

March 10, 2016

Minnesota Legislative Water Commission  
Barb Huberty, Director  
100 Rev Dr Martin Luther King Blvd  
Room 95 State Office Building  
St. Paul, MN 55155

Legislative Water Commission:

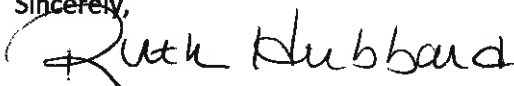
I would like to thank the Department of Natural Resources for the opportunity to participate in the stakeholder discussions and educational opportunity on Thresholds for Negative Impacts to Surface Water. It was clear from the onset that the diverse group had very different reasons to be at the table and that additional discussion and education would be required. The DNR committed to this extra time to be sure that all participants could get their views and concerns heard.

Almost from the beginning the discussion on the "allowable withdrawal" (now called diversion limit) was at 20%. However when the January 2016 Report to the Minnesota Legislature was released the diversion limit of 10% of the August median base flow was recommended. It seems that this threshold is recommended because it protects flows in extreme drought conditions. It doesn't make sense that as a water rich state we would always be functioning under extreme drought conditions. MRWA's preference would be to set the threshold somewhere between 15% and 20% and have a "Critical Use Provision" that would be implemented in extreme drought conditions. The "Critical Use Provision" should be enforced equally including industry and agriculture.

It is also essential that every request for a permit be handled on a case-by-case basis.

1. There is great economic development or distress based on the availability of water resources. Priority for resources should be given to existing industry rather than new users.
2. Special consideration should be given to wellhead protection areas.
3. The most current modeling should be used. Results of modeling should be reviewed by a non-biased third party.
4. Additional funding should be made available for monitoring.

Sincerely,



Ruth Hubbard  
Executive Director