

Legislative Water Commission- 2019 Legislative Recommendations:
Drinking Water
Summary
DRAFT, for Discussion only, JRS

Background: The safety of our drinking water is one of the most critical, responsibilities of government. Safe drinking water has been key in some of the greatest public health achievements of the last half-century, including the dramatic reductions in disease and improvements in longevity.

The value of our water resources goes beyond even health and the health of our environment. Jobs and economic development also depend on communities having a reliable source of clean and safe water. The U. S Environmental Protection agency (EPA) estimates that, as a nation, we need to invest \$473 billion in the next 20 years for drinking water infrastructure. Investments in water systems not only provide assurances of continued delivery of safe drinking water, they are key to local economies. The Department of Commerce estimates that for each dollar of investment in the water and sewer industry, the increase in revenue that occurs in all industries is \$2.62 per year. Furthermore, adding one water or sewer job creates nearly four jobs to the economy. In 2015, the EPA found that the national need for infrastructure upgrades had increased by 10 percent since 2011.

The Minnesota Department of Health (MDH) has delegated authority from the EPA to regulate approximately 6,900 public water-supply systems. That includes 961 community systems. Community systems include 729 municipal systems (towns or cities) and 232 systems that provide water to manufactured home parks, nursing homes, and treatment or correctional facilities. In addition, MDH regulates about 6,000 non-community systems that provide water to people in schools, lodging facilities, and businesses not connected to community systems.

At the same time, 21 percent of Minnesotans (1.2 million people) get drinking water from private wells. Private-well users are not afforded the same water-quality safeguards as people who get their water from public systems. While public water system operators make sure water is safe, private well users are responsible for making sure their water is safe to drink. The MDH Well Code ensures that private wells are properly located and constructed. However, after wells are put into service, private well users are responsible for maintaining their well, testing wells, and treating the water when necessary. Since July 2013, Minnesota Department of Health (MDH) Well Management Program has received some funding from the Clean Water Fund to evaluate the occurrence and distribution of contaminants in private wells and to develop additional education and outreach to protect private well users. Threats to public and private sources of drinking water include point and non-point sources and natural and anthropogenic contaminants. These threats include: nitrate, lead, arsenic, radon, contaminant spills, pesticides and industrial compounds, bacteriological contamination and harmful algal Blooms:

Ranked recommendations by Stakeholders.

1. Improve monitoring, public information and education, and the mitigation of contaminants in drinking water. Monitor and understand risks to private wells from land use activities and naturally occurring contaminants, and prepare strategies to reduce risks. Continue to support the County Geologic Atlas Program and add a water-budget analysis to the program.
2. Increase investments in public-drinking water infrastructure to meet treatment needs and repair and replace aging water mains and other facilities. Conduct an assessment of current infrastructure needs. Provide additional financial assistance to communities in need of replacing aging infrastructure.
3. Identify the location and condition of Minnesota's failing septic systems, sewers and storm-water infrastructure because they contaminate groundwater. It is estimated that many of Minnesota's million septic systems are failing but we do not have good information on that issue. Establish a uniform standard for septic system performance, inspections, or periodic maintenance
4. Expand comprehensive real-time surface and groundwater monitoring to detect potential threats to water supplies, develop early responses, and provide public reporting.
5. Continue to support, and increase support for source-water protection for groundwater. Initiate a source-water program for surface waters that are a source of drinking water. Prepare and implement emergency preparedness plans to respond to spills, storms, harmful algal blooms, and other disruptions.
6. Increase the MDH drinking water hook-up fee. Provide funding to complete condition assessments and the development of asset management plans for drinking water supply systems
7. Pass legislation that allows local governments to adopt ordinances requiring homes and businesses to connect to community drinking-water systems when onsite wells fail. Strengthen permitting requirements to allow community systems only where a municipal system connection is not available, cost effective, or environmentally necessary. Community systems should be adaptable to future increases in the number of users, demonstrate a financially supported asset management plan, and provide for eventual connection to a municipal system. Increase the financing mechanism such as a low-interest revolving loan fund or loan loss reserve program to support maintenance and replacement of existing on-site and community systems for system owners with a demonstrated need for financial assistance
8. Embrace new Technology: Much of the infrastructure for drinking water was built between 50 and 100 years ago and utilizes outdated technology and approaches for treatment, distribution, and collection. Encourage ideas, partnerships, and cost-effective emerging technologies and materials that hold promise for more efficient water and energy use, recovery of resources (such as nutrients), and improvement of environmental and public health outcomes. Support innovation through partnerships and funding with universities to expand research programs in the drinking water. Support new and emerging cost-effective technologies (such as smart metering and loss management technology) through permitting requirements that integrate water utilities with innovative communication and energy networks.
9. Propose legislation that requires a return provision for pharmaceutical retailers and distributors.
10. Provide funding to assess the potential threats of viruses in source water or in drinking water.
11. Legislation/funding for surface water- source water protection programs
12. Implement the groundwater protection rule to protect private drinking water wells.
13. Minnesota's water-related infrastructure is aging. Provide local governments and water utilities tools to inventory, assess, and strategically invest in water assets. Compile and evaluate asset management plans as part of a drinking water asset management plan. Identify and prioritize infrastructure elements with risks to public health, such as lead service line replacement. Identify and prioritize areas for targeted infrastructure replacement or upgrades.
14. Suggested: Adapt Risk-based management of drinking water threats
15. Suggested: Revise statutes to improve agency management and regulation of water/drinking

