

SUBCOMMITTEE ON WATER POLICY

May 13, 2024

9:00 am

Jim Stark, Director

MEETING AGENDA

SUBCOMMITTEE ON MINNESOTA WATER POLICY: MAY 13

- **CALL TO ORDER: REPRESENTATIVE HEMMINGSEN-JAEGER-CHAIR**
- **APPROVAL OF MINUTES FROM APRIL 8**
- **PROGRESS REPORT: SE MN DRINKING WATER– PLANS FOR PRIVATE WELL TESTING**
- **PRESENTATION: DRINKING WATER IN MINNESOTA’S CENTRAL SAND PLAINS.**
- **PRESENTATION: HISTORY OF FLOODING IN THE RED RIVER: DR. KAREN RYBERG, US GEOLOGICAL SURVEY**
- **UPDATE ON FARGO DIVERSION PROJECT; RETIRED COLONEL KARL JANSEN, ARMY CORPS OF ENGINEER, ST PAUL DISTRICT, UPPER MISSISSIPPI RIVER**
- **FLOOD MITIGATION CONCERN IN THE RED RIVER: BRIAN FUDER (RED RIVER RETENTION AUTHORITY)**
- **UPDATES ON DNR’S GROUNDWATER MANAGEMENT AREAS: WHITE BEAR LAKE, LITTLE ROCK CREEK, STRAIGHT RIVER: JIM STARK**
- **UPDATE AND DISCUSSION ON SUBCOMMITTEE PLANS FOR THE INTERIM- JIM STARK**
- **SUMMER FIELD TRIP TO THE “CENTRAL LAKES AREA”?**
- **PROGRESS REPORT ON THE SESSION’S WATER LEGISLATION-JIM STARK (AS TIME ALLOWS)**
- **ADJOURN (10:30)**

PRESENTATION 1

➤ **PROGRESS REPORT: SE MN DRINKING WATER:
(TANNIE ESHENAU, MDH)**

PRESENTATION 2

➤ **DRINKING WATER IN MINNESOTA'S CENTRAL SAND PLAINS: (MARGARET WAGNER, MDA)**

PRESENTATION 3

- **UPDATE ON FARGO DIVERSION PROJECT**
- **COLONEL KARL JANSEN, ARMY CORPS OF ENGINEER, ST PAUL DISTRICT, UPPER MISSISSIPPI RIVER.**

BRIEFING 4

- **PRESENTATION: HISTORY OF FLOODING IN THE RED RIVER: DR. KAREN RYBERG, U.S. GEOLOGICAL SURVEY**

PRESENTATION 5

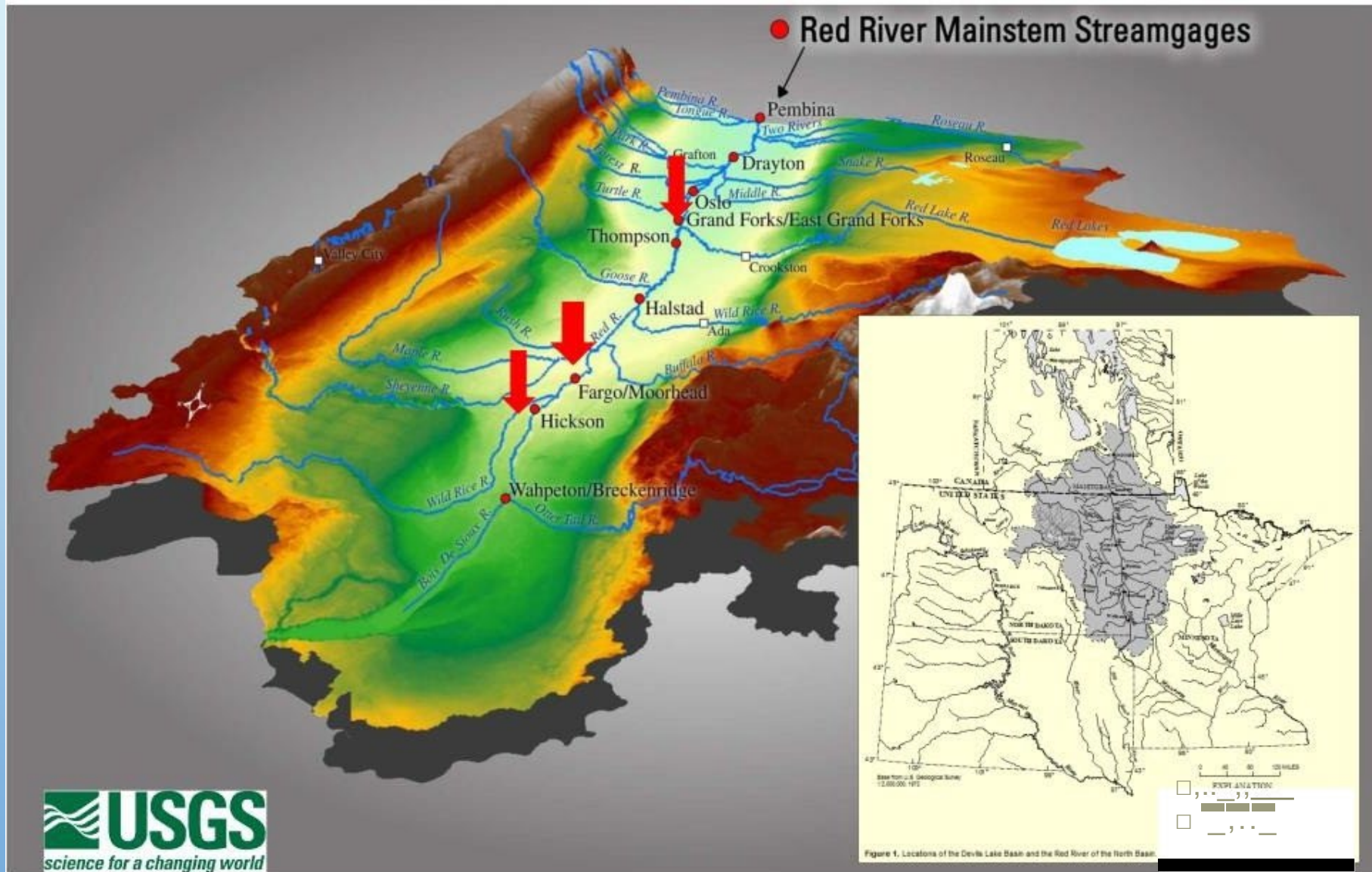
➤ FLOOD MITIGATION CONCERNS IN THE RED RIVER: BRIAN FUDER—RED RIVER RETENTION AUTHORITY

FLOODS IN RED RIVER: GRAND FORKS, ND



128 years of record peaks -1882 to current

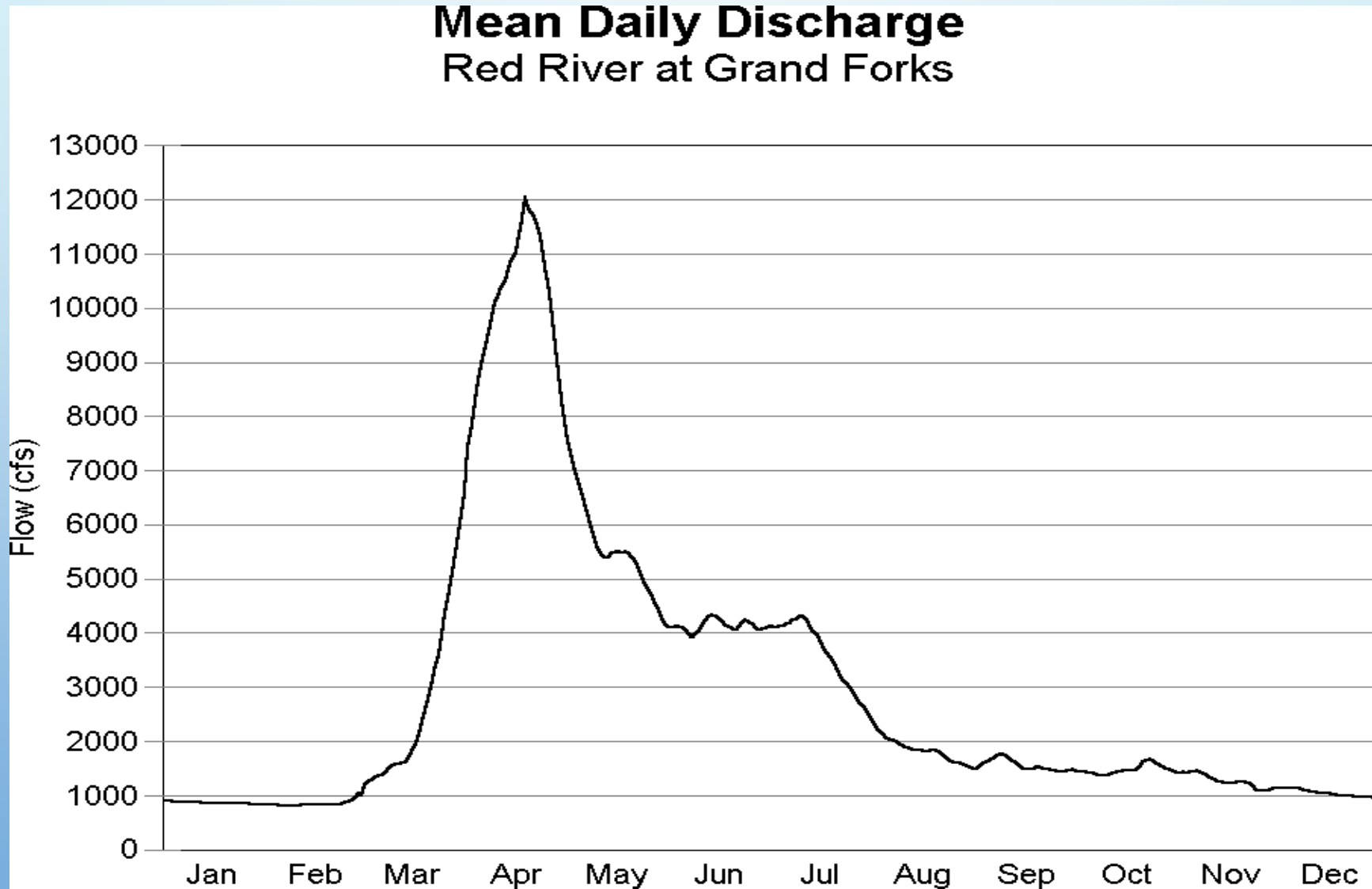
RED RIVER IS UNIQUE



FREQUENT FLOODS IN THE RED RIVER

- **RIVER FLOWS NORTH- ICE DOWN STREAM**
- **BASIN IS FLAT– DOES NOT CONVEY WATER QUICKLY**
- **FLOODS SPREAD BEYOND THE CHANNEL**
- **CLAY SOILS ENCOURAGE RUNOFF**
- **ABOVE NORMAL SNOWPACK/RAPID MELT**
- **EARLY RAIN OVER FROZEN GROUND**

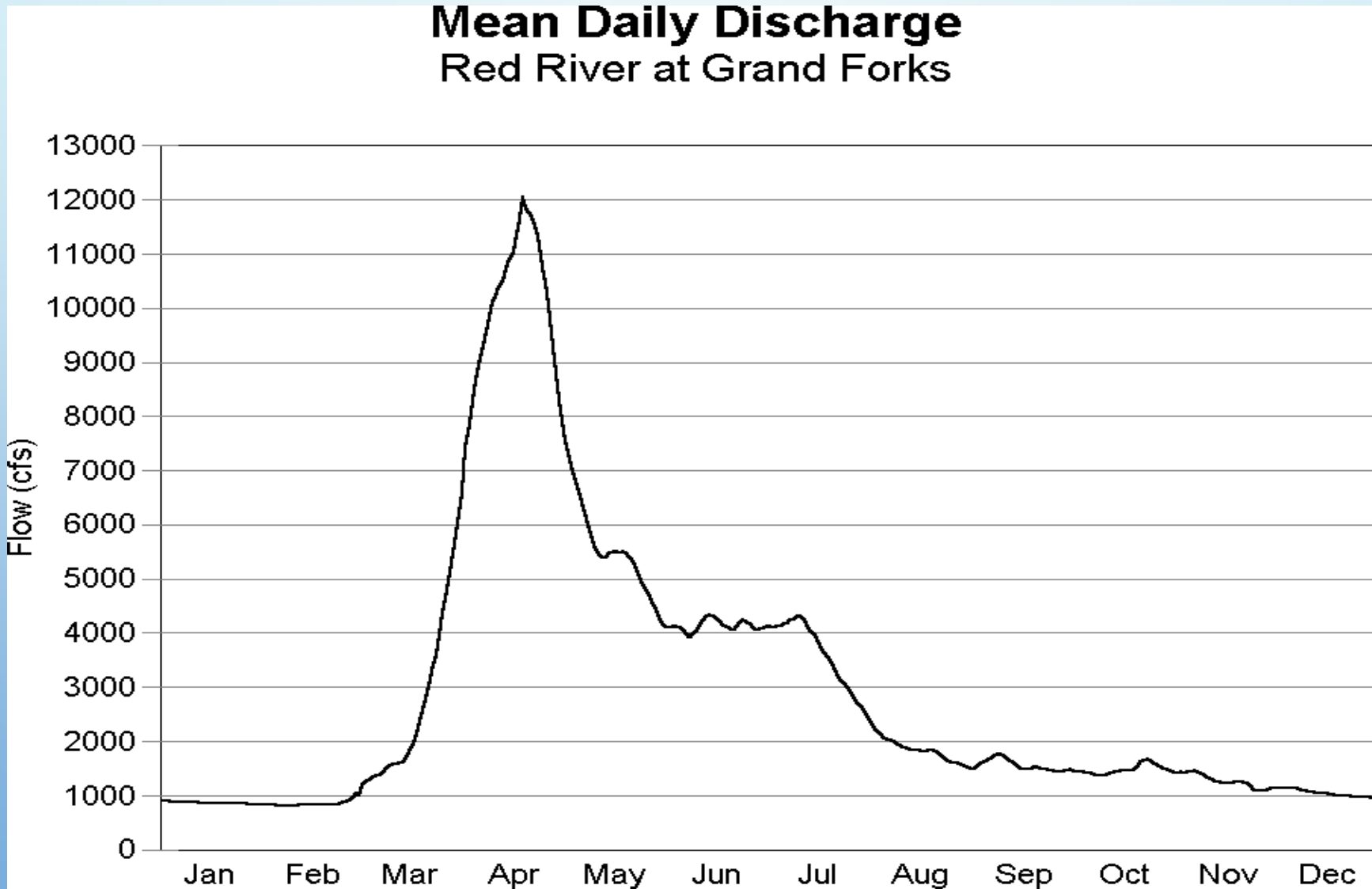
MINIMIZING FLOOD DAMAGE 2



BRIEFING

➤ **FLOOD MITIGATION CONCERNS IN THE RED RIVER: BRIAN FUDER—RED RIVER RETENTION AUTHORITY**

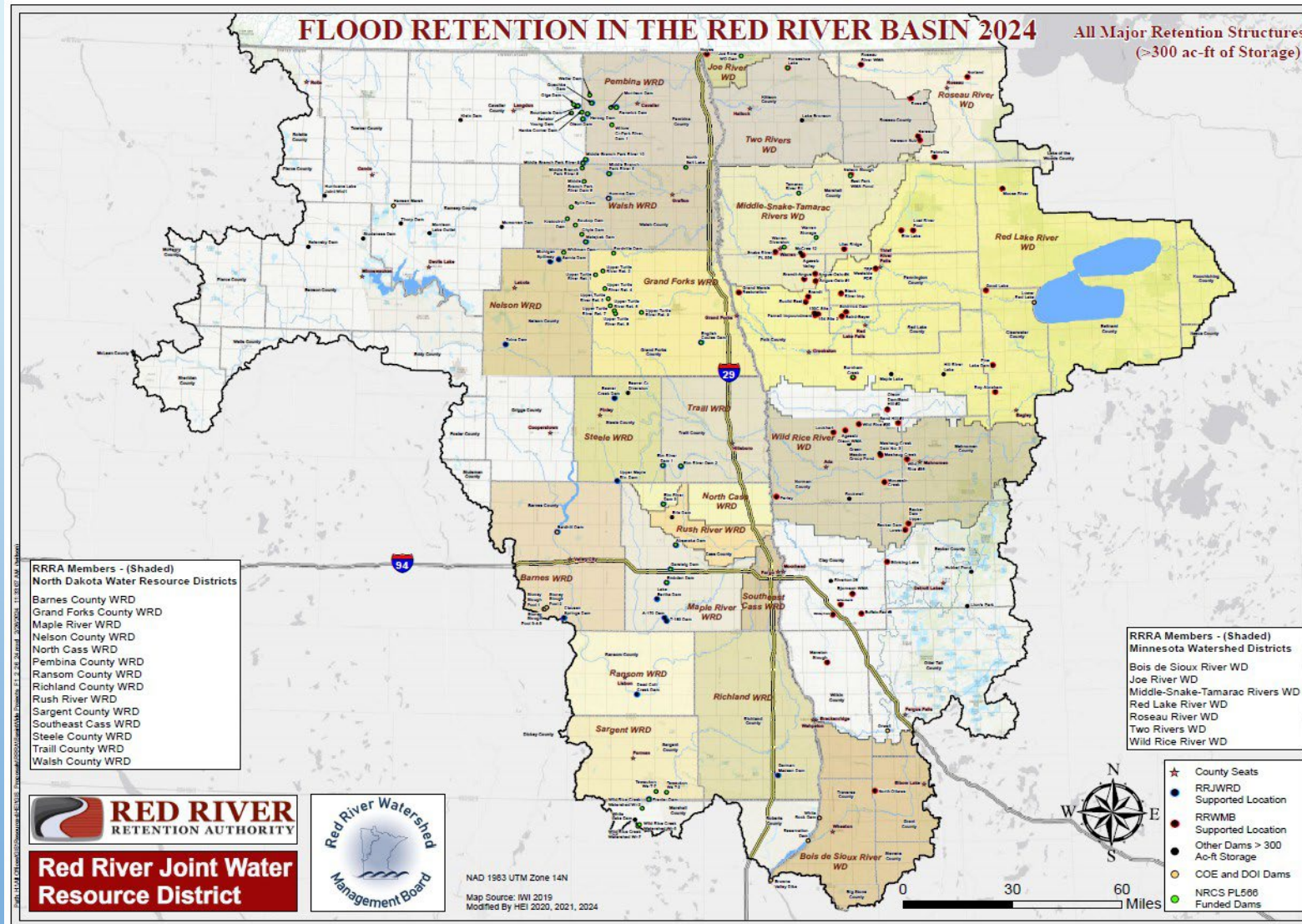
MINIMIZING FLOOD DAMAGE--CUTTING THE PEAKS



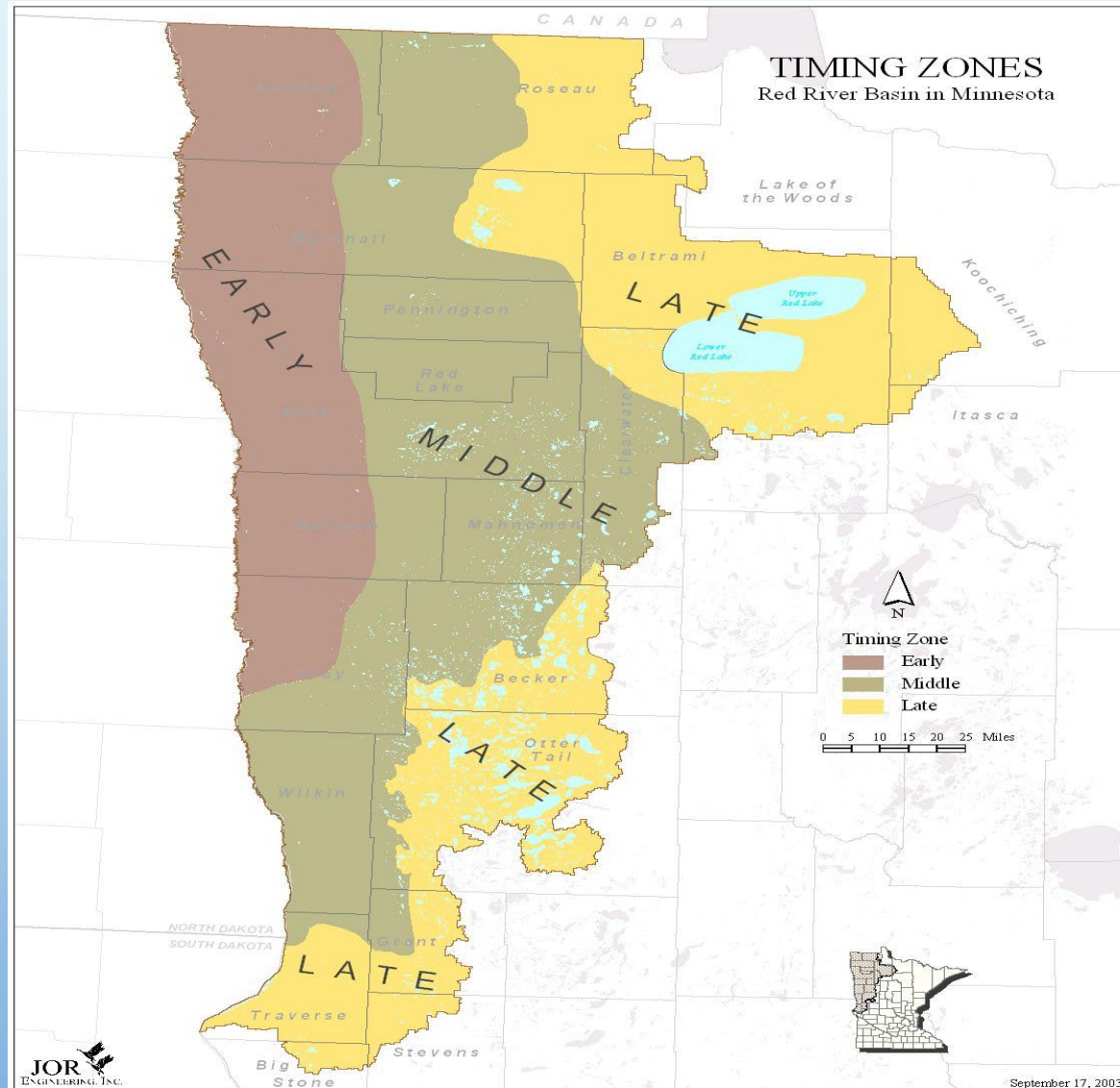
FLOOD IMPOUNDMENT IN THE RED LAKE WD -
PHOTO COURTESY OF THE RRWMB.



FLOOD RETENTION



OPTIMAL STORAGE LOCATIONS



FLOOD MITIGATION

- FLOOD FIGHT IN THE RED RIVER IS COMPLICATED
- RED RIVER FLOOD DAMAGE REDUCTION WORK GROUP (FDRWG)
- RRWMB
- DNR
- WATERSHED DISTRICTS
- CITIES
- STATE AND FEDERAL AGENCIES

FLOOD MITIGATION WORK GROUP

- **MULTI-AGENCY/STAKEHOLDER GROUP THAT COLLABORATES TO PLAN AND FUND PROJECTS PROVIDING FLOOD RESILIENCY AND NATURAL RESOURCE ENHANCEMENTS**
- **ADMINISTER A 1998 MEDIATION AGREEMENT ON FLOOD DAMAGE REDUCTION AND NATURAL RESOURCE ENHANCEMENT.**
- **CO-CHAIRERD BY THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES (DNR) AND RED RIVER BASIN WATERSHED MANAGEMENT BOARD (RRWMB)**
- **PROVIDES GUIDANCE, FUNDING AND OVERSIGHT TO WATERSHED DISTRICTS AND COLLABORATE DEVELOPMENT OF FLOOD RESILIENCY PROJECTS**
- **PROVIDES RECOMMENDATIONS FOR FUNDING THESE PROJECTS FROM BOND FUNDS ADMINISTERED STATEWIDE BY DNR'S FLOOD HAZARD MITIGATION PROGRAM.**

ROOM FOR BETTER COORDINATION

- **FUNDING: INCONSISTENT AND INADEQUATE**
- **BETTER FUNDING PARTNER COORDINATION**
- **MORE COORDINATED PERMITTING AND ENVIRONMENTAL REVIEW**
- **ADJUSTING FOR INFLATION**
- **PLANNING FOR WEATHER**
- **SHORT CONSTRUCTION SEASON**
- **CONTRACTOR READINESS OR AVAILABILITY**
- **RRWMB AND THE WORKING GROUP ARE ASKING FOR A MEETING WITH THE SUBCOMMITTEE TO:**
- **EXPLORE OPPORTUNITIES FOR STEADY FUNDING, PERMIT COORDINATION, FEDERAL MATCH AND OTHER ISSUES.**

DNR GROUNDWATER MANAGEMENT AREA UPDATE



Minnesota State Law – 2012:"Subd. 4.Groundwater management areas: The commissioner may designate groundwater management areas and limit total annual water appropriations and uses within a designated area to ensure sustainable use of groundwater that protects ecosystems, water quality, and the ability of future generations to meet their own needs..."

[MS 103G.287, subd. 4](#)

DNR GROUNDWATER MANAGEMENT AREAS

- **UPDATES**
- **STRAIGHT RIVER**
- **WHITE BEAR LAKE**
- **LITTLE ROCK CREEK**

STRAIGHT RIVER, PARK RAPIDS



STRAIGHT RIVER GWMA

- **Recent DNR report: Groundwater use has a minimal effect on streamflow**
- **DNR analyses suggest:**
 - **Groundwater provides 93-97% of streamflow**
 - **Summer stream flows show no downward trend**
 - **Aquifer levels are stable through the period of record**
 - **Decades of intensive irrigation may have resulted in streamflow depletion before monitoring began**
 - **In some areas, pumping limits the baseflow reaching the stream**
 - **In other areas, high-capacity pumping has diminished or reversed the normal upward flow of groundwater, from confined aquifers to the water table**
- **Nitrates may be exceeding drinking water standards in some wells, and pesticide degradation chemicals are detected in some domestic wells.**

STRAIGHT RIVER, PARK RAPIDS-2

Going forward:

- Groundwater modeling is needed to quantify streamflow diversion from high-capacity wells closest to the Straight River, determine whether there is a need for diversion limits
- Monitoring will continue: If a sustainable diversion limit is needed, it will be developed using methods being used elsewhere in the state
- DNR will work with existing permittees, and new applicants, to minimize impacts to the rivers and to implement additional conservation efforts
- DNR will support efforts by MDA, MDH and SWCDs in incorporating best management practices aimed toward minimizing nitrate and pesticide impacts to groundwater.
- DNR wants individuals, communities, and businesses to be able to continue using groundwater in a way that complies with the sustainability standard as described statute 103g.287, subd. 5..

WHITE BEAR LAKE- N&E GROUNDWATER MANAGEMENT AREA



WHITE BER LAKE WORKING GROUP

In 2023, the legislature provided funds to the Metropolitan Council to create a working group. The group is to develop a plan to ensure communities have access to sufficient safe drinking water, to allow for municipal growth, while simultaneously ensuring the sustainability of surface water and groundwater resources for the future.

The plan is being developed by local governments, the Metropolitan Council and state agencies. The plan is to be submitted to the legislative by June 30, 2027.

The plan will evaluate methods for conserving and recharging groundwater in the area including:

- Converting water supplies, that are groundwater dependent, to surface water sources
- Evaluating water reuse, including water discharged from contaminated wells
- Considering projects designed to increase groundwater recharge
- Promoting methods for reducing groundwater use

WHITE BER LAKE WORKING GROUP MEETING AGENDA (2)

At the April meeting the working group reached consensus on a problem statement:

“Ensure equitable access to sufficient, safe, and affordable water for communities in the north and east metro areas to meet current and future needs while safeguarding the sustainability of surface water and groundwater resources.”

Moving forward, the group will:

- Determine which wells, if converted to surface water, would be effective and efficient in ensuring future water sustainability.
- Identify a plan for converting wells to surface water sources
- Propose policy and funding recommendations for treating and reusing wastewater, and other measures to reduce groundwater use, promote water reuse, and increase groundwater recharge.

LITTLE ROCK CREEK



LITTLE ROCK CREEK-2

- DNR has set a [commissioner's order](#) to protect the ecology of Little Rock Creek
- Little Rock creek is not a GWMA
- The order recognizes that water use has a negative impact on the stream ecosystems and does not meet the sustainability standard and other provisions of Minnesota statutes in section [103g.287](#).
- Establishes a sustainable diversion limit for little rock creek
- Provides an opportunity to permit holders to submit a plan to resolve the water use conflict that will keep water use impacts below the sustainable diversion limit
- Withholds consideration of applications for additional water use within the zone of irrigation influence until the conflict is resolved.

LITTLE ROCK CREEK-3

- **DNR will hire a consultant to develop the engineering, governance and economic feasibility to resolve the conflict. The deliverables from this consultant are expected in spring/summer of 2025.**
- **DNR will collaborate with irrigators on resolving the water use conflict inside the zone of irrigation influence**
- For more information, visit the project web page at www.mndnr.gov/littlerock.
- For more information on the diner's groundwater management programs, visit www.mndnr.gov/gwmp/INDEX.HTML.

SUBCOMMITTEE PLAN– FIELD TRIP

- **PROPOSING A TWO-DAY FIELD TRIP TO THE UPPER MISSISSIPPI RIVER BASIN**
- **BRAINERD-LITTLE FALLS- PARK RAPIDS AREA**
- **FOCUSED ON:**
- **PROTECTING OUR MOST IMPORTANT LAKES**
- **PROTECTING THOSE LAKES AND THE SOURCE OF WATER FOR THE METRO**
- **IRRIGATION ISSUES**
- **WOULD YOU ATTEND?**

SUBCOMMITTEE: WATER APPROPRIATION PRIORITIES

- **MEETINGS TO REVIEW AND PROPOSE MINOR CHANGES TO DNR'S WATER APPROPRIATION PRIORITIES**
- **SUBCOMMITTEE MEMBER REQUEST**
- **ISSUES WERE IDENTIFIED DURING THE WHITE BEAR LAKE LITIGATION PROCESS**
- **SOME ESSENTIAL NEEDS MAY NOT BE INCLUDED IN THE HIGHEST PRIORITIES— SCHOOLS AND HOSPITALS, FOR EXAMPLE**
- **MINOR CHANGES TO THE BILL LANGUAGE MAY BE APPROPRIATE TO MAKE IT CLEAR**
- **A STAKEHOLDER DISCUSSION IS PROPOSED**

SUBCOMMITTEE: DRINKING WATER

- **STATE AGENCIES HAVE BEEN CHALLENGED TO INCREASE DRINKING WATER PROTECTION IN SE MINNESOTA, MOSTLY AROUND NITRATE: ENVIRONMENTAL ORGANIZATIONS AND THE EPA**
- **THEY ARE, AND HAVE BEEN, ADDRESSING THIS PROBLEM THROUGH VARIOUS PROGRAMS: EQB, BWSR, CWC, MDA, LCCMR, MDH AND THE MPCA**
- **PROGRAMS ARE COMPLEX, FOCUSED ON SPECIFIC GOALS, AND ARE SOMEWHAT SILOED**
- **AGENCIES ARE REQUESTING INCREASED FUNDING TO EXPAND THESE PROGRAMS**
- **RESPONSES FROM THE CWC, GOVERNOR AND LEGISLATURE ARE FORTH-COMING BUT THE RESPONSES ARE SHORT TERM AND ONE-TIME**
- **A LONG-TERM STRATEGY IS NEEDED THAT CONSIDERS ALL OF THE STATE**
- **I'M PROPOSING A SHORT SUMMARY REPORT THAT:**
 - **DESCRIBES AGENCY PROGRAMS**
 - **PROVIDES A SIMPLE AND SORT SUMMARY OF ISSUES**
 - **OUTLINES CHALLENGES TO DRINKING WATER- BY REGION**
 - **PROVIDES A PLATFORM FOR A LONG-TERM, STATEWIDE, STRATEGY DISCUSSION IN THE FALL, POSSIBLY LEADING TO NEW POLICY, FUNDING AND LEGISLATION NEXT SESSION**

THANKS 5

- **NEXT MEETING, MONDAY JUNE 10 OR 13 AT 9:00 AM**
- **I MAY BE ON JURY DUTY ON JUNE 10**
- **ADJOURN**