

This Document can be made available in alternative formats upon request

State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 1835

03/12/2015 Authored by Runbeck, Fischer and Dean, M.,
The bill was read for the first time and referred to the Committee on Government Operations and Elections Policy

1.1 A bill for an act
1.2 relating to water; modifying the Metropolitan Area Water Supply Advisory
1.3 Committee and specifying its duties; requiring a report; delaying implementation
1.4 of a groundwater management area plan; amending Minnesota Statutes 2014,
1.5 section 473.1565.

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

1.7 Section 1. Minnesota Statutes 2014, section 473.1565, is amended to read:

1.8 **473.1565 METROPOLITAN AREA WATER SUPPLY PLANNING**
1.9 **ACTIVITIES; ADVISORY COMMITTEE COMMITTEES.**

1.10 Subdivision 1. **Planning activities.** (a) The Metropolitan Council must ~~carry out~~
1.11 ~~planning activities addressing the water supply needs of the metropolitan area as defined~~
1.12 ~~in section 473.121, subdivision 2. The planning activities must include, at a minimum:~~
1.13 provide administrative and staff support to the metropolitan area water supply technical
1.14 and policy advisory committees established in this section, as directed by the chair of
1.15 the policy advisory committee.

1.16 ~~(1) development and maintenance of~~ (b) The technical advisory committee
1.17 established in subdivision 2a must develop a coherent and comprehensive explanation
1.18 of the science governing long-term, sustainable water supply in the region that can be
1.19 understood and used by the policy advisory committee. Among any other activities that,
1.20 in the professional opinion of members of the technical advisory committee, are necessary
1.21 to inform the policy advisory committee's work, the technical advisory committee
1.22 must develop and maintain a base of technical information needed for sound water
1.23 supply decisions including surface and groundwater availability analyses, water demand
1.24 projections, water withdrawal and use impact analyses, modeling, and similar studies;_

2.1 ~~(2) development and periodic update of a metropolitan area master water supply~~
 2.2 ~~plan, prepared in cooperation with and subject to the approval of the commissioner~~
 2.3 ~~of natural resources, that:~~

2.4 (c) The policy advisory committee established in subdivision 2 must use the technical
 2.5 advisory committee's information to develop policy options, and related funding options, to
 2.6 achieve and maintain long-term, sustainable water supply in the region. The options must:

2.7 ~~(i) provides~~ (1) provide guidance for local water supply systems and future regional
 2.8 investments;

2.9 ~~(ii) emphasizes~~ (2) emphasize conservation, interjurisdictional cooperation, and
 2.10 long-term sustainability; ~~and~~

2.11 ~~(iii) addresses~~ (3) address the reliability, security, and cost-effectiveness of water
 2.12 supply in the metropolitan area ~~water supply system~~ and its local and subregional
 2.13 components;

2.14 ~~(3)~~ (4) make recommendations for clarifying the appropriate roles and
 2.15 responsibilities of local, regional, and state government in metropolitan area water supply;

2.16 ~~(4)~~ (5) make recommendations for streamlining and consolidating metropolitan area
 2.17 water supply decision-making and approval processes; and

2.18 ~~(5)~~ (6) make recommendations for the ongoing and long-term funding of
 2.19 metropolitan area water supply planning activities and capital investments.

2.20 ~~(b) The council must carry out the planning activities in this subdivision in~~
 2.21 ~~consultation with the Metropolitan Area Water Supply Advisory Committee established in~~
 2.22 ~~subdivision 2.~~

2.23 Subd. 2. **Policy advisory committee.** (a) A Metropolitan Area Water Supply
 2.24 Policy Advisory Committee is established to ~~assist the council in its planning activities in~~
 2.25 ~~subdivision 1~~ provide policy and technical information about water supply issues in the
 2.26 metropolitan area to the Legislative Water Commission and the legislature. The advisory
 2.27 committee has the following membership:

2.28 (1) the commissioner or deputy commissioner of agriculture ~~or the commissioner's~~
 2.29 ~~designee;~~

2.30 (2) the commissioner or deputy commissioner of health ~~or the commissioner's~~
 2.31 ~~designee;~~

2.32 (3) the commissioner or deputy commissioner of natural resources ~~or the~~
 2.33 ~~commissioner's designee;~~

2.34 (4) the commissioner or deputy commissioner of the Pollution Control Agency
 2.35 ~~or the commissioner's designee;~~

3.1 ~~(5) two officials of counties that are located in the metropolitan area, appointed by~~
 3.2 ~~the governor;~~

3.3 ~~(6) five officials of noncounty local governmental units that are located in the~~
 3.4 ~~metropolitan area, appointed by the governor;~~

3.5 ~~(7) the chair of the Metropolitan Council or the chair's designee, who is chair of the~~
 3.6 ~~advisory committee; and~~

3.7 ~~(8) one official each from the counties of Chisago, Isanti, Sherburne, and Wright,~~
 3.8 ~~appointed by the governor.~~

3.9 ~~A local government unit in each of the seven counties in the metropolitan area~~
 3.10 ~~and Chisago, Isanti, Sherburne, and Wright Counties must be represented in the 11~~
 3.11 ~~appointments made under clauses (5), (6), and (8).~~

3.12 (5) the chair of the Metropolitan Council;

3.13 (6) the executive director of the Board of Water and Soil Resources, who is chair of
 3.14 the policy advisory committee;

3.15 (7) a member of the Board of Water Commissioners of the Saint Paul Regional
 3.16 Water Services, appointed by the Board of Water Commissioners, and the director of the
 3.17 Minneapolis water department;

3.18 (8) five elected city council members appointed by Metro Cities to represent local
 3.19 government suppliers of drinking water in the metropolitan area, other than the members
 3.20 appointed under clause (7);

3.21 (9) two county commissioners of different metropolitan counties, appointed by the
 3.22 Association of Minnesota Counties; and

3.23 (10) four local elected officials from each of the counties of Chisago, Isanti,
 3.24 Sherburne, and Wright, appointed by the League of Minnesota Cities.

3.25 (b) Members of the policy advisory committee ~~appointed by the governor~~ serve
 3.26 at the pleasure of the ~~governor~~ respective appointing authorities. Members of the
 3.27 policy advisory committee serve without compensation but may be reimbursed for their
 3.28 reasonable expenses as ~~determined by the Metropolitan Council~~ provided in section
 3.29 15.0575. The policy advisory committee expires December 31, ~~2016~~ 2017.

3.30 (c) The council must consider the work and recommendations of the policy
 3.31 advisory committee when the council is preparing its ~~regional~~ metropolitan development
 3.32 framework guide.

3.33 Subd. 2. Technical advisory committee. A technical advisory committee is
 3.34 established to inform the policy advisory committee's work. The technical advisory
 3.35 committee shall consist of 11 members appointed by the policy advisory committee as
 3.36 follows:

- 4.1 (1) six members to represent operators of single-city and multicity public water
 4.2 supply systems in the metropolitan area;
 4.3 (2) a hydrologist with expertise in groundwater analysis and modeling;
 4.4 (3) a hydrologist with expertise in surface water analysis and modeling;
 4.5 (4) an engineer with expertise in the design and construction of water supply systems;
 4.6 (5) a person with expertise in population and demographic forecasting and modeling;
 4.7 and
 4.8 (6) a person with expertise in water demand forecasting.

4.9 Members of the technical advisory committee serve at the pleasure of the policy advisory
 4.10 committee, without compensation, but may be reimbursed for their reasonable expenses as
 4.11 provided in section 15.0575. The technical advisory committee expires December 31, 2017.

4.12 Subd. 3. **Reports to legislature.** The council must submit reports to the legislature
 4.13 regarding its findings, recommendations, and continuing planning activities under
 4.14 subdivision 1. These reports shall be included in the "Minnesota Water Plan" required in
 4.15 section 103B.151, and five-year interim reports may be provided as necessary. By February
 4.16 15, 2016, the policy advisory committee shall submit a report to the Legislative Water
 4.17 Commission and the chairs and ranking minority members of the house of representatives
 4.18 and senate committees and divisions with jurisdiction over environment and natural
 4.19 resources with the information required under this section. The policy advisory committee's
 4.20 report and recommendations must include the technical advisory committee's report.

4.21 **EFFECTIVE DATE.** This section is effective the day following final enactment
 4.22 and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and
 4.23 Washington.

4.24 Sec. 2. **NORTH AND EAST METRO GROUNDWATER MANAGEMENT**
 4.25 **AREA PLAN SUSPENSION.**

4.26 Until the report required under Minnesota Statutes, section 473.1565, is submitted to
 4.27 the legislature, the commissioner of natural resources shall not:

- 4.28 (1) implement groundwater appropriation permit changes as proposed in the North
 4.29 and East Metro Groundwater Management Area Plan Draft, prepared February 2, 2015; or
 4.30 (2) require communities to connect to a regional surface water source or otherwise
 4.31 expend resources to plan or prepare for a regional surface water connection.

4.32 **EFFECTIVE DATE.** This section is effective the day following final enactment.