

SENATE
STATE OF MINNESOTA
NINETIETH SESSION

S.F. No. 3120

(SENATE AUTHORS: WESTROM and Ingebrigtsen)

DATE
03/08/2018

D-PG
6365 Introduction and first reading
Referred to Environment and Natural Resources Policy and Legacy Finance

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to environment; providing for offset to achieve certain standards for water
1.3 quality; appropriating money.

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

1.5 Section 1. LAKE WINONA MANAGEMENT; USING OFFSET.

1.6 (a) To facilitate implementation of the Lake Winona total maximum daily load, the
1.7 Alexandria Lake Area Sanitary District may perform lake management activities in Lake
1.8 Winona, in Lake Agnes, or in both lakes. Lake management activities may include, but are
1.9 not limited to, carp removal and alum treatment. If the district agrees to perform lake
1.10 management activities in Lake Winona, Lake Agnes, or both, the commissioner of the
1.11 Pollution Control Agency must approve an offset of the phosphorous loading from the
1.12 Alexandria Lake Area Sanitary District's wastewater treatment facility and must issue or
1.13 amend the district's NPDES permit MN004738 to include the offset and additional permit
1.14 language requiring the commissioner to reevaluate the necessity of the district's final
1.15 phosphorus limits upon completion of the lake management activities. The approved offset
1.16 and related permit language must be consistent with the following:

1.17 (1) the 0.157 mg/L monthly concentration limit for phosphorous contained in the district's
1.18 NPDES permit must be offset by the net phosphorous loading reduction that can reasonably
1.19 be achieved in Lake Agnes as a result of alum treatment or other necessary lake management
1.20 activities;

1.21 (2) the monthly concentration discharge limit for phosphorous for the Alexandria Lake
1.22 Area Sanitary District resulting from the approved offset must be 0.25 mg/L or greater and
1.23 the commissioner may impose an intervention limit of 0.2 mg/L; and

2.1 (3) the alum treatment or other lake management activities contemplated under clause
2.2 (1) need not be completed before the commissioner approves the offset and related discharge
2.3 limits or issues the permit, but the permit must include a schedule of compliance mandating
2.4 that the alum treatment or other lake management activities in Lake Agnes begin by March
2.5 30, 2021, and must provide that the offset is valid until at least March 30, 2026.

2.6 (b) If the district completes lake management activities in Lake Winona, Lake Agnes,
2.7 or both, the commissioner, upon request of the district, must evaluate relevant water quality
2.8 data to determine whether less stringent phosphorus limits than those contained in the
2.9 district's NPDES permit are appropriate. If the commissioner determines that less stringent
2.10 phosphorus limits are warranted and would be consistent with applicable state and federal
2.11 law and regulations, the commissioner must modify the district's permit to include less
2.12 stringent phosphorus limits.

2.13 **EFFECTIVE DATE.** This section is effective the day after the governing body of the
2.14 Alexandria Lake Area Sanitary District and its chief clerical officer timely complete their
2.15 compliance with Minnesota Statutes, section 645.021, subdivisions 2 and 3.

2.16 Sec. 2. **APPROPRIATION; LAKE MANAGEMENT.**

2.17 \$600,000 in fiscal year 2018 is appropriated from the general fund to the Public Facilities
2.18 Authority for a grant to the Alexandria Lake Area Sanitary District for lake management
2.19 activities including but not limited to alum treatment in Lake Agnes, carp removal in Lake
2.20 Winona, and related management and reassessment measures that are intended to achieve
2.21 and maintain compliance with water quality standards for phosphorus and the total maximum
2.22 daily load for Lake Winona. This appropriation does not cancel and is available until
2.23 expended.

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