

Testimony on HF707

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Dear Members of the Omnibus Legacy Committee:

Thank you for the opportunity to give input on HF707, which provides funding for many worthy projects and programs in our state. Minnesota Center for Environmental Advocacy (MCEA) was involved in the enactment of the Legacy Amendment and actively monitors appropriation and use of the Legacy funds to ensure their use is efficient and meets the purposes as laid out in the Constitution.

I would like to support previous testimony on the inappropriateness of using Clean Water Fund dollars for general operational support at Soil and Water Conservation Districts. SWCDs require the operational support to provide services to local landowners, but as they have testified previously, it is more appropriate and more effective for these dollars to come from the General Fund.

Removing over 10% of the Clean Water Fund to backfill General Fund support of SWCDs causes a cascading series of reductions in funding “to protect, enhance, and restore water quality in lakes, rivers, and streams and to protect groundwater from degradation.”

The losers in this proposal are people who drink water. The extent of the shifts vary between the House and Senate versions, but no matter how you cut it; the reductions significantly impact programs focusing on drinking water and groundwater. These include:

- Assistance to communities to protect the sources of their drinking water (Source Water Protection, MDH, \$1.795M cut in Senate)
- Eliminating support for MDH to assess the scale of the problem of lead in MN’s drinking water and develop strategies to address it (Drinking Water Protection, MDH, \$300k cut in Senate)
- Protecting drinking water with easements in high-risk areas around municipal wellheads (Targeted Wellhead Protection Easements (3.5M cut in House)
- Working with private well owners to detect and mitigate contamination of their wells (Private Well Water Supply Protection, MDH, \$150k cut in Senate).

- Sealing open wells which are a direct pathway for contamination to enter aquifers (Well Sealing Cost Share, MDH, \$275k cut in Senate)
- Eliminating support for the county geologic atlases which are necessary for groundwater management and protection (County Geologic Atlases, UMN, \$250k cut in Senate)
- Monitoring of groundwater levels to ensure water use permits are sustainable (Aquifer Monitoring for Water Supply Planning, DNR, \$650k cut in Senate)
- Groundwater Restoration and Protection Strategies for coordinated planning to protect groundwater across multiple jurisdictions (Groundwater Restoration and Protection Strategies, MDH, \$150k cut in Senate)
- Cuts to a Metropolitan Council program to work with their member communities to ensure the long-term sustainability of drinking water supplies. (Metropolitan Area Water Supply Sustainability Support (\$50k in Senate, \$100k cut in House)

Another effect is to move money away from projects making changes on the ground into general administrative expenses. If enacted, this bill results in \$17M less work done to protect or restore surface water and groundwater. Besides those already mentioned, reductions include:

- Permanent easements for buffers (Riparian Buffer-Permanent Conservation Easements, BWSR, \$2.25M cut in Senate)
- Grants to help local governments implement One Watershed One Plan (One Watershed One Plan Implementation, BWSR, \$1.25M cut in Senate)
- Aquatic Management Areas and Forests for the Future that protect clean waters at risk from land-use changes (Aquatic Management Areas, DNR, \$2M; Forests for the Future, DNR, \$1.5M)

Local governments are the front lines for water protection and restoration. This bill appears to provide funding to local authorities, but at the same time, it removes critical project assistance that most directly impacts surface water and ground water. Many of the programs mentioned above directly assist local governments. Other cuts worth noting are:

- Cutting grants to local governments for implementing the buffer law (Buffer and Soil Erosion Law Implementation, BWSR, \$1.8M)
- Cuts to county septic programs (MPCA Enhanced County Inspections/SSTS Corrective Actions \$362k)

- Cuts to grants (PFA Point Source Implementation Grants (\$850k in House)) helping wastewater treatment plants address evolving water quality challenges.

Agricultural programs also take a big hit. This includes

- Cuts to the MDA Ag Water Quality Certification Program (\$2M in House) This is a voluntary program for whole-farm evaluation of farms that has already certified over 200,000 acres. It recently partnered with Land o Lakes to accelerate outreach. The missed opportunity for federal matching funds multiplies cuts to this program.
- Cuts to the Forever Green Initiative (\$950k in House) This program is creating the next generation of crops to both protect water quality and provide income to farmers. Cuts threaten private-sector partnerships with companies like General Mills and Pepsi.
- Elimination of matching grants for the Conservation Reserve Enhancement Program (CREP) (\$3M in House).

In a year with a budget surplus, it is disappointing to see an effort to use over 10% of the Clean Water Fund to backfill cuts to the General Fund. As an example of the local impact of this bill, if BWSR had the additional funding for this fiscal year that the Council recommends for the Projects and Practices program in FY18-19, BWSR would have been able to fund an additional 15 projects. Projects that could have received support with additional funding include:

- A project in St Louis County to address hazardous septic systems
- A stormwater project in Little Falls
- A project to improve contaminated groundwater in Pipestone County
- A project to reduce nitrates in Saint Peter's drinking water

This bill also contains several troubling policy provisions. These include:

- Requiring all land acquired in fee to be open to hunting and fishing (R16, R21, R23, R24 Senate version). This provision will prevent experts from using best practices in managing state lands and could create inconsistencies with local law or the wishes of the seller.
- Removing “protection” from the Lessard-Sams Council's priorities (R23, House version). This change in priorities reduces the effectiveness of these funds and goes against the intent of the Legacy Amendment.
- Requiring that forest lands protected with Legacy funds be accessible to motorized vehicles (R25, Sec 5, House version).

- Limiting the areas where land can be purchased for conservation purposes by introducing no-net-gain of state land policies for counties (R26, Sec 9, House version).

The policy and funding provisions in this bill require extensive revision. One of the goals of the Legacy Amendment is to enable Minnesotans access to clean water that is swimmable, fishable, and drinkable. This bill not only fails to provide the resources necessary to meet our clean water goals, but the policy provisions included actively work against our aims. MCEA urges you to restore the funding to meet the intent of Minnesota's voters, and remove the troubling policy provisions.

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