

*The Environment and Natural Resources Trust Fund “shall be appropriated by law for the public purpose of protection, conservation, preservation, and enhancement of the state's air, water, land, fish, wildlife, and other natural resources.” (Minnesota Constitution Art. XI, Sec. 14)*

November 30, 2017

Re: Proposed changes to M.L. 2017, Chp. 96, Sec. 2, Subd. 19

Dear members of the Legislative-Citizen Commission on Minnesota Resources (LCCMR),

We write to express our concern with use of Environment and Natural Resources Trust Fund resources to fund traditional wastewater treatment facilities and traditional wastewater infrastructure upgrades.

There are several reasons for our concern with proposals to make the Trust Fund available for wastewater infrastructure grants:

- Such a proposal may not align with the statutory and constitutional directive of the Trust Fund, that the fund “may be spent only for the public purpose of protection, conservation, preservation, and enhancement of the state's air, water, land, fish, wildlife, and other natural resources.” (Minn. Statutes 116P.03).
- The current LCCMR Strategic Plan, written in 2013, precludes the Trust Fund from being used for wastewater treatment facilities. If that is of interest to the Commission, we recommend the Commission delay action and initiate a new strategic plan.
- The statewide need to address wastewater infrastructure problems is thought to be \$4.2 billion as identified by Minnesota Pollution Control Agency, and such a large infrastructure need would be more appropriately addressed through capital bonding and sources besides existing constitutionally dedicated funds.
- Utilizing Trust Funds for wastewater treatment facilities jeopardizes the public support for the Trust Fund, and the expectations of voters who have supported this dedicated fund for nearly 30 years.

We acknowledge the significant wastewater infrastructure needs across Minnesota. To address those needs, we recommend consideration for limited use of the Trust Fund to research conditions that have brought about the current funding need for wastewater infrastructure upgrades, to identify potential solutions, and ways that bonding can target areas of greatest need first. This could include research on the following:

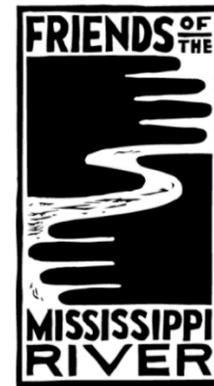
- The capability of wastewater infrastructure upgrades built and designed today to meet future conditions and demands, and whether wastewater infrastructure is right-sized to current and future needs of communities.
- Innovative solutions like non-point nutrient trading, pollution source reduction within the wastewater system, and watershed or multi-point variances.
- Best financing and capitalization practices that cities are using to maintain facilities, and how other cities and small towns can replicate those best practices.

The Trust Fund continues to be an important tool to protect, preserve, conserve, and enhance the state's natural resources. We express our sincere concern with amending the use of the Trust Fund to allow grants for wastewater infrastructure, because it would undermine the historic process and intent of the Fund and the Commission, which citizens and grantees have come to expect and rely upon.

Respectfully submitted by the following organizations,



Minnesota Waterfowl Association



THE  
CONSERVATION FUND

