-way point, there is need to reflect and refocus on a desired future state for water for 2034 and beyond. The citizens of Minnesota, local governments, the Clean Water Council, the Lessard Sams Outdoor Heritage Council, the Legislative-Citizen Commission on Minnesota's Recourses, the Administration, and the Legislature each have important roles and responsibilities to work together in prioritizing, funding, implementing, and evaluating environmental programs aimed at improving our water, increasing our return on investment, and reaching a desired future state for water. To ensure adequate and clean water for the future, we must balance long-term plans for conserving and protecting our natural resources with those for ensuring a healthy public and healthy economy. This is a long-term issue that will require our leaders to think about the future and be in the best interest of our children and grandchildren.

There are several plans and reports that lay the groundwork for a strategy for the desired future for our water resources. Some of those recommendations have been accomplished. Others are included in the following draft recommendations from the Legislative Water Commission. The following recommendations employ an interdisciplinary approach with multiple perspectives and expertise. The draft recommendations that follow represent those having the greatest support, based on stakeholder input.

Focused Water Legislation:

RE: 2019 Legislative Recommendations: Legislative Water Commission Background: The Legislative Water Commission (LWC) reviews water-policy issues that affect Minnesota. During the interim, the LWC held hearings to explore water priorities. Based on feedback from LWC Members, agency staff and stakeholders, the broad priority issues for the 2019 legislative session are as follows:

- Ensure clean and sustainable drinking water
- Protect and enhance streams, lakes and groundwater
- Ensure that the state is prepared to manage for future conditions. Changes in flooding, drought, land use and population are examples of things that are affecting water, wildlife and infrastructure.

Based on these broad issues, the LWC recommends the following legislative actions

1) Improve Source Water Protection for Drinking Water: The Minnesota Department of Health's source water programs protect towns that use groundwater (water accessed from aquifers from wells) as sources of drinking water. However, we also need to protect rivers and private wells that are sources of drinking water. This affects several million Minnesota residents. Legislation is needed to identify and protect our vulnerable aquifers and rivers. Land-use incentives and water-quality trading likely will be keys to our protection efforts. Legislative support also is requested for permanent funding to encourage market-driven incentives for establishing continuous vegetative crops in wellhead-protection areas, over vulnerable aquifers, and in watersheds that supply drinking water from rivers. (MDH, MDA, BWSR, MPCA)
2) Upgrade Aging Water Infrastructure: Aging water infrastructure threatens human and economic health. Increased fiscal support is needed for infrastructure upgrades, as well as enhanced technical and management support of water infrastructure for small towns. Much can be accomplished through increased and permanent general obligation bonding. However, increased support for small towns and cities also should include cost-effectiveness reviews, support for alternative best-management practices, asset management reviews, and guidance for market-based water-quality

trading options among willing communities. (PFA, MPCA, MDH, BWSR)

3) Increase Efforts to Keep Water on the Land: Water retention (slowing runoff) reduces erosion and improves agricultural productivity, soil health, water quality, and groundwater recharge. Legislative support is requested to incentivize efficient best-management practices (BMPs). Support is requested to support consensus statements from the Drainage Working Group. In addition, support is requested for cost benefit analyses of BMPs focused on identifying the most-productive incentives, at specific locations, and specific land-use conditions. Legislation is suggested to incentivize local implementation for technical support that leverages state and federal funding. A process is needed to simplify inter-jurisdictional water planning, by incorporating the One-Watershed/One-Plan process with TMDLs, WRAPS and GRAPS (water restoration) programs (Legislation similar to HF 3908/SF 3647). Stakeholders recommended that pilot water-quality trading and banking programs, for storm water and wastewater, be encouraged to improve water quality and that support should be considered to address a pollutant-exchange mechanism. Finally, a recommendation is needed to provide a better understanding of the extent of tile drains and ditches, as well as their hydrologic consequences. (BWSR, MDA, MPCA and MDNR)
4) Protect and Preserve Water for Future Generations: We need to be able to plan and to manage water for changes that are occurring. A process is needed to prepare for flooding, drought, land use and population changes that are beginning to affect hydrology, water, wildlife and infrastructure. As a first step, legislative direction and supplemental funding are requested to enhance the biennial EQB water report, by incorporating plans to adapt to changes. (EQB, agencies)
5) Ensure Clean and Sustainable Sources of Groundwater: Legislative support is requested to increase efforts to ensure sustainable groundwater that supports drinking water, lakes and rivers. White Bear Lake is an example of potential problems that can arise. It is recommended that agency support for data collection and analysis be continued and expanded. These efforts should include increased emphasis on assessment of water-bank accounts, applied within the County Geologic Atlas and One Watershed/One Plan Programs. Legislation is requested to provide water-quality trading to protect vulnerable aquifers, to make better use of the information we collect, to coordinate water planning, and to increase public education. (DNR, BWSR, MGS, and SWCDs)
6) Improve Soil Health: Protecting and improving soil is good for agriculture and for water. However, improving soil is a long-term endeavor that requires research and outreach. Permanent legislative support is requested for the University of Minnesota's (U of M) Soil Health Program, now supported using Clean Water funds. Support also is requested to prepare a U of M-agency soil-health action plan, focused on research and

outreach to improve soil health, agriculture and water quality. (MDA, BWSR, MPCA, U of M)

7) Protect our Lakes for the Future: Lakes are a valued state resource. The esthetic, recreational and economic importance of our lakes is significant. However, Minnesota's lakes are fragile and have short lives. They face many threats. We need to preserve and protect as many lakes as possible. As a first step, legislative direction is requested for an agency plan to direct policy for, and management of, lakes. The process should evaluate lake data and monitor and suggest needed changes, assess existing lake management programs, provide a framework to prioritize lakes for accelerated lake-management, and investigate how conservation easements could be best used to preserve our most treasured and valuable lakes. (EQB, agencies)
8) Enhance Water Education: Governor Dayton's Town Hall meetings report the need to increase K-12 water education. White Bear Lake has been a poster child that demonstrates this need. The timing is right to educate and engage youth to become water stewards. Minnesota has a wealth of water experts available to engage in water awareness, but educational entities operate in silos. We lack a central platform to connect volunteers and education professionals with curriculum to enable water education. Educational standards for water are currently very basic. Examples of curriculum support could include resources 2 3 provided by Project WET (DNR) and h2oforlifeschools.org. Legislative support is requested to better connect these groups through existing programs, possibly the DNR volunteer network. (DNR)
9) Provide Peer Review of Wastewater Standard Revisions: Proposed revisions to numeric wastewater standards are most transparent when it includes the opportunity for outside-agency review. The MPCA currently provides a process for early scientific and public review for new or revised standards. This is guided by a Commissioner's order. This order should be memorialized in statute to ensure that the process continues under future administration. (MPCA)
10) Fix Leaking Sewers that Increase Wastewater Treatment Costs: Broken and leaky sewers affect drinking water, groundwater quality and wastewater treatment. Broken lines increase the volume of wastewater needing treatment and the problem is growing. Legislation is requested that sanitary districts to fix broken sewer lines, or mains, on public and private property, in a way similar to the process used by cities and towns (sanitary districts, MPCA)
11) Increase the MDH Drinking Water Service Connection Fee: This fee protects drinking water by providing condition assessments and asset planning. The fee has not been increased since 2005 and is no longer sufficient. An increase from $6.36 to $9.72 per year, per connection, is requested by changing a statute. (MDH)
12) Stop the Over-Use of Salt Deicers: The over-use of salt impairs our waters. Chloride in

water cannot be remediated and there are few affordable alternatives to using salt. Cities and state agencies are making progress in reducing the amount of salt applied to our streets. We can further reduce salt applied to commercial parking lots and sidewalks without affecting public safety. Permanent legislative support is requested to train commercial applicators. This training is now provided by Clean Water funds that likely will not be permanent. Legislation is requested to limit the liability of trained and certified applicators. A legislative recommendation is requested for an executive order to reduce salt used at the Capitol complex. (MPCA)

13) Provide Long-Term Viability for the Legislative Water Commission (LWC). Because water issues are complex, controversial, and costly, water policy must be undertaken thoughtfully. The 12-member, bicameral and bipartisan LWC brings value to the legislature by providing technical information and by creating a public forum for interactions among legislators. Legislation is requested to ensure continuation of the LWC so that water policy and plans can be coordinated

Providing clean and sustainable drinking water for the future
Protecting, preserving and enhancing streams, lakes and groundwater
Preparing to manage our waters for the future
Based on these broad issues, the Commission is recommending the following legislative actions. Each of the actions includes specific legislative recommendations. The current status of the bills is shown below. Details can be found at:
https://www.lcc.leg.mn/lwc/Meetings_2018.html

The status of bills at the end of the session was as follows:

- Improve source-water protection for drinking water: (Not included in the Omnibus Environment and Natural Resources finance bill)
- Upgrade and repair aging water infrastructure (Not included in the Omnibus Environment and Natural Resources finance bill)
- Increase efforts to keep water on the land by slowing runoff (Not included in the Omnibus Environment and Natural Resources finance bill)
- Protect and preserve water for future generations (Not included in the Omnibus Environment and Natural Resources finance bill)
- Improve water quality by improving soil health (Included, on the House side in the Environment and Natural Resources Finance bill)
- Reduce the overuse of salt deicers that impair our waters (Included, on the House side in the Environment and Natural Resources finance bill)
- Protect our lakes for the future (Not included in the Omnibus Environment and Natural resources finance bill)
- Provide sustainable groundwater to supports lakes, rivers and human needs (Not

included in the Omnibus Environment and Natural Resources finance bill)

- Enhance water education in our schools(Not included in the Omnibus Environment and Natural resources finance bill)
- Provide thorough review of changes to wastewater regulations and standards (Not included in the Omnibus Environment and Natural Resources finance bill)
- Fix our leaky and broken sewer lines(Not included in the Omnibus environment and natural resources finance bill)
- Ensure drinking-water safety through programs provided by the water serviced connection fee (Included, on the House side in the Environment and Natural Resources Finance bill)
- Removal of the sunset provision in the Legislative Water Commission's enabling legislation (Included, on the House side in State Government Finance bill)

2018 Legislative Recommendations

Members present Senator Chuck Wiger, Co-chair Representative Paul Torkelson, Co-chair Representative David Bly, Senator Rich Draheim, Representative Clark Johnson, Senator Paul Anderson, Senator Kent Eken, Representative Peter Fischer Representative Glenn Gruenhagen, Senator Jason Isaacson, Representative John Poston, Senator Bill Weber

2018 Legislative Recommendations—the Legislative Water Commission (Commission) conducted in-depth reviews of water-policy issues confronting Minnesota's policy makers. The Commission held a number of hearings with stakeholders to examine Minnesota's wastewater treatment infrastructure. After reviewing its interim work, the Commission made the following recommendations to the 2018 Legislature:

1) Independent, quantified, cost-effectiveness reviews of best-management practices at wastewater facilities: The societal benefits of cleaner water, resulting from improvements in wastewater treatment, are difficult to measure directly because they are qualitative. Therefore, we need to move toward infrastructure-improvement decisions that are based on cost-effectiveness reviews that examine feasible alternatives to meet required pollutant reduction relative to the cost. It was recommended that wastewater facilities undergo an "alternatives reviews" process that includes estimated pollutant reduction for various improvements to best-management practices. These would be cost-effectiveness evaluations rather than cost-benefit evaluations. An LCCMR grant to the Minnesota Pollution Control Agency (MPCA) was included in the ML 2018 Environment and Natural Resources Trust Fund Bill. The project proposed to determine how mechanical and pond wastewater

treatments could be optimized to operate more effectively as well as meet new effluent limits (ENRTF ID: 035-B). The grant supported alternative reviews that would assist local Governmental Units (LGUs) in identifying options for achieving pollutant-load reductions, as outlined in their Total Maximum Daily Load (TMDL) requirements, as well as effluent limits from permits where TMDL requirements have not yet been established. This process would help permittees evaluate whether trading options are viable, compared to new, or improved, facilities. Storm-water quality credit trading was proposed to be examined through an LCCMR grant to the Shell Rock River Watershed District that also was included in the ML 2018 Environment and Natural Resources Trust Fund Bill. This process would inform trading evaluations proposed as part of the alternative's reviews. The proposed alternative reviews could help identify areas where water infiltration and inflow to sewer lines is excessive. In those areas, corrective actions could be made to reduce the treatment of infiltration and inflow.

2) Independent peer review of wastewater standard: The bill would have incorporated the Minnesota Pollution Control (MPCA) Commissioner's order into statute. The recommendation also would have supported MPCA efforts to provide additional scientific and public review of new and revised water-quality standards and would have ensured that the process continues under future administrations. Background: A Minnesota Pollution Control (MPCA) Commissioner's Order (Order) was issued in July 2017 to address confusion about MPCA's reliance on independent, scientific peer review in the development of water quality standards. The Order established a transparent process for peer review of the scientific basis for proposed water quality standards and allowed for public comment on both the scientific information and the peer review. The Order applied to only new, or revised, numeric water-quality standards that differ from U.S. Environmental Protection Agency's (EPA) criteria that have been through peer review. The MPCA peer-review process identified in the Order is based on the EPA's Peer Review Handbook (4th Edition, 2015). A technical-support document (TSD) was developed to document the scientific basis for a proposed standard and under the order each TSD was required to undergo external, scientific peer review. A draft TSD was to be released for public comment prior to peer review. The MPCA is required to take public comments on questions to pose to the peer reviewers. The TSD is revised in response to public comments, and peer review, and becomes the basis for the water-quality standard rulemaking effort. The MPCA's Web site identifies water-quality standards under development, the lead agency scientist for each development effort, and opportunities for public input. The full Commissioner's Order: (115.035) is available from the MPCA.

3) Identify efficiencies for regional wastewater administration, operation and maintenance: Small towns and cities struggle with costs associated with maintaining and upgrading waste-supply and wastewater-treatment facilities. Alternative approaches are needed to meet the needs of towns and cities that struggle to maintain, or grow, their population and economic bases. The bill would have encouraged and provided funding for stakeholders, to explore and identify alternative approaches and opportunities to address the challenges small cities and towns face in meeting their water supply and wastewater treatment needs. Consideration was given for exploring ways to encourage regionalization, promote asset management, coordinate administrative and operational activities, recruit and share wastewater operators, and when appropriate, consider how decentralization of utility services might be accomplished.

4) Support the Governor's Public Facilities Authority (PFA) Bonding Request of $167 Million per biennium. The PFA provides state matching funds for loans and grants to cities for wastewater, drinking water and storm water infrastructure projects. The Commission supports the PFA bonding target to $167 million per biennium and has agreed to prepare a letter describing the need and timeframe for this commitment.

Prior to 2018, the Legislative Water Commission did not directly introduce bills. The Legislative lative Reference Library has several reports to or by the Legislative Water Commission that were published between 1989 through 1996 as noted below. During the period from 2014 through 2017, the Commission generally held informational meetings and did not endorse legislation. Those meetings are archived on the Legislative Water Commission's Website of the Subcommittee on Water Policy, under the Legislative Coordination Commission.

The Library has reports, to or by the Legislative Water Commission published between 1989 through 1996. A quick search pulls up 22 reports: https://mnpals-lrl.primo.exlibrisgroup.com/discovery/search?query=any,contains,%22legislative%20water%20commission%22&tab=LibraryCatalog&search_scope=MyInstitution&vid=01MNPALS_LRL:LRL&facet=searchcreationdate,include,1990%7C,%7C1996&offset=0 (We can digitize any or all of these reports—or get the print copies to drop off at your desk!)

The Library's Minnesota Agency record for the Legislative Water Commission

The legislative network contains a compilation of articles, news clippings, etc. Or here's a direct link: https://www.lrl.mn.gov/archive/agencies/documents/973.pdf

The Minnesota Historical Society has some archival materials related to the Legislative Water Commission. Here are a few collections at the Historical Society:

Reports, 1990-1996; https://mnpals-mhs.primo.exlibrisgroup.com/permalink/01MNPALS_MHS/ge68j0/alma990017341270104294 (This collection probably duplicates the reports the Library has in our collection.)

Subject and project files, 1989-1996: https://mnpals-mhs.primo.exlibrisgroup.com/permalink/01MNPALS_MHS/ge68j0/alma990017341280104294

Meeting files, 1989 Oct. - 1996 May: https://mnpals-mhs.primo.exlibrisgroup.com/permalink/01MNPALS_MHS/ge68j0/alma990017341260104294

Correspondence, 1991-1996: https://mnpals-mhs.primo.exlibrisgroup.com/permalink/01MNPALS_MHS/ge68j0/alma990017341250104294