

**2019 Legislative Recommendations  
Legislative Water Commission  
Statewide Water Policy  
October 2018**

**Issue: Statewide Water Policy: We need to begin to plan for an uncertain future**

**Action: Initiative an interagency/legislative planning process and report to the Legislature**

**B 9) Develop a Statewide Water Policy: Water-quality and quantity regulation and management is coordinated by state agencies. However, there is a great need for an administrative/legislative effort to prepare policy that recognized an uncertain future. Policy is needed to guide adaptation to adjust to changes that likely will occur to climate, landscapes, biota, hydrology and infrastructure. Establish an interagency/legislative water-policy process that encompasses the Future State of Water. The policy should include specific and emerging issues such as a statewide guide for mineral development and plans to manage our water for uncertain future conditions that include constraints, goals, and expectations. Incorporate a better understand the importance that water plays in providing ecological services. Include a process to address the impacts of long-term variations in precipitation and temperature on water supply and on ecological services.**

**Background:** In 2008 Minnesota's citizens passed the Clean Water, Land and Legacy Amendment to the Constitution that dedicated a portion of the state sale's tax for the environment. These resources created significant opportunities to achieve a sustainable water future for our state. Much has been accomplished, including research, monitoring, mapping, planning and implementation. However, recent information suggests that improvements to our state's water, when the amendment expires in 2034, may not meet citizen expectations. As the amendment period reaches a half-way point, there is need to reflect and refocus on a future state for water for 2034 and beyond. The citizens of Minnesota, local government, environmental stakeholders, the Clean Water Council, the Lessard-Sams Outdoor Heritage Council, the Legislative-Citizen Commission on Minnesota's Recourses, the Administration, and the Legislature each have important roles and responsibilities to work together in prioritizing, funding, implementing, and evaluating environmental programs aimed at improving our water, increasing our return on investment, and reaching a desired future state for water in Minnesota. Statewide, water regulation and management is coordinated by state agencies. However, rigorous processes, involving multiple agencies often could be better coordinated. This coordination could be improved by establishing an interagency/legislative water policy process that includes the Future State of Water.

Our natural environment is changing and we need to plan for an uncertain future. We need to prepare policy to manage water in the face of uncertain future conditions that considers emerging contaminants, emerging technology, changing demographics, land use, and climate as well as economic uncertainty and aging infrastructure. A coordinated State policy should address the impacts of long-term variations in precipitation and temperature on water supply and on ecological services and to adopt a climate-change adaptation policy. New technology needs to be considered relative to feasibility and potential unintended consequences. Funding priorities could be defined, within established funding programs that involve technological uncertainty. In to order initiate a future-state process, we need to strengthen communication between the Legislative Water Commission, legislative committees and state agencies.

To ensure adequate and clean water for the future, we must balance long-term plans for conserving and protecting our natural resources with those for ensuring a healthy public and healthy economy. This is a long-term issue that will require our leaders to think long term. There are several plans and reports that lay the groundwork for a strategy for the desired future for our water resources. Those recommendations provide a framework for an interdisciplinary approach to plan to protect our water for future generations. The plan should consider and recommend a statewide direction for an uncertain future that includes the following issues as well as other issues that may need to be considered:

- Consider policy to manage wastewater and storm water.
- Recommend an approach to manage for the control of emerging contaminants in water.
- Recommend efforts to control invasive species.
- Prepare a statewide mineral extraction policy.
- Suggest an enhanced and improvement to the water appropriation permit process
- Increase efforts to retain water on the land. Retaining water on the land can provide benefits to water quality, soil health and groundwater recharge
- Prepare long-term plans to address aging water infrastructure.
- Plan to increase local implementation of clean water projects.
- Our natural environment is changing and we need to plan for an uncertain future.
- Increase research data collection, analysis and public information
- Increase our understand and management focus on ecosystem services.
- Prepare a comprehensive program and policy for lake protection and sustainability.
- Create a prioritized program focused on Soil Healthy and Healthy Water
- Recognize the Full Cost and Value of Water
- Continue to protect our rivers, lakes and groundwater beyond 2034
- Support systematic water sustainability programs by re-assessing data programs to include our water bank accounts.
- Increase our Knowledge About our Water Supply and Water Use

**Detailed description of recommendations:**

- *Consider policy to manage wastewater and storm water. Should we value wastewater and storm water as a resource? How do we identify, prioritize, allow, and promote areas where groundwater recharge of wastewater and storm water is feasible. Should we allow for managed recharge? Do we protect areas where enhanced recharge makes hydrologic sense? Should we encourage water reuse where appropriate?*
- *Recommend an approach to manage for the control of emerging contaminants in water. Emerging contaminants affect aquatic biota and potentially human health in ways we do not understand.*
- *Recommend efforts to control invasive species--The issue of aquatic invasive species was of high importance to the citizens of the state. State rules, education, regulations and penalties need to be increased to preserve and to protect our water resources. Mining policy. The policy should include specific and emerging issues such as a statewide guide for mineral development that includes constraints, goals, and expectation.*
- *Suggest an enhanced and improvement to the water appropriation permit process: Develop an automated water-appropriation tool that assesses streamflow depletion based on the cumulative effects of groundwater pumping and stream-water withdrawals. Simplify the water appropriation-permit process (internet-based) for small appropriators to speed-up and simplify the process.*
- *Increase efforts to retain water on the land. Retaining water on the land can provide benefits to water quality, soil health and groundwater recharge: Slowing runoff to streams will reduce erosion as well as reducing the impacts of nutrients, sediment and other contaminants.*
- *Our aging water infrastructure affects public and environmental health. Continue funding for facilities upgrades. Conduct cost-effectiveness reviews of best-management practices at drinking water and wastewater facilities. Move toward with infrastructure-improvement decisions based on cost-effectiveness reviews. Move forward with pilots of watershed-scale trading programs that involves stakeholders.*
- *Increased local implementation of clean water projects. Based on the Governor's Town Hall feedback, our citizens want Clean Water Funds allocated for activities at regional levels rather than all at the state level. Support and encourage inter-jurisdictional water planning through the one-watershed/one-plan process.*
- *Our natural environment is changing and we need to plan for an uncertain future. We need to prepare policy to manage water in the face of uncertain future conditions that considers policy related to mineral extraction, emerging contaminants, emerging technology, changing demographics, land use, and climate as well as economic uncertainty and aging infrastructure. This plan should address impacts of long-term variations in precipitation and temperature on water supply and on ecological services and to adopt a climate-change adaptation policy. New technology needs to be carefully considered relative to feasibility and potential unintended consequences. Consider funding projects, within established funding programs such as the LCCMR that involve technological uncertainty. In order to initiate a future-state process, strengthen communication and ties between the Legislative Water Commission and the Environment and Natural Resources Committees in the House and Senate.*
- *Increase Data, Information and Analysis--Maintain and enhance water information and monitoring programs. Create water budget and sustainability tools for each of the major watersheds in the state, using existing information.*
- *Increase the Understanding and Water Management Focus on Ecosystem Services--Minnesota's water resources contribute to ecosystem services in several ways. Increase Public Education-- The role of education is undervalued in protecting water resources. The Governor's Town Hall meetings recognized the need for additional water-resources training and education.*
- *Protect Our Lakes: Consider a comprehensive program and policy for lakes.*
- *Create a prioritized Program focused on Soil Healthy and Healthy Water*
- *Recognize the Full Cost and Value of Water: In one sense all of our water resources are allocated to important*

*uses including natural and human-related needs. Any new use of water needs to be assessed in that context. Managers need to account for the water quality and quantity implications of additional uses of water. State rules should capture the total costs of new allocations. Harnessing market Forces. Develop and improve. Leverage changes through market development- added*

- *Protect our Rivers and Groundwater: Plan to continue efforts supported by the Clean Water, Land and Legacy Amendment, beyond 2034. Increase our Knowledge About our Water Supply and Water Use--Population growth, development in the agricultural and energy sectors, climate variability, pollution, and competition for water all influence our future availability of water (National Science and Technology Council 2007). As a state, we need to improve tools to answer the following question: "How much water can the people of Minnesota use on a sustainable basis?"*
- *Increase Data, Information and Analysis--Maintain and enhance water information and monitoring programs. Increase emphasis on collecting information to understand water use, water budgets, groundwater, surface water, and aquatic biology and their interactions. Prepare a strategy for generating and managing information needed to integrate water sustainability assessment results into regulatory programs on a statewide basis. Support systematic water sustainability programs by re-assessing data programs in order to collect data that are needed. Establish Watershed "Water Bank Accounts"-- Create a water budget tool for each of the major watersheds in the state, using existing information. Improve our understanding of statewide water balances (bank accounts) as well as water sustainability by enhancing the One Watershed/One Plan program. We can use existing information about groundwater recharge, streamflow, and water use to identify priorities and concerns about water sustainability implementation, based on objective criteria. We are at a point where data exist to incorporate water-budget information into water planning and land-use planning.*
- *Increase our Knowledge About our Water Supply and Water Use--Population growth, development in the agricultural and energy sectors, climate variability, pollution, and competition for water all influence our future availability of water (National Science and Technology Council 2007). As a state, we need to improve tools to answer the following question: "How much water can the people of Minnesota use on a sustainable basis?"*

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