**Subcommittee on Minnesota Water Policy**

# Legislative Issues for Consideration
# Based in input from Subcommittee Members, Legislators and Stakeholders

**DRAFT: September 26, 2022**
**JRS**

## Bills to be discussed at October Stakeholder meeting:

1) Improved Water and Agriculture
2) Tax credit for private riparian buffer lands
3) Soil-health action plan
4) Water Commission and the Wastewater Advisory Council
5) Complete land management preservation goals for lakes in the Upper Mississippi
6) Keeping Water on the Land: Water Retention
7) Water Retention—Urban Storm Water
8) Appropriation to support fixed costs for watershed districts
9) Addressing Water Utilities Staffing Shortage:
10) Upgrading Drinking Water Infrastructure:
11) Increase Citizen Involvement in Drinking Water Safety
12) Water Education
13) Prioritizing for Environment Outcomes
14) Increased Technical Proficiency
15) Increase Efforts to Encourage Wastewater and Storm-Water Treatment Options
16) Statewide Policy on Manure Management:
17) Require Labeling for Wipes to Improve Wastewater Treatment Operations
18) State Assumption of Federal Wetlands Permit Responsibilities
19) Water Quality Trading:
20) Streamline Irrigation Water Appropriation Process:
21) Forever Chemicals (PFOA and PFOS) in Food Waste Compost
22) Encourage Efficient Wastewater and Storm-Water Treatment Options
23) Long Range Water Planning.
24) Future of drinking water- planning for the future
25) Culvert Replacement Program
26) Encouraging Regionalization of Water Municipal Water Supply Systems
27) Stop the Carp
28) Shallow Lakes Management
29) Statewide Mining Policy
30) Carbon Capture in Mine Waste Rocks
31) Keep our Lakes Clean Initiative

## Description of potential bills:

## Bill descriptions relating to streams, lakes, water quality and policy

1. **Improved Water and Agriculture**: Precision agricultural research and outreach: This bill would include funding to the University of Minnesota 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. Funding would be directed to the University of Minnesota.

2. **Tax credit for private riparian buffer lands:** This bill would involve 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. The bill would provide a tax credit, for land lost to farming.

3. **3-Soil-health action plan** including research, implementation, and outreach: Provides an allocation the UM to advance and implement a soil health action plan. It would include research, implementation, and outreach. The Clean Water Council has proposed funding of 14 million dollars for the activity in FY 24-25.

4. **Water Commission and the Wastewater Advisory Council:** This bill would call 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 surveys and during stakeholder meetings.

5. **Complete land management preservation goals for water quality and quantity for the Upper Mississippi**: WP16: Preserving and protecting Priority Lakes and Rivers: A comprehensive program is needed to provide policy and plans protect our waters for future generations. Minnesota is a water-rich state with a great deal of water stored in aquifers, lakes, streams, and groundwater. All of these waters interact within the context of the total landscape and are impacted both positively and negatively by our land-use choices. Healthy lakes enhance our quality of life. They support complex and important food web interactions and provide habitat for many types of fish and wildlife. Lakes contribute to a healthy economy: they are an important draw for tourism and provide recreational opportunities for our state's residents and our visitors. Unfortunately, some of our past and present land-use choices are damaging our water resources where we've made our landscapes and water flow paths vulnerable to erosion and contaminants. We can reduce and reverse these vulnerabilities through thoughtful planning and land management. We need to protect our lakes for the future. There is now a great opportunity to rapidly and strategically implement conservation programs that are intended to preserve high quality lakes for habitat and water-quality in the Upper Mississippi River Watershed. Research, by the Minnesota Department of Natural Resources, suggests that protecting 60 to 75 percent of land in a watershed from disturbance is sufficient to protect and habitat of lakes and of streams. The effort would evaluate progress made by state, federal and private organizations in meeting lake preservation goals and would assess opportunities for high impacts at low costs. It also would define a strategic path forward to attain those goals (funding to the DNR and BWSR). The CWC has recommended $4.3 million for watershed restoration and protection. These funds could be used to help address this important issue.

6. **Keeping Water on the Land: WP9: Water Retention:** Agricultural drainage has provided many benefits that allow farmers better access to croplands and to complete farming operations in a timely manner. Without agricultural drainage, increases in soil productivity and crop yields would be difficult and economic returns would be diminished. While drainage of Minnesota's croplands provides benefits, several environmental concerns are associated with drainage. The installation of agricultural drainage, both surface ditches and sub-surface drainage accelerates transport of water from farm fields. There are downstream issues with unmanaged or uncontrolled agricultural drainage, which may increase flooding, may affect available water recharge to wetlands, may impact migrating waterfowl population, and may degrade downstream water quality and increase flooding. Increased funding would be included to advance and to increase exiting programs (BWSR). The CWC has proposed $1M for water storage to enhance wildlife and recreation in lakes is southern Minnesota. This bill would complement that request to other portions of the state.

7. **Water Retention—Urban Storm Water:** We need to evaluate, prioritize, and promote water retention in urban area storage facilities. Water retention reduces erosion, improves soil health and water quality,

and increases groundwater recharge. However, the water quality impacts of stormwater capture and retention, in urban areas, is not well understood. There is need to assess and quantify the cumulative impacts of water storage and flood retention structures in urban areas in order to order to provide direction and policy for locating the structures in the right places. Research and policy are needed to ensure the quality of groundwater is not degraded as a result of leakage from these storage facilities. Funding is needed to increase efforts to create policy and funding programs to understand water storage, water quality, reduction of flood peaks, and to changes to groundwater recharge. MPCA and BWSR.

8. **Appropriation to support fixed costs for watershed districts.** It would change in statute to increase the general fund allocation limit to keep up with inflation.

9. **Addressing Water Utilities Staffing Shortage:** Safe and effective delivery of drinking water depends on professional and well-trained staff. There is a significant lack of qualified water-utility professionals. The greatest needs are with small utilities in rural areas who struggle to recruit and retain staff (University of Minnesota, 2020). Legislative direction and funding is needed to promote training and to ensure retention of water-treatment plant staff, to encourage sharing of staff among utilities, and to encourage efficiency and consolidation of infrastructure and of staff. Legislation also is needed to provide support for curriculum programs at colleges, to establish a professional accreditation program, and to provide tuition support. This legislation also would provide support to the MDH and to the MPCA in providing assistance that encourages cost-effectiveness measures, and alternative arrangements for affordable water treatment and distribution systems, as well as means to encourage the sharing of staff between communities (University of Minnesota, 2020).

10. **Upgrading Drinking Water Infrastructure:** Inadequate water infrastructure is a growing threat to the delivery of safe drinking water. It can lead to additional sources of water contamination (University of Minnesota, 2020). Minnesota's water-related infrastructure is aging and threatens our economic and public health. The state needs to consider ways to encourage cost-effectiveness reviews, alternative best-management practices, asset-management reviews, efficient infrastructure alternatives, and water-quality trading options. Programs are also needed to identify and improve leaking septic systems and to fix inflow and infiltration infrastructure leaks. Funding to the MDH is needed to prepare plans for to upgrade facilities through bonding and other programs.

11. **Increase Citizen Involvement in Drinking Water Safety:** Increased emphasis for safe drinking water needs to include citizen empowerment and education. This would result in more public participation in defining governance criteria as well as setting goals. It would also foster greater involvement in monitoring home tap water (University of Minnesota, 2020). Legislative support is needed to encourage greater citizen engagement in advocating for improved drinking-water safety. MDH could expand drinking water safety by leveraging partnerships with trusted organizations (such as health care professionals and teachers) and receptive audiences (such as expectant parents, trusted leaders and by targeting the media). Funding to the MDH is needed to prepare a pilot effort.

12. **Water Education:** The Minnesota Groundwater Association's White Paper #02 ("Minnesota's Groundwater Education Gap", 2016) discusses how to meet missed opportunities within the K-12 and post-secondary educational system. However, timely, accurate communication of technical groundwater information to decision makers and the public is a critical need. The Minnesota Water Sustainability Framework (WRC, 2011) noted a lack of a comprehensive strategy for public engagement in water planning and policy. Failing to provide accurate, understandable technical information in a timely way risks misunderstanding, poor decisions and withdrawal of public support for work involving groundwater. A pilot program to develop a comprehensive strategy for public engagement in water planning and policy is needed. WP5: Water education requirements are outlined in Article 2 of the 1989 Groundwater Protection Act. Some requirements around communication could include using geologic

maps. A plan for a water education program is needed as described in the recent Minnesota Groundwater Association White Paper.

13. **Prioritizing for Environment Outcomes:** The state's general funding for the environment is declining. Even with dedicated funds, conservation spending has decreased in the last twenty years: A plan is needed to ensure that general and dedicated funding will meet the state's future needs for ensuring our water needs (Conservation Minnesota). There is a need to measure the effectiveness of the dedicated funds programs for water (Environmental Spending). We need to determine how Minnesota's environmental spending compares to other states. We also need to tune the approach that balances funds spent for water protection, preservation, and restoration. The lack of stable funding can be particularly disruptive because of the time needed to complete hydrologic studies and investigations can be lengthy. The Clean Water Act does not provide stable funding mechanisms for several significant programs, including the Source Water Protection (MDH), the Minnesota Water Well Construction Code (MDH), County Geologic Atlases (MDNR and MGS), and ACCRA (MDA). The Clean Water Land and Legacy (CWLL) Amendment does provide funds for many efforts, especially the essential function of long-term ground water monitoring. However, the amendment could sunset in 2034, and options for continued funding needs to be considered. The following critical activities should be considered for reliable funding:
    a. Long-term water quality data collection, with emphasis on interactions between aquifer systems and surface water systems, time-series assessments, and support for modeling that will guide decision making into a sustainable groundwater future:
    b. Local water planning activities.
    c. Nitrogen fertilizer non-point program; and
    d. Citizen and decision-maker education on the groundwater resource

14. **Increased Technical Proficiency:** There is significant need to increase technical proficiency among state and local agency staff, and within the water profession at large. Models make it possible to create accurate predictions of future conditions given an array of inputs. This capability makes flow modeling a powerful tool for planning and management. Future capabilities might include reliable transient groundwater flow modeling, and models that couple groundwater flow and groundwater quality. State agency programs need to maintain and increase databases for modeling and GIS. Even though scientists know that the technical basis for water modeling is sound, water scientists must become proficient at communicating their results to non-expert decision makers and to the public. Through clear communications with these groups and others, Minnesota's water professionals must accurately convey the strengths and challenges of the use of advanced computer modeling to solve Minnesota's groundwater problems. Increased funding also is needed for research for Smart Technology for Agriculture. This would promote and fund additional research and applicable methods to encourage the use of smart technology to reduce water consumption and application rates for fertilizer and pesticides without reducing crop yields. Funding is needed, for the EQB, to develop a plan for increasing technical proficiency.

15. **Increase Efforts to Encourage Wastewater and Storm-Water Treatment Options:** Small towns and cities struggle with costs associated with maintaining and upgrading water supply and wastewater-treatment facilities. The state needs to support innovative water-treatment processes for small cities. Small towns and cities struggle with costs associated with maintaining and upgrading water supply and wastewater-treatment facilities. As a state, we need to explore ways to encourage and to provide funding for new technology as well as alternatives. This could include innovative technology, regional partnerships, improved asset management, coordinated administrative and operational activities, shared wastewater operators, and when appropriate, as well as ways to decentralize utility services. We need to encourage and provide funding for new technology, alternative approaches and opportunities for water supply and wastewater treatment. An assessment, and pilot testing of innovative approaches, is needed. Funding is needed for the MDH and for the MPCA to explore and facilitate options and

opportunities. (The CWC has proposed $200,000 for grants to small communities. This bill would provide resources to increase efficiencies for small towns and cities).

16. **Statewide Policy on Manure Management:** Manure handling is not addressed specifically in the Groundwater Protection Act of 1989. Rules remain unclear on this issue and the topic is the responsibility of the MPCA under the NPDES facility regulation rules or with the MDA as part of their nutrient management requirements. An assessment of impact draft policy needs to be prepared by the MDA and MPCA

17. **Require Labeling for Wipes to Improve Wastewater Treatment Operations:** Flushable wipes clog our wastewater treatment plants and decrease the efficiency of the plants. This is a significant issue for the Metropolitan Council and for other wastewater treatment facilities. Policy is needed to ban flushable wipes, tor to change labeling language, and to provide accurate consumer education. A pilot program needs to be developed by the MPCA.

18. **State Assumption of Federal Wetlands Permit Responsibilities (Clean Water Act, Section 404):** The EQB received funds to plan for assumption. BWSR has received an EPA grant to supplement funding for the assumption-application process. Law and Rule changes are needed including costs and staffing needs.

19. **Water Quality Trading:** Watershed-scale pollutant trading and banking programs could be an effective management practice in reducing nutrients and sediments in rivers and lakes. Water Quality trading offers a method of meeting water-quality standards in waters of the state. Policy is needed to build a reliable method to conduct trades. Funding to the MPCA, is needed to define and to initiate a process to facilitate third-party brokers.

20. **Streamline Irrigation Water Appropriation Process:** The time required to obtain an irrigation appropriation permit is of concern. As a state, we should ensure that the process for obtaining water appropriation permits, and the environmental review of proposed project is as efficient and timely as possible. Other states have streamlined their processes. Are there ways that this process could be more efficient? If so, what would be required by the agencies? Funding would be provided to the DNR for a feasibility study.

21. **Forever Chemicals (PFOA and PFOS) in Food Waste Compost:** Forever chemicals in food packaging are threatening the organic composting industry and presents a threat to organic recycling. There is a long list of forever chemicals that are used in food packaging. As a result, they contaminate food and food packaging waste at composting sites and make the food packaging compost unusable for land application. The chemicals are in the process of being phased out by the food industry. However, the problem at composting sites likely will continue for some time. There are options to keep from derailing efforts to compost food waste and to keep the composting industry viable. Options would include limited sampling to determine whether compounds are leaching into groundwater at compost-application sites to determine the extent of the problem. This would help to determine whether there is a significant problem at these sites. If so, a temporary ban on food containers containing these compounds may be needed. Another option may be a temporary ban on composting food packaging. Funding is needed as well as policy to support the continuation of the food compost industry and the continued recycling of food waste. (MPCA) This would include water sampling at selected sites as well as a temporary ban on the composting of food packaging materials.

22. **Encourage Efficient Wastewater and Storm-Water Technology and Treatment Options:** Cities struggle with maintaining and upgrading water supply and wastewater-treatment facilities. There is an urgent need to support, encourage and provide new technology and alternative approaches, particularly

for small cities. Legislation could support innovative technology, regional partnerships, improved asset management, coordinated administrative and operational activities, shared wastewater operators, and decentralized utility services. This initiative would create and fund additional regional wastewater coordinator positions (MPCA) to assist in regional training programs, to encourage cross-jurisdictional cooperation, and promote cost effective and innovative waste-water practices. Policy and legislative direction and policy to facilitate, implement and develop an adaptive approach for pollutant trading or pollutant banking at a watershed scale. Expand the ability for cities to participate in water-quality trading by creating policy. Establish a means for third-party credit seller and credit seller brokers for trading. There is an estimate that the state has 100,000 failing individual septic systems. Generally, areas with the greatest problems are known (MPCA). Support (funding) is needed to provide funds for low-income households with assistance for fixing failing systems. Support regional facilitators (UM or Minnesota Rural Water Association) to provide advice and coordination with homeowners and county staff to navigate options that exist for upgrading systems. (The CWC has proposed $3 million for this effort as funding to local government. This bill would provide policy and direction for the wise use of those funds).

23. **Long Range Water Planning.** Last session, two water-planning bills were introduced: HF 3888 would have appropriated monies for a plan ensure that Minnesota has an abundant supply of clean water for the next 50 years. HF 4204 proposed an Office of Water Policy (the companion bill was SF 43310). The first of the bills would have established an Office of Water Policy to provide research and to evaluate policies and practices relating to groundwater and surface water use, protection, and enhancement, including: (1) improved methods for planning and assessing the water balance between major aquifer systems and between groundwater and surface water and shared that information with state agencies, the legislature, and local governmental units; 2) proposed methods for securing private and public drinking water supplies by developing an assessment and management plan for public sources of drinking. The second bill would have appropriated funds to the University of Minnesota to develop a plan to ensure that the state has an abundant supply of clean water for the next 50 years. The plan would have:
    a. assessed the current state of Minnesota's waters, both surface water and groundwater throughout all geographic regions.
    b. identified gaps in data or information with respect to the quality and quantity of Minnesota's waters and provide recommendations to obtain any necessary data and information; and
    c. identified opportunities for Minnesota to act proactively to ensure that the state has an adequate supply of clean water for the next 50 years. Both plans have merit and should be consolidated in a planning effort conducted by the University of Minnesota and the water agencies of the state.

24. **Future of drinking water- planning for the future:** Minnesota is a leader in providing safe drinking water. However, it needs to develop drinking water policy that recognizes future challenges. One of these, aging infrastructure, as a source of contamination, is increasingly being acknowledged as a problem here and throughout the US. Additionally, an ever-increasing number and diversity of drinking water contaminants, arising from industrial, agricultural, and domestic sources will contaminate source waters. Anticipated extreme weather events associated with climate change may compromise wastewater treatment and lead to further contamination. The recommendations of a recent UM/MDH legislative report focuses on changing governance systems to respond, an integrated and flexible fashion to emerging challenges and do so in a way that commands public confidence. Key to this will be coordination between the agencies involved with water governance to provide a holistic response to drinking water. The report recommends statues that would clarify agency responsibilities to provide a safe and sufficient drinking water. The report suggests that the MDH should guide the development of these principles into prioritized actions to better manage risks to Minnesota's drinking water. The report recommends the development of a state drinking water plan coordinated by MDH. Options, for

consideration, are included in the Minnesota Groundwater Association's White Paper on the 1989 Groundwater Protection Act. (The CWC has proposed $500,000 for a "Future of drinking water Program. However, this effort is focused on lead exposure).

25. **Culvert Replacement Program**: Many of the culverts in rural Minnesota are old, under-sized and improperly designed for fish migration. Ongoing state, county and township roadway improvements provide opportunities to create sites for water storage (needed to retain sediment and retain waters to reduce flood peaks, to right-size culverts for flooding and to allow for fish passage. As culverts are replaced, opportunities exist to improve culvert design. Legislation could provide funds to evaluate reconstruction and to fund the new design of culvert in areas where opportunities exist, coordinated by MDOT and the DNR. This would encourage coordination of ongoing programs that would improve continuous flow for water quality, encourage water retention and improve fish passage. The CWC has proposed $2.5 million for conservation drainage management. These funds could be used to leverage and begin this important issue.

26. **Encouraging Regionalization of Water Municipal Water Supply Systems**: The Twin Cities Metropolitan Area is a growing. The population is predicted to reach 4 million in 2050, and the region may need to supply an additional 10 million gallons per day at that time. The Metropolitan Council, and its advisory committees, have recently identified and clarified the major challenges. These challenges include contamination and water quality; managing complex system of interactions between water supply and land1- use; groundwater and surface water interactions; stewardship of public infrastructure; responding to changing conditions and emergencies and coordinating work among overlapping jurisdictions. Regionalization of municipal water utilities presents opportunities do address some of these challenges in specific subregions of the TCMA. Policy is needed to plan and to incentivize cooperation among certain municipal water utilities. (The CWC has proposed$ 2.5 M for a Metro Water Substantiality effort. An evaluation and recommendations regarding regionalization" should be built into this effort).

27. **Stop the Carp:** Invasive carp are now in Minnesota, in the Mississippi River. It is important to stop the migration of the fish before they advance farther in the river system. By using a combination of three available techniques at Lock and Dam 5, near Winona, over 95 percent of the Bighead carp could be stopped. This likely would spare Lake Pepin, and the St Croix River. Carp control can be achieved with little effect on native game fish. A decision for funding the installation of a carp barrier is needed in 2022 to start in 2023. (University of Minnesota and the DNR).

28. **Shallow Lakes Management:** While all lakes support wildlife needs, it is the shallow water zone, characterized by aquatic plants and generally less than 15 feet deep, that provides the most important wildlife habitat. There are more than 5000 shallow lakes over 50 acres in size in Minnesota. These lakes have permanent or semi-permanent water regimes and are typically dominated by wetland habitat (less than 15 feet deep). Although water quality degradation, altered watersheds, modified outlets, urban development, intensive agriculture, and exotic species have reduced their wildlife benefits, shallow lakes remain a critical habitat component for Minnesota's wildlife. DNR's goals for management and protection of shallow lakes is to protect and manage shallow lakes for their ecological, recreational, and economic importance with particular emphasis on wildlife and wildlife-based recreation. The plan focus is to maximize waterfowl and wildlife habitat on shallow lakes associated with public wildlife lands. Because shallow lakes are managed differently that other lakes in the state, consideration should be given to management practices that would allow for greater control of aquatic vegetation, including algae, in lakes shallow lakes that are used primarily for water-based recreation other water-foul production.

29. **Statewide Mining Policy:** The Rainy River-Lake of the Woods and Lake Superior watersheds contain some of the greatest reserves of iron and sulfide-based-metals in the world. Mining has been, and

continues to be, important to the economy and to the welfare for those living in Minnesota. Iron ore has been mined in the watersheds for over 100 years, and the watersheds continues to support taconite mining and processing facilities. They contain vast areas of active and abandoned mines as well as areas of mineral potential for additional mining. In 2010, approximately fifteen percent of economy of northeastern Minnesota's economy was based on taconite (iron) mining (Skala and others, 2012). There is significant interest in sulfide-metal mining. The world demand for copper (Cu), nickel (Ni), and platinum-group elements (PGEs) is growing (Wilburn and Bleiwas, 2004) and likely will continue to grow due to an increasing world population and high-technology applications. However, the development of mines presents potential human, water quality, and ecosystem impacts. Proposed mines are generally evaluated on a site-specific process. This leaves both environmental and mineral development groups without policy that addresses the state's goals and objectives regarding how mining fits into the best interests of the state. State-wide policy is needed regarding the risks and potential economic benefits of new mines. This would give direction for new mine proposals so that the mining industry, the environmental community, and state agencies can understand where mineral development might be allowable, based on potential benefits and risks. Funding to the DNR and to the MPCA would be needed to develop criteria for a statewide policy.

30. **Carbon Capture in Mine Waste Rocks**: As concentrations of carbon dioxide increase in the atmosphere, attention is now being paid to the benefits of removing and storing it in rocks that are common to Minnesota. The USGS has published a comprehensive review of geologic carbon storage: carbon mineralization. Carbon mineralization is the process by which carbon dioxide becomes a solid mineral, such as a carbonate. It is a chemical reaction that happens when certain rocks are exposed to carbon dioxide. Carbon mineralization involves exposing carbon dioxide to ultramafic rocks or basalt. The biggest advantage of carbon mineralization is that the carbon cannot escape to the atmosphere. Most of the rocks that have the potential for carbon mineralization are igneous and metamorphic rocks common to northern Minnesota. At lease one of the proposed sulfide mineral mines in the state have expressed interest in carbon capture by using crushed mining waste. State policy is needed to consider or to encourage this practice in the state.

31. **Keep our Lakes Clean Initiative**: Ice fishing on Minnesota's lakes has changed and the winter has become a popular time to recreate on lakes. Wheeled fish houses and other amenities have created a cultural shift in the way people fish. Winter fishing on Lake of the Woods has tripled compared to 20 years ago. Lakes have become recreational vehicle campgrounds. However, there are no ground rules or services for trash and human waste. Waste being left on the lake is becoming more and more of an issue. The Keep It Clean Initiative was started in 2012 on Lake of the Woods after a volunteer group hauled trailers full of trash off the shoreline of Lake of the Woods following the winter fishing season. Since that time this initiative locally seeks solutions to address trash and human waste left on the lake. In 2022, local stakeholders from Red Lake, and Mille Lacs have identified this issue and have joined the Keep It Clean Initiative, forming a Regional Keep It Clean Committee. This committee has worked to address the local needs with the increase of trash and human waste being left on lakes in Minnesota. The committee is seeking to address the following three issues: \
    a. Local and state changes in ordinances and laws are needed to make it unlawful to place trash on frozen lakes.
    b. Technical and financial support is needed for local infrastructure to assist local communities: and
    c. State agency partnership to provide a statewide program. Currently it is difficult for Conservation Officers to issue citations for littering on the ice. The DNR has suggested that amending statutes would be a way to address the enforcement issue. Specifically, this could be addressed within the Water Surface Use Ordinance. This activity could be address as outlined in statute 6110.3700 Water Surface Management standards Sub. 8. Conduct of other activities on a body of water. This subpart references the goal of water surface use management in 6110.3200. These statutes provide the opportunity to address trash and human waste on the lake, however the scope of what DNR Conservation Officers can enforce is very narrow and is

limited by 86B.205 Sub. 9. c. 1-5. These only refer to soft water issues related to watercraft uses. An expansion of the scope of the statutes to include a way for counties to prohibit human waste and trash on the ice could address this issue. The water surface use ordinance would be a good vehicle because counties could propose ordinances that the DNR Commissioner would have to approve prior to the adoption of the ordinance. This would show that changes would need to be requested locally, and then with the approval by the DNR Commissioner, enforced by DNR Conservation Officers. Action by the legislature is needed along with local efforts like the Keep It Clean Initiative to keep our waters free of trash and human waste.

**Bills discussed during September 7 stakeholder meeting:**

1. Needed Update of the 1989 Groundwater Act (N1)
2. Option for Water Scarcity in the Northeast Metro (N2)
3. Define sustainable groundwater limits using technological advances (B1)
4. Voluntary private well testing (B5)
5. Ensuring the safety of private wells by identifying and monitoring vulnerable aquifers--water safety for those using private wells (B6)
6. Assessing emerging and unregulated contaminants in drinking water (DW1)
7. Emerging contaminants-sentinel monitoring program (WP18)
8. Water safety plans for cities– a pilot (B7)
9. Enhanced groundwater recharge (WP14)
10. Groundwater quality (WQ1)
11. Chloride reduction and the MPCA Report (WQ2)
12. Addressing disconnect between land use and water quality management (WP3)
13. Plan for changes to water resulting from climate change (WP4)
14. Water appropriations: Inter-basin transport protection (WP8)
15. Adjusting water appropriation process for golf courses (WP11)