



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday, April 17, 2024

Agenda Item

Item 9. C. – 2024 Legislative Update

Prepared By

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Summary

LMRWD legislative liaison Lisa Frenette provided an update on bill that the LMRWD is following. In addition, an update of this legislative session was given by Lockridge Grindal Nauen LLP (LGN):

- The landscaper's association was not supportive of the compromise that MN Watershed, MN Association for Justice, MN Center for Environmental Advocacy, Freshwater and Stop Over Salting had signed onto. The issue is that the landscapers are looking for liability protections that is a non-starter with the trial attorneys (MN Association for Justice). The landscapers would rather have no bill than compromise. LGN said they will be working with the landscaper between sessions to see if an agreement can be reached and the legislation introduced next session.
- Bill requiring disclosure of subsurface drain; proposing coding for new law in Minnesota Statutes, chapter 103F is working its way through the legislative process and looks like it will be enacted.
- Continuation of the Environment Trust Fund will be on the ballot this fall.

I will ask that Lisa join the meeting to answer questions.

Attachments

Update on LMRWD legislative priorities for 2024

Recommended Action

No action recommended.

Lower Minnesota River Watershed District bills of interest:

Omnibus Environment Finance bill

HF 3911 (Hansen)/ SF 3887 (Hawj)*

Continuous season for certain species. For sunfish, white crappie, black crappie, yellow perch, channel catfish, rock bass, white bass, yellow bass, burbot, cisco (tullibee), lake whitefish, common carp, and native rough fish, the open season is continuous.

Salt purchase report (in both the House and the Senate) - \$88,000 in fiscal year 2025 is appropriated from the environmental fund to the commissioner of the Pollution Control Agency to prepare a report on state agency salt purchases as required under Minnesota Statutes, section 116.2021.

By February 1, 2025, and every year thereafter, the commissioner of the Pollution Control Agency, in cooperation with other state agencies, must submit a report to the legislative committees and divisions with jurisdiction over environment and natural resources policy and finance that details the purchase of deicing salt by state agencies, excluding the Department of Transportation, and strategies to meet the salt reduction goal established in subdivision 3. Reduction goal. It is the goal of the state that no later than January 1, 2030, 35.2 state agencies will reduce the purchase of deicing salt by 25 percent from the level first reported under subdivision 2.

Senate bill only

\$1,720,000 the first year is to prevent and manage invasive carp. This includes activities related to the Mississippi River Lock and Dam and stakeholder engagement. Up to \$325,000 may be used for a grant to the Board of Regents of the University of Minnesota to study the Mississippi River Lock Dam 5 to optimize management to reduce invasive carp.

Lessard Sams Outdoor Heritage Fund

HF4124 (Lillie)/SF5116 (Hawj) *

Protecting Upper Mississippi River from Invasive Carp \$12,000,000 the second year is to the commissioner of natural resources to fund activities to protect the Upper Mississippi River from invasive carp. Primary activities within this appropriation to include agreements with federal partners, such as the U.S. Fish & Wildlife Service, to complete a site-specific evaluation of deterrent effectiveness and feasibility and to design, construct, and begin the operation and maintenance of a structural deterrent for invasive carp at Lock and Dam No. 5 on the Mississippi River to protect Minnesota's aquatic habitat through an adaptive management approach. Funds may be used to supplement invasive carp tagging, tracking, netting, and commercial capture activities as well as testing technologies to support the future effectiveness of a deterrent within the Mississippi River. A detailed accomplishment plan must be submitted to and approved by the Lessard-Sams Outdoor Heritage Council prior to release of funds. This appropriation is available until June 30, 2015 2029.

*This provision is not in the Senate version of the OHF

Environmental Trust Fund

HF 3377 (Hansen)/SF 3507 (Hawj)

1. Understanding Native Fishes in the Bowfishing Era

\$588,000 the second year is from the trust fund to the Board of Regents of the University of Minnesota, Duluth, to collect foundational biological information on a selection of native Minnesota fish to aid in sustainable management, improve recreational opportunities, and educate the public about these shared aquatic resources. This appropriation is available until June 30, 2028, by which time the project must be completed and final products delivered.

2. Implementing Innovative Techniques to Manage Low-Density Invasive Carp

\$634,000 the second year is from the trust fund to the commissioner of natural resources to implement new and innovative methods and to enhance ongoing efforts to detect, monitor, and remove invasive carp and to evaluate watershed boundaries for potential breaches to avoid invasive carp establishment in Minnesota.

3. Road Salt Pollution of Surface Waters from Groundwater

\$622,000 the second year is from the trust fund to the Board of Regents of the University of Minnesota to inform source-reduction efforts by developing a model to identify hot spots where road-salt-contaminated groundwater leads to chloride pollution of surface waters.

4. Uncovering the Past to Protect Minnesota's Walleye Fisheries

\$1,121,000 the second year is from the trust fund to the Science Museum of Minnesota for

the St. Croix Watershed Research Station to reconstruct historical lake conditions to identify factors linked to successful walleye fisheries and guide management in the face of warming temperatures, invasive species, and nutrient loading.

Voluntary Certification with Limited Liability for Commercial Winter Maintenance Applicators

Salt purchased by MNDOT study education goal - is included in both Senate and House Environment Finance bills (see above)
HF 4624 (Hansen)
SF 4850 (Morrison)

Support funding for statewide River Watch Programs

River Watch has not been included in either the House or the Senate Legacy or Environment Finance bills.

Native Rough Fish Protection

Defines native rough fish; includes provisions to deny licenses for native rough fish; protects native rough fish from being harvested in a natural environment but allows for aquaculture farming. The two bills in each body are similar if not identical.

HF 4015 (Jordan) - Second reading on floor
SF 4898 (Hoffman) - Passed from Environment Finance and Policy committee to State and Local Government

HF 4420 (Hansen) - Referred to House Environment Finance and Policy committee for possible inclusion in Omnibus bill
SF 4142 (Hawj) - Passed out of Environment Finance and Policy committee to State and Local Government

Support Water Storage Initiatives

No language has a been discussed this year to include support for MN River hydrology studies that identify and prioritize areas that provide the most beneficial and cost-effective implementation for storage; BWSR received \$17 million in 2023 to work in collaboration with constituencies to implement storage upstream.

Support legislative requests of partners of the LMRWD

Capital Investment committees have not released any of language. Each bodies committee has held hearings on projects and been laid over for possible inclusion.

Carver Levee Improvement Project - referred to the committee on Capital Investment in both bodies; no hearings scheduled.

HF 3727 (Harder)
SF 3897 (Gruenhagen)

Shakopee River Bank Stabilization - referred to the committee on Capital Investment in both bodies; no hearings scheduled.

SF 38 (Pratt)
HF 243 (Table)

Lower Minnesota River Landfill Remediation -

No discussion on Burnsville Landfill remediation. Language is moving forward to ensure that money can't be taken out of the Closed Landfill Program to offset deficiencies in the state budget.

BWSR Technical bill modifying watershed and soil and water conservation district provisions.

Included in both the House and the Senate Environment bill.