

Weekly LWC Update 6-30-17

ERRORS? OMISSIONS? If found, please notify barb.huberty@lcc.leg.mn.

Interested reader: each week, I gather general information for Legislative Water Commission members to help keep them apprised about water issues in Minnesota. This update contains a roundup of easily attainable MN water news, as well as articles from beyond MN that may inform member thinking. It also includes summaries of meetings I have monitored and reports I have read, as well as information about upcoming events. During the Legislative Session, updates on water-related legislation and committee activities are added. Any errors or omissions are inadvertent.

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There will not be a 7/7 weekly update.

MN NEWS

WATER ACTIONS

- MPCA: [Water Quality Fee Rule: MPCA Request for Comments](#) and [Amendments to water quality fee rules](#)
- Brainerd Dispatch: [Lake and River Friendly Award winners recognized](#)
- EQB: [Host a Community Water Meeting](#)
- Southwest Journal: [Former state Rep. Knuth takes Chief Resilience Officer position](#)
- AgriNews: [Fillmore SWCD celebrates 75 years with watershed tour, demos](#)

SURFACE WATER/STORMWATER

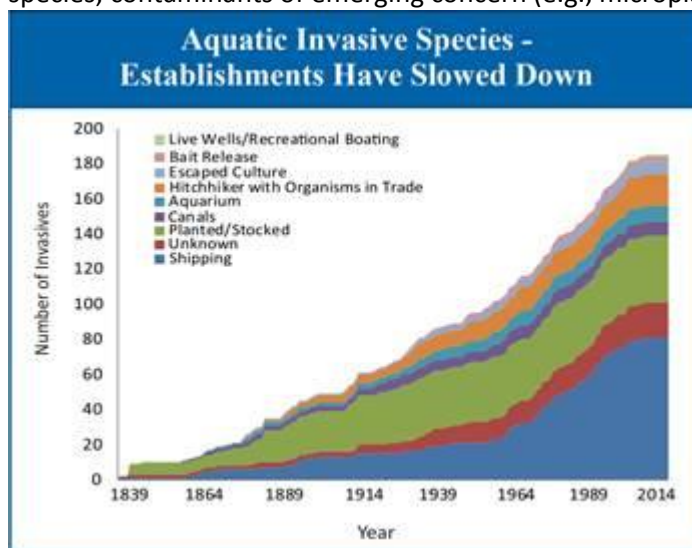
- MPR: [Volunteer 'detectors' will watch the water in invasive species fight](#)
- DNR: [DNR releases environmental review of Mississippi River channel widening near Hastings](#)
- MN Conservation Volunteer: [Keeping It Natural](#); "In a northern lake-country community, this advocate encourages shoreline plantings that protect land and water."
- MPCA: [Blue-green algae: If in doubt, stay out](#); U of MN: [HABs explained: what, how and what now?](#)
- MPCA: [Yard and Garden Tips](#); save water and reduce stormwater pollution
- Inforum: [ND continues sampling for larval zebra mussels in Red River](#)
- Whapeton-Breckenridge Daily News: [Defending Richland-Wilkin Counties](#); West Central Tribune: [Officials: Diversion Authority close to agreement with DNR before contact was cut](#)
- U of MN: [Meeting Minnesota's Needs for Stormwater Research](#)
- Waseca County News: [City engineer talks stormwater progress in report to council](#)
- Post Bulletin: [Corps asks for more comments, extends deadline on dredging plan](#)
- Strib: [Feuding lakes in Otter Tail County won't be mingled, judge rules](#); the MN Court of Appeals ruled that DNR may not cut a channel to allow excess water from Hoffman Lake to flow into West McDonald Lake; DNR has 30 days to decide whether it will appeal the decision
- KWLM: [Experts say measures needed to save Norway, Games and Andrew Lakes](#); West Central Tribune: [Popular Kandiyohi County lakes near 'tipping points'](#); The Globe: [Popular central Minnesota lakes near 'tipping points' for water quality](#); Duluth News Tribune: [Popular central Minnesota lakes](#)

[near 'tipping points' for water quality](#); KXRA: [Report: Lakes Near "Tipping Points" For Water Quality](#); the aerial photo, below, shows that the west lobe of Norway Lake has the poorest water clarity. It is also the shallowest (5-10' deep) compared to the southeast lobe (up to 33') and Andrew Lake (up to 25'). The drainage ditch referenced in the article that enters the west lobe of Norway Lake can be seen in the upper left hand corner of the photo. These lakes are within a "prairie pothole" region of MN that is dotted with small ponds and wetlands, many of which have been drained.



GREAT LAKES

- The Guardian: [Invasive Asian carp found near Great Lakes beyond electrified barrier](#)
- Great Lakes Protection Fund: [A New Path Forward to Agricultural Drain Water Management](#) and The Nature Conservancy: [Great Lakes Drain Management](#)
- EPA/Canada: [State of the Great Lakes 2017 Highlights Report](#); Lake Superior in good condition and concentrations of legacy contaminants are generally decreasing or stable; fish consumption advisories still in effect from mercury and PCBs; aquatic invasive species still causing harm; warming waters stressing some cold-water species; degraded habitat or impaired connectivity are impacting native species; contaminants of emerging concern (e.g., microplastics) have been detected



WATER SUPPLY

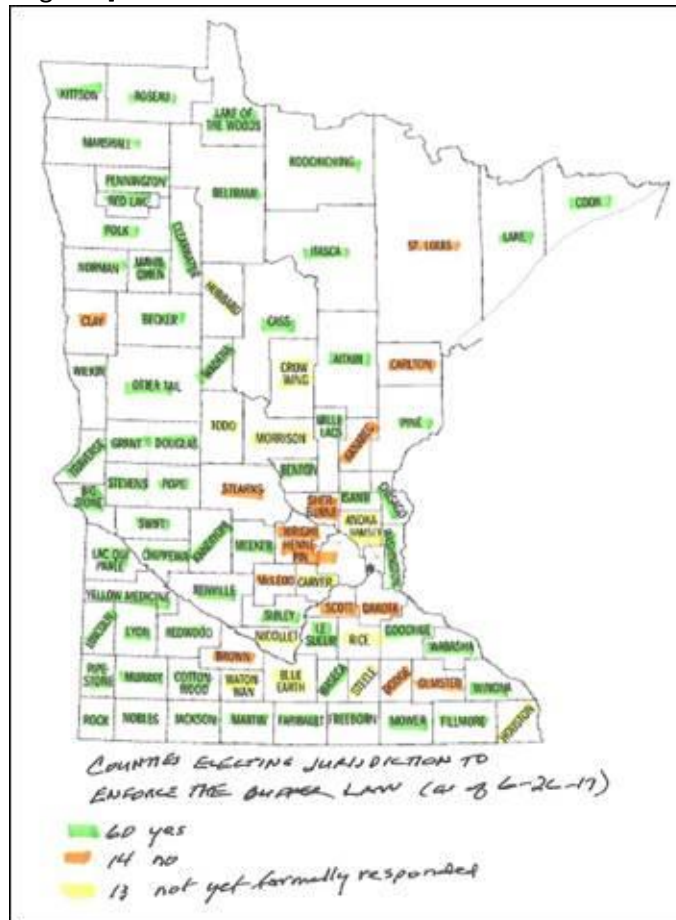
- LillieNews.com: [How and why Oakdale’s water treatment plant works](#)
- Met Council: [Council Funds “U” Research on Lawn Irrigation, Drought Resistance of Grasses](#)
- Pioneer Press: [Cottage Grove works on new city well, filtration on old ones in light of PFC problems](#)
- Brainerd Dispatch: [BPU: Copper or plastic? - Commission talks pipe materials](#)

WASTEWATER

- Duluth News Tribune: [Sump pump, line inspections will be mandatory before home sales](#)
- Post Bulletin: [Big tank marks milestone in Mantorville-Kasson sewer project](#)
- Faribault.com: [Bonding money saves Dennison mayor from having to climb into a sewer every day](#);
Pioneer Press: [Bonding money saves Dennison mayor from having to climb into a sewer every day](#)

AG & WATER

- Faribault.com: [Commissioners opt for local control on buffer compliance](#); Mankato Free Press: [Nicollet County to enforce buffer strip law; other counties doing the same thing](#); Pilot Independent: [Cass to assume jurisdiction for new buffer law that protects public waters](#); Wadena Pioneer Journal: [Buffer strip law should present no problems locally](#); Waseca County News: [Farm buffers, ditches dominate Waseca County Board discussion](#); Bemidji Pioneer: [Beltrami Commissioners opt to administer buffer law program](#); AgWeek: [MN county getting state aid to enforce buffer law](#) [Douglas Co]; below is a rudimentary map showing the distribution of counties that accepted jurisdiction to enforce the buffer law, based on a list from BWSR as of 6/26 [note that Nicollet Co accepted jurisdiction after that date, so their yellow should be green]



- MDA: [MDA schedules additional listening sessions on draft Nitrogen Fertilizer Rule](#)
- Whapeton-Breckenridge Daily News: [Public comment period ends July 12](#); “New environmental assessment worksheet for dairy farm differs from first, includes a plan for five new water supply wells”
- DNR MN Conservation Volunteer: [The Waters Downhill](#); “Along with crops and cattle, this farmer nurtures a conservation ethic for the watershed.”
- JD Supra: [Implementation of Minnesota’s Buffer Law: Alternative Practices](#)
- DL-Online: [MDA seeks public input on draft Nitrogen Fertilizer Rule](#)
- Post-Bulletin: [Dodge County feedlot legal battle is over](#)

EXTRACTIVE INDUSTRIES

- Grand Rapids Herald Review: [City Sends Letter of Concern for Line 3 Project](#); requesting that Line 3 and any contaminated soils be removed from their wellhead protection area
- Pine and Lakes Echo Journal: [WAPOA to hold water quality seminar June 27](#)
- MPR: [Environmentalists criticize changes to Polymet design](#); Strib: [Environmentalists criticize changes to PolyMet mine design](#); Pioneer Press: [Environmentalists criticize changes to PolyMet mine design](#)
- Timberjay: [Litigation could risk Minntac expansion](#)
- Pioneer Press: [Northeastern Minnesota copper mining supporters to boycott St. Paul hearing](#)

OPINIONS

- St Peter Herald: [Improving water quality: Minnesotans value clean, safe water](#)
- Mesabi Daily News: [Mineral Extraction and Manufacturing Better in Our Backyard](#)
- Mesabi Daily News: [Our Views: Enough Already: It Ends In Virginia](#)
- MPR: [Editorial pushes back against mining opponents from the Cities](#)
- Grand Rapids Herald Review: [We Need Mining, Along with Tourism, to Survive](#) and [Rep. Nolan Allies with Anti-Public Lands Politicians on Sulfide Mining](#)
- DNR MN Conservation Volunteer: [Getting Into the Flow](#)
- Echo Press: [EDITORIAL: Here's how to stop algal blooms](#)

BEYOND MINNESOTA

REGIONAL

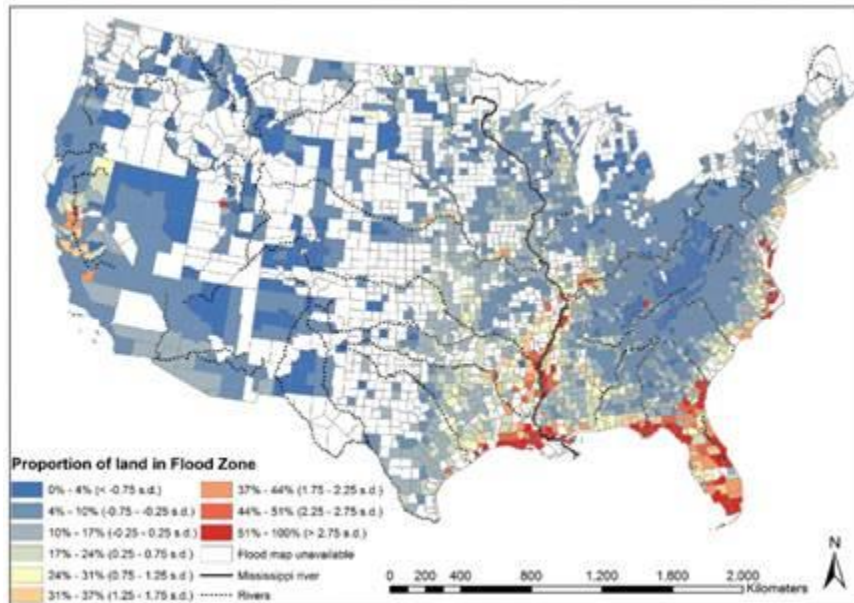
- mlive: [As Lake Erie algae season looms, Michigan punts on new farm rules](#)
- Strib: [Anderson: Dr. Osterholm's commitment cures ailing trout streams](#)
- Delmarvanow.com: [Report: Md., Va. restoration of Chesapeake Bay 'largely on track'](#); stormwater and septic system mitigation behind schedule
- Strib: [Michigan official calls for shutting down oil pipeline](#)



- Fox News: [Nashville uses storm drain adoption to fight localized flooding](#)

NATIONAL

- EPA: [Effluent Limitations Guidelines and Standards for the Dental Category](#); technology-based pretreatment standards are being promulgated by EPA under the Clean Water Act to reduce discharges of mercury from dental offices into municipal sewage treatment plants
- NPR: [Environmentalists Rejoice: Court Says Land Regulation Doesn't Go 'Too Far'](#); “By a 5-to-3 vote, the justices made it much harder for property owners to get compensation from the government when zoning regulations restrict the use of just part of landowners' property.” Strib: High court denies Wisconsin family's argument in St. Croix River property case
- Strib: [EPA official pressured Minnesota scientist on congressional testimony, e-mails show](#); MPR: [Minnesota scientist says EPA pressured her to change congressional testimony](#)
- Associated Press: [EPA chief met with Dow CEO before deciding on pesticide ban](#)
- The Hill: [EPA moves to repeal Obama water rule](#); National Corn Growers Association: [NCGA Statement on WOTUS Repeal](#); National Law Review: ["Waters of the United States"— Will Rewrite of the Clean Water Rule Bring Elusive Clarity and Predictability?](#); West Central Tribune: [WOTUS withdrawal proposed, farm groups happy](#) and [Farm groups applaud withdrawal of WOTUS rule](#); New York Times: [E.P.A. Moves to Rescind Contested Water Pollution Regulation](#); AgWeek: [WOTUS not dead quite yet](#)
- Phys.org: [Septic systems are a major source of emerging contaminants in drinking water](#); Environmental Science & Technology: [Review of Organic Wastewater Compound Concentrations and Removal in Onsite Wastewater Treatment Systems](#)
- Homeland Security News Wire: [America's most vulnerable communities](#)



MEETINGS

MAWSAC

The Technical Advisory Committee to the Metropolitan Area Water Supply Advisory Committee (MAWSAC) met this month to learn about successful water conservation program activities undertaken by Shoreview and Eden Prairie. Their presentations were used to stimulate discussion on what aspects of water conservation or efficiency are most important for MAWSAC, how success could be measured, and what should be the priorities. Key messages for MAWSAC included: recognizing existing successes if new regulations are developed and enforced, allowing for differing conservation targets around the state based on region-specific conditions, developing water stewardship goals with unified messages and reasons, identifying sustainable and

per capita daily use targets that are appropriate to region-specific conditions/water sources, and addressing the conflict that can exist when DNR approves appropriation permits that are in conflict with local land use plans and water conservation efforts.

BWSR BD

This month's meeting was packed with approvals for several grant program allocations, including the natural resources block grants for SWCDs, the technical service area grants, the capacity grants for SWCDs, and the One Watershed One Plan planning grants. Authorizations and policies were also approved for the technical service areas, the capacity grants program, the buffer cost-share program, the Clean Water Fund, the APO plan for buffer law administration, the common alternative practices to buffers, and the buffer program procedures. All the agenda items were approved. Details on the grant allocations and policies can be seen [here](#).

NITROGEN FERTILIZER RULEMAKING

MDA staff are touring the state to explain the [draft nitrogen fertilizer rule](#) that is currently in the public comment period, answer questions, and receive comments. The goal of the rule is to minimize groundwater impacts from the use of nitrogen fertilizer. It was drafted to complement the [MN Nitrogen Fertilizer Management Plan](#), that was developed with assistance of a broad stakeholder group. There are 2 main parts to the rule:

- (1) the identification of vulnerable areas based on soils and geology where application of fertilizer won't be allowed in the fall or on frozen soils, and
- (2) actions that are dependent on nitrate levels in groundwater, as identified through MDA's township testing program

Prevention of nitrate leaching is a high priority, but a phased approach to mitigating high nitrate levels in incorporated in the rule using a 4-phase approach. The first 2 phases are voluntary and the last 2 are regulatory, if BMPs are not adopted. Many farmers are already using several strategies to control nitrogen, such as following the 4 R's for application to improve nitrogen use efficiency and using cover crops, perennial crops and precision agriculture.

About 70 people have attended each of the sessions held so far and their comments have been wide ranging. At the Farmington session this week, questions centered on: enforcement procedures, penalties, evaluation of BMPs, updates to the U of MN's fertilizer rate recommendations, adoption of emerging technologies, and an expected inability to complete all fertilizer applications in the spring. A common question at all the meetings is how this applies to nitrogen fertilizer application on lawns. MDA staff explained that the fertilizer formulations for turf are typically slow release and that turf is better at nitrogen uptake, leaching <5ppm nitrogen, while leaching below crop root zones ranges from 30 to 100 ppm.

To see MDA's draft interactive map of vulnerable groundwater areas (based on soil, geology and saturated hydraulic conductivity), go [here](#). More information about the rule and the commenting process can be found [here](#).



REPORTS

STATE OF MN WATER

- DNR: MN Stream Flow Report [6/26/17](#)
- National Drought Mitigation Center: [6/27/17 MN Drought Monitor](#)

NEW REPORTS

- Alliance for Water Efficiency: [Net Blue Webinar Part 1: Supporting Water Neutral Community Growth](#) [watch: 81 minutes]

UPCOMING EVENTS

- July 25: **MN 4R Technology Review Field Day**; 9 am to 3 pm; Dave Legvold Farm (5103 315th St W, Northfield); free; agenda & registration link [here](#)
- July 31: **“25 by 25” Water Quality Town Hall**, 6:30 – 8:30 pm, Rochester – Rochester Community and Technical College Heintz Commons, details [here](#)
- Aug 1-3: **Farmfest**; more information [here](#)
- Aug 7-9: **WaterWorks! Drinking Water Institute for Educators**; Lakeville; details [here](#)
- Aug 12: **Otter Tail River Watershed Aqua Chautauqua**; Fergus Falls; more info [here](#)
- Aug 16: **“25 by 25” Water Quality Town Hall**, 6:30 – 8:30 pm, Mankato – MN State University, details [here](#)
- Aug 17: **“25 by 25” Water Quality Town Hall**, 6:30 – 8:30 pm, Marshall – SW MN State University, details [here](#)
- Aug 22: **MN Technical Assistance Program Intern Symposium**; U of MN McNamara Alumni Center; more info [here](#)
- Sept 5: **“25 by 25” Water Quality Town Hall**, 6:30 – 8:30 pm, Crookston – U of MN Crookston Bede Ballroom, Sargeant Student Center, details [here](#)
- Sept 6: **“25 by 25” Water Quality Town Hall**, 6:30 – 8:30 pm, St Cloud – St Cloud Community and Technical College Cafeteria, details [here](#)
- Sept 12: **“25 by 25” Water Quality Town Hall**, 6:30 – 8:30 pm, Ely, details to come [here](#)
- Sept 13: **“25 by 25” Water Quality Town Hall**, 6:30 – 8:30 pm, Bemidji, details to come [here](#)
- Sept 19-20: **Great Lakes Commission Annual Meeting**; Duluth Entertainment Convention Center; more details to come
- Sept 26: **“25 by 25” Water Quality Town Hall**, 6:30 – 8:30 pm, Minneapolis, details to come [here](#)
- Oct 4: **“25 by 25” Water Quality Town Hall**, 6:30 – 8:30 pm, Burnsville – Diamondhead Education Center, details [here](#)
- Oct 5: **“25 by 25” Water Quality Town Hall**, 6:30 – 8:30 pm, Maplewood, details to come [here](#)
- Nov 1-3: **BWSR Academy** Cragun’s Conference Center; Brainerd; registration to come in August
- Dec 4-5: **MASWCD 27th Annual Trade Show & Conservation Information Fair**; Doubletree by Hilton Hotel Bloomington-Minneapolis South; more info to come