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State of Minnesota
HOUSE OF REPRESENTATIVES
First Division Engrossment

NINETY-FIRST SESSION

H. F. No. **1928**

03/04/2019 Authored by Hansen, Lillie and Dehn
The bill was read for the first time and referred to the Committee on Ways and Means

Division Action

Referred by Chair to the Environment and Natural Resources Finance Division

03/19/2019 *Division action, to adopt as amended and return to the Committee on Ways and Means*

03/20/2019 *Referred by Chair to the Legacy Finance Division*

1.1 A bill for an act
1.2 relating to waters; modifying Clean Water Legacy Act; appropriating money from
1.3 clean water fund; amending Minnesota Statutes 2018, sections 103B.3369,
1.4 subdivisions 5, 9; 103B.801, subdivisions 2, 4, 5; 114D.15, subdivisions 7, 11, 13,
1.5 by adding subdivisions; 114D.20, subdivisions 2, 3, 5, 7, by adding subdivisions;
1.6 114D.26; 114D.30, by adding a subdivision; 114D.35, subdivisions 1, 3; proposing
1.7 coding for new law in Minnesota Statutes, chapter 114D.

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

1.9 **ARTICLE 1**

1.10 **CLEAN WATER FUND**

1.11 Section 1. **CLEAN WATER FUND APPROPRIATIONS.**

1.12 The sums shown in the columns marked "Appropriations" are appropriated to the agencies
1.13 and for the purposes specified in this article. The appropriations are from the clean water
1.14 fund and are available for the fiscal years indicated for allowable activities under the
1.15 Minnesota Constitution, article XI, section 15. The figures "2020" and "2021" used in this
1.16 article mean that the appropriations listed under them are available for the fiscal year ending
1.17 June 30, 2020, or June 30, 2021, respectively. "The first year" is fiscal year 2020. "The
1.18 second year" is fiscal year 2021. "The biennium" is fiscal years 2020 and 2021. The
1.19 appropriations in this article are onetime.

1.20	<u>APPROPRIATIONS</u>	
1.21	<u>Available for the Year</u>	
1.22	<u>Ending June 30</u>	
1.23	<u>2020</u>	<u>2021</u>

1.24 Sec. 2. **CLEAN WATER**

2.1 Subdivision 1. Total Appropriation \$ 126,959,000 \$ 134,302,000

2.2 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 article 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
 2.9 article must be spent in accordance with
 2.10 Minnesota Management and Budget's
 2.11 Guidance to Agencies on Legacy Fund
 2.12 Expenditure. Notwithstanding Minnesota
 2.13 Statutes, section 16A.28, and unless otherwise
 2.14 specified in this article, fiscal year 2020
 2.15 appropriations are available until June 30,
 2.16 2021, and fiscal year 2021 appropriations are
 2.17 available until June 30, 2022. If a project
 2.18 receives federal funds, the period of the
 2.19 appropriation is extended to equal the
 2.20 availability of federal funding.

2.21 Subd. 3. Disability Access

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

2.32 Sec. 3. DEPARTMENT OF AGRICULTURE \$ 12,445,000 \$ 12,445,000

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

3.1 pesticides, pesticide degradates, microplastics,
3.2 and nanoplastics in surface water and
3.3 groundwater and to use data collected to assess
3.4 pesticide use practices. By January 15, 2021,
3.5 the commissioner must submit a report to the
3.6 chairs and ranking minority members of the
3.7 house of representatives and senate
3.8 committees and divisions with jurisdiction
3.9 over agriculture, environment and natural
3.10 resources, and the clean water fund detailing
3.11 the results of the monitoring and assessment
3.12 conducted under this paragraph and
3.13 information on the pesticide monitoring
3.14 conducted under Minnesota Statutes, section
3.15 18B.064.

3.16 (b) \$2,585,000 the first year and \$2,585,000
3.17 the second year are for monitoring and
3.18 evaluating trends in the concentration of
3.19 nitrate in groundwater in areas vulnerable to
3.20 groundwater degradation; promoting,
3.21 developing, and evaluating regional and
3.22 crop-specific nutrient best management
3.23 practices; assessing best management practice
3.24 adoption; education and technical support from
3.25 University of Minnesota Extension; grants to
3.26 support agricultural demonstration and
3.27 implementation activities; Rosholt Farm; and
3.28 other actions to protect groundwater from
3.29 degradation from nitrate. This appropriation
3.30 is available until June 30, 2024.

3.31 (c) \$75,000 the first year and \$75,000 the
3.32 second year are for administering clean water
3.33 funds managed through the agriculture best
3.34 management practices loan program. Any
3.35 unencumbered balance at the end of the second

4.1 year must be added to the corpus of the loan
4.2 fund.

4.3 (d) \$50,000 the first year and \$50,000 the
4.4 second year are for a research inventory
4.5 database containing water-related research
4.6 activities. Costs for information technology
4.7 development or support for this research
4.8 inventory database may be paid to the Office
4.9 of MN.IT Services. This appropriation is
4.10 available until June 30, 2024.

4.11 (e) \$3,000,000 the first year and \$3,000,000
4.12 the second year are to implement the
4.13 Minnesota agricultural water quality
4.14 certification program statewide. By January
4.15 15, 2021, the commissioner must submit a
4.16 report to the chairs and ranking minority
4.17 members of the house of representatives and
4.18 senate committees and divisions with
4.19 jurisdiction over agriculture, environment and
4.20 natural resources, and the clean water fund
4.21 detailing the outcomes achieved by the
4.22 program, including a comparison of state water
4.23 quality goals and the impact the program has
4.24 on meeting the goals. Funds appropriated in
4.25 this paragraph are available until June 30,
4.26 2024.

4.27 (f) \$385,000 the first year and \$385,000 the
4.28 second year are for a regional irrigation water
4.29 quality specialist through University of
4.30 Minnesota Extension, development and
4.31 statewide expansion of the irrigation
4.32 management assistant tool, irrigation education
4.33 and outreach, and the Agricultural Weather
4.34 Station Network.

5.1 (g) \$5,000,000 the first year and \$5,000,000
 5.2 the second year are for grants for the Forever
 5.3 Green Agriculture Initiative to protect the
 5.4 state's natural resources while increasing the
 5.5 efficiency, profitability, and productivity of
 5.6 Minnesota farmers by reducing agricultural
 5.7 contributions to impaired waters through the
 5.8 incorporation of perennial and winter-annual
 5.9 crops into existing agricultural practices to
 5.10 protect and restore drinking water resources.

5.11 Of this amount, \$2,500,000 each year is to the
 5.12 Board of Regents of the University of
 5.13 Minnesota for grants for research and
 5.14 establishing the Agricultural Diversification
 5.15 Steering Council and Network and \$2,500,000
 5.16 each year is for grants to implement Forever
 5.17 Green crops or cropping systems. This
 5.18 appropriation is available until June 30, 2024.

5.19 (h) \$1,000,000 the first year and \$1,000,000
 5.20 the second year are for testing private wells
 5.21 for pesticides, microplastics, and nanoplastics
 5.22 where nitrate is detected as part of the
 5.23 township testing program. This appropriation
 5.24 is available until June 30, 2024.

5.25 **Sec. 4. PUBLIC FACILITIES AUTHORITY \$ 9,125,000 \$ 9,125,000**

5.26 (a) \$9,000,000 the first year and \$9,000,000
 5.27 the second year are for the point source
 5.28 implementation grants program under
 5.29 Minnesota Statutes, section 446A.073. This
 5.30 appropriation is available until June 30, 2024.

5.31 (b) \$125,000 the first year and \$125,000 the
 5.32 second year are for small community
 5.33 wastewater treatment grants and loans under
 5.34 Minnesota Statutes, section 446A.075. This
 5.35 appropriation is available until June 30, 2024.

6.1 (c) If there is any uncommitted money at the
 6.2 end of each fiscal year under paragraph (a) or
 6.3 (b), the Public Facilities Authority may
 6.4 transfer the remaining funds to eligible
 6.5 projects under any of the programs listed in
 6.6 this section according to a project's priority
 6.7 rank on the Pollution Control Agency's project
 6.8 priority list.

6.9 **Sec. 5. POLLUTION CONTROL AGENCY \$ 24,823,000 \$ 22,623,000**

6.10 (a) \$8,500,000 the first year and \$6,300,000
 6.11 the second year are for completing needed
 6.12 statewide assessments of surface water quality
 6.13 and trends, including assessments for
 6.14 microplastics and nanoplastics, according to
 6.15 Minnesota Statutes, chapter 114D. By January
 6.16 15, 2021, the commissioner must submit a
 6.17 report to the chairs and ranking minority
 6.18 members of the house of representatives and
 6.19 senate committees and divisions with
 6.20 jurisdiction over environment and natural
 6.21 resources and the clean water fund detailing
 6.22 the outcomes achieved under this paragraph.

6.23 (b) \$8,050,000 the first year and \$8,050,000
 6.24 the second year are to develop watershed
 6.25 restoration and protection strategies (WRAPS),
 6.26 which include total maximum daily load
 6.27 (TMDL) studies and TMDL implementation
 6.28 plans according to Minnesota Statutes, chapter
 6.29 114D, for waters on the impaired waters list
 6.30 approved by the United States Environmental
 6.31 Protection Agency. The agency must complete
 6.32 an average of ten percent of the TMDLs each
 6.33 year over the biennium.

6.34 (c) \$1,500,000 the first year and \$1,500,000
 6.35 the second year are for groundwater

7.1 assessment, including assessments for
7.2 microplastics and nanoplastics, enhancing the
7.3 ambient monitoring network, modeling,
7.4 evaluating trends, and reassessing groundwater
7.5 that was assessed ten to 15 years ago and
7.6 found to be contaminated.

7.7 (d) \$750,000 the first year and \$750,000 the
7.8 second year are for implementing the St. Louis
7.9 River System Area of Concern Remedial
7.10 Action Plan.

7.11 (e) \$900,000 the first year and \$900,000 the
7.12 second year are for national pollutant
7.13 discharge elimination system wastewater and
7.14 storm water TMDL implementation efforts.

7.15 (f) \$3,938,000 the first year and \$3,938,000
7.16 the second year are for enhancing the
7.17 county-level delivery systems for subsurface
7.18 sewage treatment system (SSTS) activities
7.19 necessary to implement Minnesota Statutes,
7.20 sections 115.55 and 115.56, for protecting
7.21 groundwater, including base grants for all
7.22 counties with SSTS programs and competitive
7.23 grants to counties with specific plans to
7.24 significantly reduce water pollution by
7.25 reducing the number of systems that are an
7.26 imminent threat to public health or safety or
7.27 are otherwise failing. Counties that receive
7.28 base grants must report the number of sewage
7.29 noncompliant properties upgraded through
7.30 SSTS replacement, connection to a centralized
7.31 sewer system, or other means, including
7.32 property abandonment or buy-out. Counties
7.33 also must report the number of existing SSTS
7.34 compliance inspections conducted in areas
7.35 under county jurisdiction. These required

8.1 reports are to be part of established annual
8.2 reporting for SSTS programs. Counties that
8.3 conduct SSTS inventories or those with an
8.4 ordinance in place that requires an SSTS to
8.5 be inspected as a condition of transferring
8.6 property or as a condition of obtaining a local
8.7 permit must be given priority for competitive
8.8 grants under this paragraph. Of this amount,
8.9 \$1,500,000 each year is available to counties
8.10 for grants to low-income landowners to
8.11 address systems that pose an imminent threat
8.12 to public health or safety or fail to protect
8.13 groundwater. A grant awarded under this
8.14 paragraph may not exceed \$40,000 for the
8.15 biennium. A county receiving a grant under
8.16 this paragraph must submit a report to the
8.17 agency listing the projects funded, including
8.18 an account of the expenditures. By January
8.19 15, 2021, the commissioner must submit a
8.20 report to the chairs and ranking minority
8.21 members of the house of representatives and
8.22 senate committees and divisions with
8.23 jurisdiction over environment and natural
8.24 resources and the clean water fund detailing
8.25 the outcomes achieved under this paragraph
8.26 and past appropriations from the clean water
8.27 fund for this purpose.

8.28 (g) \$775,000 the first year and \$775,000 the
8.29 second year are for a grant program for
8.30 sanitary sewer projects that are included in the
8.31 draft or any updated Voyageurs National Park
8.32 Clean Water Project Comprehensive Plan to
8.33 restore the water quality of waters in
8.34 Voyageurs National Park. Grants must be
8.35 awarded to local government units for projects
8.36 approved by the Voyageurs National Park

9.1 Clean Water Joint Powers Board and must be
9.2 matched by at least 25 percent from sources
9.3 other than the clean water fund.

9.4 (h) \$300,000 the first year and \$300,000 the
9.5 second year are for activities, training, and
9.6 grants that reduce chloride pollution. Of this
9.7 amount, \$100,000 each year is for grants for
9.8 upgrading or removing water-softening units
9.9 at public facilities. This appropriation is
9.10 available until June 30, 2023. Any
9.11 unencumbered grant balances in the first year
9.12 do not cancel but are available for grants in
9.13 the second year.

9.14 (i) \$110,000 the first year and \$110,000 the
9.15 second year are to support activities of the
9.16 Clean Water Council according to Minnesota
9.17 Statutes, section 114D.30, subdivision 1.

9.18 (j) The commissioner must develop protocols
9.19 for testing groundwater and surface water for
9.20 microplastics and nanoplastics to be used by
9.21 agencies and departments required to monitor
9.22 and test for plastics under this article. For the
9.23 purposes of this article, "microplastics" are
9.24 small pieces of plastic debris in the
9.25 environment resulting from the disposal and
9.26 breakdown of consumer products and
9.27 industrial waste that are less than five
9.28 millimeters in length and "nanoplastics" are
9.29 particles within a size ranging from 1 to 1000
9.30 nanometers that are unintentionally produced
9.31 from the manufacture or degradation of plastic
9.32 objects and that exhibit a colloidal behavior.

9.33 (k) Notwithstanding Minnesota Statutes,
9.34 section 16A.28, the appropriations in this
9.35 section are available until June 30, 2024.

10.1	Sec. 6. <u>DEPARTMENT OF NATURAL</u>		
10.2	<u>RESOURCES</u>	<u>\$</u>	<u>11,076,000</u>
		<u>\$</u>	<u>11,076,000</u>
10.3	<u>(a) \$2,200,000 the first year and \$2,200,000</u>		
10.4	<u>the second year are for stream flow</u>		
10.5	<u>monitoring.</u>		
10.6	<u>(b) \$1,250,000 the first year and \$1,250,000</u>		
10.7	<u>the second year are for lake Index of</u>		
10.8	<u>Biological Integrity (IBI) assessments,</u>		
10.9	<u>including assessments for microplastics and</u>		
10.10	<u>nanoplastics. At least 50 percent of the</u>		
10.11	<u>assessments must be conducted in the</u>		
10.12	<u>seven-county metropolitan area and the cities</u>		
10.13	<u>of Rochester and Duluth.</u>		
10.14	<u>(c) \$135,000 the first year and \$135,000 the</u>		
10.15	<u>second year are for assessing mercury,</u>		
10.16	<u>microplastics and nanoplastics, and other fish</u>		
10.17	<u>contaminants, including monitoring to track</u>		
10.18	<u>the status of impaired waters over time.</u>		
10.19	<u>(d) \$2,016,000 the first year and \$2,016,000</u>		
10.20	<u>the second year are for developing targeted,</u>		
10.21	<u>science-based watershed restoration and</u>		
10.22	<u>protection strategies.</u>		
10.23	<u>(e) \$2,325,000 the first year and \$2,325,000</u>		
10.24	<u>the second year are for water-supply planning,</u>		
10.25	<u>aquifer protection, and monitoring activities.</u>		
10.26	<u>(f) \$1,200,000 the first year and \$1,200,000</u>		
10.27	<u>the second year are for technical assistance to</u>		
10.28	<u>support local implementation of nonpoint</u>		
10.29	<u>source restoration and protection activities.</u>		
10.30	<u>(g) \$700,000 the first year and \$700,000 the</u>		
10.31	<u>second year are for applied research and tools,</u>		
10.32	<u>including watershed hydrologic modeling;</u>		
10.33	<u>maintaining and updating spatial data for</u>		
10.34	<u>watershed boundaries, streams, and water</u>		

11.1 bodies and integrating high-resolution digital
 11.2 elevation data; and assessing effectiveness of
 11.3 forestry best management practices for water
 11.4 quality.

11.5 (h) \$150,000 the first year and \$150,000 the
 11.6 second year are for developing county
 11.7 geologic atlases.

11.8 (i) \$100,000 the first year and \$100,000 the
 11.9 second year are for maintenance and updates
 11.10 to buffer maps and for technical guidance on
 11.11 interpreting buffer maps for local units of
 11.12 government implementing buffer
 11.13 requirements. Maps must be provided to local
 11.14 units of government and made available to
 11.15 landowners on the Department of Natural
 11.16 Resources' website.

11.17 (j) \$1,000,000 the first year and \$1,000,000
 11.18 the second year are to acquire permanent
 11.19 interests in lands in the Mississippi
 11.20 Headwaters Watershed to protect, enhance,
 11.21 and restore water quality, while preparing for
 11.22 climate change through the Minnesota forests
 11.23 for the future program under Minnesota
 11.24 Statutes, section 84.66.

11.25 **Sec. 7. BOARD OF WATER AND SOIL**
 11.26 **RESOURCES**

\$ 56,269,000 \$ 63,269,000

11.27 (a) \$14,711,000 the first year and \$14,711,000
 11.28 the second year are for performance-based
 11.29 grants with multiyear implementation plans
 11.30 to local government units. The grants may be
 11.31 used to implement projects that protect,
 11.32 enhance, and restore surface water quality in
 11.33 lakes, rivers, and streams; protect groundwater
 11.34 from degradation; and protect drinking water
 11.35 sources. Projects must be identified in a

12.1 comprehensive watershed plan developed
12.2 under the One Watershed, One Plan or
12.3 metropolitan surface water management
12.4 frameworks or groundwater plans. Grant
12.5 recipients must identify a nonstate match and
12.6 may use other legacy funds to supplement
12.7 projects funded under this paragraph.

12.8 (b) \$16,300,000 the first year and \$16,300,000
12.9 the second year are for grants to local
12.10 government units to protect and restore surface
12.11 water and drinking water; to keep water on
12.12 the land; to protect, enhance, and restore water
12.13 quality in lakes, rivers, and streams; and to
12.14 protect groundwater and drinking water,
12.15 including feedlot water quality and subsurface
12.16 sewage treatment system projects and stream
12.17 bank, stream channel, shoreline restoration,
12.18 and ravine stabilization projects. The projects
12.19 must use practices demonstrated to be
12.20 effective, be of long-lasting public benefit,
12.21 include a match, and be consistent with total
12.22 maximum daily load (TMDL) implementation
12.23 plans, watershed restoration and protection
12.24 strategies (WRAPS), or local water
12.25 management plans or their equivalents. A
12.26 portion of this money may be used to seek
12.27 administrative efficiencies through shared
12.28 resources by multiple local governmental
12.29 units. Of this appropriation, at least 20 percent
12.30 is for land-conservation projects and practices
12.31 that benefit drinking water.

12.32 (c) \$6,050,000 the first year and \$6,050,000
12.33 the second year are for accelerated
12.34 implementation, including local resource
12.35 protection, enhancement grants, and statewide

- 13.1 analytical targeting tools that fill an identified
13.2 gap, program enhancements for technical
13.3 assistance, citizen and community outreach,
13.4 compliance, and training and certification. By
13.5 January 15, 2021, the commissioner must
13.6 submit a report to the Clean Water Council
13.7 and the chairs and ranking minority members
13.8 of the house of representatives and senate
13.9 committees and divisions with jurisdiction
13.10 over environment and natural resources and
13.11 the clean water fund detailing the outcomes
13.12 achieved with this appropriation.
- 13.13 (d) \$1,000,000 the first year and \$1,000,000
13.14 the second year are to provide state oversight
13.15 and accountability, evaluate and communicate
13.16 results, provide implementation tools, and
13.17 measure the value of conservation program
13.18 implementation by local governments,
13.19 including submitting to the legislature by
13.20 March 1 each even-numbered year a biennial
13.21 report prepared by the board, in consultation
13.22 with the commissioners of natural resources,
13.23 health, agriculture, and the Pollution Control
13.24 Agency, detailing the recipients, the projects
13.25 funded under this section, and the amount of
13.26 pollution reduced.
- 13.27 (e) \$2,500,000 the first year and \$2,500,000
13.28 the second year are to provide assistance,
13.29 oversight, and grants for supporting local
13.30 governments in implementing and complying
13.31 with riparian protection and excessive soil loss
13.32 requirements.
- 13.33 (f) \$4,875,000 the first year and \$4,875,000
13.34 the second year are to purchase, restore, or
13.35 preserve riparian land adjacent to lakes, rivers,

- 14.1 streams, and tributaries, by easements or
14.2 contracts, to keep water on the land to decrease
14.3 sediment, pollutant, and nutrient transport;
14.4 reduce hydrologic impacts to surface waters;
14.5 and increase infiltration for groundwater
14.6 recharge. Up to \$507,000 is for deposit in a
14.7 monitoring and enforcement account.
- 14.8 (g) \$5,000,000 the first year and \$5,000,000
14.9 the second year are for permanent
14.10 conservation easements on wellhead protection
14.11 areas under Minnesota Statutes, section
14.12 103F.515, subdivision 2, paragraph (d), or for
14.13 grants to local units of government for fee title
14.14 acquisition to permanently protect
14.15 groundwater supply sources on wellhead
14.16 protection areas. Priority must be placed on
14.17 land that is located where the vulnerability of
14.18 the drinking water supply is designated as high
14.19 or very high by the commissioner of health,
14.20 where drinking water protection plans have
14.21 identified specific activities that will achieve
14.22 long-term protection, and on lands with
14.23 expiring Conservation Reserve Program
14.24 contracts. Up to \$182,000 is for deposit in a
14.25 monitoring and enforcement account.
- 14.26 (h) \$100,000 the first year and \$100,000 the
14.27 second year are for a technical evaluation
14.28 panel to conduct at least ten restoration
14.29 evaluations under Minnesota Statutes, section
14.30 114D.50, subdivision 6.
- 14.31 (i) \$2,270,000 the first year and \$2,270,000
14.32 the second year are for assistance, oversight,
14.33 and grants to local governments to transition
14.34 local water management plans to a watershed
14.35 approach as provided for in Minnesota

15.1 Statutes, chapters 103B, 103C, 103D, and
15.2 114D.

15.3 (j) \$7,500,000 the second year is to purchase
15.4 and restore permanent conservation sites via
15.5 easements or contracts to treat and store water
15.6 on the land for water quality improvement
15.7 purposes and related technical assistance. This
15.8 work may be done in cooperation with the
15.9 United States Department of Agriculture with
15.10 a first-priority use to accomplish a
15.11 conservation reserve enhancement program,
15.12 or equivalent, in the state. Up to \$397,000 is
15.13 for deposit in a monitoring and enforcement
15.14 account.

15.15 (k) \$1,750,000 the first year and \$1,750,000
15.16 the second year are to purchase permanent
15.17 conservation easements to protect lands
15.18 adjacent to public waters with good water
15.19 quality but threatened with degradation. Up
15.20 to \$338,000 is for deposit in a monitoring and
15.21 enforcement account.

15.22 (l) \$213,000 the first year and \$213,000 the
15.23 second year are for a program including grants
15.24 and contracts to systematically collect data
15.25 and produce county, watershed, and statewide
15.26 estimates of soil erosion caused by water and
15.27 wind along with tracking adoption of
15.28 conservation measures, including cover crops,
15.29 to address erosion. Up to \$175,000 each year
15.30 is available for grants to or contracts with the
15.31 University of Minnesota to complete this
15.32 work.

15.33 (m) \$1,000,000 the first year and \$1,000,000
15.34 the second year are for grants or contracts to
15.35 local, regional, or tribal government and

17.1 in Minnesota drinking water for which no
17.2 health-based drinking water standards exist;
17.3 for developing and adopting at least eight
17.4 health risk limits consistent with Minnesota
17.5 Statutes, section 144.0751; for improving the
17.6 department's capacity to monitor the water
17.7 quality of drinking water sources, including
17.8 establishing and implementing water quality
17.9 monitoring protocols for surface waters used
17.10 as a drinking water source; to develop
17.11 interventions to improve water quality; and
17.12 for the department's laboratory to analyze
17.13 unregulated contaminants. By January 15,
17.14 2020, the commissioner of health must submit
17.15 a preliminary report to the chairs and ranking
17.16 minority members of the house of
17.17 representatives and senate committees and
17.18 divisions with jurisdiction over health policy
17.19 and environment and natural resources finance
17.20 and policy that identifies the health risk limits
17.21 to be developed, the water quality monitoring
17.22 protocols to be implemented, the surface
17.23 waters to be tested, and the list of
17.24 contaminants to be tested for. A final report
17.25 detailing the outcomes of this appropriation
17.26 and recommendations must be submitted by
17.27 the commissioner to the chairs and ranking
17.28 minority members by January 15, 2022.

17.29 (b) \$2,747,000 the first year and \$2,747,000
17.30 the second year are for protecting drinking
17.31 water sources.

17.32 (c) \$250,000 the first year and \$250,000 the
17.33 second year are for cost-share assistance to
17.34 public and private well owners for up to 50
17.35 percent of the cost of sealing unused wells.

- 18.1 (d) \$650,000 the first year and \$650,000 the
18.2 second year are to develop and deliver
18.3 groundwater restoration and protection
18.4 strategies on a watershed scale for use in local
18.5 comprehensive water planning efforts, to
18.6 provide resources to local governments for
18.7 activities that protect sources of drinking
18.8 water, and to enhance approaches that improve
18.9 the capacity of local governmental units to
18.10 protect and restore groundwater resources.
- 18.11 (e) \$1,000,000 the first year and \$1,000,000
18.12 the second year are for studying the occurrence
18.13 and magnitude of contaminants in private
18.14 wells, including microplastics and
18.15 nanoplastics, and developing guidance,
18.16 outreach, and interventions to reduce risks to
18.17 private-well owners.
- 18.18 (f) \$250,000 the first year and \$250,000 the
18.19 second year are for evaluating and addressing
18.20 the risks from viruses, bacteria, and protozoa
18.21 in groundwater supplies and for evaluating
18.22 land uses that may contribute to contamination
18.23 of public water systems with these pathogens.
- 18.24 (g) \$350,000 the first year and \$350,000 the
18.25 second year are to develop public health
18.26 policies and an action plan to address threats
18.27 to safe drinking water, including development
18.28 of a statewide plan for protecting drinking
18.29 water.
- 18.30 (h) \$275,000 the first year and \$275,000 the
18.31 second year are to create a road map for water
18.32 reuse implementation in Minnesota and to
18.33 address research gaps by studying Minnesota
18.34 water reuse systems.

19.1 (i) Unless otherwise specified, the
 19.2 appropriations in this section are available
 19.3 until June 30, 2023.

19.4 **Sec. 9. METROPOLITAN COUNCIL \$ 2,890,000 \$ 1,500,000**

19.5 (a) \$1,000,000 the first year and \$1,000,000
 19.6 the second year are to implement projects that
 19.7 address emerging threats to the drinking water
 19.8 supply, provide cost-effective regional
 19.9 solutions, leverage interjurisdictional
 19.10 coordination, support local implementation of
 19.11 water supply reliability projects, and prevent
 19.12 degradation of groundwater resources in the
 19.13 metropolitan area. These projects will provide
 19.14 communities with:

19.15 (1) potential solutions to leverage regional
 19.16 water use by using surface water, storm water,
 19.17 wastewater, and groundwater;

19.18 (2) an analysis of infrastructure requirements
 19.19 for different alternatives;

19.20 (3) development of planning-level cost
 19.21 estimates, including capital costs and operating
 19.22 costs;

19.23 (4) identification of funding mechanisms and
 19.24 an equitable cost-sharing structure for
 19.25 regionally beneficial water supply
 19.26 development projects; and

19.27 (5) development of subregional groundwater
 19.28 models.

19.29 (b) \$500,000 the first year and \$500,000 the
 19.30 second year are for the water demand
 19.31 reduction grant program to encourage
 19.32 municipalities in the metropolitan area to
 19.33 implement measures to reduce water demand

20.1 to ensure the reliability and protection of
 20.2 drinking water supplies.
 20.3 (c) \$1,390,000 the first year is for grants or
 20.4 loans for local inflow and infiltration reduction
 20.5 programs addressing high-priority areas in the
 20.6 metropolitan area, as defined in Minnesota
 20.7 Statutes, section 473.121, subdivision 2.

20.8 **Sec. 10. UNIVERSITY OF MINNESOTA \$ 1,500,000 \$ 1,500,000**

20.9 (a) \$500,000 the first year and \$500,000 the
 20.10 second year are for developing county
 20.11 geologic atlases. This appropriation is
 20.12 available until June 30, 2026.

20.13 (b) \$750,000 the first year and \$750,000 the
 20.14 second year are for a program to evaluate
 20.15 performance and technology transfer for
 20.16 municipal storm water best management
 20.17 practices, to evaluate best management
 20.18 performance and effectiveness to support
 20.19 meeting total maximum daily loads, to develop
 20.20 standards and incorporate state-of-the-art
 20.21 guidance using minimal impact design
 20.22 standards as the model, and to implement a
 20.23 system to transfer knowledge and technology
 20.24 across local government, industry, and
 20.25 regulatory sectors. This appropriation is
 20.26 available until June 30, 2026.

20.27 (c) \$250,000 the first year and \$250,000 the
 20.28 second year are to increase the efficacy and
 20.29 cost-effectiveness of nutrient reduction
 20.30 strategies by developing comprehensive carp
 20.31 management programs and documenting their
 20.32 effectiveness.

20.33 **Sec. 11. LEGISLATURE \$ 9,000 \$ -0-**

21.1 \$9,000 the first year is for the Legislative
21.2 Coordinating Commission for the website
21.3 required under Minnesota Statutes, section
21.4 3.303, subdivision 10.

21.5 Sec. 12. Minnesota Statutes 2018, section 114D.30, is amended by adding a subdivision
21.6 to read:

21.7 Subd. 8. **Legislative oversight.** The chairs of the house of representatives and senate
21.8 committees and divisions with jurisdiction over the environment and natural resources
21.9 finance and the clean water fund must convene a joint hearing to review the activities and
21.10 evaluate the effectiveness of the Clean Water Council and to receive reports on the council
21.11 from the legislative auditor no later than June 30, 2020, and every four years thereafter.

21.12 **ARTICLE 2**

21.13 **CLEAN WATER LEGACY ACT MODIFICATIONS**

21.14 Section 1. Minnesota Statutes 2018, section 103B.3369, subdivision 5, is amended to read:

21.15 Subd. 5. **Financial assistance.** ~~A base grant may be awarded to a county that provides~~
21.16 ~~a match utilizing a water implementation tax or other local source. A water implementation~~
21.17 ~~tax that a county intends to use as a match to the base grant must be levied at a rate sufficient~~
21.18 ~~to generate a minimum amount determined by the board.~~ The board may award
21.19 performance-based, watershed-based, or program-based grants or other financial assistance
21.20 to local units of government that are responsible for implementing elements of applicable
21.21 portions of watershed management plans, comprehensive plans, local water management
21.22 plans, or comprehensive watershed management plans, developed or amended, adopted and
21.23 approved, according to chapter 103B, 103C, or 103D. Upon request by a local government
21.24 unit, the board may also award performance-based grants to local units of government to
21.25 carry out TMDL implementation plans as provided in chapter 114D, if the TMDL
21.26 implementation plan has been incorporated into the local water management plan according
21.27 to the procedures for approving comprehensive plans, watershed management plans, local
21.28 water management plans, or comprehensive watershed management plans under chapter
21.29 103B, 103C, or 103D, or if the TMDL implementation plan has undergone a public review
21.30 process. Notwithstanding section 16A.41, the board may award performance-based,
21.31 watershed-based, or program-based grants or other financial assistance on an advanced
21.32 basis and may prescribe the amount of local match required. ~~The fee authorized in section~~
21.33 ~~40A.152 may be used as a local match or as a supplement to state funding to accomplish~~

22.1 ~~implementation of comprehensive plans, watershed management plans, local water~~
22.2 ~~management plans, or comprehensive watershed management plans under this chapter and~~
22.3 ~~chapter 103C or 103D~~ Performance measures must be included in grant work plans. The
22.4 board may enter into intergovernmental agreements to provide funding for water management
22.5 to local governments.

22.6 Sec. 2. Minnesota Statutes 2018, section 103B.3369, subdivision 9, is amended to read:

22.7 Subd. 9. ~~Performance-based Criteria.~~ (a) ~~The board shall~~ must develop and ~~utilize~~ use
22.8 performance-based criteria for local water resources restoration, protection, and management
22.9 programs and projects. The criteria may include but are not limited to science-based
22.10 assessments, organizational capacity, priority resource issues, community outreach and
22.11 support, partnership potential, potential for multiple benefits, and program and project
22.12 delivery efficiency and effectiveness.

22.13 (b) Notwithstanding paragraph (a), the board may develop and use eligibility criteria
22.14 for state grants or other financial assistance provided to local governments.

22.15 Sec. 3. Minnesota Statutes 2018, section 103B.801, subdivision 2, is amended to read:

22.16 Subd. 2. **Program purposes.** The purposes of the comprehensive watershed management
22.17 plan program under section 103B.101, subdivision 14, paragraph (a), are to:

22.18 (1) align local water planning purposes and procedures under this chapter and chapters
22.19 103C and 103D on watershed boundaries to create a systematic, watershed-wide,
22.20 science-based approach to watershed management;

22.21 (2) acknowledge and build off existing local government structure, water plan services,
22.22 and local capacity;

22.23 (3) incorporate and make use of data and information, including watershed restoration
22.24 and protection strategies under section 114D.26, which may serve to fulfill all or some of
22.25 the requirements under chapter 114D;

22.26 (4) solicit input and engage experts from agencies, citizens, and stakeholder groups;

22.27 (5) focus on implementation of prioritized and targeted actions capable of achieving
22.28 measurable progress; ~~and~~

22.29 (6) serve as a substitute for a comprehensive plan, local water management plan, or
22.30 watershed management plan developed or amended, approved, and adopted, according to
22.31 this chapter or chapter 103C or 103D; and

23.1 (7) protect sensitive groundwater areas as defined in section 103F.511, subdivision 9,
23.2 and be considered and acknowledged by the commissioner of health as providing wellhead
23.3 protection measures and supporting wellhead protection planning where relevant.

23.4 Sec. 4. Minnesota Statutes 2018, section 103B.801, subdivision 4, is amended to read:

23.5 Subd. 4. **Plan content.** The board shall develop policies for required comprehensive
23.6 watershed management plan content consistent with comprehensive local water management
23.7 planning. To ensure effectiveness and accountability in meeting the purposes of subdivision
23.8 2, plan content must include, at a minimum:

23.9 (1) an analysis and prioritization of issues and resource concerns;

23.10 (2) measurable goals to address the issues and concerns, including but not limited to:

23.11 (i) restoration, protection, and preservation of drinking water sources and natural surface
23.12 water and groundwater storage and retention systems;

23.13 (ii) minimization of public capital expenditures needed to correct flooding and water
23.14 quality problems;

23.15 (iii) restoration, protection, and improvement of surface water and groundwater quality;

23.16 (iv) establishment of more uniform local policies and official controls for surface water
23.17 and groundwater management;

23.18 (v) identification of priority areas for wetland enhancement, restoration, and
23.19 establishment;

23.20 (vi) identification of priority areas for riparian zone management and buffers;

23.21 (vii) prevention of erosion and soil transport into surface water systems;

23.22 (viii) promotion of groundwater recharge;

23.23 (ix) protection and enhancement of fish and wildlife habitat and water recreational
23.24 facilities; and

23.25 (x) securing other benefits associated with the proper management of surface water and
23.26 groundwater;

23.27 (3) a targeted implementation schedule describing at a minimum the actions, locations,
23.28 timeline, estimated costs, method of measurement, and identification of roles and responsible
23.29 government units;

24.1 (4) a description of implementation programs, including how the implementation schedule
24.2 will be achieved and how the plan will be administered and coordinated between local water
24.3 management responsibilities; and

24.4 (5) a land and water resource inventory.

24.5 Sec. 5. Minnesota Statutes 2018, section 103B.801, subdivision 5, is amended to read:

24.6 Subd. 5. **Timelines; administration.** (a) The board shall develop and adopt, by June
24.7 30, 2016, a transition plan for development, approval, adoption, and coordination of plans
24.8 consistent with section 103A.212. The transition plan must include a goal of completing
24.9 statewide transition to comprehensive watershed management plans by 2025. The
24.10 metropolitan area may be considered for inclusion in the transition plan. The board may
24.11 amend the transition plan no more than once every two years.

24.12 (b) The board may use the authority under section 103B.3369, subdivision 9, to support
24.13 development or implementation of a comprehensive watershed management plan under this
24.14 section.

24.15 Sec. 6. Minnesota Statutes 2018, section 114D.15, is amended by adding a subdivision to
24.16 read:

24.17 Subd. 3a. **Comprehensive local water management plan.** "Comprehensive local water
24.18 management plan" has the meaning given under section 103B.3363, subdivision 3.

24.19 Sec. 7. Minnesota Statutes 2018, section 114D.15, is amended by adding a subdivision to
24.20 read:

24.21 Subd. 3b. **Comprehensive watershed management plan.** "Comprehensive watershed
24.22 management plan" has the meaning given under section 103B.3363, subdivision 3a.

24.23 Sec. 8. Minnesota Statutes 2018, section 114D.15, subdivision 7, is amended to read:

24.24 Subd. 7. **Restoration.** "Restoration" means actions, ~~including effectiveness monitoring,~~
24.25 ~~that are~~ taken to pursue, achieve, and maintain water quality standards for impaired waters
24.26 ~~in accordance with a TMDL that has been approved by the United States Environmental~~
24.27 ~~Protection Agency under federal TMDL requirements.~~

24.28 Sec. 9. Minnesota Statutes 2018, section 114D.15, subdivision 11, is amended to read:

24.29 Subd. 11. **TMDL implementation plan.** "TMDL implementation plan" means a
24.30 document detailing restoration strategies or activities needed to meet ~~the~~ approved TMDL's

25.1 TMDL pollutant load allocations for point and nonpoint sources. This could include a
25.2 WRAPS, a comprehensive watershed management plan, a comprehensive local water
25.3 management plan, or another document or strategy that the commissioner of the Pollution
25.4 Control Agency determines to be, in whole or in part, sufficient to provide reasonable
25.5 assurance of achieving applicable water quality standards.

25.6 Sec. 10. Minnesota Statutes 2018, section 114D.15, subdivision 13, is amended to read:

25.7 Subd. 13. **Watershed restoration and protection strategy or WRAPS.** "Watershed
25.8 restoration and protection strategy" or "WRAPS" means a document summarizing scientific
25.9 studies of a major watershed ~~no larger than~~ at approximately a hydrologic unit code 8
25.10 ~~including the physical, chemical, and biological assessment of the water quality of the~~
25.11 ~~watershed; identification of impairments and water bodies in need of protection; identification~~
25.12 ~~of biotic stressors and sources of pollution, both point and nonpoint; TMDLs for the~~
25.13 ~~impairments; and an implementation table containing~~ scale with strategies and actions
25.14 designed to achieve and maintain water quality standards and goals.

25.15 Sec. 11. Minnesota Statutes 2018, section 114D.20, subdivision 2, is amended to read:

25.16 Subd. 2. **Goals for implementation.** The following goals must guide the implementation
25.17 of this chapter:

25.18 (1) to identify impaired waters in accordance with federal TMDL requirements ~~within~~
25.19 ~~ten years after May 23, 2006, and thereafter~~ to ensure continuing evaluation of surface
25.20 waters for impairments;

25.21 (2) to submit TMDLs to the United States Environmental Protection Agency ~~for all~~
25.22 ~~impaired waters~~ in a timely manner in accordance with federal TMDL requirements;

25.23 (3) to ~~set a reasonable time~~ inform and support strategies for implementing restoration
25.24 ~~of each identified impaired water~~ and protection activities in a reasonable time period;

25.25 (4) to systematically evaluate waters, to provide assistance and incentives to prevent
25.26 waters from becoming impaired, and to improve the quality of waters that are listed as
25.27 impaired ~~but do not have an approved TMDL addressing the impairment;~~

25.28 (5) to promptly seek the delisting of waters from the impaired waters list when those
25.29 waters are shown to achieve the designated uses applicable to the waters;

25.30 (6) to achieve compliance with federal Clean Water Act requirements in Minnesota;

- 26.1 (7) to support effective measures to prevent the degradation of groundwater according
26.2 to the groundwater degradation prevention goal under section 103H.001; and
26.3 (8) to support effective measures to restore degraded groundwater.

26.4 Sec. 12. Minnesota Statutes 2018, section 114D.20, subdivision 3, is amended to read:

26.5 Subd. 3. **Implementation policies.** The following policies must guide the implementation
26.6 of this chapter:

26.7 (1) develop regional ~~and, multiple pollutant, or watershed TMDLs and TMDL~~
26.8 ~~implementation plans, and TMDLs and TMDL implementation plans for multiple pollutants~~
26.9 ~~or WRAPSs~~, where reasonable and feasible;

26.10 (2) maximize use of available organizational, technical, and financial resources to perform
26.11 sampling, monitoring, and other activities to identify degraded groundwater and impaired
26.12 waters, including use of citizen monitoring and citizen monitoring data used by the Pollution
26.13 Control Agency in assessing water quality that meets the requirements ~~in Appendix D of~~
26.14 ~~the Volunteer Surface Water Monitoring Guide, Minnesota~~ established by the commissioner
26.15 of the Pollution Control Agency (2003);

26.16 (3) maximize opportunities for restoration of degraded groundwater and impaired waters,
26.17 by prioritizing and targeting of available programmatic, financial, and technical resources
26.18 and by providing additional state resources to complement and leverage available resources;

26.19 (4) use existing regulatory authorities to achieve restoration for point and nonpoint
26.20 sources of pollution where applicable, and promote the development and use of effective
26.21 nonregulatory measures to address pollution sources for which regulations are not applicable;

26.22 (5) use restoration methods that have a demonstrated effectiveness in reducing
26.23 impairments and provide the greatest long-term positive impact on water quality protection
26.24 and improvement and related conservation benefits while incorporating innovative approaches
26.25 on a case-by-case basis;

26.26 (6) identify for the legislature any innovative approaches that may strengthen or
26.27 complement existing programs;

26.28 (7) identify and encourage implementation of measures to prevent surface waters from
26.29 becoming impaired and to improve the quality of waters that are listed as impaired but have
26.30 no approved TMDL addressing the impairment using the best available data and technology,
26.31 and establish and report outcome-based performance measures that monitor the progress
26.32 and effectiveness of protection and restoration measures;

27.1 (8) monitor and enforce cost-sharing contracts and impose monetary damages in an
27.2 amount up to 150 percent of the financial assistance received for failure to comply; and

27.3 (9) identify and encourage implementation of measures to prevent groundwater from
27.4 becoming degraded and measures that restore groundwater resources.

27.5 Sec. 13. Minnesota Statutes 2018, section 114D.20, subdivision 5, is amended to read:

27.6 Subd. 5. **Priorities for scheduling and preparing WRAPs and TMDLs.** The
27.7 commissioner of the Pollution Control Agency must seek recommendations from the Clean
27.8 Water Council ~~shall recommend,~~ the commissioners of natural resources, health, and
27.9 agriculture, and the Board of Water and Soil Resources regarding priorities for scheduling
27.10 and preparing WRAPs and TMDLs and TMDL implementation plans, taking into account
27.11 the severity. Recommendations must consider the causes of the impairment impairments,
27.12 the designated uses of ~~those~~ the waters, and other applicable federal TMDL requirements:
27.13 In recommending priorities, the council shall also give consideration to, surface water and
27.14 groundwater interactions, protection of high-quality waters, waters and watersheds with
27.15 declining water quality trends, and waters used as drinking water sources. Furthermore,
27.16 consideration must be given to waters and watersheds:

27.17 (1) ~~with impairments that pose~~ have the greatest potential risk to human health;

27.18 (2) ~~with impairments that pose~~ have the greatest potential risk to threatened or endangered
27.19 species;

27.20 (3) ~~with impairments that pose~~ have the greatest potential risk to aquatic health;

27.21 (4) where other public agencies and participating organizations and individuals, especially
27.22 local, ~~basinwide~~ basin-wide, watershed, or regional agencies or organizations, have
27.23 demonstrated readiness to assist in carrying out the responsibilities, including availability
27.24 and organization of human, technical, and financial resources necessary to undertake the
27.25 work; and

27.26 (5) where there is demonstrated coordination and cooperation among cities, counties,
27.27 watershed districts, and soil and water conservation districts in planning and implementation
27.28 of activities that will assist in carrying out the responsibilities.

27.29 Sec. 14. Minnesota Statutes 2018, section 114D.20, subdivision 7, is amended to read:

27.30 Subd. 7. **Priorities for funding prevention actions.** The Clean Water Council shall
27.31 apply the priorities applicable under subdivision 6, as far as practicable, when recommending
27.32 priorities for funding actions to prevent groundwater and surface waters from becoming

28.1 degraded or impaired and to improve the quality of surface waters that are listed as impaired
28.2 ~~but do not have an approved TMDL.~~

28.3 Sec. 15. Minnesota Statutes 2018, section 114D.20, is amended by adding a subdivision
28.4 to read:

28.5 Subd. 8. **Alternatives; TMDL, TMDL implementation plan, or WRAPS.** (a) If the
28.6 commissioner of the Pollution Control Agency determines that a comprehensive watershed
28.7 management plan or comprehensive local water management plan contains information that
28.8 is sufficient and consistent with guidance from the United States Environmental Protection
28.9 Agency under section 303(d) of the federal Clean Water Act, the commissioner may submit
28.10 the plan to the Environmental Protection Agency according to federal TMDL requirements
28.11 as an alternative to developing a TMDL after consultation with affected national pollutant
28.12 discharge elimination system (NPDES) permit holders.

28.13 (b) A TMDL implementation plan or a WRAPS, or portions thereof, are not needed for
28.14 waters or watersheds when the commissioner of the Pollution Control Agency determines
28.15 that a comprehensive watershed management plan, a comprehensive local water management
28.16 plan, or a statewide or regional strategy published by the Pollution Control Agency meets
28.17 the definition in section 114D.15, subdivision 11 or 13.

28.18 (c) The commissioner of the Pollution Control Agency may request that the Board of
28.19 Water and Soil Resources conduct an evaluation of the implementation efforts under a
28.20 comprehensive watershed management plan or comprehensive local water management
28.21 plan when the commissioner makes a determination under paragraph (b). The board must
28.22 conduct the evaluation in accordance with section 103B.102.

28.23 (d) The commissioner of the Pollution Control Agency may amend or revoke a
28.24 determination made under paragraph (a) or (b) after considering the evaluation conducted
28.25 under paragraph (c).

28.26 Sec. 16. Minnesota Statutes 2018, section 114D.20, is amended by adding a subdivision
28.27 to read:

28.28 Subd. 9. **Coordinating municipal and local water quality activities.** A project, practice,
28.29 or program for water quality improvement or protection that is conducted by a watershed
28.30 management organization or a local government unit with a comprehensive watershed
28.31 management plan or other water management plan approved according to chapter 103B,
28.32 103C, or 103D may be considered by the commissioner of the Pollution Control Agency
28.33 as contributing to the requirements of a storm water pollution prevention program (SWPPP)

29.1 for a municipal separate storm sewer systems (MS4) permit unless the project, practice, or
29.2 program was previously documented as contributing to a different SWPPP for an MS4
29.3 permit. The commissioner of health may determine that a comprehensive watershed
29.4 management plan or a comprehensive local water management plan, in whole or in part, is
29.5 sufficient to fulfill the requirements of wellhead protection plans.

29.6 Sec. 17. Minnesota Statutes 2018, section 114D.26, is amended to read:

29.7 **114D.26 WATERSHED RESTORATION AND PROTECTION STRATEGIES.**

29.8 Subdivision 1. **Contents.** (a) The commissioner of the Pollution Control Agency shall
29.9 develop watershed restoration and protection strategies. ~~To ensure effectiveness and~~
29.10 ~~accountability in meeting the goals of this chapter,~~ for the purposes of:

29.11 (1) summarizing the physical, chemical, and biological assessment of the water quality
29.12 of the watershed;

29.13 (2) quantifying impairments and risks to water quality;

29.14 (3) describing the causes of impairments and pollution sources;

29.15 (4) consolidating TMDLs in a major watershed; and

29.16 (5) informing comprehensive local water management plans and comprehensive
29.17 watershed management plans.

29.18 (b) Each WRAPS shall ~~shall~~ must:

29.19 (1) identify impaired waters and waters in need of protection;

29.20 (2) identify biotic stressors causing impairments or threats to water quality;

29.21 (3) summarize TMDLs, watershed modeling outputs, and resulting pollution load
29.22 allocations, ~~wasteload allocations,~~ and ~~priority areas for targeting actions to improve water~~
29.23 quality identify areas with high pollutant-loading rates;

29.24 ~~(4) identify point sources of pollution for which a national pollutant discharge elimination~~
29.25 ~~system permit is required under section 115.03;~~

29.26 ~~(5) identify nonpoint sources of pollution for which a national pollutant discharge~~
29.27 ~~elimination system permit is not required under section 115.03, with sufficient specificity~~
29.28 ~~to prioritize and geographically locate watershed restoration and protection actions;~~

29.29 ~~(6) describe the current pollution loading and load reduction needed for each source or~~
29.30 ~~source category to meet water quality standards and goals, including wasteload and load~~
29.31 ~~allocations from TMDLs;~~

30.1 ~~(7) contain a plan for ongoing~~ (4) in consultation with local governments and other state
30.2 agencies, identify water quality monitoring needed to fill data gaps, determine changing
30.3 conditions, and or gauge implementation effectiveness; and

30.4 ~~(8) (5) contain an implementation table of strategies and actions~~ that are capable of
30.5 cumulatively achieving needed pollution load reductions for point and nonpoint sources,
30.6 including identifying:

30.7 (i) water quality parameters of concern;

30.8 (ii) current water quality conditions;

30.9 (iii) water quality goals, strategies, and targets by parameter of concern; and

30.10 (iv) ~~strategies and actions by parameter of concern~~ and an example of the scale of
30.11 adoptions needed for each; with a timeline to meet the water quality restoration or protection
30.12 goals of this chapter.

30.13 ~~(v) a timeline for achievement of water quality targets;~~

30.14 ~~(vi) the governmental units with primary responsibility for implementing each watershed~~
30.15 ~~restoration or protection strategy; and~~

30.16 ~~(vii) a timeline and interim milestones for achievement of watershed restoration or~~
30.17 ~~protection implementation actions within ten years of strategy adoption.~~

30.18 Subd. 1a. **Coordination.** To ensure effectiveness, efficiency, and accountability in
30.19 meeting the goals of this chapter, the commissioner of the Pollution Control Agency, in
30.20 consultation with the Board of Water and Soil Resources and local government units, must
30.21 coordinate the schedule, budget, scope, and use of a WRAPS and related documents and
30.22 processes.

30.23 Subd. 2. **Reporting.** Beginning July 1, 2016, and every other year thereafter, the
30.24 commissioner of the Pollution Control Agency must report on its the agency's website the
30.25 progress toward implementation milestones and water quality goals for all adopted TMDLs
30.26 and, where available, WRAPSs.

30.27 Subd. 3. **Timelines; administration.** Each year, (a) The commissioner of the Pollution
30.28 Control Agency must complete WRAPSs for at least ten percent of watershed restoration
30.29 and protection strategies for the state's major watersheds. WRAPS shall be by June 30,
30.30 2023, unless the commissioner determines that a comprehensive watershed management
30.31 plan or comprehensive local water management plan, in whole or in part, meets the definition
30.32 in section 114D.15, subdivision 11 or 13. As needed, the commissioner must update the

31.1 strategies, in whole or in part, after consulting with the Board of Water and Soil Resources
31.2 and local government units.

31.3 (b) Watershed restoration and protection strategies are governed by the procedures for
31.4 approval and notice in section 114D.25, subdivisions 2 and 4, except that ~~WRAPS the~~
31.5 strategies need not be submitted to the United States Environmental Protection Agency.

31.6 Sec. 18. Minnesota Statutes 2018, section 114D.35, subdivision 1, is amended to read:

31.7 Subdivision 1. **Public and stakeholder participation.** (a) Public agencies and private
31.8 entities involved in the implementation of implementing this chapter shall must encourage
31.9 participation by the public and stakeholders, including local citizens, landowners ~~and, land~~
31.10 managers, and public and private organizations, ~~in identifying impaired waters, in developing~~
31.11 ~~TMDLs, in planning, priority setting, and implementing restoration of impaired waters, in~~
31.12 ~~identifying degraded groundwater, and in protecting and restoring groundwater resources.~~

31.13 (b) In particular, the commissioner of the Pollution Control Agency shall must make
31.14 reasonable efforts to provide timely information to the public and to stakeholders about
31.15 impaired waters that have been identified by the agency. ~~The agency shall seek broad and~~
31.16 ~~early public and stakeholder participation in scoping the activities necessary to develop a~~
31.17 ~~TMDL, including the scientific models, methods, and approaches to be used in TMDL~~
31.18 ~~development, and to implement restoration pursuant to section 114D.15, subdivision 7 and~~
31.19 to inform and consult with the public and stakeholders in developing a WRAPS or TMDL.

31.20 (c) Public agencies and private entities using public funds that are involved in
31.21 implementing restoration and protection identified in a comprehensive watershed
31.22 management plan or comprehensive local water management plan must make efforts to
31.23 inform, consult, and involve the public and stakeholders.

31.24 (d) The commissioner of the Pollution Control Agency and the Board of Water and Soil
31.25 Resources must coordinate public and stakeholder participation in consultation with local
31.26 government units. To the extent practicable, implementation of this chapter must be
31.27 accomplished in cooperation with local, state, federal, and tribal governments and
31.28 private-sector organizations.

31.29 Sec. 19. Minnesota Statutes 2018, section 114D.35, subdivision 3, is amended to read:

31.30 Subd. 3. **Education.** The Clean Water Council ~~shall~~ must develop strategies for
31.31 informing, educating, and encouraging the participation of citizens, stakeholders, and others
31.32 regarding ~~the identification of impaired waters, development of TMDLs, development of~~

32.1 ~~TMDL implementation plans, implementation of restoration for impaired waters,~~
32.2 ~~identification of degraded groundwater, and protection and restoration of groundwater~~
32.3 ~~resources~~ this chapter. Public agencies ~~shall be~~ are responsible for implementing the
32.4 strategies.

32.5 Sec. 20. [114D.47] NONPOINT FUNDING ALTERNATIVE.

32.6 Notwithstanding section 114D.50, subdivision 3a, the Board of Water and Soil Resources
32.7 may, by board order, establish alternative timelines or content for the priority funding plan
32.8 for nonpoint sources under section 114D.50, subdivision 3a, and may use information from
32.9 comprehensive watershed management plans or comprehensive local water management
32.10 plans to estimate or summarize costs.