

Subcommittee on Minnesota Water Policy

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House Members

Representative John Poston, Co-chair
Representative Patty Acomb
Representative Peter Fischer
Representative Josh Heintzeman
Representative Todd Lippert
Representative Paul Torkelson

Senate Members

Senator Chris Eaton, Co-chair
Senator Rich Draheim
Senator Kent Eken
Senator Michael Goggin
Senator Bill Weber
Senator Charles Wiger

Date: December 2021

Draft

RE: LCC Subcommittee on Minnesota Water Policy--Legislative Recommendations

Dear [Title] [Last name]:

The Legislature Water Commission was re-established as the Legislative Coordinating Commission's Subcommittee on Minnesota Water Policy (subcommittee) by the Legislative Leadership in 2020. Because water is important, complex, controversial, and costly, the development of water policy needs to be undertaken thoughtfully. The 12 member, bi-cameral and bi-partisan subcommittee reviews water-policy issues that affect Minnesota.

During the interim, the subcommittee held hearing to explore water priorities. Meeting agenda and material are available at the subcommittee website.

The committee's draft recommendations for 2022 have been developed, based on discussions among committee members, stakeholders, and state-agency personnel. Discussion papers on each of the issues are available at the subcommittee website. We request the opportunity to brief you on these legislative priorities prior to, or at the beginning for the session. You also are cordially invited to attend any of our committee meetings.

The priority issue areas for 2020 are as follows:

- **Ensure clean and sustainable drinking water**
- **Protect and enhance the quality of our streams, lakes, and groundwater**
- **Ensure that water infrastructure is adequate**

Thanks for your consideration.

Respectfully,

Representative John Poston (Co- Chair

Senator Chris Eaton (Co-Chair)

Subcommittee on Minnesota Water Policy

Draft Legislative Recommendations: December 2021

The subcommittee endorsed the following issues, by consensus, at the November meeting:

1. Define Sustainable groundwater withdrawal limits using technological advances--define limits in a pilot one-watershed/one plan (UM Sustainability report)
2. Bill 2 is removed
3. Improving water quality: Allocation to the UM for research/outreach for precision agriculture.
4. Tax credit for private riparian buffer lands
5. Safe drinking water—allocation to MDH/UM to support private well safety water testing clinics by a non-profit (UM report)
6. Ensure safety of private wells--identify vulnerable aquifers: coordinate and supplement agency monitoring
7. Water safety plans for cities—appropriation for a plan and pilot (UM/ MDH recommendations)
8. UM allocation-- prepare a soil-health action plan including research, implementation, and outreach
9. Reactivation of the LWC and the Water and Wastewater Advisory council
10. Complete land preservation objective to preserve high-valued lakes in the Upper Mississippi—reaching the goal
11. Environmental justice: Ensure that all have drinking water free from lead—focus on children, private wells, and rental properties
12. Policy and an appropriation to encourage groundwater recharge where needed, with restrictions
13. Keeping water on the land, water retention
14. Bill 14 is removed
15. Watershed Districts- changing the general fund appropriation limit to support fixed costs

Brief Explanations of Bill Contents: More detail is available.

Bill 1: Define Sustainable groundwater limits using technological advances--define limits in a pilot one-water/one plan watershed (UM Sustainability report): The Minnesota Geological Survey (MGS) s 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. These 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 geologic 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.

Bill 2 is removed

Bill 3 Precision agriculture research and outreach: This bill involves funding the to the UM to improve agricultural production and water quality, by advancing research and outreach related to precision agriculture. Outcomes would include pilot studies and recommendations regarding data privacy, public-private partnerships, and needed technical assistance focused on the most challenging agricultural and water issues.

Bill 4: Tax credit for private riparian buffer lands: The second bill involves a tax credit to landowners for riparian buffer lands taken out of agricultural production. The buffer law provided a major step in improving the waters of the state. It required buffer strips along lakes, rivers, streams, and some ditches

to filter phosphorus, nitrogen, and sediment. This bill would provide a tax credit for land lost to farming as well as policy to propose a compensation mechanism and a process.

Bill 5: This bill involves support for voluntary water testing of private wells. Private wells supply over a million Minnesotans with drinking water. There are no state requirements for water safety testing. Water safety for private wells is called out as a priority in a recent report to the legislature by MDH and the UM. The bill would provide minimal funding to assist non-profit organizations, who are volunteers, to conduct local testing. The allocation would be to the MDH, or the University of Minnesota, to support the cost of water testing, educational materials, and information storage.

Bill 6: Ensuring the Safety of Private Wells by Identifying and Monitoring Vulnerable Aquifers: This bill involves water safety for those using private wells. It would identify and monitor aquifers that are vulnerable to being contaminated. The agencies have various programs of groundwater monitoring. However, support is needed to coordinate water testing in those networks, and in some areas, expand the networks over the most sensitive aquifers. The resulting effort, coordinated across the agencies 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.

Bill 7: This involves water safety planning for cities. It would support a pilot as described in detail in the recent drinking water report to the legislature. Source-to-tap water safety assessments provide a flexible approach to local drinking-water-safety planning. They result in water safety plans that would be approved by the MDH. The bill would direct the preparation of a prototype plan for one city.

Bill 8: This would provide an allocation the UM to prepare and implement a soil health action plan. It would include a soil health plan, research, implementation, and outreach. This is a priority for the Clean Water Council.

Bill 9: This bill calls for the reactivation of the Legislative Water Commission as well as reactivation of the Water Supply Systems and Wastewater Treatment Advisory Council. The reactivation of both groups had strong support from recent surveys and during stakeholder meetings.

Bill 10: This involves a roadmap to reach land preservation objectives to preserve high-valued lakes in the Mississippi headwaters. This also is a priority of the Clean Water Council. Research, by the DNR, suggests that protecting 70% of land in a watershed is sufficient to preserve high-value lakes. That goal is within reach in the Mississippi headwaters. The effort would identify lands needed to be preserved, as working forest land, and would prepare a plan to fund the preservation of those lands through existing programs like Minnesota Forests of the Future. In so doing, the effort also helps protect source areas that supply drinking water for St Cloud, Minneapolis, and St Paul.

Bill 11: This bill involves environmental justice issue. It would help to ensure that everyone has drinking water free from lead. As a start, the bill would provide for testing of drinking water for childcare facilities, private wells, and rental properties that is not now provided.

Bill 12: The bill would involve policy and an appropriation to encourage groundwater recharge where needed. *In areas of groundwater depletion, artificial recharge can increase natural recharge.* 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, this bill would address policy and fund a pilot study of enhanced recharge.

Bill 13: Keeping Water on the Land: This would provide a funding to increase ongoing efforts that would create policy and fund additional programs to store water, improve water quality, reduce flood peaks ,and to increase groundwater recharge in rural and in urban areas.

Bill 14 is removed

Bill 15: This last bill involves an appropriation to support fixed costs for watershed districts. It would change in statute to increase the general fund allocation limit in order to keep up with inflation.

Committee Chairs, Co-Chairs and Division Chairs:

- ***Environment and Natural Resources Committees***
- ***Capital Investment***
- ***Agriculture Finance***
- ***Agriculture Policy***
- ***Governor Walz***
- ***Lessard-Sams Outdoor Heritage Council, Chair***
- ***Legislative and Citizens Commission on Minnesota Resources, Chairs***
- ***Clean Water Council, Chairs***

File name: [DRAFT_Letterhead_Accessible_Leg_Issues_2022_Short](#)