

# FRESHWATER

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Freshwater Society is a nonprofit organization working to inspire and empower people to value and preserve our freshwater resources.

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May 10, 2022

Environment and Natural Resources Conference Committee

RE: HF4492/SF4062

Dear Chairs Hansen and Ingebrigtsen, and Conference Committee Members,

Thank you for the opportunity to provide comments on HF 4492/SF4062, the Environment and Natural Resources Omnibus Bill. Freshwater remains focused on a sustainable water future for Minnesota.

Freshwater supports the inclusion of \$421,000 in one-time funding to the DNR to complete an Aquifer Properties Database (R14-Art 1, Lines 11.23-11.27). This will benefit all communities that are addressing the long-term sustainability of their groundwater use. This is one of the follow-up recommendations in the LCCMR-funded report, [Banking Groundwater](#).

We also support the inclusion of a provision that would provide funding for the Environmental Quality Board (EQB) to develop and assemble the material required under Code of Federal Regulations, title 40, section 233.10, for the state to assume the section 404 permitting program of the federal Clean Water Act (R9-Art 1, Lines 4.22-5.20). We support science-based implementation of water protection and restoration programs at the level of government closest to water resources, having demonstrated capacity to sustain the programs. Assumption of Section 404 authority would result in state-level implementation rather than federal implementation of the authority. Minnesota is a leader among states in water resource protection, having developed professional regulatory expertise and specific watershed studies to support such a program.

There has also traditionally been bipartisan support for protection of the water in the Mt. Simon-Hinckley aquifer, our deepest and oldest source of groundwater. This was especially prevalent recently in the face of a new threat from proposed out-of-state water transfer by Progressive Rail to the Southwest United States. Any exception to existing protections would reopen this issue and our legal claim to this ancient, non-renewable groundwater (R21-Art 2, Lines 35.24-35.29).



Finally, we want to express concern over several provisions included in SF 4062 that respond to very specific water use or regulatory requirements by complicating the existing water governance processes used by the MN Department of Natural Resources, the Environmental Quality Board, or the Pollution Control Agency. These items would alter several administrative and environmental standards and could create an unintended backlash of additional requests for review or modifications. We favor keeping current procedures and standards in place.

Thank you for your ongoing commitment to water quality and protection in Minnesota.

With gratitude,

John Linc Stine, Executive Director

Dr. Carrie Jennings, Research and Policy Director

Jen Kader, Director for Engagement and Systems Change