



Association of Minnesota Counties

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May 6, 2019

Senator Bill Ingebrigtsen
Senator Carrie Ruud
Senator Justin Eichorn
Senator Mark Johnson
Senator David Tomassoni

Representative Rick Hansen
Representative John Persell
Representative Peter Fischer
Representative Jamie Becker-Finn
Representative Nathan Nelson

Dear Members of the Environment and Natural Resources Conference Committee (SF2314/HF2209):

On behalf of the Association of Minnesota Counties (AMC), a voluntary association representing all 87 counties, we want to thank you for your work on the Environment and Natural Resources Omnibus Finance bill; we appreciate how much effort lies ahead as you deliberate the House and Senate proposals. We appreciate the opportunity to outline our perspective on how various proposals impact county government, and for your consideration of this input as you move forward.

Provisions Supported

- **Assumption of Section 404 Waters Permitting Program** (Senate: Art 1, Sec 2, Subd 9): The state assumption of Section 404 permitting is a top priority for AMC. Combining duplicate federal and state permitting processes will significantly reduce workload and costs, while maintaining strong state and federal environmental protections. The Senate's inclusion of \$200,000 for this work will continue Minnesota's efforts to align regulatory systems with the EPA. At the completion of this work Minnesota can determine if state assumption should be completed. Full funding (\$459,000/year) will allow for timelier completion.
- **Online Training Curriculum for County Feedlot Officers** (Senate: Art. 1, Sec. 2, Subd 8 and House: Art 1, Sec 2 Subd 8): 50 Minnesota counties have delegated authority for the implementation of feedlot rules and regulations on behalf of the MPCA, which accounts for more than 80% of the workload. The Minnesota Association of County Feedlot Officers (MACFO) has been working for several years to address a lack of relevant and timely training that has greatly attributed to high turnover among feedlot officers. **Note:** The Senate proposal contains the full request to implement this program (\$300,000).
- **Threatened and Endangered Species Exemption Clarification** (Senate: Art. 3, Sec. 14): AMC strongly supports the provision included in the Senate language to further clarify the current exemption for mitigation of threatened and endangered species on existing public road right of way. The added statutory definition helps clarify what is included in the exemption and saves time and taxpayer dollars on existing road construction and maintenance projects. This is compromise language that was included in last year's supplemental finance bill and is agreed upon by the DNR, MnDOT, and the MN County Engineers Association.

- **The Coordinated Watershed Planning and Funding Language** (Senate: Art. 3, Sec. 52, 53, 55, and 80-94): AMC supports these proposals, which were developed in coordination with Watersheds, SWCDs and State agencies. These provisions create cohesion between state and local planning efforts and allow for more flexible funding options.
- **Develop and Expand Recycling Markets** (House: Art 1, Sec 2, Subd 7): World recycling markets have been strained and the lack of investment in developing a domestic market in leading to the stockpiling and forced landfilling of recyclable materials. AMC and the Solid Waste Administrators' Association (SWAA) have long advocated for local market development. This funding is a needed step to deal with our recyclable waste stream and support innovative new businesses in Minnesota (\$400,000/year).
- **Emerald Ash Borer Grants** (House: Art 1, Sec 3, Subd 4): Emerald Ash Borer continues to spread across the state. There are currently 18 counties under quarantine. Local jurisdictions need state support for removal and disposal to continue management efforts from the dangerous impact of EAB (\$2 million - \$655,000/year ongoing).
- **Noxious Weed Detection and Eradication** (Senate: Art 2, Sec 2, Subd 6): AMC supports state funding to detect and eradicate noxious weeds with the priority being given the emergence of Palmer Amaranth in Minnesota. We strongly support the funding for grants to local communities to combat infestations.
- **Carpet Product Stewardship Program** (House: Art 2, Sec 71): AMC and SWAA supports product stewardship among manufacturers, retailers, and consumers, which creates producer-led reductions, reuse and recycling programs. We support the provisions in this section that outline and require development of a plan for a carpet stewardship. We appreciate the voluntary role of local governments included in this language. The State should be cautious that as with e-waste, the responsibility and costs of the program don't fall back onto the counties.
- **Contingent Solid Waste Program Funding** (House: Art 1, Sec 10, Subd 2): AMC and SWAA appreciate the investments made in this section for SCORE grants, competitive recycling grants, organic waste reduction, and wood waste to biomass. These are important programs to deal with ever growing and diverse waste stream and its environmental impacts. However, we are disappointed that this funding comes from a proposed increase in the Solid Waste Management Tax (SWMT) at a time when 30% of this revenue is being diverted to the general fund, and from these very activities. Our associations support 100% of the SWMT being directed to solid waste reduction activities.
- **Nuisance Beaver/Beaver Dam Control** (House: Art 2, Sec 51-56): Beaver dams increase flooding and road wash-out/damage that in turn create financial, travel and environmental ramifications. The tools provided in these sections will help with prevention efforts of local governments dealing with nuisance beavers and damming.
- **Chronic Wasting Disease (CWD)** (House: Art 1, Sec 3, Subd 6): Counties are concerned about the spread of CWD and its impact on wildlife, and possibly human health, and economic activity. Chronic Wasting Disease is a multifaceted issue in need of a multifaceted approach. The House bill appropriates \$4.57 million to combat CWD through new guidelines for handling, transporting, processing and disposal, additional resources for research, and deer management.
- **Closed Landfill Investment Fund Appropriations** (House: Art 2, Sec 90): AMC and SWAA support the House language on this issue. The clarification of this statutory appropriation confirms the PCA commissioner's ability to manage and address issues according to the CLIF program. **The Senate provision (Art3, Sec 117) on this issue is a concern.** Requiring legislative appropriations of CLIF

program resources hampers the efficiency and flexibility of the program to address issues at landfills in the program.

Concerns

- **State resource reductions/elimination** (Senate: Art 1, Sec 2-4): The Senate included significant state agency cuts to the Board of Water and Soil Resources (BWSR), the Department of Natural Resources (DNR) and the Pollution Control Agency (PCA) including program elimination (Wetland Conservation Act enforcement, Drainage Management) that will have negative effects on local governments. AMC fears these cuts will have a trickledown effect resulting in loss of service, increased workload and expense at the local government level.
- **Natural Resources Block Grants (NRBG) reduction** (Senate: Art 1, Sec 4): The NRBG are base grants to support local government's work implementing Local Water Management, Wetland Conservation Act, Shoreland, septic and SSTS work. The funding received through NRBG provides only a small portion of the costs to meet these obligations. This reduction (-\$400,000) puts further pressure on local government budgets to fulfill these state responsibilities through local levies.
- **Elimination of Greater Minnesota Competitive Recycling and Composting Grants** (Senate: Art 1, Sec 2): Counties are responsible to for dealing with waste generated in their jurisdictions and accordance with Minnesota Statutes 115A, which prioritizes reduction, recycling and composting. The loss of these grants negatively effects communities' ability to address significant waste reduction projects. These grants assist Greater MN counties and cities with establishment of recycling programs that innovate, save resources and lower costs over time.
- **County Geological Atlases Part A (geological), Part B (groundwater) (Senate: Art 2)**: Changes to the Legislative Citizens Commission on Minnesota Resources (LCCMR) recommendations have resulted in the loss of \$3.9 million for County Geological Atlas mapping work. The County Geological Atlas is an important tool for government entities, business and industry, and private citizens. When completed, these maps help local governments make better land use, project and resource management, and planning decisions. Currently, only 26 counties have access to a completed County Geological Atlas (Part A and Part B).
- **Adopt-A-Dumpster Program** (Senate Art 2, Sec 3 & House: Art 1, Sec 3, & Art 2, Sec 90): SWAA has concerns with the adopt-a-dumpster program and believe there has not been enough communication with landfill operators about accepting carcasses or a thorough examination of safe methods for disposal to protect against the spread of disease.

Again, we sincerely appreciate your consideration of our perspective. Should you have any questions about the information provided above, please don't hesitate to reach out to your local county commissioners or AMC policy analyst Brian Martinson (bmartinson@mncounties.org or 651-246-4156).

Sincerely,



Scott Schulte, Anoka County Commissioner
President, Association of Minnesota Counties



Brian Martinson, Policy Analyst
Association of Minnesota Counties

CC: Commissioner Sarah Strommen, DNR
Commissioner Laura Bishop, MPCA
Director John Jaschke, BWSR