



Association of Minnesota Counties

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June 22, 2021

RE: AMC comments on A21 DE to HF5

Chair R and Members of the House Ways and Means Committee:

On behalf of the Association of Minnesota Counties (AMC), a voluntary association representing all 87 counties, I would like to thank you for the opportunity to provide comments on the A21 DE amendment to HF5. AMC appreciates the work of Representative Hansen and Senator Ingebrigtsen, their respective committee members, and others who contributed to this work product. This proposal is a reasonable compromise that addresses a number of county priorities and exercises restraint on matters that need further work.

AMC is grateful for the inclusion of the following provisions and offer the following comments and a couple of critiques of these provisions.

- **Ordinary High-Water Designations** (Art. 2, Sec. 83-84): Ordinary High-Water Levels (OHW) have impacts on local government infrastructure, water management and land use. This provision will strengthen the collaboration between the State and LGUs to ensure OHW determinations are properly established.
- **Prohibition on Bulk Transfer of Water** (Art. 2, Sec. 82): AMC supports strengthening Minnesota statutes against potential exports of Minnesota water resources. This provision further protects precious water resources for generations to come.
- **PFAS Source Evaluation** (Art. 1, Sec. 2): AMC supports funding (\$600,000) for MPCA to evaluate PFAS sources going into wastewater and solid waste facilities. Both facilities are receivers of these contaminants. This is an important step in the development of PFAS reduction strategies. We do appreciate that the analysis will be done at both facilities and that organizations representing both entities will be involved. *It is a concern that on lines 4.23 and 4.24 the language only addresses wastewater facilities and a reference to solid waste facilities in this one sentence is absent. We hope that this omission will not confuse or detract from the objectives of this provision.*
- **Metro Landfill Contingency Action Trust (MLCAT)** (Art. 1, Sec. 2): AMC supports this provision to begin repaying past state transfers from MLCAT. MLCAT funds are necessary to address known and future contamination at metro area landfills.
- **State Lands** (Art. 2, Sec. 106-107, 110-127): AMC supports passage of the lands provisions included in the bill. These sections include lands impacts on 13 counties around the state.
- **Septic Grant Program** (Art. 1, Sec. 4): We appreciate that the appropriation for Natural Resource Block Grant (\$3.423 million/year), which directs funding to counties from Wetland Conservation Act, Shoreland, SSTS and Local Water Management work remains intact. These are mandatory programs, and this funding covers only a fraction of the costs. Counties will work with BWSR to see how the additional \$1.4 million appropriation to address failing septic systems can be put to work. We prioritize and work with landowners to address septic issues. *Our concern is that there is an effective grant program already in place to help landowners replace failing systems administered through the MPCA. Having multiple grant programs administered by multiple state agencies with the same structure and goals has the potential to create more work and confusion.*

Of course, these provisions do not encompass the good work and positive impact that will result from this legislation. There are many other issues that we are happy to see addressed including two years of State lands provisions and two years of Environment and Natural Resources Trust Fund appropriations. AMC looks forward to continued work with the legislature and state agencies on these and other matters for the betterment of Minnesota.

Once again, AMC thanks the Chair, members, and staff for their hard work in putting together the bill and for the considerations lent to counties and AMC throughout session. Please do not hesitate to reach out if we can be of any assistance in the days ahead.

Sincerely,

A handwritten signature in black ink, appearing to read "B. Martinson", written over a horizontal line.

Brian Martinson, Policy Analyst
Association of Minnesota Counties

CC: Representative Rick Hansen