State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 639

02/01/2021 Authored by Hansen, R., and Jordan
The bill was read for the first time and referred to the Committee on Environment and Natural Resources Finance and Policy
03/08/2021 Adoption of Report: Amended and re-referred to the Committee on Legacy Finance

A bill for an act

relating to clean water; appropriating money from clean water fund; providing for soil and water conservation district fee and county eligibility for certain funding; requiring rulemaking; requiring studies and reports; amending Minnesota Statutes 2020, section 114D.50, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 103C.

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

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

The sums shown in the columns marked "Appropriations" are appropriated to the agencies and for the purposes specified in this act. The appropriations are from the clean water fund and are available for the fiscal years indicated for allowable activities under the Minnesota Constitution, article XI, section 15. The figures "2022" and "2023" used in this act mean that the appropriations listed under the figure are available for the fiscal year ending June 30, 2022, or June 30, 2023, respectively. "The first year" is fiscal year 2022. "The second year" is fiscal year 2023. "The biennium" is fiscal years 2022 and 2023. These are onetime appropriations.

	APPROPRIATIONS	
	Available for the Year	
	Ending June 30	
	2022	**2023**
Sec. 2. **CLEAN WATER FUND**		
Subdivision 1. **Total Appropriation**	**$ 126,711,000**	**$ 130,081,000**

This appropriation is from the clean water fund. The amounts that may be spent for each purpose are specified in the following sections.

Subd. 2. **Availability of Appropriation**

Money appropriated in this act may not be spent on activities unless they are directly related to and necessary for a specific appropriation. Money appropriated in this act must be spent in accordance with Minnesota Management and Budget *MMB Guidance to Agencies on Legacy Fund Expenditure*. Notwithstanding Minnesota Statutes, section 16A.28, and unless otherwise specified in this act, fiscal year 2022 appropriations are available until June 30, 2023, and fiscal year 2023 appropriations are available until June 30, 2024. If a project receives federal funds, the period of the appropriation is extended to equal the availability of federal funding.

Subd. 3. **Disability Access**

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

Sec. 3. **DEPARTMENT OF AGRICULTURE** **$ 10,144,000** **$ 10,144,000**

(a) $350,000 the first year and $350,000 the second year are to increase monitoring for pesticides, pesticide degradates, microplastics,

and nanoplastics in surface water and groundwater and to use data collected to assess pesticide use practices. This appropriation is available until June 30, 2025.

(b) $2,503,000 the first year and $2,503,000 the second year are for monitoring and evaluating trends in the concentration of nitrate in groundwater in areas vulnerable to groundwater degradation; promoting, developing, and evaluating regional and crop-specific nutrient best management practices; assessing adoption of best management practices; education and technical support from University of Minnesota Extension; grants to support agricultural demonstration and implementation activities, including research activities at the Rosholt Research Farm; and other actions to protect groundwater from degradation from nitrate. This appropriation is available until June 30, 2026.

(c) $75,000 the first year and $75,000 the second year are for administering clean water funds managed through the agriculture best management practices loan program. Any unencumbered balance at the end of the second year must be added to the corpus of the loan fund.

(d) $1,452,000 the first year and $1,452,000 the second year are for technical assistance, research, and demonstration projects on properly implementing best management practices and more-precise information on nonpoint contributions to impaired waters and for grants to support on-farm demonstration

of agricultural practices. This appropriation is available until June 30, 2026.

(e) $40,000 the first year and $40,000 the second year are for maintenance of the Minnesota Water Research Digital Library. Costs for information technology development or support for the digital library may be paid to the Office of MN.IT Services. This appropriation is available until June 30, 2026.

(f) $3,000,000 the first year and $3,000,000 the second year are to implement the Minnesota agricultural water quality certification program statewide. This appropriation is available until June 30, 2026.

(g) $135,000 the first year and $135,000 the second year are for a regional irrigation water quality specialist through University of Minnesota Extension. This appropriation is available until June 30, 2025.

(h) $2,250,000 the first year and $2,250,000 the second year are for grants to fund the Forever Green agriculture initiative and to protect the state's natural resources by incorporating perennial and winter-annual crops into existing agricultural practices. This appropriation is available until June 30, 2026.

(i) $339,000 the first year and $339,000 the second year are for testing private wells for pesticides, microplastics, and nanoplastics where nitrate is detected as part of the township testing program. This appropriation is available until June 30, 2026.

Sec. 4. **POLLUTION CONTROL AGENCY** **$ 21,411,000** **$ 22,426,000**

(a) $7,216,000 the first year and $7,216,000 the second year are for completing needed statewide assessments of surface water quality and trends, including assessments for microplastics and nanoplastics, according to Minnesota Statutes, chapter 114D.

(b) $6,604,000 the first year and $6,604,000 the second year are to develop watershed restoration and protection strategies (WRAPS), which include total maximum daily load (TMDL) studies and TMDL implementation plans according to Minnesota Statutes, chapter 114D, for waters on the impaired waters list approved by the United States Environmental Protection Agency. The agency must complete an average of ten percent of the TMDLs each year over the biennium.

(c) $950,000 the first year and $950,000 the second year are for groundwater assessment, including assessments for microplastics and nanoplastics, enhancing the ambient monitoring network, modeling, evaluating trends, and reassessing groundwater that was assessed ten to 15 years ago and found to be contaminated.

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

(e) $900,000 the first year and $900,000 the second year are for national pollutant discharge elimination system wastewater and stormwater TMDL implementation efforts.

(f) $2,662,000 the first year and $2,662,000 the second year are for enhancing the county-level delivery systems for subsurface sewage treatment system (SSTS) activities necessary to implement Minnesota Statutes, sections 115.55 and 115.56, for protecting groundwater. This appropriation includes base grants for all counties with SSTS programs and competitive grants to counties with specific plans to significantly reduce water pollution by reducing the number of systems that are an imminent threat to public health or safety or are otherwise failing. Counties that receive base grants must report the number of properties with noncompliant systems upgraded through an SSTS replacement, connection to a centralized sewer system, or other means, including property abandonment or buyout. Counties also must report the number of existing SSTS compliance inspections conducted in areas under county jurisdiction. The required reports must be part of the established annual reporting for SSTS programs. Of this amount, at least $900,000 each year is available to counties for grants to low-income landowners to address systems that pose an imminent threat to public health or safety or fail to protect groundwater. A grant awarded under this paragraph may not exceed $40,000 annually. A county receiving a grant under this paragraph must submit a report to the agency listing the projects funded, including an account of the expenditures. By January 15 of each odd-numbered year, the commissioner must submit a report to the chairs and ranking minority members of the

legislative committees and divisions with jurisdiction over environment and natural resources and the clean water fund detailing the outcomes achieved under this paragraph for the previous two years.

(g) $200,000 the first year and $200,000 the second year are for accelerated implementation of municipal separate storm sewer system (MS4) permit requirements, including additional technical assistance to municipalities experiencing difficulties understanding and implementing the basic requirements of the municipal stormwater program.

(h) $700,000 the first year and $700,000 the second year are for a grant program for sanitary sewer projects that are included in the draft or any updated Voyageurs National Park Clean Water Project Comprehensive Plan to restore the water quality of waters in Voyageurs National Park. Grants must be awarded to local government units for projects approved by the Voyageurs National Park Clean Water Joint Powers Board and must be matched by at least 25 percent from sources other than the clean water fund.

(i) $260,000 the first year and $260,000 the second year are for activities, training, and grants that reduce chloride pollution.

(j) $500,000 the first year and $500,000 the second year are to support activities of the Clean Water Council according to Minnesota Statutes, section 114D.30, subdivision 1. The council may use money appropriated in this paragraph for consultants and other assistance

as needed to develop the reports required under this act.

(k) $669,000 the first year and $1,684,000 the second year are to develop protocols for testing groundwater and surface water for microplastics and nanoplastics to be used by agencies and departments required to monitor and test for plastics under this act and to begin testing and implementation. For the purposes of this act, "microplastics" are small pieces of plastic debris in the environment resulting from the disposal and breakdown of consumer products and industrial waste that are less than five millimeters in length and "nanoplastics" are particles within a size ranging from one to 1000 nanometers that are unintentionally produced from the manufacture or degradation of plastic objects and that exhibit a colloidal behavior.

(l) Any unencumbered grant balances in the first year do not cancel but are available for grants in the second year. Notwithstanding Minnesota Statutes, section 16A.28, the appropriations in this section are available until June 30, 2026.

Sec. 5. **DEPARTMENT OF NATURAL RESOURCES** **$ 9,030,000 $ 8,671,000**

(a) $2,000,000 the first year and $2,000,000 the second year are for streamflow monitoring.

(b) $1,000,000 the first year and $1,000,000 the second year are for lake Index of Biological Integrity (IBI) assessments, including assessments for microplastics and nanoplastics.

(c) $70,000 the first year and $66,000 the second year are for assessing mercury, microplastics, and nanoplastics, and other fish contaminants, including monitoring to track the status of impaired waters over time.

(d) $1,900,000 the first year and $1,900,000 the second year are for developing targeted, science-based watershed restoration and protection strategies.

(e) $1,850,000 the first year and $1,850,000 the second year are for water-supply planning, aquifer protection, and monitoring activities and analysis.

(f) $1,300,000 the first year and $1,300,000 the second year are for technical assistance to support local implementation of nonpoint source restoration and protection activities.

(g) $535,000 the first year and $530,000 the second year are for applied research and tools, including watershed hydrologic modeling; maintaining and updating spatial data for watershed boundaries, streams, and water bodies and integrating high-resolution digital elevation data; and assessing effectiveness of forestry best management practices for water quality.

(h) $25,000 the first year and $25,000 the second year are for maintaining and updating buffer maps and for technical guidance on interpreting buffer maps for local units of government implementing buffer requirements. Maps must be provided to local units of government and made available to

landowners on the Department of Natural Resources website.

(i) $350,000 the first year is to develop and designate a groundwater management area under Minnesota Statutes, section 103G.287, subdivision 4, in Dakota County.

Sec. 6. **BOARD OF WATER AND SOIL RESOURCES** **$ 65,078,000 $ 69,178,000**

(a) $21,782,000 the first year and $21,782,000 the second year are for performance-based grants with multiyear implementation plans to local government units. The grants may be used to implement projects that protect, enhance, and restore surface water quality in lakes, rivers, and streams; protect groundwater from degradation; and protect drinking water sources. Projects must be identified in a comprehensive watershed plan developed under the One Watershed, One Plan and seven-county metropolitan groundwater or surface water management frameworks as provided for in Minnesota Statutes, chapters 103B, 103C, 103D, and 114D. Grant recipients must identify a nonstate match and may use other legacy funds to supplement projects funded under this paragraph. This appropriation may be used for:

(1) implementation grants to watershed planning areas with approved plans, including but not limited to Buffalo-Red River, Cannon River, Cedar River, Clearwater River, Des Moines River, Hawk Creek, Lac qui Parle Yellow Bank, Lake of the Woods, Lake Superior North, Le Seuer River, Leech Lake River, Long Prairie River, Lower Minnesota

River North, Lower Minnesota River West, Lower Minnesota River South, Lower St. Croix River, Marsh and Wild Rice, Middle Snake Tamarack Rivers, Mississippi East, Mississippi River Headwaters, Mississippi West, Missouri River Basin, Mustinka/Bois de Sioux, Nemadji River, North Fork Crow River, Otter Tail, Pine River, Pomme de Terre River, Red Lake River, Redeye River, Root River, Rum River, Sauk River, Shell Rock River/Winnebago Watershed, Snake River, South Fork Crow River, St. Louis River, Thief River, Two Rivers Plus, Vermillion, Watonwan River, Winona La Crescent, Yellow Medicine River, and Zumbro River;

(2) seven-county metropolitan groundwater or surface water management frameworks; and

(3) other comprehensive watershed management plan planning areas that have a board-approved and local-government-adopted plan as authorized in Minnesota Statutes, section 103B.801.

The board may determine whether a planning area is not ready to proceed, does not have the nonstate match committed, or has not expended all money granted to it. Upon making the determination, the board may allocate a grant's proposed or unexpended allocation to another planning area to implement priority projects, programs, or practices.

(b) $11,133,000 the first year and $11,133,000 the second year are for grants to local government units to protect and restore surface

water and drinking water; to keep water on the land; to protect, enhance, and restore water quality in lakes, rivers, and streams; and to protect groundwater and drinking water, including feedlot water quality and subsurface sewage treatment system projects and stream bank, stream channel, shoreline restoration, and ravine stabilization projects. The projects must use practices demonstrated to be effective, be of long-lasting public benefit, include a match, and be consistent with total maximum daily load (TMDL) implementation plans, watershed restoration and protection strategies (WRAPS), or local water management plans or their equivalents. Up to 20 percent of this appropriation is available for land-treatment projects and practices that benefit drinking water.

(c) $4,841,000 the first year and $4,841,000 the second year are for accelerated implementation, local resource protection, enhancement grants, statewide analytical targeting or technology tools that fill an identified gap, program enhancements for technical assistance, citizen and community outreach, compliance, and training and certification.

(d) $1,355,000 the first year and $1,355,000 the second year are:

(1) to provide state oversight and accountability, evaluate and communicate results, provide implementation tools, and measure the value of conservation program implementation by local governments; and

(2) to prepare, in consultation with the commissioners of natural resources, health, agriculture, and the Pollution Control Agency, and submit to the legislature by March 1 each even-numbered year a biennial report detailing the recipients and projects funded under this section and the amount of pollution reduced.

(e) $1,936,000 the first year and $1,936,000 the second year are to provide assistance, oversight, and grants for supporting local governments in implementing and complying with riparian protection and excessive soil loss requirements.

(f) $1,936,000 the first year and $1,936,000 the second year are to develop a pilot working lands floodplain program and to purchase, restore, or preserve riparian land and floodplains adjacent to lakes, rivers, streams, and tributaries, by conservation easements or contracts to keep water on the land, to decrease sediment, pollutant, and nutrient transport; reduce hydrologic impacts to surface waters; and increase infiltration for groundwater recharge. Up to $180,000 is for deposit in a monitoring and enforcement account.

(g) $1,000,000 the first year and $1,000,000 the second year are for permanent conservation easements on wellhead protection areas under Minnesota Statutes, section 103F.515, subdivision 2, paragraph (d), or for grants to local units of government for fee title acquisition to permanently protect groundwater supply sources on wellhead protection areas or for otherwise ensuring long-term protection of groundwater supply

sources as described under alternative management tools in the Department of Agriculture *Minnesota Nitrogen Fertilizer Management Plan*, including using low-nitrogen cropping systems or implementing nitrogen fertilizer best management practices. Priority must be placed on land that is located where the vulnerability of the drinking water supply is designated as high or very high by the commissioner of health, where drinking water protection plans have identified specific activities that will achieve long-term protection, and on lands with expiring conservation reserve program contracts. Up to $100,000 is for deposit in a monitoring and enforcement account.

(h) $42,000 the first year and $42,000 the second year are for a technical evaluation panel to conduct ten restoration evaluations under Minnesota Statutes, section 114D.50, subdivision 6.

(i) $2,904,000 the first year and $2,904,000 the second year are for assistance, oversight, and grants to local governments to transition local water management plans to a watershed approach as provided for in Minnesota Statutes, section 103B.801.

(j) $2,000,000 the second year is to purchase and restore permanent conservation sites via easements or contracts to treat and store water on the land for water quality improvement purposes and related technical assistance. This work may be done in cooperation with the United States Department of Agriculture with a first-priority use to accomplish a

conservation reserve enhancement program, or equivalent, in the state. Up to $100,000 is for deposit in a monitoring and enforcement account.

(k) $1,234,000 the first year and $1,234,000 the second year are to purchase permanent conservation easements to protect lands adjacent to public waters that have good water quality but that are threatened with degradation. Up to $300,000 is for deposit in a monitoring and enforcement account.

(l) $362,000 the first year and $362,000 the second year are for grants or contracts for a program to systematically collect data and produce county, watershed, and statewide estimates of soil erosion caused by water and wind, along with tracking adoption of conservation measures, including cover crops, to address erosion. This appropriation may be used for grants to or contracts with the University of Minnesota to complete this work.

(m) $100,000 the first year and $100,00 the second year are for developing and implementing a water legacy grant program to expand partnerships for clean water.

(n) $2,420,000 the first year and $2,420,000 the second year are for permanent conservation easements to protect and restore wetlands and associated uplands. Up to $200,000 is for deposit in a monitoring and enforcement account.

(o) $2,033,000 the first year and $2,033,000 the second year are for grants to landowners

to enhance adoption of cover crops and other soil health practices in areas where there are direct benefits to public water supplies. Up to $400,000 is for an agreement with the University of Minnesota Minnesota Office for Soil Health for applied research and education on Minnesota's agroecosystems and soil health management systems.

(p) $12,000,000 the first year is for grants to soil and water conservation districts for the purposes of Minnesota Statutes, sections 103C.321 and 103C.331. The board must award grants based on the number of wells and water bodies contaminated with nitrates and pesticides, acreage contained within a drinking water supply management area, county allocations to soil and water conservation districts, and the amount of private land and public waters. The board and other agencies may reduce the amount of grants to a county by an amount equal to any reduction in the county's allocation to a soil and water conservation district from the county's previous year allocation when the board determines that the reduction was disproportionate. The board may use up to one percent for the administration of payments.

(q) $4,700,000 the second year is for technical assistance and implementation grants to soil and water conservation districts with karst geography and shallow sand aquifers for soil health practices that protect groundwater.

(r) $4,700,000 the second year is for technical assistance and implementation grants to soil and water conservation districts for soil health

practices to prevent wind and water erosion to protect surface waters.

(s) $4,700,000 the second year is for technical assistance and implementation grants to soil and water conservation districts for sustainable forestry and soil health practices to protect surface water and groundwater.

(t) The board must contract for delivery of services with Conservation Corps Minnesota for restoration, maintenance, and other activities under this section for up to $750,000 the first year and up to $750,000 the second year.

(u) The board may shift grant, cost-share, or easement funds in this section and may adjust the technical and administrative assistance portion of the funds to leverage federal or other nonstate funds or to address oversight responsibilities or high-priority needs identified in local water management plans.

(v) The board must require grantees to specify the outcomes that will be achieved by the grants before making any grant awards.

(w) The appropriations in this section are available until June 30, 2026, except grant funds are available for five years after the date a grant is executed. Returned grant funds must be regranted consistent with the purposes of this section.

Sec. 7. **DEPARTMENT OF HEALTH** **$ 6,705,000 $ 6,705,000**

(a) $1,200,000 the first year and $1,200,000 the second year are for addressing public health concerns related to contaminants found or anticipated to be found in Minnesota

drinking water for which no health-based drinking water standards exist and for the department's laboratory to analyze for these contaminants.

(b) $3,079,000 the first year and $3,079,000 the second year are for protecting sources of drinking water, including planning, implementation, and surveillance activities and grants to local governments and public water systems.

(c) $563,000 the first year and $563,000 the second year are to develop and deliver groundwater restoration and protection strategies on a watershed scale for use in local comprehensive water planning efforts, to provide resources to local governments for activities that protect sources of drinking water, and to enhance approaches that improve the capacity of local governmental units to protect and restore groundwater resources.

(d) $863,000 the first year and $863,000 the second year are for studying the occurrence and magnitude of contaminants in private wells, including microplastics and nanoplastics, and developing guidance, outreach, and interventions to reduce risks to private-well users.

(e) $250,000 the first year and $250,000 the second year are to develop public health policies and an action plan to address threats to safe drinking water, including development of a statewide plan for protecting drinking water based on recommendations from the Future of Drinking Water report.

(f) $750,000 the first year and $750,000 the second year are to adopt and amend health risk limits as required under this act.

(g) Unless otherwise specified, the appropriations in this section are available until June 30, 2025.

Sec. 8. **METROPOLITAN COUNCIL** **$ 3,669,000 $ 3,669,000**

(a) $919,000 the first year and $919,000 the second year are to implement projects that address emerging threats to the drinking water supply, provide cost-effective regional solutions, leverage interjurisdictional coordination, support local implementation of water supply reliability projects, and prevent degradation of groundwater resources in the metropolitan area. These projects must provide communities with:

(1) potential solutions to leverage regional water use by using surface water, stormwater, wastewater, and groundwater;

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

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

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

(5) development of subregional groundwater models.

(b) $250,000 the first year and $250,000 the second year are for the water demand

reduction grant program to encourage municipalities in the metropolitan area to implement measures to reduce water demand to ensure the reliability and protection of drinking water supplies.

(c) $2,500,000 the first year is for grants or loans for local inflow and infiltration reduction programs addressing high-priority areas in the metropolitan area, as defined in Minnesota Statutes, section 473.121, subdivision 2.

(d) $2,500,000 the second year is for grants to replace the privately owned portion of drinking water lead service lines in environmental justice areas determined by the commissioner of the Pollution Control Agency.

Sec. 9. **UNIVERSITY OF MINNESOTA** **$ 2,598,000 $ 1,220,000**

(a) $450,000 the first year and $450,000 the second year are for developing Part A of county geologic atlases. This appropriation is available until June 30, 2028.

(b) $675,000 the first year and $675,000 the second year are for a program to evaluate performance and technology transfer for stormwater best management practices, to evaluate best management performance and effectiveness to support meeting total maximum daily loads, to develop standards and incorporate state-of-the-art guidance using minimal impact design standards as the model, and to implement a system to transfer knowledge and technology across local government, industry, and regulatory sectors.

This appropriation is available until June 30, 2028.

(c) $95,000 the first year and $95,000 the second year are for a report that quantifies the multiple benefits of clean water investments, for a review of equity considerations in clean water fund spending, and for proposing climate considerations in comprehensive watershed management plans.

(d) $1,378,000 the first year is to study water's role in transporting chronic wasting disease prions, including:

(1) identifying mechanisms for the accumulation, persistence, and spread of chronic wasting disease prions through waterways;

(2) characterizing chronic wasting disease prion abundance in waterways immediately downstream of regions known to be positive for chronic wasting disease;

(3) modeling and forecasting chronic wasting disease contamination and spread based on landscape ecology and hydrology; and

(4) developing and evaluating remediation strategies for prion-contaminated waterways.

The Board of Regents must submit a report with the results of the study to the chairs and ranking minority members of the house of representatives and senate committees and divisions with jurisdiction over environment and natural resources and the clean water fund no later than January 15, 2023.

Sec. 10. **LEGISLATURE** **$** **8,000** **$** **-0-**

$8,000 the first year is for the Legislative Coordinating Commission for the website required under Minnesota Statutes, section 3.303, subdivision 10.

Sec. 11. **PUBLIC FACILITIES AUTHORITY** **$ 8,068,000** **$ 8,068,000**

(a) $7,968,000 the first year and $7,968,000 the second year are for the point source implementation grants program under Minnesota Statutes, section 446A.073. This appropriation is available until June 30, 2026.

(b) $100,000 the first year and $100,000 the second year are for small community wastewater treatment grants and loans under Minnesota Statutes, section 446A.075. This appropriation is available until June 30, 2026.

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

Sec. 12. **[103C.237] SOIL AND WATER CONSERVATION DISTRICT FEE.**

Subdivision 1. **Fee.** A county that contains at least one soil and water conservation district may impose an additional fee of $25 per transaction on the recording or registration of a mortgage subject to the tax under section 287.05, and an additional fee of $25 on the recording or registration of a deed subject to the tax under section 287.21.

Subd. 2. **Fee deposited; account.** The fee described in subdivision 1 must be deposited in a special soil and water conservation district account in the county general revenue fund.

Subd. 3. **Distribution to soil and water conservation districts.** The county treasurer must transfer money from the county soil and water conservation district account to existing soil and water conservation districts within the county in May, October, and December of

each year. In the event that a county contains more than one soil and water conservation district, money must be allocated equally among each district.

Sec. 13. Minnesota Statutes 2020, section 114D.50, is amended by adding a subdivision to read:

Subd. 8. **County eligibility.** To be eligible for a grant funded with money from the clean water fund, a county must:

(1) impose a soil and water conservation fee under section 103C.237; or

(2) have at least 75 percent of the county covered by a watershed district established under chapter 103D, a watershed management organization as defined under section 103B.205, subdivision 13, or another joint powers entity organized for the purposes of water management with levy authority.

EFFECTIVE DATE. This section is effective July 1, 2022, and applies to grants awarded on or after that date.

Sec. 14. **HEALTH RISK LIMITS; PERFLUOROOCTANE SULFONATE AND NEONICOTINOIDS.**

(a) By July 1, 2023, the commissioner of health must amend the health risk limit for perfluorooctane sulfonate (PFOS) in Minnesota Rules, part 4717.7860, subpart 15, so that the health risk limit does not exceed 0.015 parts per billion.

(b) By January 15, 2024, the commissioner must adopt health risk limits for clothianidin and imidacloprid.

(c) In amending and adopting the health risk limits required under this section, the commissioner must comply with Minnesota Statutes, section 144.0751, requiring a reasonable margin of safety to adequately protect the health of infants, children, and adults.

Sec. 15. **CLEAN WATER COUNCIL; REPORT REQUIRED.**

(a) By January 15, 2022, the Clean Water Council must submit a report or reports to the chairs and ranking minority members of the house of representatives and senate committees and divisions with jurisdiction over the environment and natural resources and legacy that includes:

(1) an assessment of the implementation of the high-resolution digital elevation data developed with the appropriations in Laws 2009, chapter 172, article 2, section 5, paragraph (d), and Laws 2011, First Special Session, chapter 6, article 2, section 6, paragraph (h);

(2) an assessment of the potential impacts of the February 10, 2021, decision of the Minnesota Supreme Court in the consolidated litigation styled as In the Matter of Reissuance of an NPDES/SDS Permit to United States Steel Corporation, parent case number A18-2094; and

(3) an evaluation of state agency personnel funded with money from the clean water fund, including demographic characteristics, the number of classified and unclassified positions, and other equity considerations.

Sec. 16. **CLEAN WATER COUNCIL; REQUEST FOR PROPOSAL.**

The Clean Water Council must develop and issue a request for proposal for a study of the impacts of 6PPD-quinone, a toxic chemical compound derived from a common rubber tire additive, on the state's waters and fish populations. The research must assess the prevalence of 6PPD-quinone in stormwater and surface water and impacts to the state's fish populations with priority given to areas around Lake Superior and it's salmon populations.