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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 639

02/01/2021

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03/08/2021

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Finance and Policy
Adoption of Report: Amended and re-referred to the Committee on Legacy Finance

1.1	A bill for an act		
1.2	relating to clean water; appropriating money from clean water fund; providing for		
1.3	soil and water conservation district fee and county eligibility for certain funding;		
1.4	requiring rulemaking; requiring studies and reports; amending Minnesota Statutes		
1.5	2020, section 114D.50, by adding a subdivision; proposing coding for new law in		
1.6	Minnesota Statutes, chapter 103C.		
1.7	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:		
1.8	Section 1. <u>CLEAN WATER FUND APPROPRIATIONS.</u>		
1.9	<u>The sums shown in the columns marked "Appropriations" are appropriated to the agencies</u>		
1.10	<u>and for the purposes specified in this act. The appropriations are from the clean water fund</u>		
1.11	<u>and are available for the fiscal years indicated for allowable activities under the Minnesota</u>		
1.12	<u>Constitution, article XI, section 15. The figures "2022" and "2023" used in this act mean</u>		
1.13	<u>that the appropriations listed under the figure are available for the fiscal year ending June</u>		
1.14	<u>30, 2022, or June 30, 2023, respectively. "The first year" is fiscal year 2022. "The second</u>		
1.15	<u>year" is fiscal year 2023. "The biennium" is fiscal years 2022 and 2023. These are onetime</u>		
1.16	<u>appropriations.</u>		
1.17	<u>APPROPRIATIONS</u>		
1.18	<u>Available for the Year</u>		
1.19	<u>Ending June 30</u>		
1.20	<u>2022</u> <u>2023</u>		
1.21	Sec. 2. <u>CLEAN WATER FUND</u>		
1.22	<u>Subdivision 1. Total Appropriation</u>	<u>\$ 126,711,000</u>	<u>\$ 130,081,000</u>

2.1 This appropriation is from the clean water
2.2 fund. The amounts that may be spent for each
2.3 purpose are specified in the following sections.

2.4 **Subd. 2. Availability of Appropriation**

2.5 Money appropriated in this act may not be
2.6 spent on activities unless they are directly
2.7 related to and necessary for a specific
2.8 appropriation. Money appropriated in this act
2.9 must be spent in accordance with Minnesota
2.10 Management and Budget *MMB Guidance to*
2.11 *Agencies on Legacy Fund Expenditure.*
2.12 Notwithstanding Minnesota Statutes, section
2.13 16A.28, and unless otherwise specified in this
2.14 act, fiscal year 2022 appropriations are
2.15 available until June 30, 2023, and fiscal year
2.16 2023 appropriations are available until June
2.17 30, 2024. If a project receives federal funds,
2.18 the period of the appropriation is extended to
2.19 equal the availability of federal funding.

2.20 **Subd. 3. Disability Access**

2.21 Where appropriate, grant recipients of clean
2.22 water funds, in consultation with the Council
2.23 on Disability and other appropriate
2.24 governor-appointed disability councils, boards,
2.25 committees, and commissions, should make
2.26 progress toward providing people with
2.27 disabilities greater access to programs, print
2.28 publications, and digital media related to the
2.29 programs the recipient funds using
2.30 appropriations made in this act.

2.31 **Sec. 3. DEPARTMENT OF AGRICULTURE** **\$** **10,144,000** **\$** **10,144,000**

2.32 (a) \$350,000 the first year and \$350,000 the
2.33 second year are to increase monitoring for
2.34 pesticides, pesticide degradates, microplastics,

3.1 and nanoplastics in surface water and
3.2 groundwater and to use data collected to assess
3.3 pesticide use practices. This appropriation is
3.4 available until June 30, 2025.

3.5 (b) \$2,503,000 the first year and \$2,503,000
3.6 the second year are for monitoring and
3.7 evaluating trends in the concentration of
3.8 nitrate in groundwater in areas vulnerable to
3.9 groundwater degradation; promoting,
3.10 developing, and evaluating regional and
3.11 crop-specific nutrient best management
3.12 practices; assessing adoption of best
3.13 management practices; education and technical
3.14 support from University of Minnesota
3.15 Extension; grants to support agricultural
3.16 demonstration and implementation activities,
3.17 including research activities at the Rosholt
3.18 Research Farm; and other actions to protect
3.19 groundwater from degradation from nitrate.
3.20 This appropriation is available until June 30,
3.21 2026.

3.22 (c) \$75,000 the first year and \$75,000 the
3.23 second year are for administering clean water
3.24 funds managed through the agriculture best
3.25 management practices loan program. Any
3.26 unencumbered balance at the end of the second
3.27 year must be added to the corpus of the loan
3.28 fund.

3.29 (d) \$1,452,000 the first year and \$1,452,000
3.30 the second year are for technical assistance,
3.31 research, and demonstration projects on
3.32 properly implementing best management
3.33 practices and more-precise information on
3.34 nonpoint contributions to impaired waters and
3.35 for grants to support on-farm demonstration

4.1 of agricultural practices. This appropriation is
4.2 available until June 30, 2026.

4.3 (e) \$40,000 the first year and \$40,000 the
4.4 second year are for maintenance of the
4.5 Minnesota Water Research Digital Library.
4.6 Costs for information technology development
4.7 or support for the digital library may be paid
4.8 to the Office of MN.IT Services. This
4.9 appropriation is available until June 30, 2026.

4.10 (f) \$3,000,000 the first year and \$3,000,000
4.11 the second year are to implement the
4.12 Minnesota agricultural water quality
4.13 certification program statewide. This
4.14 appropriation is available until June 30, 2026.

4.15 (g) \$135,000 the first year and \$135,000 the
4.16 second year are for a regional irrigation water
4.17 quality specialist through University of
4.18 Minnesota Extension. This appropriation is
4.19 available until June 30, 2025.

4.20 (h) \$2,250,000 the first year and \$2,250,000
4.21 the second year are for grants to fund the
4.22 Forever Green agriculture initiative and to
4.23 protect the state's natural resources by
4.24 incorporating perennial and winter-annual
4.25 crops into existing agricultural practices. This
4.26 appropriation is available until June 30, 2026.

4.27 (i) \$339,000 the first year and \$339,000 the
4.28 second year are for testing private wells for
4.29 pesticides, microplastics, and nanoplastics
4.30 where nitrate is detected as part of the
4.31 township testing program. This appropriation
4.32 is available until June 30, 2026.

4.33 Sec. 4. POLLUTION CONTROL AGENCY \$ 21,411,000 \$ 22,426,000

5.1 (a) \$7,216,000 the first year and \$7,216,000
5.2 the second year are for completing needed
5.3 statewide assessments of surface water quality
5.4 and trends, including assessments for
5.5 microplastics and nanoplastics, according to
5.6 Minnesota Statutes, chapter 114D.

5.7 (b) \$6,604,000 the first year and \$6,604,000
5.8 the second year are to develop watershed
5.9 restoration and protection strategies (WRAPS),
5.10 which include total maximum daily load
5.11 (TMDL) studies and TMDL implementation
5.12 plans according to Minnesota Statutes, chapter
5.13 114D, for waters on the impaired waters list
5.14 approved by the United States Environmental
5.15 Protection Agency. The agency must complete
5.16 an average of ten percent of the TMDLs each
5.17 year over the biennium.

5.18 (c) \$950,000 the first year and \$950,000 the
5.19 second year are for groundwater assessment,
5.20 including assessments for microplastics and
5.21 nanoplastics, enhancing the ambient
5.22 monitoring network, modeling, evaluating
5.23 trends, and reassessing groundwater that was
5.24 assessed ten to 15 years ago and found to be
5.25 contaminated.

5.26 (d) \$750,000 the first year and \$750,000 the
5.27 second year are for implementing the St. Louis
5.28 River System Area of Concern Remedial
5.29 Action Plan.

5.30 (e) \$900,000 the first year and \$900,000 the
5.31 second year are for national pollutant
5.32 discharge elimination system wastewater and
5.33 stormwater TMDL implementation efforts.

6.1 (f) \$2,662,000 the first year and \$2,662,000
6.2 the second year are for enhancing the
6.3 county-level delivery systems for subsurface
6.4 sewage treatment system (SSTS) activities
6.5 necessary to implement Minnesota Statutes,
6.6 sections 115.55 and 115.56, for protecting
6.7 groundwater. This appropriation includes base
6.8 grants for all counties with SSTS programs
6.9 and competitive grants to counties with
6.10 specific plans to significantly reduce water
6.11 pollution by reducing the number of systems
6.12 that are an imminent threat to public health or
6.13 safety or are otherwise failing. Counties that
6.14 receive base grants must report the number of
6.15 properties with noncompliant systems
6.16 upgraded through an SSTS replacement,
6.17 connection to a centralized sewer system, or
6.18 other means, including property abandonment
6.19 or buyout. Counties also must report the
6.20 number of existing SSTS compliance
6.21 inspections conducted in areas under county
6.22 jurisdiction. The required reports must be part
6.23 of the established annual reporting for SSTS
6.24 programs. Of this amount, at least \$900,000
6.25 each year is available to counties for grants to
6.26 low-income landowners to address systems
6.27 that pose an imminent threat to public health
6.28 or safety or fail to protect groundwater. A
6.29 grant awarded under this paragraph may not
6.30 exceed \$40,000 annually. A county receiving
6.31 a grant under this paragraph must submit a
6.32 report to the agency listing the projects funded,
6.33 including an account of the expenditures. By
6.34 January 15 of each odd-numbered year, the
6.35 commissioner must submit a report to the
6.36 chairs and ranking minority members of the

7.1 legislative committees and divisions with
7.2 jurisdiction over environment and natural
7.3 resources and the clean water fund detailing
7.4 the outcomes achieved under this paragraph
7.5 for the previous two years.

7.6 (g) \$200,000 the first year and \$200,000 the
7.7 second year are for accelerated implementation
7.8 of municipal separate storm sewer system
7.9 (MS4) permit requirements, including
7.10 additional technical assistance to
7.11 municipalities experiencing difficulties
7.12 understanding and implementing the basic
7.13 requirements of the municipal stormwater
7.14 program.

7.15 (h) \$700,000 the first year and \$700,000 the
7.16 second year are for a grant program for
7.17 sanitary sewer projects that are included in the
7.18 draft or any updated Voyageurs National Park
7.19 Clean Water Project Comprehensive Plan to
7.20 restore the water quality of waters in
7.21 Voyageurs National Park. Grants must be
7.22 awarded to local government units for projects
7.23 approved by the Voyageurs National Park
7.24 Clean Water Joint Powers Board and must be
7.25 matched by at least 25 percent from sources
7.26 other than the clean water fund.

7.27 (i) \$260,000 the first year and \$260,000 the
7.28 second year are for activities, training, and
7.29 grants that reduce chloride pollution.

7.30 (j) \$500,000 the first year and \$500,000 the
7.31 second year are to support activities of the
7.32 Clean Water Council according to Minnesota
7.33 Statutes, section 114D.30, subdivision 1. The
7.34 council may use money appropriated in this
7.35 paragraph for consultants and other assistance

8.1 as needed to develop the reports required
 8.2 under this act.

8.3 (k) \$669,000 the first year and \$1,684,000 the
 8.4 second year are to develop protocols for
 8.5 testing groundwater and surface water for
 8.6 microplastics and nanoplastics to be used by
 8.7 agencies and departments required to monitor
 8.8 and test for plastics under this act and to begin
 8.9 testing and implementation. For the purposes
 8.10 of this act, "microplastics" are small pieces of
 8.11 plastic debris in the environment resulting
 8.12 from the disposal and breakdown of consumer
 8.13 products and industrial waste that are less than
 8.14 five millimeters in length and "nanoplastics"
 8.15 are particles within a size ranging from one to
 8.16 1000 nanometers that are unintentionally
 8.17 produced from the manufacture or degradation
 8.18 of plastic objects and that exhibit a colloidal
 8.19 behavior.

8.20 (l) Any unencumbered grant balances in the
 8.21 first year do not cancel but are available for
 8.22 grants in the second year. Notwithstanding
 8.23 Minnesota Statutes, section 16A.28, the
 8.24 appropriations in this section are available
 8.25 until June 30, 2026.

8.26 **Sec. 5. DEPARTMENT OF NATURAL**
 8.27 **RESOURCES**

8.28 (a) \$2,000,000 the first year and \$2,000,000
 8.29 the second year are for streamflow monitoring.

8.30 (b) \$1,000,000 the first year and \$1,000,000
 8.31 the second year are for lake Index of
 8.32 Biological Integrity (IBI) assessments,
 8.33 including assessments for microplastics and
 8.34 nanoplastics.

\$	<u>9,030,000</u>	\$	<u>8,671,000</u>
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- 9.1 (c) \$70,000 the first year and \$66,000 the
9.2 second year are for assessing mercury,
9.3 microplastics, and nanoplastics, and other fish
9.4 contaminants, including monitoring to track
9.5 the status of impaired waters over time.
- 9.6 (d) \$1,900,000 the first year and \$1,900,000
9.7 the second year are for developing targeted,
9.8 science-based watershed restoration and
9.9 protection strategies.
- 9.10 (e) \$1,850,000 the first year and \$1,850,000
9.11 the second year are for water-supply planning,
9.12 aquifer protection, and monitoring activities
9.13 and analysis.
- 9.14 (f) \$1,300,000 the first year and \$1,300,000
9.15 the second year are for technical assistance to
9.16 support local implementation of nonpoint
9.17 source restoration and protection activities.
- 9.18 (g) \$535,000 the first year and \$530,000 the
9.19 second year are for applied research and tools,
9.20 including watershed hydrologic modeling;
9.21 maintaining and updating spatial data for
9.22 watershed boundaries, streams, and water
9.23 bodies and integrating high-resolution digital
9.24 elevation data; and assessing effectiveness of
9.25 forestry best management practices for water
9.26 quality.
- 9.27 (h) \$25,000 the first year and \$25,000 the
9.28 second year are for maintaining and updating
9.29 buffer maps and for technical guidance on
9.30 interpreting buffer maps for local units of
9.31 government implementing buffer
9.32 requirements. Maps must be provided to local
9.33 units of government and made available to

10.1 landowners on the Department of Natural
10.2 Resources website.

10.3 (i) \$350,000 the first year is to develop and
10.4 designate a groundwater management area
10.5 under Minnesota Statutes, section 103G.287,
10.6 subdivision 4, in Dakota County.

10.7 **Sec. 6. BOARD OF WATER AND SOIL**
10.8 **RESOURCES**

\$ 65,078,000 \$ 69,178,000

10.9 (a) \$21,782,000 the first year and \$21,782,000
10.10 the second year are for performance-based
10.11 grants with multiyear implementation plans
10.12 to local government units. The grants may be
10.13 used to implement projects that protect,
10.14 enhance, and restore surface water quality in
10.15 lakes, rivers, and streams; protect groundwater
10.16 from degradation; and protect drinking water
10.17 sources. Projects must be identified in a
10.18 comprehensive watershed plan developed
10.19 under the One Watershed, One Plan and
10.20 seven-county metropolitan groundwater or
10.21 surface water management frameworks as
10.22 provided for in Minnesota Statutes, chapters
10.23 103B, 103C, 103D, and 114D. Grant recipients
10.24 must identify a nonstate match and may use
10.25 other legacy funds to supplement projects
10.26 funded under this paragraph. This
10.27 appropriation may be used for:

10.28 (1) implementation grants to watershed
10.29 planning areas with approved plans, including
10.30 but not limited to Buffalo-Red River, Cannon
10.31 River, Cedar River, Clearwater River, Des
10.32 Moines River, Hawk Creek, Lac qui Parle
10.33 Yellow Bank, Lake of the Woods, Lake
10.34 Superior North, Le Seuer River, Leech Lake
10.35 River, Long Prairie River, Lower Minnesota

- 11.1 River North, Lower Minnesota River West,
 11.2 Lower Minnesota River South, Lower St.
 11.3 Croix River, Marsh and Wild Rice, Middle
 11.4 Snake Tamarack Rivers, Mississippi East,
 11.5 Mississippi River Headwaters, Mississippi
 11.6 West, Missouri River Basin, Mustinka/Bois
 11.7 de Sioux, Nemadji River, North Fork Crow
 11.8 River, Otter Tail, Pine River, Pomme de Terre
 11.9 River, Red Lake River, Redeye River, Root
 11.10 River, Rum River, Sauk River, Shell Rock
 11.11 River/Winnepago Watershed, Snake River,
 11.12 South Fork Crow River, St. Louis River, Thief
 11.13 River, Two Rivers Plus, Vermillion,
 11.14 Watsonwan River, Winona La Crescent,
 11.15 Yellow Medicine River, and Zumbro River;
 11.16 (2) seven-county metropolitan groundwater
 11.17 or surface water management frameworks;
 11.18 and
 11.19 (3) other comprehensive watershed
 11.20 management plan planning areas that have a
 11.21 board-approved and local-government-adopted
 11.22 plan as authorized in Minnesota Statutes,
 11.23 section 103B.801.
 11.24 The board may determine whether a planning
 11.25 area is not ready to proceed, does not have the
 11.26 nonstate match committed, or has not
 11.27 expended all money granted to it. Upon
 11.28 making the determination, the board may
 11.29 allocate a grant's proposed or unexpended
 11.30 allocation to another planning area to
 11.31 implement priority projects, programs, or
 11.32 practices.
 11.33 (b) \$11,133,000 the first year and \$11,133,000
 11.34 the second year are for grants to local
 11.35 government units to protect and restore surface

- 12.1 water and drinking water; to keep water on
12.2 the land; to protect, enhance, and restore water
12.3 quality in lakes, rivers, and streams; and to
12.4 protect groundwater and drinking water,
12.5 including feedlot water quality and subsurface
12.6 sewage treatment system projects and stream
12.7 bank, stream channel, shoreline restoration,
12.8 and ravine stabilization projects. The projects
12.9 must use practices demonstrated to be
12.10 effective, be of long-lasting public benefit,
12.11 include a match, and be consistent with total
12.12 maximum daily load (TMDL) implementation
12.13 plans, watershed restoration and protection
12.14 strategies (WRAPS), or local water
12.15 management plans or their equivalents. Up to
12.16 20 percent of this appropriation is available
12.17 for land-treatment projects and practices that
12.18 benefit drinking water.
- 12.19 (c) \$4,841,000 the first year and \$4,841,000
12.20 the second year are for accelerated
12.21 implementation, local resource protection,
12.22 enhancement grants, statewide analytical
12.23 targeting or technology tools that fill an
12.24 identified gap, program enhancements for
12.25 technical assistance, citizen and community
12.26 outreach, compliance, and training and
12.27 certification.
- 12.28 (d) \$1,355,000 the first year and \$1,355,000
12.29 the second year are:
- 12.30 (1) to provide state oversight and
12.31 accountability, evaluate and communicate
12.32 results, provide implementation tools, and
12.33 measure the value of conservation program
12.34 implementation by local governments; and

- 13.1 (2) to prepare, in consultation with the
13.2 commissioners of natural resources, health,
13.3 agriculture, and the Pollution Control Agency,
13.4 and submit to the legislature by March 1 each
13.5 even-numbered year a biennial report detailing
13.6 the recipients and projects funded under this
13.7 section and the amount of pollution reduced.
- 13.8 (e) \$1,936,000 the first year and \$1,936,000
13.9 the second year are to provide assistance,
13.10 oversight, and grants for supporting local
13.11 governments in implementing and complying
13.12 with riparian protection and excessive soil loss
13.13 requirements.
- 13.14 (f) \$1,936,000 the first year and \$1,936,000
13.15 the second year are to develop a pilot working
13.16 lands floodplain program and to purchase,
13.17 restore, or preserve riparian land and
13.18 floodplains adjacent to lakes, rivers, streams,
13.19 and tributaries, by conservation easements or
13.20 contracts to keep water on the land, to decrease
13.21 sediment, pollutant, and nutrient transport;
13.22 reduce hydrologic impacts to surface waters;
13.23 and increase infiltration for groundwater
13.24 recharge. Up to \$180,000 is for deposit in a
13.25 monitoring and enforcement account.
- 13.26 (g) \$1,000,000 the first year and \$1,000,000
13.27 the second year are for permanent
13.28 conservation easements on wellhead protection
13.29 areas under Minnesota Statutes, section
13.30 103F.515, subdivision 2, paragraph (d), or for
13.31 grants to local units of government for fee title
13.32 acquisition to permanently protect
13.33 groundwater supply sources on wellhead
13.34 protection areas or for otherwise ensuring
13.35 long-term protection of groundwater supply

14.1 sources as described under alternative
14.2 management tools in the Department of
14.3 Agriculture Minnesota Nitrogen Fertilizer
14.4 Management Plan, including using
14.5 low-nitrogen cropping systems or
14.6 implementing nitrogen fertilizer best
14.7 management practices. Priority must be placed
14.8 on land that is located where the vulnerability
14.9 of the drinking water supply is designated as
14.10 high or very high by the commissioner of
14.11 health, where drinking water protection plans
14.12 have identified specific activities that will
14.13 achieve long-term protection, and on lands
14.14 with expiring conservation reserve program
14.15 contracts. Up to \$100,000 is for deposit in a
14.16 monitoring and enforcement account.

14.17 (h) \$42,000 the first year and \$42,000 the
14.18 second year are for a technical evaluation
14.19 panel to conduct ten restoration evaluations
14.20 under Minnesota Statutes, section 114D.50,
14.21 subdivision 6.

14.22 (i) \$2,904,000 the first year and \$2,904,000
14.23 the second year are for assistance, oversight,
14.24 and grants to local governments to transition
14.25 local water management plans to a watershed
14.26 approach as provided for in Minnesota
14.27 Statutes, section 103B.801.

14.28 (j) \$2,000,000 the second year is to purchase
14.29 and restore permanent conservation sites via
14.30 easements or contracts to treat and store water
14.31 on the land for water quality improvement
14.32 purposes and related technical assistance. This
14.33 work may be done in cooperation with the
14.34 United States Department of Agriculture with
14.35 a first-priority use to accomplish a

- 15.1 conservation reserve enhancement program,
15.2 or equivalent, in the state. Up to \$100,000 is
15.3 for deposit in a monitoring and enforcement
15.4 account.
- 15.5 (k) \$1,234,000 the first year and \$1,234,000
15.6 the second year are to purchase permanent
15.7 conservation easements to protect lands
15.8 adjacent to public waters that have good water
15.9 quality but that are threatened with
15.10 degradation. Up to \$300,000 is for deposit in
15.11 a monitoring and enforcement account.
- 15.12 (l) \$362,000 the first year and \$362,000 the
15.13 second year are for grants or contracts for a
15.14 program to systematically collect data and
15.15 produce county, watershed, and statewide
15.16 estimates of soil erosion caused by water and
15.17 wind, along with tracking adoption of
15.18 conservation measures, including cover crops,
15.19 to address erosion. This appropriation may be
15.20 used for grants to or contracts with the
15.21 University of Minnesota to complete this
15.22 work.
- 15.23 (m) \$100,000 the first year and \$100,00 the
15.24 second year are for developing and
15.25 implementing a water legacy grant program
15.26 to expand partnerships for clean water.
- 15.27 (n) \$2,420,000 the first year and \$2,420,000
15.28 the second year are for permanent
15.29 conservation easements to protect and restore
15.30 wetlands and associated uplands. Up to
15.31 \$200,000 is for deposit in a monitoring and
15.32 enforcement account.
- 15.33 (o) \$2,033,000 the first year and \$2,033,000
15.34 the second year are for grants to landowners

16.1 to enhance adoption of cover crops and other
16.2 soil health practices in areas where there are
16.3 direct benefits to public water supplies. Up to
16.4 \$400,000 is for an agreement with the
16.5 University of Minnesota Minnesota Office for
16.6 Soil Health for applied research and education
16.7 on Minnesota's agroecosystems and soil health
16.8 management systems.

16.9 (p) \$12,000,000 the first year is for grants to
16.10 soil and water conservation districts for the
16.11 purposes of Minnesota Statutes, sections
16.12 103C.321 and 103C.331. The board must
16.13 award grants based on the number of wells
16.14 and water bodies contaminated with nitrates
16.15 and pesticides, acreage contained within a
16.16 drinking water supply management area,
16.17 county allocations to soil and water
16.18 conservation districts, and the amount of
16.19 private land and public waters. The board and
16.20 other agencies may reduce the amount of
16.21 grants to a county by an amount equal to any
16.22 reduction in the county's allocation to a soil
16.23 and water conservation district from the
16.24 county's previous year allocation when the
16.25 board determines that the reduction was
16.26 disproportionate. The board may use up to one
16.27 percent for the administration of payments.

16.28 (q) \$4,700,000 the second year is for technical
16.29 assistance and implementation grants to soil
16.30 and water conservation districts with karst
16.31 geography and shallow sand aquifers for soil
16.32 health practices that protect groundwater.

16.33 (r) \$4,700,000 the second year is for technical
16.34 assistance and implementation grants to soil
16.35 and water conservation districts for soil health

- 17.1 practices to prevent wind and water erosion
17.2 to protect surface waters.
- 17.3 (s) \$4,700,000 the second year is for technical
17.4 assistance and implementation grants to soil
17.5 and water conservation districts for sustainable
17.6 forestry and soil health practices to protect
17.7 surface water and groundwater.
- 17.8 (t) The board must contract for delivery of
17.9 services with Conservation Corps Minnesota
17.10 for restoration, maintenance, and other
17.11 activities under this section for up to \$750,000
17.12 the first year and up to \$750,000 the second
17.13 year.
- 17.14 (u) The board may shift grant, cost-share, or
17.15 easement funds in this section and may adjust
17.16 the technical and administrative assistance
17.17 portion of the funds to leverage federal or
17.18 other nonstate funds or to address oversight
17.19 responsibilities or high-priority needs
17.20 identified in local water management plans.
- 17.21 (v) The board must require grantees to specify
17.22 the outcomes that will be achieved by the
17.23 grants before making any grant awards.
- 17.24 (w) The appropriations in this section are
17.25 available until June 30, 2026, except grant
17.26 funds are available for five years after the date
17.27 a grant is executed. Returned grant funds must
17.28 be regranted consistent with the purposes of
17.29 this section.
- 17.30 **Sec. 7. DEPARTMENT OF HEALTH**
- 17.31 (a) \$1,200,000 the first year and \$1,200,000
17.32 the second year are for addressing public
17.33 health concerns related to contaminants found
17.34 or anticipated to be found in Minnesota

\$ 6,705,000 \$ 6,705,000

18.1 drinking water for which no health-based
18.2 drinking water standards exist and for the
18.3 department's laboratory to analyze for these
18.4 contaminants.

18.5 (b) \$3,079,000 the first year and \$3,079,000
18.6 the second year are for protecting sources of
18.7 drinking water, including planning,
18.8 implementation, and surveillance activities
18.9 and grants to local governments and public
18.10 water systems.

18.11 (c) \$563,000 the first year and \$563,000 the
18.12 second year are to develop and deliver
18.13 groundwater restoration and protection
18.14 strategies on a watershed scale for use in local
18.15 comprehensive water planning efforts, to
18.16 provide resources to local governments for
18.17 activities that protect sources of drinking
18.18 water, and to enhance approaches that improve
18.19 the capacity of local governmental units to
18.20 protect and restore groundwater resources.

18.21 (d) \$863,000 the first year and \$863,000 the
18.22 second year are for studying the occurrence
18.23 and magnitude of contaminants in private
18.24 wells, including microplastics and
18.25 nanoplastics, and developing guidance,
18.26 outreach, and interventions to reduce risks to
18.27 private-well users.

18.28 (e) \$250,000 the first year and \$250,000 the
18.29 second year are to develop public health
18.30 policies and an action plan to address threats
18.31 to safe drinking water, including development
18.32 of a statewide plan for protecting drinking
18.33 water based on recommendations from the
18.34 Future of Drinking Water report.

19.1 (f) \$750,000 the first year and \$750,000 the
19.2 second year are to adopt and amend health
19.3 risk limits as required under this act.

19.4 (g) Unless otherwise specified, the
19.5 appropriations in this section are available
19.6 until June 30, 2025.

19.7 Sec. 8. METROPOLITAN COUNCIL \$ 3,669,000 \$ 3,669,000

19.8 (a) \$919,000 the first year and \$919,000 the
19.9 second year are to implement projects that
19.10 address emerging threats to the drinking water
19.11 supply, provide cost-effective regional
19.12 solutions, leverage interjurisdictional
19.13 coordination, support local implementation of
19.14 water supply reliability projects, and prevent
19.15 degradation of groundwater resources in the
19.16 metropolitan area. These projects must provide
19.17 communities with:

19.18 (1) potential solutions to leverage regional
19.19 water use by using surface water, stormwater,
19.20 wastewater, and groundwater;

19.21 (2) an analysis of infrastructure requirements
19.22 for different alternatives;

19.23 (3) development of planning-level cost
19.24 estimates, including capital costs and operating
19.25 costs;

19.26 (4) identification of funding mechanisms and
19.27 an equitable cost-sharing structure for
19.28 regionally beneficial water supply
19.29 development projects; and

19.30 (5) development of subregional groundwater
19.31 models.

19.32 (b) \$250,000 the first year and \$250,000 the
19.33 second year are for the water demand

20.1 reduction grant program to encourage
20.2 municipalities in the metropolitan area to
20.3 implement measures to reduce water demand
20.4 to ensure the reliability and protection of
20.5 drinking water supplies.

20.6 (c) \$2,500,000 the first year is for grants or
20.7 loans for local inflow and infiltration reduction
20.8 programs addressing high-priority areas in the
20.9 metropolitan area, as defined in Minnesota
20.10 Statutes, section 473.121, subdivision 2.

20.11 (d) \$2,500,000 the second year is for grants
20.12 to replace the privately owned portion of
20.13 drinking water lead service lines in
20.14 environmental justice areas determined by the
20.15 commissioner of the Pollution Control
20.16 Agency.

20.17	Sec. 9. <u>UNIVERSITY OF MINNESOTA</u>	<u>\$</u>	<u>2,598,000</u>	<u>\$</u>	<u>1,220,000</u>
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20.18 (a) \$450,000 the first year and \$450,000 the
20.19 second year are for developing Part A of
20.20 county geologic atlases. This appropriation is
20.21 available until June 30, 2028.

20.22 (b) \$675,000 the first year and \$675,000 the
20.23 second year are for a program to evaluate
20.24 performance and technology transfer for
20.25 stormwater best management practices, to
20.26 evaluate best management performance and
20.27 effectiveness to support meeting total
20.28 maximum daily loads, to develop standards
20.29 and incorporate state-of-the-art guidance using
20.30 minimal impact design standards as the model,
20.31 and to implement a system to transfer
20.32 knowledge and technology across local
20.33 government, industry, and regulatory sectors.

21.1 This appropriation is available until June 30,
21.2 2028.

21.3 (c) \$95,000 the first year and \$95,000 the
21.4 second year are for a report that quantifies the
21.5 multiple benefits of clean water investments,
21.6 for a review of equity considerations in clean
21.7 water fund spending, and for proposing
21.8 climate considerations in comprehensive
21.9 watershed management plans.

21.10 (d) \$1,378,000 the first year is to study water's
21.11 role in transporting chronic wasting disease
21.12 prions, including:

21.13 (1) identifying mechanisms for the
21.14 accumulation, persistence, and spread of
21.15 chronic wasting disease prions through
21.16 waterways;

21.17 (2) characterizing chronic wasting disease
21.18 prion abundance in waterways immediately
21.19 downstream of regions known to be positive
21.20 for chronic wasting disease;

21.21 (3) modeling and forecasting chronic wasting
21.22 disease contamination and spread based on
21.23 landscape ecology and hydrology; and

21.24 (4) developing and evaluating remediation
21.25 strategies for prion-contaminated waterways.

21.26 The Board of Regents must submit a report
21.27 with the results of the study to the chairs and
21.28 ranking minority members of the house of
21.29 representatives and senate committees and
21.30 divisions with jurisdiction over environment
21.31 and natural resources and the clean water fund
21.32 no later than January 15, 2023.

21.33 Sec. 10. LEGISLATURE

\$

8,000 \$

-0-

22.1 \$8,000 the first year is for the Legislative
 22.2 Coordinating Commission for the website
 22.3 required under Minnesota Statutes, section
 22.4 3.303, subdivision 10.

22.5 Sec. 11. **PUBLIC FACILITIES AUTHORITY** \$ 8,068,000 \$ 8,068,000

22.6 (a) \$7,968,000 the first year and \$7,968,000
 22.7 the second year are for the point source
 22.8 implementation grants program under
 22.9 Minnesota Statutes, section 446A.073. This
 22.10 appropriation is available until June 30, 2026.

22.11 (b) \$100,000 the first year and \$100,000 the
 22.12 second year are for small community
 22.13 wastewater treatment grants and loans under
 22.14 Minnesota Statutes, section 446A.075. This
 22.15 appropriation is available until June 30, 2026.

22.16 (c) If there is any uncommitted money at the
 22.17 end of each fiscal year under paragraph (a) or
 22.18 (b), the Public Facilities Authority may
 22.19 transfer the remaining funds to eligible
 22.20 projects under any of the programs listed in
 22.21 this section according to a project's priority
 22.22 rank on the Pollution Control Agency's project
 22.23 priority list.

22.24 Sec. 12. **[103C.237] SOIL AND WATER CONSERVATION DISTRICT FEE.**

22.25 Subdivision 1. **Fee.** A county that contains at least one soil and water conservation
 22.26 district may impose an additional fee of \$25 per transaction on the recording or registration
 22.27 of a mortgage subject to the tax under section 287.05, and an additional fee of \$25 on the
 22.28 recording or registration of a deed subject to the tax under section 287.21.

22.29 Subd. 2. **Fee deposited; account.** The fee described in subdivision 1 must be deposited
 22.30 in a special soil and water conservation district account in the county general revenue fund.

22.31 Subd. 3. **Distribution to soil and water conservation districts.** The county treasurer
 22.32 must transfer money from the county soil and water conservation district account to existing
 22.33 soil and water conservation districts within the county in May, October, and December of

23.1 each year. In the event that a county contains more than one soil and water conservation
23.2 district, money must be allocated equally among each district.

23.3 Sec. 13. Minnesota Statutes 2020, section 114D.50, is amended by adding a subdivision
23.4 to read:

23.5 Subd. 8. **County eligibility.** To be eligible for a grant funded with money from the clean
23.6 water fund, a county must:

23.7 (1) impose a soil and water conservation fee under section 103C.237; or

23.8 (2) have at least 75 percent of the county covered by a watershed district established
23.9 under chapter 103D, a watershed management organization as defined under section
23.10 103B.205, subdivision 13, or another joint powers entity organized for the purposes of water
23.11 management with levy authority.

23.12 **EFFECTIVE DATE.** This section is effective July 1, 2022, and applies to grants awarded
23.13 on or after that date.

23.14 Sec. 14. **HEALTH RISK LIMITS; PERFLUOROOCTANE SULFONATE AND**
23.15 **NEONICOTINOIDS.**

23.16 (a) By July 1, 2023, the commissioner of health must amend the health risk limit for
23.17 perfluorooctane sulfonate (PFOS) in Minnesota Rules, part 4717.7860, subpart 15, so that
23.18 the health risk limit does not exceed 0.015 parts per billion.

23.19 (b) By January 15, 2024, the commissioner must adopt health risk limits for clothianidin
23.20 and imidacloprid.

23.21 (c) In amending and adopting the health risk limits required under this section, the
23.22 commissioner must comply with Minnesota Statutes, section 144.0751, requiring a reasonable
23.23 margin of safety to adequately protect the health of infants, children, and adults.

23.24 Sec. 15. **CLEAN WATER COUNCIL; REPORT REQUIRED.**

23.25 (a) By January 15, 2022, the Clean Water Council must submit a report or reports to the
23.26 chairs and ranking minority members of the house of representatives and senate committees
23.27 and divisions with jurisdiction over the environment and natural resources and legacy that
23.28 includes:

23.29 (1) an assessment of the implementation of the high-resolution digital elevation data
23.30 developed with the appropriations in Laws 2009, chapter 172, article 2, section 5, paragraph
23.31 (d), and Laws 2011, First Special Session, chapter 6, article 2, section 6, paragraph (h);

24.1 (2) an assessment of the potential impacts of the February 10, 2021, decision of the
24.2 Minnesota Supreme Court in the consolidated litigation styled as In the Matter of Reissuance
24.3 of an NPDES/SDS Permit to United States Steel Corporation, parent case number A18-2094;
24.4 and

24.5 (3) an evaluation of state agency personnel funded with money from the clean water
24.6 fund, including demographic characteristics, the number of classified and unclassified
24.7 positions, and other equity considerations.

24.8 **Sec. 16. CLEAN WATER COUNCIL; REQUEST FOR PROPOSAL.**

24.9 The Clean Water Council must develop and issue a request for proposal for a study of
24.10 the impacts of 6PPD-quinone, a toxic chemical compound derived from a common rubber
24.11 tire additive, on the state's waters and fish populations. The research must assess the
24.12 prevalence of 6PPD-quinone in stormwater and surface water and impacts to the state's fish
24.13 populations with priority given to areas around Lake Superior and it's salmon populations.