

SUBCOMMITTEE ON MINNESOTA WATER POLICY- STAKEHOLDER MEETING

Remote Information Meeting

JULY 30, 2021

10 AM

Co-Chairs:

Sen. Chris Eaton

Rep. John Poston

Jim Stark, Director

Subcommittee Support: Sandy Most

AGENDA

- **Discuss potential legislative topics related to water policy**
- **This is meeting two of three; the July 21 meeting focused on water governance**
- **Topics are derived from bills introduced and from Legislators and stakeholders**
- **Topics are prioritized, based on stakeholder survey**
- **We are looking for input. Do topics address a need?**
- **If so, what are your suggestions for specific content**
- **This is an opportunity for your input**
- **Additional legislative issues?**
 - **There are several topics to discuss, using 2 breakout sessions**
 - **Details in the posted position papers and in this PowerPoint**
- **Kris Van Amber and Stacy Shogren (MMB) will facilitate**
- **Breakouts--Paul Gardner is helping (CWC)**
- **PP and detailed explanation are available on the Subcommittee website**

CATEGORIES OF LEGISLATION

- WATER GOVERNANCE
- **POLICY: BREAKOUTS– WATER QUANTITY AND QUALITY**
- SAFE DRINKING WATER
- FUNDING
- EDUCATION
- TAXES
- WASTEWATER
- WATER QUALITY

WATER POLICY- SURVEY RESULTS

- **P1: NEEDED UPDATE TO THE WATER PROTECTION ACT OF 1989 60 %**
- **P2: EVALUATING PROGRESS TO PROTECT AND PRESERVE STREAMS AND LAKES OF THE UPPER MISSISSIPPI BASIN. 63%**
- **P3: ADDRESS DISCONNECT BETWEEN LAND USE AND WATER QUALITY MANAGEMENT 77%**
- **P4: PLAN FOR CHANGES TO WATER RESULTING FROM CLIMATE CHANGE 69%**
- **P 5: INCREASE WATER EDUCATION FOR MINNESOTA'S CITIZENS 62%**
- **P 6: PLANNING FOR CLIMATE CHANGE AND DROUGHT 70%**
- **P 7: STATEWIDE POLICY ON MANURE MANAGEMENT 51%**
- **P 8: WATER APPROPRIATIONS: INTER-BASIN TRANSPORT AND PROTECTIONS 58%**
- **P 9: WATER RETENTION--KEEPING WATER ON THE LAND 82 %**
- **P 10: WATER RETENTION—URBAN STORM WATER 72%**
- **P 11: ADJUSTING WATER APPROPRIATION PROCESS FOR GOLF COURSES 38%**
- **P 12: ADDRESSING ENVIRONMENTAL JUSTICE AND WATER, LEAD AND OTHER ISSUES 58%**

WATER POLICY- SURVEY-2

- **P 13: LABELING FOR WIPES TO IMPROVE WASTEWATER TREATMENT OPERATIONS 55%**
- **P 14: ENHANCED GROUNDWATER RECHARGE 63%**
- **P 15: ENCOURAGE ECOSYSTEMS MARKETING 42%**
- **P 16 PROTECTING PRIORITY LAKES AND RIVERS 77%**
- **P 17: STATE ASSUMPTION OF FEDERAL WETLANDS PERMIT RESPONSIBILITIES 48%**
- **P 18: EMERGING CONTAMINANT SENTINEL MONITORING PROGRAM 44%**
- **P 19: ENCOURAGE WATER QUALITY TRADING 33%**
- **P 20: STREAMLINE IRRIGATION WATER APPROPRIATION PROCESS 38%**
- **P 21: ADDRESS WATERS OF THE UNITED STATES (WOTUS) AND SECTION 401 47%**
- **P 22: FOREVER CHEMICALS (PFOA AND PFOS) IN FOOD WASTE COMPOST 59%**
- ONE POINT GIVEN FOR IMPORTANT, ½ POINT GIVEN FOR SOMEWHAT IMPORTANT BASED ON STAKEHOLDER SURVEY

WATER POLICY- PRIORITIZED TOPICS

WATER SUSTAINABILITY BREAKOUT #1

- **1- P1: NEEDED UPDATE TO THE WATER PROTECTION ACT OF 1989**
- **2A- P 6: PLANNING FOR CLIMATE CHANGE AND DROUGHT, AND**
- **2BP4: PLAN FOR CHANGES TO WATER RESULTING FROM CLIMATE CHANGE**
- **3-P 8: WATER APPROPRIATIONS: INTER-BASIN TRANSPORT AND PROTECTIONS**
- **4A-P 9: WATER RETENTION--KEEPING WATER ON THE LAND, AND**
- **4B-P10: WATER RETENTION—URBAN STORM WATER**
- **5-P 14: ENHANCED GROUNDWATER RECHARGE 63%**

WATER POLICY- PRIORITIZED TOPICS

WATER QUALITY- BREAKOUT#2

- **1A-P2: EVALUATING PROGRESS TO PROTECT STREAMS AND LAKES OF THE UPPER MISSISSIPPI BASIN**
- **1B-P 16 PROTECTING PRIORITY LAKES AND RIVERS**
- **2-P3: ADDRESS DISCONNECT BETWEEN LAND USE AND WATER QUALITY MANAGEMENT**
- **3-P 5: INCREASE WATER EDUCATION FOR MINNESOTA'S CITIZENS**
- **4-P 12: ADDRESSING ENVIRONMENTAL JUSTICE AND WATER, LEAD AND OTHER ISSUES**
- **5-P 13: LABELING FOR WIPES TO IMPROVE WASTEWATER TREATMENT OPERATIONS**
- **6-P 22: FOREVER CHEMICALS (PFOA AND PFOS) IN FOOD WASTE COMPOST**

G1: BREAKOUT PROCESS

- **Kris Van Amber, Stacy Shogren (MMB)**
- **Breakout #1- Kris and Jim- Water Quantity**
- **Breakout #2- Stacy and Paul Gardner- Water Quality**
- **Go to Breakout Sessions**

BREAKOUT SESSION 1 :WATER QUANTITY AND SUSTAINABILITY

- **1- P1: NEEDED UPDATE TO THE WATER PROTECTION ACT OF 1989**
- **2A- P 6: PLANNING FOR CLIMATE CHANGE AND DROUGHT, AND 2BP4: PLAN FOR CHANGES TO WATER RESULTING FROM CLIMATE CHANGE**
- **3-P 8: WATER APPROPRIATIONS: INTER-BASIN TRANSPORT AND PROTECTIONS**
- **4A-P 9: WATER RETENTION--KEEPING WATER ON THE LAND, AND 4B-P10: WATER RETENTION—URBAN STORM WATER**
- **5-P 14: ENHANCED GROUNDWATER RECHARGE 63%**

BREAKOUT #1-ISSUE P1—1989 GW ACT

- ***An update to the 1989 GW Act is needed***
- Solidified efforts to protect GW
- Act is been important to GW management
- Act is comprehensive (120 pages)
- MGWA is now reviewing the act
- ***Now 30 years old , it does not address emerging threats or subsequent laws***
- ***Update should be retrospective and prospective***
- Revision should be
- ***Driven by the MGWA review***
- ***Include input from each agency***
- ***Address emerging issues***
- ***Consolidate post-act laws and rules***
- ***What needs to be considered in the topics above– other topics?***

BREAKOUT #1-ISSUES P4 AND P 6– CLIMATE CHANGE

Issues P6 and P4 (Climate change and Drought Planning)

Issue: Drought planning is not as clear and robust as needs

We need better policy and planning for changes to water resources

Climate models suggest more precipitation and intervening dry spells

Water resources will be affected

Path Forward: Hearings leading to an enhanced drought and climate planning

Drought planning

Water Management based on the EQB's climate change report: Specifically, Safe drinking water, protecting and improving water quality, planning for infrastructure, holding water and reducing runoff and promoting resiliency; Surface water quality and the interaction of groundwater and surface water

What should be included in a bill that addresses climate change and drought preparation; what is missing?

- **BREAKOUT SESSION 1: P 8: POLICY-- INTER-BASIN TRANSPORT**

Issue: Inter-basin water transfers have recently become an important issue

Lakeville-based railroad company filed an application to drill wells in Dakota Co

Water from the wells, 500 million gallons a year, was proposed to be shipped

Proposal was not approved; this may not be the case for other aquifers.

The proposal could set a precedent

the commerce act me be significant

Path forward: there is need to review and revise water appropriation policy and to provide recommendation to the legislature

What's missing; what also needs to be considered?

BREAKOUT SESSION 1: P 9&10, POLICY– WATER RETENTION

- **ISSUE1; AGRICULTURAL DRAINAGE PROVIDES MANY BENEFITS FOR FARMERS**
- **HOWEVER, DRAINAGE ACCELERATES TRANSPORT OF WATER FROM FIELDS**
- **THERE ARE DOWNSTREAM ISSUES THAT AFFECT FLOODING**
- **PATH FORWARD:**
- **AGREE THAT EFFORTS NEED TO BE INCREASE WATER RETENTION?**
- HEARINGS AND STUDIES TO ASSESS STRUCTURES TO REDUCE PEAKS-- ASSESS MITIGATION EFFORTS THAT BEST KEEP WATER ON THE LAND
- BUILD ON WORK BEING DONE BY ONE WATERSHED/ONE PLAN
- **WHAT HAS BEEN MISSED?**
- **ISSUE 2: WATER RETENTION—URBAN STORM WATER**
- ISSUE: WATER RETENTION IS PROMOTED IN URBAN AREAS
- RETENTION REDUCES EROSION, IMPROVES WATER QUALITY AND INCREASES GW RECHARGE
- **WATER QUALITY IMPACTS ARE NOT WELL UNDERSTOOD**
- **PATH FORWARD: ASSESS IMPACTS URBAN WATER STORAGE - RESEARCH AND POLICY TO ENSURE THE QUALITY OF GROUNDWATER IS NOT DEGRADED**
- **HEARINGS TO EXPLORE WHERE INFILTRATION SHOULD BE ENCOURAGED**
- **REPORT FROM THE MPCA AS A FIRST STEP TO DRIVE POLICY**
- **WHAT HAVE WE MISSED THAT IS IMPORTANT?**

BREAKOUT SESSION 1: P 14, POLICY ENHANCED GW RECHARGE

- ***ISSUE: ENHANCED GW RECHARGE IS NEEDED IN SOME AREAS***
- NATURAL GROUNDWATER RECHARGE OCCURS AS PRECIPITATION FALLS
- IT INFILTRATES AND MOVES TO THE WATER TABLE
- GW LEVELS IN SOME AREAS ARE DECLINING
- ENHANCED RECHARGE CAN INCREASE NATURAL RECHARGE.
- CAN BE ACCOMPLISHED USING INJECTION WELLS OR SURFACE INFILTRATION.
- ENHANCED RECHARGE IS A COMMON PRACTICE IN MANY AREAS
- THE PRACTICE IS DISCOURAGED IN MINNESOTA
- ***THE LEGISLATURE HAS FUNDED A FRESHWATER SOCIETY/ UM PROJECT***
- ***PATH FORWARD: HOLD HEARINGS REGARDING POLICY TO ENCOURAGE THE PRACTICE***
- ***DEFINE THE STATE'S POLICY ON ENHANCED RECHARGE***
- ***DEFINE APPROPRIATE AREAS AND AQUIFERS***
- ***WHAT HAS BEEN MISSED?***

END OF BREAKOUT SESSION 1

- **Additional comments discussion?**
- **Next meeting**
- **Thanks!**

BREAKOUT SESSION 2– WATER QUALITY

- **Breakout #2- Stacy and Paul Gardner**

WATER POLICY- PRIORITIZED TOPICS

WATER QUALITY- BREAKOUT#2

- ***1A-P2: EVALUATING PROGRESS TO PROTECT STREAMS AND LAKES OF THE UPPER MISSISSIPPI BASIN AND 1B-P 16 PROTECTING PRIORITY LAKES AND RIVERS***
- ***2-P3: ADDRESS DISCONNECT BETWEEN LAND USE AND WATER QUALITY MANAGEMENT***
- ***3-P 5: INCREASE WATER EDUCATION FOR MINNESOTA'S CITIZENS***
- ***4-P 12: ADDRESSING ENVIRONMENTAL JUSTICE AND WATER, LEAD AND OTHER ISSUES***
- ***5-P 13: LABELING FOR WIPES TO IMPROVE WASTEWATER TREATMENT OPERATIONS***
- ***6-P 22: FOREVER CHEMICALS (PFOA AND PFOS) IN FOOD WASTE COMPOST***

BREAKOUT SESSION 2: P2 AND P 16– PROTECTING LAKES AND STREAMS

- *p2– need to evaluate progress to protect streams and lakes of the upper Mississippi*
- *Issue: we have an opportunity to evaluate conservation programs the upper Mississippi*
- *Research shows-- 60 percent of a watershed is sufficient*
- Evaluate progress toward that goal-- would provide an example of the value of environmental programs
- provide poster child for the value of collective programs
- *Path forward: compilation of the land preserved lands in the watershed.*
- *Assessment of the location of preserved lands with respect to THC priority lands*
- *P16 policy—protecting priority lakes and rivers*
- *We need to consider how to protect our lakes for the future*
- *Issue A program to provide policy and plans to protect our lakes*
- Human activities are negatively affecting our lakes and lake ecosystems; healthy lakes enhance our quality of life.
- They support complex and important food web interactions and provide habitat ;lakes contribute to a healthy economy
- *Path forward: lakes are subject to a variety of problems that can diminish their aesthetic beauty, recreational value, water quality, and habitat suitability.* among the most common lake problems is eutrophication, which is the process of physical, chemical, and biological changes ("aging") associated with nutrient, organic matter, and silt enrichment of a lake.
- **A hearing is needed, as a first step, to define a program to protect our most important lakes. incorporate with the topic listed above**
- **Feedback-- what is missing?**

BREAKOUT SESSION 2: P3: ADDRESSING THE DISCONNECT BETWEEN LAND USE AND WATER QUALITY MANAGEMENT

- *Land use planning and water management are not well connected*
- *They influence each other-the connections are not fully understood (WRC, 2011)*
- *As demographics and climate change, a better understanding will be important*
- *Path forward: hearings to discuss and explore options for better policy and management*
- *Feedback and what's missing*

BREAKOUT SESSION 2: P5: INCREASED WATER EDUCATION FOR MINNESOTA'S CITIZENS

- *P5: policy that increases water education*
- *Water education requirements are outlined in 1989 GW act*
- *MGWA has a supportive white paper*
- *Water education continues to an ongoing concern*
- *Path forward: plan an interagency education program as described by MGWA*
- *Feedback and what's missing?*

P 12: POLICY—ADDRESSING ENVIRONMENTAL JUSTICE AND WATER, LEAD AND OTHER ISSUES:

- *Water from all sources needs to safe*
- *Issue: Programs are needed that provide comprehensive testing of the water from private wells including the notification of testing results and education on actions*
- *Path forward: Periodic testing of private wells providing drinking water to rental properties*
- *Notification of results before rental property owners can rent to new tenants*
- *Path forward: Hearings to ensure that all drinking water is free from lead.*
- *Hearings should explore a process to address other environmental justice concerns around water*
- *What should be considered, What's missing?*

P 13: POLICY--LABELING FOR WIPES TO IMPROVE WASTEWATER TREATMENT OPERATIONS

- **Policy: Label sanitary wipes to improve wastewater treatment operations.**
- **Issue: flushable wipes clog our wastewater treatment plants and decrease the efficiency of the plants. This is a significant issue for the metropolitan council.**
- **Path forward: policy is needed to ban to ban flushable wipes, to change labeling language, and to provide accurate consumer education.**
- **Feedback, and what's missing?**

P 22: POLICY--FOREVER CHEMICALS (PFOA AND PFOS) IN FOOD WASTE COMPOST

- ***Forever chemicals in food packaging threatens composting industry***
 - ***Long list of forever chemicals that are used in food packaging.***
 - Contaminate food and food packaging waste and make the food packaging compost unusable for land application.
 - Some of these chemicals are in the process of being phased out by the food industry
 - However, the problem at composting sites likely will continue for some time.
 - Options exist to keep from derailing efforts to compost food waste and to keep the industry viable.
 - Options include sampling to determine whether compounds are leaching into groundwater This would help to help determine whether there is a significant problem. if so, a temporary ban on food containers containing these compounds may be needed.
- ***Path forward: Funding and policy to support the industry to continue to recycle of food waste.***
- ***Water sampling, a temporary ban on the composting of food packaging materials***
- ***Feedback, what's missing?***

WATER POLICY- PRIORITIZED TOPICS– WATER QUALITY

_1A-P2: EVALUATING PROGRESS TO PROTECT STREAMS AND LAKES OF THE UPPER MISSISSIPPI BASIN

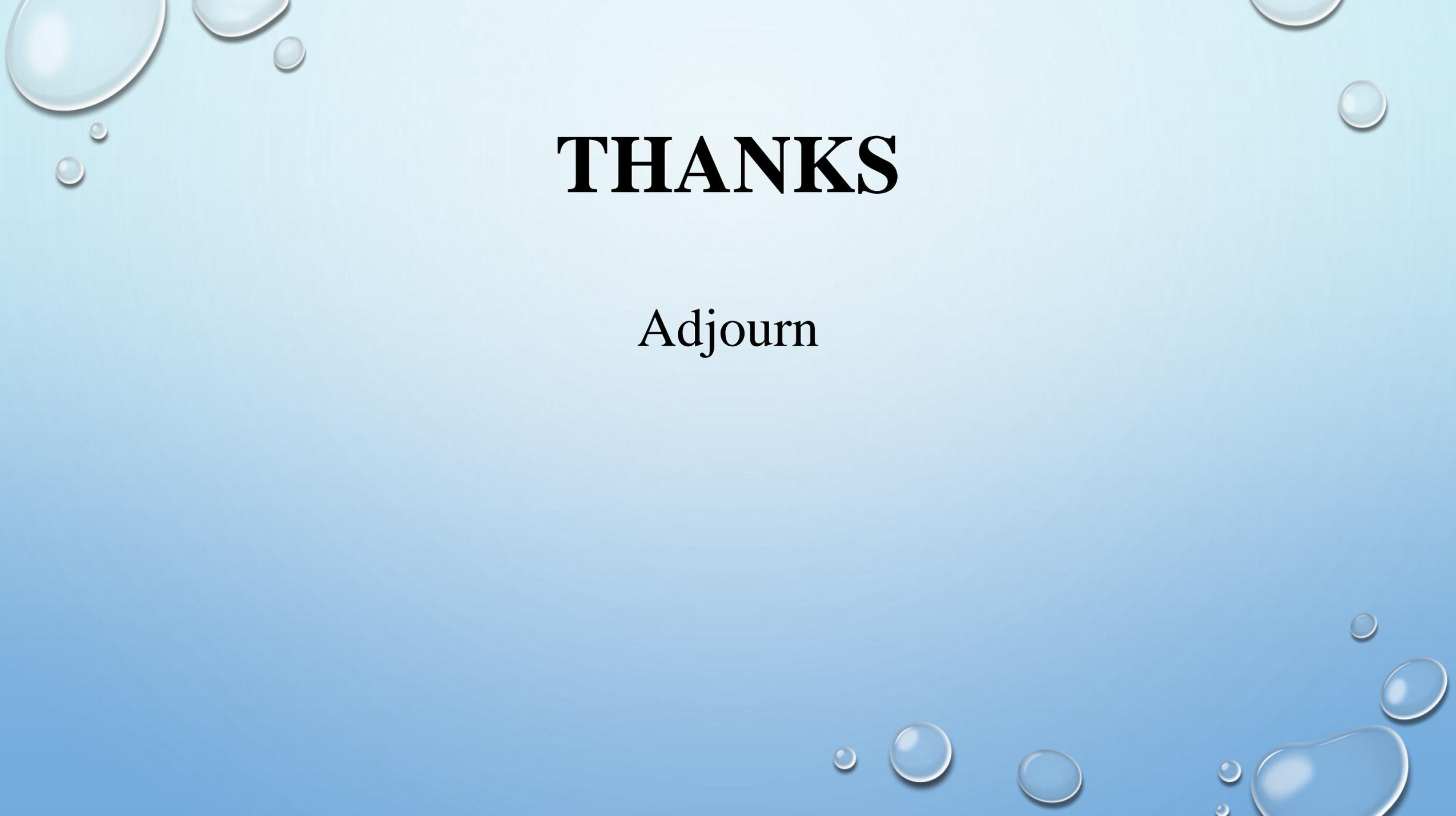
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END OF BREAKOUT SESSION 2

- **Additional comments and suggestions?**
- **Policy topics that were missed?**
- **Next meeting**
- **Thanks!**

ANNOUNCEMENTS

- **Next Stakeholder meeting– July 30 at 10 am**
- **Focus on Policy**

The background is a light blue gradient. There are several realistic water droplets of various sizes in the corners: top-left, top-right, and bottom-right. The droplets have highlights and shadows, giving them a 3D appearance.

THANKS

Adjourn