



Legislative Water Commission

Barb Huberty, Director

95 State Office Building St. Paul, MN 55155-1201 Phone: (651) 284-6431 Fax: (651) 297-3697 TDD (651) 296-9896

November 4, 2015
Room 5 State Office Building
Meeting Minutes

Member Present

Sen Gary Dahms
Sen Carrie Ruud
Sen Bev Scalze
Sen Charles Wiger
Rep David Bly
Rep Peter Fischer
Rep Clark Johnson
Rep Paul Torkelson
Rep Matt Dean
Sen Matt Schmit

Members Excused

Rep Rod Hamilton
Sen Roger Chamberlain

Guest

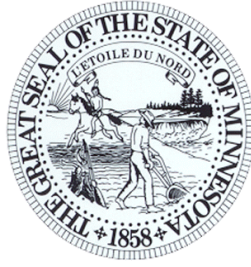
Sen Michelle Fischbach

Director Huberty gave an overview of the materials included in the meeting packet.

Sen Bev Scalze called the meeting to order at 10:08 am on Wednesday, November 4, 2015 in Room 5 of the State Office Building. A quorum was present.

1. Rep Fischer moved approval of the minutes for the October 26, 2015 meeting. THE MOTION PREVAILED.
2. Jason Moeckel, from the Dept of Natural Resources, presented information about DNR's *Thresholds for Negative Impacts to Surface Waters Project*, which is a process being completed by a large stakeholder group in response to a bill passed last session. Three of 5 meetings have been held and the report is due on December 15, 2015; it will identify how DNR plans to quantify negative impacts to wetlands, streams, and lakes when setting water appropriations thresholds.

Questions were raised about DNR's ability to distinguish between climate induced depletion vs. that from pumping, to insure that DNR accounts for nature's ability to recover from extended droughts, and not over-reacting with appropriations modifications during dry periods. DNR acknowledged the statewide, variability of climate, water resource systems and their vulnerability to hydrologic change, and aquifer capacity. They are trying to characterize that natural variability and account for it in their recommendations and their modeling. Ultimately, DNR needs to review total pumping in conjunction with each regions' water budget and set limits that will enable system recovery within a



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range of precipitation values. For example, they are considering the stream limit will allow for a 15% drop in flow from the median, August, low-flow value.

There is scientific data available, but also a lot of data gaps; are there other scientific resources that MN can utilize? DNR stays informed of scientific information pertinent to MN and incorporates it into their models as new information becomes available. DNR must consider the people who are affected by appropriations.

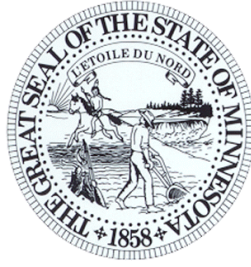
DNR was asked to follow-up with information about situations where appropriations permits affect trout streams and whether those streams support native or introduced trout species.

3. Tom Hovey and Julie Eckman, from the Dept of Natural Resources, presented information about DNR's water appropriations permitting process and how the forthcoming negative impacts thresholds will apply. They also described the water supply planning process that large and metro community water suppliers must complete every 10 years. Examples of demand reduction measures were given and DNR plans to check back with water suppliers 3-4 years after their water supply plans are submitted to assess their conservation progress, looking at per capita per day water use, amount of non-revenue water, and the ratio of summer peak use to average daily use.

Comments and questions provided by LWC members included: reducing the number of plan revisions prior to approval, approving plans in less than one year, establishing metrics for measuring the progress of conservation, developing consequences for those communities that don't meet their conservation goals, improving the accuracy of groundwater use reporting and communicating the value of that reporting, insuring compliance with appropriation amounts, and aligning those permitted amounts to be closer to actual use volumes. DNR was asked to follow-up with more detailed information about permits issued, delayed and denied.

4. Director Huberty gave an overview of a matrix that compiles the water issues that have been presented to the LWC to date. It can be used at future meetings to help members identify areas where they wish to focus their future efforts.

Member comments in response to the matrix included: scheduling more time at an upcoming meeting to discuss individual interest areas and priorities, determining how LWC can best serve the legislature in the next session, moving forward with legislation on reuse, providing recommendations to improve the efficiency of the regulation of water in MN, catalyzing watershed-based and wellhead protection area partnerships, replicating solutions elsewhere in the state, protecting areas within the Mississippi Headwaters area to insure high water quality for water



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suppliers using the Mississippi River, and deciding how to move forward on the top priority issues.

5. The next meeting will be Friday, 12/4 from 10-noon in Rm 5 of the State Office Building. Thus far, MDA has confirmed their attendance to provide an update on the Agricultural Water Quality Certification Program.

There being no other business, the meeting adjourned at noon.