



*Working to protect the Mississippi River  
and its watershed in the Twin Cities area.*

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March 22nd, 2024

Re: Legacy Budget Omnibus Bill SF 5116 (A-3) - Clean Water Fund Appropriations

Chair Founj Hawj  
Minnesota Senate Environment, Climate, and Legacy Committee  
3231 Minnesota Senate Building  
St. Paul, MN 55155

Chair Hawj,

On behalf of Friends of the Mississippi River, thank you for the opportunity to share our position on the supplemental Clean Water Fund appropriations included in the Legacy Budget Omnibus Bill (SF 5116A-3).

### **Support for the Clean Water Council's recommendations**

As you know, the Clean Water Council (Council) is charged with preparing Clean Water Fund recommendations for the governor and legislature. The Clean Water Council consists of diverse clean water and public health stakeholders committed to soliciting statewide public input in the development of recommendations that maximize the impact of the Clean Water Fund.

The Council's process has produced supplemental Clean Water Fund recommendations that we strongly support, including:

- Minnesota Department of Agriculture (MDA): Nitrate in Groundwater (\$1.0 million) and AgBMP Loan Program (\$3.402 million).
- Minnesota Department of Health (MDH): Drinking Water Contaminants of Emerging Concern (\$384,000) and Southeast Minnesota Nitrate Response (\$2.79 million).
- Department of Natural Resources (DNR): Fish Contamination Assessment (\$90,000).
- Minnesota Pollution Control Agency (MPCA): River and Lake Monitoring and Assessment (\$326,000), Enhanced County Inspection/SSTS Corrective Actions (\$2.0 million), Chloride Reduction Grants (\$1.0 million) and Continuous Nitrate Sensor Network (\$2.0 million).
- Board of Water and Soil Resources (BWSR): Great Lakes Restoration Initiative LAMP match (\$1.0 million), Critical Shoreland Protection Easements (\$4.0 million), Working Land and Floodplain Easements (\$4.434 million) and Clean Water Partners Legacy small grants (\$2.0 million).
- The University of Minnesota: Stormwater BMP Performance Evaluation & Technology Transfer (\$1.0 million).

We are grateful that the Legacy Budget Omnibus Bill includes many of the Council's recommendations.

### **Items of concern**

Due to the following concerns, we do not support the Legacy Budget Omnibus Bill as currently constructed for the following reasons:


1. A significant departure from Clean Water Council recommendations: The bill departs from the Council's recommendations in a manner that we do not support. Of the Council's 14 recommendations, the amendment modifies 9 of them, including high-priority public health initiatives. Instead, the bill includes more than \$6 million in appropriations (~24% of the total available surplus) that were not included in the Council's recommendations.
2. Redirecting funds from an urgent public health issue: The bill partially funds new items by redirecting funding away from high-priority drinking water protection initiatives recommended by the Council. Southeast Minnesota is facing a drinking water crisis. Decades of neglect have left thousands of Minnesotans at risk from contaminated drinking water. The Clean Water Council's recommendations protect public health in part by providing local governments with resources to implement well inventory and well testing initiatives. The Council's full recommendation for these funds should be included in the bill.
3. An expensive 50-year Clean Water Plan for Minnesota: The bill directs \$5.4 million in Clean Water Fund dollars to the University of Minnesota to develop a 50-year Clean Water Plan for Minnesota. While the state would benefit from this study, we consider it a low priority for surplus Clean Water Fund dollars. In addition to comprehensive [Watershed Restoration and Protection Strategies](#) (WRAPS) developed for each of Minnesota's watersheds, the state has previously invested in similar statewide clean water planning initiatives, including:
  - [2010 Minnesota Water Sustainability Framework](#): The Framework provides a long-range plan that frames the major water sustainability issues and provides strategies and recommendations for addressing those issues.
  - [2014 Nutrient Reduction Strategy](#): The Minnesota Nutrient Reduction Strategy was designed to guide the state in reducing excess nutrients in waters statewide.
  - [2014 Clean Water Roadmap](#): The Clean Water Roadmap was prepared by the state and includes goals for protecting and restoring Minnesota's water resources during the 25-year life of the Clean Water, Land and Legacy Amendment.
  - [2020 The Future of Minnesota Drinking Water - A Framework for Managing Risk](#): The Future of Drinking Water report identifies opportunities for the Minnesota Department of Health (MDH) to better manage risks to Minnesota's drinking water.

While we do not oppose additional study, we urge lawmakers to consider funding a 50-year Clean Water Plan through the general fund or a proposal to the LCCMR. Doing so preserves the Council's recommendations and allows the state to invest in the highest-priority clean water initiatives.

Given the relative scarcity of the supplemental Clean Water Fund dollars this session and the urgency associated with many of the Clean Water Council's recommendations, we encourage you to advance a 2024 Legacy Budget Omnibus Bill that reflects the Council's recommendations in their entirety.

Sincerely,

Trevor Russell



Water Program Director  
Friends of the Mississippi River