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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 3940

03/15/2018 Authored by Johnson, C., and Considine
The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy and Finance

1.1 A bill for an act
1.2 relating to waters; appropriating money to reduce nutrients in Minnesota River
1.3 basin.

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

1.5 Section 1. APPROPRIATION; MINNESOTA RIVER BASIN; NUTRIENT
1.6 REDUCTION STRATEGY.

1.7 (a) \$750,000 in fiscal year 2019 is appropriated from the general fund to the Minnesota
1.8 State University Water Resource Center to convene a technical stakeholder group to design
1.9 a comprehensive nutrient reduction strategy for point and nonpoint sources in the Minnesota
1.10 River basin. By September 15, 2018, the stakeholder group must submit a workplan and
1.11 budget for implementing this section and submit the plan and budget to the Legislative
1.12 Water Commission for review. The stakeholder group is limited to the following invitees:

- 1.13 (1) Minnesota Pollution Control Agency;
1.14 (2) Board of Water and Soil Resources;
1.15 (3) Department of Natural Resources;
1.16 (4) Department of Agriculture;
1.17 (5) Association of Minnesota Counties;
1.18 (6) Minnesota Agricultural Water Resource Center;
1.19 (7) League of Minnesota Cities;
1.20 (8) city of Mankato;

2.1 (9) Minnesota Environmental Science and Economic Review Board;

2.2 (10) Minnesota Association of Townships;

2.3 (11) Conservation Minnesota;

2.4 (12) Minnesota Association of Soil and Water Conservation Districts;

2.5 (13) Minnesota AgriGrowth Council;

2.6 (14) Minnesota River Congress;

2.7 (15) Minnesota Rural Water Association;

2.8 (16) Minnesota Corn Growers Association; and

2.9 (17) Minnesota Soybean Growers Association.

2.10 (b) By December 15, 2019, the stakeholder group must submit details of the strategy
2.11 and recommendations for an entity to administer the nutrient reduction plan to the chairs
2.12 and ranking minority members of the house of representatives and senate committees and
2.13 divisions with jurisdiction over environment and natural resources. The stakeholder group
2.14 must develop a strategy that includes a voluntary trading program between point and nonpoint
2.15 sources to address current and future water quality standards for nutrients in the Minnesota
2.16 River basin and identify eligible classes of participants. The stakeholder group must review
2.17 local water management plans, review current practice and science related to point-to-point
2.18 and point-to-nonpoint trading, identify any obstacles to trading in the Minnesota River
2.19 basin, and recommend appropriate actions to enhance trading opportunities to improve
2.20 water quality in the Minnesota River basin, including but not limited to developing
2.21 appropriate trading ratios and creating a trading exchange.

2.22 (c) Until adjournment of the legislative session that is held after the report is submitted
2.23 under paragraph (b), the commissioner of the Pollution Control Agency, to the extent
2.24 allowable under the federal Clean Water Act, must use existing authority under federal and
2.25 state law and rules to ensure that permit holders in the Minnesota River basin are not required
2.26 to expend funds to design or implement wastewater technologies or other wastewater
2.27 treatment methodologies solely to comply with water-quality-based effluent limits, wasteload
2.28 allocations, or other effluent limit requirements derived from or otherwise based on the
2.29 river eutrophication standards in Minnesota Rules, parts 7050.0150, 7050.0220, and
2.30 7050.0222.