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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 4377

03/17/2022 Authored by Hansen, R.,
03/30/2022 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 legacy; appropriating money from clean water fund.

1.3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.4 Section 1. CLEAN WATER FUND APPROPRIATIONS.

1.5 Subdivision 1. Department of Agriculture. (a) \$2,000,000 in fiscal year 2023 is
1.6 appropriated from the clean water fund to the commissioner of agriculture to monitor trout
1.7 streams in southeastern Minnesota for the presence of neonicotinoids.

1.8 (b) The commissioner of agriculture must monitor and test for microplastics and
1.9 nanoplastics as part of the monitoring and testing work funded under Laws 2021, First
1.10 Special Session chapter 1, article 2, section 3, paragraphs (a) and (i).

1.11 Subd. 2. Pollution Control Agency. (a) \$2,000,000 in fiscal year 2023 is appropriated
1.12 from the clean water fund to the commissioner of the Pollution Control Agency to monitor
1.13 tributaries, including trout streams, near the shores of Lake Superior for perfluoroalkyl and
1.14 polyfluoroalkyl substances.

1.15 (b) \$2,000,000 in fiscal year 2023 is appropriated from the clean water fund to the
1.16 commissioner of the Pollution Control Agency for enhanced monitoring of private wells in
1.17 Washington County for perfluoroalkyl and polyfluoroalkyl substances.

1.18 (c) \$2,000,000 in fiscal year 2023 is appropriated from the clean water fund to the
1.19 commissioner of the Pollution Control Agency to monitor the Mississippi River for metals,
1.20 perfluoroalkyl and polyfluoroalkyl substances, and other contaminants detected in Pig's
1.21 Eye Lake.

2.1 (d) \$400,000 in fiscal year 2023 is appropriated from the clean water fund to the
2.2 commissioner of the Pollution Control Agency to monitor groundwater and surface waters
2.3 in the Battle Creek watershed for perfluoroalkyl and polyfluoroalkyl substances.

2.4 (e) \$2,000,000 in fiscal year 2023 is appropriated from the clean water fund to the
2.5 commissioner of the Pollution Control Agency to collect lead sinkers and other activities
2.6 to improve water quality as part of the Get the Lead Out program.

2.7 (f) \$5,000,000 in fiscal year 2023 is appropriated from the clean water fund to the
2.8 commissioner of the Pollution Control Agency to develop protocols to be used by agencies
2.9 and departments for sampling and testing groundwater, surface water, public drinking water,
2.10 and private wells for microplastics and nanoplastics and to begin implementation. The
2.11 commissioner of the Pollution Control Agency may transfer money appropriated under this
2.12 paragraph to the commissioners of agriculture, natural resources, and health to implement
2.13 the protocols developed under this paragraph and for the testing, monitoring, and assessment
2.14 required under this section.

2.15 (g) The commissioner of the Pollution Control Agency must monitor and assess for
2.16 microplastics and nanoplastics as part of the monitoring and assessment work funded under
2.17 Laws 2021, First Special Session chapter 1, article 2, section 4, paragraphs (a) and (c).

2.18 (h) For the purposes of this section:

2.19 (1) "microplastics" means small pieces of plastic debris in the environment resulting
2.20 from the disposal and breakdown of consumer products and industrial waste that are less
2.21 than five millimeters in length;

2.22 (2) "nanoplastics" means particles within a size ranging from one to 1,000 nanometers
2.23 that are unintentionally produced from the manufacture or degradation of plastic objects
2.24 and that exhibit a colloidal behavior; and

2.25 (3) "plastic" means an organic or petroleum derivative synthetic or a semisynthetic
2.26 organic solid that is moldable and to which additives or other substances may have been
2.27 added. Plastic does not include natural polymers that have not been chemically modified.

2.28 Subd. 3. **Department of Natural Resources.** (a) \$402,000 in fiscal year 2023 is
2.29 appropriated from the clean water fund to the commissioner of natural resources to prepare
2.30 a report on Minnesota's peatlands in cooperation with the Board of Water and Soil Resources.
2.31 Of this amount, \$45,000 is transferred to the commissioner of the Pollution Control Agency
2.32 and \$31,000 is transferred to the Board of Water and Soil Resources. The report must:

2.33 (1) include an assessment of the current state of Minnesota's peatlands;

- 3.1 (2) identify current threats and efforts to protect and restore the state's peatlands;
- 3.2 (3) include an assessment of the level of peat extraction in the state;
- 3.3 (4) provide an estimate of the carbon storage provided by the state's peatlands;
- 3.4 (5) include recommendations for steps the state could take to further protect and restore
- 3.5 peatlands; and
- 3.6 (6) be submitted to the chairs and ranking minority members of the legislative committees
- 3.7 and divisions with jurisdiction over environment and natural resources by January 15, 2023.
- 3.8 (b) \$500,000 in fiscal year 2023 is appropriated from the clean water fund to the
- 3.9 commissioner of natural resources for a grant to Conservation Corps Minnesota for restoration
- 3.10 and enhancement activities to improve water quality, including stream bank stabilization.
- 3.11 (c) The commissioner of natural resources must assess for microplastics and nanoplastics
- 3.12 as part of the assessment work funded under Laws 2021, First Special Session chapter 1,
- 3.13 article 2, section 5, paragraphs (b) and (c).
- 3.14 Subd. 4. **Board of Water and Soil Resources.** (a) \$7,665,000 in fiscal year 2023 is
- 3.15 appropriated from the clean water fund to the Board of Water and Soil Resources to purchase
- 3.16 and restore permanent conservation sites via easements or contracts to treat and store water
- 3.17 on the land for water quality improvement purposes and related technical assistance.
- 3.18 Minnesota Statutes, section 103F.515, applies to this program. The board must give priority
- 3.19 to leveraging federal money by enrolling targeted new lands or enrolling environmentally
- 3.20 sensitive lands that have expiring federal conservation agreements. The board may enter
- 3.21 into new agreements and amend past agreements with landowners as required by Minnesota
- 3.22 Statutes, section 103F.515, subdivision 5, to allow for restoration. Up to \$436,000 is for
- 3.23 deposit in a monitoring and enforcement account.
- 3.24 (b) \$7,665,000 in fiscal year 2023 is appropriated from the clean water fund to the Board
- 3.25 of Water and Soil Resources to purchase and restore peatlands via easements or contracts
- 3.26 to treat and store water on the land for water quality improvement purposes and related
- 3.27 technical assistance. Minnesota Statutes, section 103F.515, applies to this program. The
- 3.28 board must give priority to leveraging federal money by enrolling targeted new lands or
- 3.29 enrolling environmentally sensitive lands that have expiring federal conservation agreements.
- 3.30 The board may enter into new agreements and amend past agreements with landowners as
- 3.31 required by Minnesota Statutes, section 103F.515, subdivision 5, to allow for restoration.
- 3.32 Up to \$436,000 is for deposit in a monitoring and enforcement account.

4.1 Subd. 5. **Metropolitan Council.** \$7,665,000 in fiscal year 2023 is appropriated from
4.2 the clean water fund to the Metropolitan Council for grants to cities and other public water
4.3 suppliers to replace the privately owned portion of residential lead drinking water service
4.4 lines. Grants from this appropriation must first be used to supplement any federal money
4.5 provided to the state as principal forgiveness or grants under Public Law 117-58, the
4.6 Infrastructure Investment and Jobs Act, to cover 100 percent of the cost to replace privately
4.7 owned residential lead service lines.

4.8 Subd. 6. **University of Minnesota.** \$437,000 in fiscal year 2023 is appropriated from
4.9 the clean water fund to the Board of Regents of the University of Minnesota to optimize
4.10 detection methods, determine environmental occurrence, and evaluate the risk to Minnesota's
4.11 fish populations of the toxic tire-derived chemical 6PPDq.

4.12 Subd. 7. **Public Facilities Authority.** \$7,665,000 in fiscal year 2023 is appropriated
4.13 from the clean water fund to the Public Facilities Authority for grants to cities and other
4.14 public water suppliers to replace the privately owned portion of residential lead drinking
4.15 water service lines. Grants from this appropriation must first be used to supplement any
4.16 federal money provided to the state as principal forgiveness or grants under Public Law
4.17 117-58, the Infrastructure Investment and Jobs Act, to cover 100 percent of the cost to
4.18 replace privately owned residential lead service lines.

4.19 Subd. 8. **Availability and other requirements.** All appropriations in this section are
4.20 onetime and are subject to the requirements and availability provisions provided under Laws
4.21 2021, First Special Session chapter 1, article 2.