

LCC Subcommittee on Water Policy, Draft Strategic Plan, April 2020 Document E

The Legislative Water Commission was reestablished in statute in 2014 (2014 MN Session Laws Ch. 312 (HF 3172)). The Commission was then reorganized in 2019 as the Legislative Coordinating Subcommittee on Minnesota Water Policy (subcommittee). Both groups were similar with regard to responsibility, purpose and structure. The purpose of this document is two-fold. First, it is intended to present the goals and objectives of the subcommittee. Secondly, it serves a guide for planning. At this point, the plan is a work-in-progress and has not been approved by the subcommittee members. The defined powers and duties subcommittee are shown below:

Legislative Powers and Duties: The powers and duties of the subcommittee are as follows:

- Review water-policy reports and recommendations from the Environmental Quality Board, the Board of Water and Soil Resources, the Pollution Control Agency, the Department of Natural Resources, the Metropolitan Council, and other water-related reports as may be required by the legislature
- Conduct public hearings and secure requested information and comments
- Make recommendations to assist the legislative body in the formulation of legislation
- Make necessary information available to the Legislative-Citizen Commission on Minnesota Resources, the Clean Water Council, and standing and interim committees of the legislature on request of the chair of the respective commission, council, or committee
- Coordinate activities and priorities with the Clean Water Council.

Mission and Objectives: The subcommittee proposes the following mission statement: *The subcommittee provides a legislative process that ensures members of the legislature are informed regarding needs for protecting and restoring Minnesota's water resources while providing water for recreation and economic growth.*

Proposed Subcommittee Goals:

- Provide legislative members with a forum to learn and discuss Minnesota's broad array of water-related issues
- Ensures that legislators are aware of issues impacting water quality and availability
- Provide information that allows legislators to be aware of issues regarding protecting, restoring, and conserving the waters of the state
- Ensure that Minnesotans can have waters that are safe, available and protected

Objectives and Strategies (for discussion)

Objective 1: Improve Water-Issue Communication Within the Legislative Branch:

- Conduct public hearings and secure requested data and comments on water-related issues
- Prepare recommendations to assist in formulating legislation
- Coordinate with the Legislative-Citizen Commission on Minnesota Resources, the Clean Water Council, and standing and interim committees of the legislature on request of the chair of the respective commission, council, or committee
- Provide legislative recommendations and guidance regarding the protection and restoration of watersheds and waters
- Provide timely reviews of reports and recommendations from state agencies and organizations and communicate the findings to the legislature

Objective 2: Ensure that Drinking Water is Safe-Provide policy and legislation that ensures that drinking water is safe and available for all of the state's residents, now and into the future.

Strategies:

- Support policy for source-water protection planning and implementation for the state's community public water systems
- Ensure completion of pilot source-water protection planning for non-community public water systems
- Provide financial assistance for source-water implementation activities through grants to satisfy a significant portion of the demand
- Complete source water assessments for all surface-water systems
- Complete source-water intake protection plans
- Provide policy to ensure safe drinking water for those who use private wells.
- Support widespread, routine testing of private-well water and provide assistance
- Support implementation of the Ground Water Protection Rule, for nitrate, beyond source water protection areas for public supply wells
- Prioritize sealing of unused groundwater wells that present risk to drinking water
- Increase the compliance rate for subsurface septic treatment system
- Expand nitrogen fertilizer management plans to promote continuous vegetative cover and advanced nitrogen fertilizer management that protects private wells in vulnerable settings
- Adopt best management practices (BMPs) for water efficiency, water use reduction, and irrigation water management
- Prioritize BMP implementation in areas of high water use by agricultural irrigators in highly sensitive areas, Groundwater Management Areas (GWMAs), and highly vulnerable Drinking Water Source Management Areas (DWSMAs). Provide policy to protect vulnerable land surrounding drinking water source water areas

Objective 2: Ensure that surface waters of the state are swimmable and fishable

- Develop policies that result in improved clean water outcomes
- Support policies that prevents and reduces impairments in surface waters
- Provide support to maintain and improve the health of aquatic ecosystems
- Support programs that protects and restore hydrologic systems
- Ensure that climate change considerations are incorporated into water planning
- Provide policy to ensure that there will be no net increases in impairments and a substantial reduction in impairments overall.
- Support the completion of Watershed Restoration and Protection Strategies (WRAPS) for all 80 major watersheds.
- Fund the completion of comprehensive watershed management plans for the major watersheds, including those under One Watershed One Plan
- Support an initiative in the Upper Mississippi River headwaters basin, to protect priority acres and restore priority acres, using a combination of public and private funding to ensure high quality water
- Ensure that the state's 2014 "swimmable" and fishable goals are met based on acceptable trophic status and biotic integrity metrics

Objective 4: Ensure Safe and Sustainable Sources of Groundwater--Provide policy and legislation to ensure safe and adequate sources of groundwater, for human and ecosystem needs, for now and for future generations:

Strategies:

- Support a statewide groundwater initiative that defines sustainability goals
- Provide policy to ensure that groundwater is safe and sustainable

- Ensure that adverse impacts to surface water, from groundwater use, can be avoided
- Support Groundwater Restoration and Protection strategies for watersheds engaged in comprehensive watershed planning
- Support the completion of the groundwater atlases for all Minnesota counties
- Support the DNR's goal of adequate groundwater monitoring
- Adopt BMPs for water efficiency, water use reduction, and irrigation water management

Justification for and Value of the Subcommittee

Water is vital to Minnesotans. Water-related issues are as wide-ranging and varied as are the state's many landscapes and interest groups. Because water is important, complex, controversial, and costly, the development of water policy must be undertaken thoughtfully. This 12 member, bi-cameral and bipartisan subcommittee brings value to the Legislature by:

- Having dedicated staff to gather, digest, and disseminate pertinent information from a large array of resources, across the state that allows members a holistic and independent understanding of current and emerging water issues. The subcommittee also provides a regular public venue for members to equitably receive and discuss detailed technical information in an in-depth manner. The subcommittee's activities allow for the development of water expertise among all members of the legislature so they can be informed on water issues within their respective caucuses. Having subcommittee staff with water policy expertise is important in assisting members with drafting and understanding proposed legislation
- About seven percent of all introduced bills are related to water. Executive Branch agencies employ water-resource professionals from whom legislators can request information. However, that information is usually presented within the context of the Governor's platform and may not be reflective of the legislative perspective or that of affected parties. Subcommittee staff offer an independent lens to discuss and understand the work of the agencies and to provide balance and exchange between the executive and legislative branches.

The ongoing work of the subcommittee is being assessed (2020). This plan is part of that assessment. During the interim, the committee is working on the following activities for the 2021-22 session:

- Continuing to provide stakeholders a bi-weekly electronic update of water-related issue in the state.
- Continue progress with bills in progress during the 2019-2020 session
- Revise the subcommittee's strategic plan
- Revise and assess the 1989 Groundwater Act and provide legislative recommendations, in cooperation with the Minnesota Groundwater Association's White paper process.
- Review the UM/MDH "Future of drinking water recommendations"-- Prepare legislative priorities suggested in the plan.
- Prepare a coordinated plan for the Upper Mississippi River Watershed that preserves, protects and enhances waters, as well as protecting source water for the Metropolitan Twin Cities Area's drinking water. This plan would include and enhance ongoing efforts by state, local, Federal and non-profit organizations. The plan would be developed in cooperation with The Nature Conservancy and the Board of Water and Soil Resources