



100% Campaign
705 Raymond Ave. - Suite 100
Saint Paul, MN 55114
www.100percentmn.org

March 28, 2023

Chair Hansen and Members of the Committee,

We are writing to express our support for provisions in Rep. Rick Hansen's House File 2310, as amended by DE 1.

If enacted, the proposed budgets for the Department of Natural Resources (DNR), the Board of Water and Soil Resources (BWSR), Minnesota Pollution Control Agency (MPCA), and the Metropolitan Council would make historic investments in greenhouse gas mitigation, natural climate solutions, climate adaptation & resilience, and reducing pollution & its disparate impacts.

Department of Natural Resources

As Minnesota transitions to a more equitable and clean energy economy, our natural lands play a vital role both mitigating greenhouse gases and adapting to climate change impacts. The proposed budget makes much needed investments in forests, grasslands, wetlands, and peatlands, and the recreation programs that keep Minnesotans connected to our great outdoors.

- **Forestry:** We support the bill's investments in protecting and growing Minnesota's trees through state-managed, private, and community-based forests.
 - Planting Tomorrow's Forests Today
 - \$3,000,000 / year in FY 24-25 (GEN)
 - Private Forest Landowner Technical Assistance, Cost-Share, & Inventory
 - \$2,086,000 / year in FY 2024-25
 - Minnesota ReLeaf Program
 - \$10,000,000 / year in FY 24-25 (GEN)
 - Accelerated Tree Seed Collection
 - \$400,000 / year in FY 24-25 (GEN) - We encourage the committee to make this an ongoing appropriation.
 - School Tree Planting
 - \$1,000,000 in FY 24 (GEN)
 - EAB Hazardous Tree Replacement with Climate Adapted Species
 - \$10,000,000 in FY 24 (GEN)
- We ask the committee to also consider expanding these investments in areas like:
 - \$5,000,000 in FY 2024-25 in the Forests for the Future Program
 - \$3,000,000 in FY 2024 for forest stand improvement

- **Grasslands, Wetlands, and Peatlands:** Minnesota’s natural lands play an important role as carbon sinks, one of the most effective tools we have to put carbon pollution in reverse. These proposals would help protect these lands and grow these natural climate solutions.
 - Enhancing Grasslands and Restoring Wetlands on WMAs for Carbon Capture and Resiliency
 - \$15,000,000 in FY 24 (GEN)
 - Protect and Restore Carbon Storage in State-Administered Peatlands
 - \$998,000 in FY 2024 and \$568,000 in FY 2025 (GEN)
- **Recreation:** Minnesotans love our great outdoors. And we’re committed to stewarding them for the next generation. Investing \$1,000,000 / year in the No Child Left Inside program is a critical way to make sure all Minnesota’s kids get outdoors, get active, and fall in love with our lakes, rivers, forests, and prairies. This program’s focus on people of color, Native Americans, people with disabilities, people in the LGBTQ community, and veterans makes it a vital program for all Minnesotans. We support this ongoing investment.
- **1854 Treaty Appropriation:** We support the \$19,900,000 in FY 24-25 (GEN) for Minnesota to meet its obligations to the Grand Portage, Bois Forte, and Fond du Lac Bands.

Minnesota Pollution Control Agency

Minnesota’s climate is changing. Our communities are experiencing it. Our local governments are responding. However, our townships, cities, school districts, and counties could do more with the full support of our state government. We support several of the HF 2310’s investments in local climate action planning and implementation.

- **Resilient Communities Grants and Technical Assistance:** This program leverages our current state surplus to make a one-time investment of \$20m / year in FY 24-25 (GEN) to support local planning for and adaptation to expected, place-based climate impacts. We strongly encourage the committee to move toward the Walz-Flanagan administration’s proposed \$86.94m / year in FY 24-25. Preparing now will save costs and mitigate the consequences of a warmer, wetter, less predictable state.
- **MPCA Citizens Board:** This board served Minnesota well from 1967 until 2015. It provided the public an opportunity to participate directly in critical decisions about how our MPCA can best protect the people and places we love. We support the appropriation of \$771,000 in FY 24-25 and \$666,000 in FY 26-27 to support its reinstatement.
- **Climate Pathways Analysis:** In order to better understand how to prevent future climate damage, the state needs to better understand Minnesota’s pathways to decarbonization by 2050. When paired with the 2022 Climate Action Framework this analysis (a \$500,000 investment) (GEN) would give Minnesotans an evidence-based roadmap for reducing greenhouse gas (GHG) emissions across all our economic sectors. We support it.
- **Climate Resources for Environmental Review:** To build for a climate-adapted future, we need to factor climate risks into our state’s planning. This budget proposes \$320,00 during FY 24-25 (GEN) for one full-time equivalent position dedicated to analyzing the climate impacts of all

projects that complete an environmental worksheet. These analyses require subject matter expertise that this funding would support. We support this and encourage the committee to continue this funding into FY 26-27

- **Technical Assistance for Environmental Review:** We support this one-time investment of \$620,000 in FY 2024 and \$140,000 in FY 2025 (GEN) would supplement the analyses and reviews described above. To make these improvements happen, the MPCA will need to hire one full-time position and contract out the creation of a Minnesota-specific GHG modeling tool.
- **Increasing Data Management and Data Quality Capacity:** In order to do both these analyses and reviews, Minnesota needs reliable, user-friendly data. This budget recommends an ongoing appropriation of \$1.82m per year in FY 25, 26, & 27 (ENV) to create thirteen new environmental data management and data quality jobs at MPCA. We strongly support this ongoing investment. As we make decisions that shape our futures, we need an evidence-based, data-driven approach.
- **Technical Assistance Contractor for Tribal Governments:** We support the proposed \$2m per year in FY 24-25 (GEN) in ongoing funding for technical assistance to Tribal governments who are tackling complex environmental protection and climate resilience challenges. We encourage the committee to continue this as base funding in FY 26-27.
- **GreenStep Cities:** For over a decade, the State of Minnesota has partnered with local governments through the GreenStep Cities program. Over 140 local governments have voluntarily participated in the program taking over 4,000 concrete actions on behalf of roughly half of Minnesotans. We support adding \$190,000 / yr in FY 24-25 (GEN) to add one full-time equivalent position and modest program costs to this successful program.

Second, we applaud House File 2310's commitment to reducing pollution and its disparate impacts on Minnesota's environmental justice communities. This budget addresses these needs in eleven ways.

- **Cumulative Impacts:** We support investing \$18,747,000 in FY 24-25 (GEN) and \$18,042,000 in FY 26-27 (ENV) for integrating cumulative impacts analyses into the work of MPCA. These analyses are a critical tool understanding the compounded impacts of pollution on certain communities, often those where Black, Indigenous, people of color, or low-income Minnesotans live.
- **SCORE Block Grants:** We support the bills proposed \$8,000,000 in FY 24-25 (GEN) for this proven program that helps communities better manage their waste.
- **Zero-Waste Grant Program:** We support the bill's establishment of this program designed to support local programs that will reduce, reuse, recycle, and compost more of Minnesota's waste. (Lines 130.1-135.2)
- **Waste Prevention and Reduction Grants and Loans:** We support the proposed investment of \$16.94m in FY 24 and FY 25 (GEN). We encourage the committee to commit to \$2m per year ongoing into these programs to reduce and recycle waste. This proposal is a critical upstream

investment that can help divert waste from both landfills and waste incinerators.

- **Biodegradable & Compost Labeling:** We support the appropriation of \$35,000 in FY 25 (ENV) and \$136,000 in FY 26-27 (ENV) to help enact this important consumer and environmental protection. (Lines 160.1-162.5)
- **Air Permit Monitoring, Air Toxics Emissions Reporting, and Community Air Monitoring:** We support the bill's appropriation of \$1,192,000 in FY 24-25 (GEN), \$1,404,000 in FY 24-25 & \$2,069,000 in FY 26-27 (ENV), and \$5,000,000 in FY 24-25 (GEN) for each respective program. They would help the MPCA better protect Minnesotans from the ongoing impact of ongoing air pollution.
- **Industrial Facility Air Toxic and Criteria Air Emission Reduction Grants:** We support the proposed \$6.4m during FY 2024-25 (GEN) for grants to improve and staffing to monitor air emissions from industrial facilities within areas of concern for environmental justice. These investments would result in tangible improvements of the health of Minnesotans who are already most impacted by pollution.
- **Accelerating Pollution Prevention at Small Businesses:** We support this \$1.79m investment in FY 24 and \$40,000 in FY 25 (GEN) for Minnesota's small businesses who decide to replace higher polluting equipment with lower emitting equipment.
- **Air Compliance Equipment Maintenance:** We support this \$40,000 per year (GEN) investment in air monitoring equipment maintenance. It is an essential, ongoing part of reducing air emissions and protecting public health.

Third, House File 2310 invests in developing the environmental workforce of the future through two key programs.

- **Minnesota GreenCorps Investment:** The budget proposes \$650,000 per year (ENV) in the Minnesota GreenCorps, a program to implement locally designed environmental projects, especially in areas of concern for environmental justice.
- **Environmental Career Pathways:** We support the proposed \$270,000 per year ongoing (ENV) to support five new student worker positions and one new recruiter position. The program is designed to develop the environmental protection workforce that state agencies will need for decades to come.

Finally, the House File 2310 would help the MPCA catch up with the existing demand for its services and support. The budget makes overdue investments in staffing at the MPCA through its Enhanced Permitting and Environmental Review Coordination, Air Appropriation Increase, Hazardous Waste and Solid Waste Program Staffing, Solid Waste Permitting Program Update, and Industrial Stormwater and Subsurface Sewage Treatment System Program Staffing proposals. These investments are needed to both improve and accelerate the agency's work.

Board of Water and Soil Resources

BWSR is a key state agency that can help advance Minnesota's strategies to sequester carbon through natural climate solutions and to prepare for expected climate change impacts. These investments would improve and protect both working and natural lands, supporting landowners, local governments, nongovernmental organizations, and Tribal nations.

- **Soil Health Soil Health Practice Program:** We support this innovative program designed to encourage best practices that we know are effective in improving land and sequestering carbon. (Lines 253.7-254.5) Please consider including the \$13.58m per year investment the Walz-Flanagan budget recommends.
- **Climate Adaptation:** We support the Climate Adaptation – Accelerated Water Storage and Treatment proposal for \$17m in FY 2024-25 and \$480,000 / year ongoing is an important one-time investment in preparing for the more frequent and larger precipitation events we expect over the coming decades.
- **Climate Resilience:** The Climate – Habitat Enhancement Landscape Program proposal is focused on sustaining more resilient ecosystems in Minnesota. As our climate is changing, maintaining robust biodiversity is a key strategy for making ecosystems more resilient. Biodiversity means more options for natural systems to adapt. This investment of \$4m in FY 2024-25 is critical for preserving habitats in Minnesota.
- **Habitat-Friendly Utilities Program:** We support the creation of this innovative program designed to ensure land used for energy infrastructure can also be maximized as habitat for Minnesota's wildlife. (Lines 248.17-248.59)
- **Reinvest in Minnesota and Conservation Reserve Program:** The bill invests in these successful programs in five ways. Each of these would help Minnesota's landowners implement much needed natural climate solutions.
 - Reinvest in Minnesota:
 - \$3,000,000 in FY 24 (GEN)
 - Climate – Private Lands Grassland / Working Land Restoration Easements for Carbon Sequestration
 - \$17,000,000 in FY 2024-25 (GEN)
 - Climate – Private Lands Peatland Restoration for Carbon Sequestration
 - \$7,500,000 in FY 2024-25 (GEN)
 - Climate – Mitigation and Resiliency for RIM Easements
 - \$7,100,000 in FY 2024-25 (GEN)
 - Conservation Reserve Program
 - \$5,000,000 in FY 24 (GEN)
- **Support for Tribal Liaison:** The bill invests \$265,000 in FY 24-25 and \$288,000 in FY 26-27 in this important extension of BWSR's mission, providing more Minnesota communities with opportunities to protect our working and natural lands.

Metropolitan Council - Environmental

Our metropolitan regional government plays an important role in supporting communities as they mitigate GHG emissions and prepare for climate impacts. We support these three investments that will advance that mission.

- Mapping Infrastructure Climate Risks and Resiliency Opportunities
 - \$5,000,000 in FY 24 (GEN)
- Inflow & Infiltration Reduction Grants
 - \$5,000,000 in FY 24 (GEN)
- EAB Hazardous Tree Replacement with Climate Adapted Species
 - \$9,000,000 in FY 24 (GEN)

Thank you for your work creating a cleaner, healthier, and more climate-adapted Minnesota.

Aurora Vautrin

Aurora Vautrin
Legislative Director
100% Campaign
705 Raymond Ave. - Suite 100
Saint Paul, MN 55114

March 27, 2023

HF 1130

Chair Hansen and Committee Members:

I am asking for your support for HF 1130 in order for municipalities to have control, *if so desired*, over the use of systemic pesticides in their communities.

The neonicotinoids and other systemic pesticides are widely used in both rural and urban environments. With the increasing lack of plant diversity to nourish our pollinators on most of our landscapes, along with the ubiquitous use of systemic pesticides, it has led to the weakening of pollinator immune systems and making them vulnerable to diseases and pathogens.

There are literally dozens of research papers documenting losses of honey bee hives and also those of some song and game bird populations dependent on insects for sustenance. The increasingly significant losses in honey bees and more recent research reporting declines in many native bumble bee populations will lead to the loss of ecosystem integrity if it continues at this rate.

If residents wish to restrict the use of neonics and other systemic pesticides in their communities, they should have the freedom to do so with their local government approval.

Please give your support for HF 1130.

Thank you,
Margot Monson, entomologist, beekeeper
St Paul, MN



March 28, 2023

The Honorable Rick Hansen, Chair
Minnesota House Environment and Natural Resources
Finance and Policy Committee

Re: Paint Stewardship Program Changes in HF2310, Environment and Natural
Resources Omnibus Bill

Chair Hansen and members of the House Environment and Natural Resources Finance
and Policy Committee,

PaintCare and the American Coatings Association (ACA) are currently working closely
with the Minnesota Pollution Control Agency (MPCA) to develop appropriate
amendments to the authorizing statute for paint stewardship. We believe our efforts will
be successful and that we will be in agreement on appropriate legislative language.

ACA is a voluntary, non-profit trade association working to advance the needs of the
paint and coatings industry and the professionals who work in it. The organization
represents paint and coatings manufacturers, suppliers, distributors, and technical
professionals. ACA serves as an advocate for members on legislative, regulatory and
judicial issues. We also provide a forum to showcase the paint and coatings industry's
commitment to environmental protection, product stewardship, health and safety, and
the advancement of science and technology. Many of today's paints and coatings may
go unnoticed by the consumer, but they play immeasurably valuable roles in delivering
high-quality foodstuffs, durable goods, housing, furniture and thousands of other
products to market. In Minnesota, over 5,000 residents work in the manufacture,
distribution, sale, and application of paint and coatings products and the average annual
wage is approximately \$55,000.

PaintCare is the representative stewardship organization for the Minnesota Paint
Stewardship Program codified in Chapter 115A Waste Management, Section 1415, of
the Minnesota Statutes. The program currently works with over 260 year-round drop-off
sites across Minnesota to collect postconsumer architectural coatings for recycling.
Launched in November 2014, PaintCare has collected and processed over seven
million gallons of paint from Minnesota consumers to date.



Development of the PaintCare Paint Stewardship Program

In the early 2000s, the paint industry began discussions with several non-governmental organizations and state and local governments with the goal of developing a nationally coordinated system for the management of postconsumer paint waste. This discussion was facilitated by the Product Stewardship Institute. After more than six years of discussions and negotiations, all of the parties agreed to the framework for a paint stewardship program for leftover architectural paint. One of the fundamental pillars of the program is that it would be operated by the industry, and it would supplant many of the responsibilities of governments currently managing the end of life of leftover paint.

This framework for a paint stewardship program is logical because the paint industry has a significant interest in ensuring the success of the program. The framework also requires complete and universal participation by the manufacturers of architectural paint in a given state. And the penalty for not registering with the stewardship organization is a ban on sales of architectural paint for any manufacturer that does not participate in an authorized paint stewardship program. Manufacturers of architectural paint in the state of Minnesota bear the burden of operating the program and meeting the requirements of the paint stewardship law. Should PaintCare fail to carry out its responsibilities under the statute, certain manufacturers will not be able to sell paint in the state of Minnesota. Consequently, decision-making, and operational authority should remain with the paint industry and its product stewardship organization with appropriate oversight by the state as reflected in the current language of the paint stewardship law.

The Current Negotiations

ACA and MPCA are currently discussing technical changes to the Paint Stewardship Program within Article 3, Sec. 9 of HF2310 as amended by the DE1. There are three changes at issue in this discussion:

1. The Reserve Level for a Product Stewardship Organization;
2. The authority of an oversight agency and the role of the commissioner in the process of approving a program plan or its proposed amendments; and
3. The agency's ability to collect documents and information about the operation of the program.

We believe we have reached significant agreement on these issues with MPCA and anticipate that these changes will be presented shortly.

Thank you for your patience as we continue to work diligently with MPCA on these important issues.



AmericanCoatings
ASSOCIATION

If you have any questions or wish to discuss further, please contact me directly at hmcauliffe@paint.org or 202-329-1065.

Thank you in advance for your consideration.

Best regards,

Heidi K. McAuliffe, Esq.
Vice President, Government Affairs

Re: HF 2310 as amended

House Environment and Natural Resources Policy and Finance Committee

Chair Rick Hansen

Background:

The provisions which are currently found in article 6 of HF 2310 as amended will have no effect on accomplishing the goal of eradicating Chronic Wasting Disease in either the wild or captive Cervidae populations. In fact, they will have the opposite effect by forcing the captive whitetail farmers out of business and subsequently halting valuable research which is being done in conjunction with the USDA and Board of Animal Health to stop CWD through the current process of breeding for genetic resistance through selective breeding.

The premise that CWD is a problem within the captive farms and that they are somehow responsible for CWD in the wild is also pure conjecture and not based on any factual evidence. In fact:

1. In the past 20 years for which documentation exists, only 13 deer farms have been found to have had CWD. This is out of nearly 600 farms that have been registered in that time .
2. On those farms, only 54 deer have tested positive for CWD out of the many, many thousands that have been produced.
3. These facts are in sharp contrast to the rhetoric that has been put forward by anti deer farm groups and individuals. They suggest that these entities and persons have weaponized CWD in an attempt to rid the landscape of Cervidae producing, small family farms in a most sinister way.

Sect. 1, Sub 6 Animal Premises Data

Making the personal data for the owners of Cervidae farms will have no effect on the stated goal of eradicating CWD in either the wild or captive Cervidae farm operations.

It will however violate privacy and make these owners targets for possible vandalism and theft

Section 2 Hunters may kill and keep escaped captive whitetail deer

This violates the personal property rights of the owners without compensation.

It has no provisions for acts of nature like fences that have been damaged by storms or vandalism.

Section 3- Fencing

The fencing provisions create an undue financial hardship for Cervidae farm owners and will have absolutely no effect on the stated goal of eradicating CWD.

There is no evidence that double fencing or 10 foot fencing will have any effect on CWD. In fact, new research is showing that “nose to nose” contact is extremely rare and is also being shown to be a very minor possible transmission vector.

Ten foot fencing is needlessly punitive since there is no evidence of any farmed Cervidae ever jumping a currently mandated 8 foot fence.

Section 5 No New deer farms

This provision is a death blow for the deer farming industry. It would force farms out of business by removing potential customers and also by attrition over time.

Section 6 Record with County recorder or registrar of titles when CWD is found on a farm.

In any real estate transaction, a seller must currently disclose any material facts or defects to a potential buyer. The recording portion of this provision is not needed and will create a permanent cloud on the title of the property. This would be extremely damaging and would greatly depreciate the marketability and value of the property with no consideration as to the sufficient provisions for disclosure in current real estate law and practice.

Section 7- Liability After Sale

An owner may not have knowledge of a possible infection at the time of sale. Also, there is no limitation on the liability which means that any Cervidae that have been sold, and subsequently been found to have CWD, would still be included in this provision. This lack of an expiration would place a permanent liability on the original owner.

Section 8 Importation of Cervidae or semen

Importation of semen is critical for the continuation of selective breeding for CWD resistant deer. Also, any geographic prohibition should be left up to the BAH given that many states and provinces are extremely large and CWD may not be concerning in these states and provinces where significant geographical separation exists between the imported animals or semen.

Section 12 Annual Testing

This provision relies on a technology that is not currently approved by the USDA. It also has a danger of false positive test results and would put a farm in peril of depopulation. The USDA is on record with strong cautions regarding the use of unapproved tests.

Section 13 transfer authority to DNR

The Board of Animal Health has the needed expertise and experience to continue administering the farmed cervidae program as they have done in the past. Current statute gives the DNR ample authority in any related matters

Sincerely Scott Fier, President Minnesota Deer Farmers Association

Rep. Rick Hansen:
407 State Office Building
St. Paul, MN 55155

March 28, 2023

Chair Hansen:

First, thanks for including wording on “working lands” easements in HF 2310.

Second, my questions and previous concerns on HF 2352 remain. This is an attempt to dumb down resource management, confuse the issues, and to control information. My former forestry district would be about 80 percent taken out of production. The DNR and federal government have invested considerably in the Lowland Conifer forests that are there through fire protection, mistletoe management, prescribed burning, planting and seeding. It is ironic that now that the DNR is planning for containerized nurseries, the legislature is trying to forbid their use on the very sites where they are needed.

Lidar has its own carbon footprint. There is a reason that the state-wide data from 2004 still is not available. When the agencies that are supposed to be providing objective data are not even honest about the costs of this, why would you pay them to provide more information? They have not figured out how to adjust this for leaning trees. I know people who have worked on Object Oriented Analysis for 25 years who say that it doesn't work. If all that you are getting is the height of the live crown and it's diameter, how do you know if the trees are declining or just young? At best, the 20 meter raster rectangles could be used for stand (and inclusion) delineation. So could stereo aerials. The last ones that are available for the central part of the state are from 1999. You should be asking why! It is easy to show growth when you are starting from zero. Along with that, ask why spruce stumpage declined during the 1980 and is not bringing what it did now.

I am one of the few Democratic Party members in my town. I tried to provide professional, timely input and was ignored. I was in favor of the audit portion of this bill. It should go back at least 7 years, however not just 5 years. Make it eight to be safe. At this point, I would just say to delete all reference to Lowland Conifer Carbon Reserve. Planning doesn't need science, and it is lacking for this. The bigger problem is that this topic hasn't been vetted in professional circles, nor did the Rules Committee have it in their version of HF 2310.

Sincerely,

William L. Haugan

(218) 894-3440



Executive Committee

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District 6 - Karlin Ziegler, Olmsted County

March 27, 2023

Dear Representative Hansen and members of the House Natural Resources and Environment Committee:

On behalf of the more than 135 cities, counties, businesses, non-profits, and individuals that comprise the Greater Minnesota Parks and Trails organization, we are writing to provide our feedback on the House Natural Resources and Environment Committee Omnibus bill.

We must express our extreme and continuing disappointment with this committee's refusal to recognize and support the regional parks and trails of Greater Minnesota. Regional parks and trails play an essential role in our recreation systems throughout Minnesota. They serve as a bridge between the local park around the corner and Minnesota's outstanding state parks. Regional parks and trails are a close-to-home option for both the community and visitors. Claiming that our citizens are adequately served by the state parks and that our regional parks can therefore be ignored is at odds with the difference between regional and state parks as well as with the geography of Minnesota. There are 80 counties outside the metropolitan area and millions of residents. Many of them live further from a state park than do most residents of the metropolitan area.

Regional parks and trails have existed outside the metro area for decades, but they were not truly recognized until after the passage of the Legacy amendment in 2008 and subsequent discussions shed light on the fact that the regional parks and trails of Greater Minnesota were being ignored. In 2013, the Legislature created the Greater Minnesota Regional Parks and Trails Commission, which has been tasked with developing a system of regionally designated facilities in the 80 counties not served by the Metropolitan Council. Since then, more than 74 facilities across the state have been designated through a rigorous evaluation process. These parks, trails, and special features that serve Greater Minnesota are as deserving of funding as the parks and trails that serve the metropolitan area.

Greater Minnesota came forward with a simple bill, H.F. 873, that sought \$500,000 per year to fund the Greater Minnesota Regional Parks and Trails Commission. This bill had bipartisan authorship, including multiple members of this committee. Yet it was refused even a hearing.

This omnibus bill contains no funding for the regional parks and trails of Greater Minnesota, yet this bill includes tens of millions for the regional parks and trails of the metropolitan area, in both ongoing and one-time funding. We do not begrudge them their funding. Our residents visit their facilities just as their residents visit ours and we work together on initiatives. We simply believe that the residents of Greater Minnesota are as deserving of funding for our regional parks and trails as are the residents of the metropolitan area.

We respectfully ask that you amend this bill to include at minimum \$ 1 million directed to the Greater Minnesota Regional Parks and Trails Commission in an effort to make one small step

towards parity between the regional parks of Greater Minnesota and the metropolitan area.
Thank you for your time and consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ben Anderson".A handwritten signature in black ink, appearing to read "Gina Hugo".

Ben Anderson
Chair, Greater Minnesota Parks & Trails
Stearns County, Parks Director

Gina Hugo
Vice Chair, Greater Minnesota Parks & Trails
Sherburne County, Parks Coordinator



DATE: March 27, 2023

TO: House Environment and Natural Resources Committee

FROM: Andrea Lovoll, Legislative Director, Minnesota Center for Environmental Advocacy

RE: HF 2310 DE1 (Hansen) House Environment and Natural Resources Omnibus Bill

Chair Hansen and Members of the Committee:

HF 2310 (DE1) contains dozens of transformative projects and legislative changes. It rises to this moment in terms of needed policy changes and significant investments in protecting our clean water and our natural resources. We were pleased to see the overall joint target of \$670 million over the biennium, and HF 2310 DE1 does a good job of making targeted investments.

We fully support the following provisions:

Drainage Registry Portal (Lines 252.12 – 253.6): This transparency measure ensures that all Minnesotans are aware of drainage proposals that may affect downstream water quality. Originally travelling as HF 2354 (Pursell), this bill would harmonize and centralize public notice of drainage proposals early in the process.

Review of Nonexpiring Permits and Enforcement Money Dedicated to Communities (Lines 9.15 – 9.24, 114.17 - 115.8, 149.7 - 150.6): Originally travelling as HF 672 (Lee) and HF 673 (Lee) these are environmental justice provisions that are needed to ensure that communities affected by pollution have a say in permitting, and that resources from penalties go back in the community that was harmed.

Fish Kill Protocol (Line 224.1 – 225.30): The rate of human-caused fish kills, particularly in the karst region of southeastern Minnesota has been increasing, while our investigation of these events is failing. This bill is a good first step to addressing this problem. Originally travelling as HF 81 (Jordan), this bill has been heard in this committee and the House Public Safety Committee and recommended to pass by both.

Zero-waste Grants (Lines 19.23 – 19.29, 130.1 – 135.2): Appropriating \$2.97M to waste-reduction grants and funding the zero-waste study at \$680,000 are wise investments to increase the e-waste recycling rate and reduce landfilling and incineration of organics.

Swan Protection Act (Lines 204.27-205.30): Originally travelling as HF 2354 (Hansen), this is a good step toward the protection of an iconic and recovering Minnesota bird species from the threat of lead poisoning.

Lowland Conifer Carbon Reserve (Lines 30.31 – 30.35, 201.19 – 203.24): The \$5 million investment in protecting and preserving carbon-sequestering conifer wetlands, as well as policy establishing the Lowland Conifer Carbon Reserve are needed. Meeting our climate goals depends on land use decisions that protect peatlands, and this is an excellent start.

Cumulative Impacts Analysis in Overburdened Communities (Lines 10.1 – 10.9, 145.4 – 149.6): While there are some language differences, the common thread is that communities overburdened by pollution desperately need protection from new pollution sources. Much work has gone into finding effective and acceptable language, and we urge the House to continue working with the Minnesota Pollution Control Agency and the Senate to find a version that can become law in 2023.

Lawns to Legumes (lines 46.26-46.34, 248.5 – 248.16): After several rounds of Environment and Natural Resources Trust Fund pilot funding, the language making the program permanent and the \$4 million appropriated to expand this popular and successful program is a natural next step. We are glad to see this in all three budget bills.

PFAS Source and Harm Reduction: Testimony on PFAS in committee has been gripping, underscoring the need for Minnesota to lead on PFAS source reduction, disclosure, and medical monitoring. MCEA is glad to see these provisions included in the DE1 amendment, and urge the

House to find common ground on the pathway forward with the Senate and Governor. Minnesota was the origin of the PFAS pollution problem, and Minnesota must lead in ending this threat to public health.

Peatland Restoration and Easements Acquisition (lines 27.27-27.33, 48.1-48.21): Building on our earlier testimony about the importance of peatlands for climate change and mitigation, MCEA strongly supports the \$7.5 million in funding to acquire peatlands, and \$1.566 million to restore the carbon-sequestering potential of state-owned peatlands. As you negotiate with the Senate and Governor, MCEA supports a high level of investment.

MCEA appreciates the thorough and thoughtful process that the House Environment and Natural Resources Committee has used to assemble this budget. The result is the strongest and most protective environment and natural resources budget bill in decades, and we hope to see it become law soon.

Andrea Lovoll
Legislative Director
Minnesota Center for Environmental Advocacy
alovoll@mncenter.org

To: Members of the Minnesota House Environment and Natural Resources Committee

Re: Support Reinstatement of the MPCA Community Board (HF 2076 / SF 1937)

March 28, 2023

Dear Members,

When the Minnesota Pollution Control Agency (MPCA) was established in 1967, the agency was headed by the Citizens' Board to ensure the agency served the interests of the public and to establish an open and transparent decision-making process. The Board, made up of eight regular Minnesotans and the Commissioner, had the full legal authority to make final decisions around environmental review, permitting, and rule-making.

In 2015, special interests successfully abolished the Board in back-door negotiations during a special legislative session. Abolishing the Board was one of the most controversial pieces of legislation that year, even leading to former Governor Mark Dayton vetoing the Omnibus Environmental Funding Bill it was inserted in.

If you believe in an open public process with informed community members - representing the interests of everyday Minnesotans - having the final say on major environmental decisions, you should be in favor of reinstating the PCA Board. Ask yourself this; have the actions and outcomes of the agency become more protective of our environment over the last eight years? Has their transparency and accountability to the public increased? Have the voices of those most impacted by environmental injustice been heard and acted upon?

Reinstating the Board, now as the MPCA Community Board, will:

- Ensure agency decisions are transparent and democratic.
- Provide meaningful opportunities for the public to make their voices heard.
- Serve as a check and balance on agency staff.
- Restore the original decision-making process that worked well for decades - at the agency.
- Advance environmental justice by ensuring those disproportionately impacted by agency decisions in both rural and urban communities have decision-making power.

Reinstating the MPCA Community Board restores a critical step to environmental review and permitting that existed for forty-eight years. We are taking this step in the name of protecting our communities, restoring transparency, and re-establishing a democratic process with rigorous public participation.

We thank you for the inclusion of the reinstatement of the MPCA Community Board in the DE Amednment (14.4-14.7, 137.1-142.1) and ask for your support. This language, originally from HF 2076 (Pursell; Hanson, J.; Koegel; Brand; Pryor; Elkins; Stephenson; Greenman; Freiberg; Bahner; Noor; Hornstein; Jordan; Rehm; Tabke; Coulter; Bierman; Klevorn; Wolgamott; Sencer-Mura; Fischer; Feist; Curran; and Hemmingsen-Jaeger) will require membership to include at least one small-scale farmer, at least one enrolled member of a tribal nation, at least one member of a labor union, and at least three people who are low-income, Black, Brown, or Indigenous and live in an environmental justice community.

Sincerely,

A.C.E.S.
Audubon Minnesota-Iowa-Missouri
Calvary Baptist
Clean River Partners
Clean Water Action
Clean Up our River Environment (CURE)
Climate Generation
Climate Land Leaders
Comunidades Organizando el Poder y la
Acción Latina (COPAL)
Dodge County Concerned Citizens
Earth Care Congregation
EcoFaith
Environmental Justice Table
Environmental Justice Coordinating Council
First Congregational Church of Minnesota, UCC
Friends of the Boundary Waters Wilderness
Friends of the Cloquet Valley State Forest
Friends of the Mississippi River
Greener Pastures
Hamline University Center for Justice and Law
Honor the Earth
Institute for Agriculture & Trade Policy
ISIAIH
Izaak Walton League - Minnesota Division
Lake Pepin Legacy Alliance
Land Stewardship Project
Lakeville Friends of the Environment
League of Women Voters Minnesota
Lutheran Advocacy - Minnesota
Minneapolis Friends Meeting
Minnesota350
Minnesota Center for Environmental Advocacy
Minnesota Interfaith Power & Light
Minnesota Ornithologists Union

Minnesota Trout Unlimited
Minnesota Voice
Minnesota Well Owners Organization
Mountains and Waters Alliance
Pesticide Action Network North America
Pollinate Minnesota
Pollinator Friendly Alliance
Project Sweetie Pie
Renewing the Countryside
Responsible Agriculture in Karst Country
Save Lake Superior Association
Save Our Sky Blue Waters
Sierra Club North Star Chapter
Sts. Luke and James Episcopal Church
St. Paul Audubon Society
TakeAction Minnesota
The Good Acre
United Food + Commercial Workers Union
Local 663
Upper Mississippi River Region of the League
of Women Voters
Vote Climate
Water Legacy
Wild Rivers Conservancy
100% Campaign

March 28, 2023

Representative Rick Hansen
Chair, House Environment and Natural Resources Finance and Policy Committee
407 State Office Building
St. Paul, MN 55155

Re: H.F. 2310, Environment and Natural Resources Omnibus Bill

Dear Chair Hansen,

The Partnership on Waste and Energy (Partnership) is a Joint Powers Board consisting of Hennepin, Ramsey and Washington counties, formed to address waste management and energy issues. The Partnership seeks to end waste, promote renewable energy and enhance the health and resiliency of communities we serve while advancing equity and responding to the challenges of a changing climate.

The Partnership appreciates the opportunity to express support for several provisions of H.F. 2310 that will have significant impact on protecting public health and the environment and help counties and communities be more successful in reaching challenging statutory waste management goals.

Priority Provisions

The Partnership highlights these provisions as priorities for full funding.

- *Responding to emerald ash borer (EAB)*. Significant funding is long overdue for multiple responses needed to address this ongoing threat to 1/5 of the state's community forests. The Partnership strongly supports the following.
 - *St. Paul Cogeneration*: State support for this facility currently handling 2/3 of the region's wood waste. The Partnership appreciates the proposed grant appropriation as a major step in preserving this critical resource. We encourage the full \$35 million appropriation included in H.F. 2831 to avoid cost disincentives that could lead to hazards created by stockpiling or open burning of wood waste.
 - *Koda Energy*: Grant for \$4 million to purchase wood dehydrating equipment at this biomass facility in Shakopee to significantly expand the company's capacity to efficiently capture energy from wood waste.
 - *EAB Response grants to local governments, the DNR ReLeaf Program and Met Council grants for parks systems*: Grant programs to offer a range of assistance that strapped communities need now for treatment, removal and replacement of ash trees as EAB destroys community forests and urban canopy in a growing number of counties (40 and counting).
- *SCORE grant funding*. Maintaining and building on baseline funding is foundational to support waste reduction, reuse, recycling and composting efforts in the state and assist counties in meeting state mandates.

- *Food waste reduction, food rescue, and organics recovery.* Ambitious state recycling mandates will not be met without addressing the biggest component of our trash stream—food waste and other organic materials. Grants to businesses, non-profits and local government are one important tool in this effort.
- *Waste prevention and reduction grants and loans.* The grant and loan programs presented in the Minnesota Pollution Control Agency’s budget proposal will reduce greenhouse gas emissions and make important contributions in achieving state waste management goals. We support these resources needed to address food waste, expand the impact of recycling and compost market development efforts, reduce landfilling of materials from our built environment, support a variety of other waste prevention, reuse and recycling activities by counties and our partners in the community, and develop higher and better uses for tree waste—a critical need given the exponential increasing numbers of infected trees in the coming decades.

The Partnership also strongly supports the Minnesota Pollution Control Agency’s request for additional staffing to address backlogs in solid waste permitting. Our counties are pursuing innovative and emerging solutions to meet the state’s waste management mandates. For example, our counties are putting significant resources into developing anaerobic digestion facilities that will significantly reduce disposal of food waste and other organic waste in landfills and waste-to-energy facilities. We need a strong partnership with the Agency as these and other facilities are developed. Long delays risk project viability and missed federal grant opportunities for necessary projects.

Other Provisions to Support

The Partnership also supports several other provisions in H.F. 2310.

- Repaying the Metropolitan Landfill Contingency Action Trust account (full \$29.055 million appropriation) and funding of the Pig’s Eye Landfill Task Force to address remediation of ongoing problems created by landfills.
- Implementing standards and labeling requirements for compostable products and packaging, critical for achieving sustainable organics recycling to meet state recycling mandates.
- Establishing a zero-waste grant program. We encourage continued efforts to refine certain provisions, including reliance on an agency-determined definition of zero waste, to enhance the impact of the grant program and assure language leads to effective policy on landfill diversion and zero-waste efforts.
- Funding a study and report that includes a pathway to achieve zero waste. We encourage continued efforts to assure the process and product reflect the waste management hierarchy in state law with an objective and full examination of the range of considerations involved in moving the state closer to a zero-waste outcome.
- Maintaining recycling market development grants that build capacity within the state to make products out of materials collected in the state’s recycling programs.
- Implementing Minnesota’s PFAS Blueprint, PFAS reduction grants and other provisions that encourage transparency and re-examination of product design to reduce PFAS.
- Funding small business loans and grants for pollution prevention and emission reductions.
- Funding agencies’ responsibilities related to chemicals of concern in children’s and other products and PFAS in food packaging.

RE: Support for H.F. 2310, Environment and Natural Resources Omnibus Bill

- Updating statutes related to lead and cadmium in products and addressing trichloroethylene (TCE) use.
- Maintaining Local Recycling Development Grant (LRDG) to metro counties.
- Updating the state's product stewardship statutes for paint (PaintCare program).
- Advancing efforts to define and advance environmental justice in permitting and enforcement activities, examine cumulative impacts and engage with communities and community members in the permitting process. We encourage continued dialog among interested parties to balance a range of interests and concerns.
- Completing a solar equipment recycling and reuse report.
- Instructing the revisors office to change statutory language to no longer reference "master plans" in describing waste management plans in M.S.S. 473.803 to 473.8441.
- Funding LCCMR pilot projects for furniture and mattress recycling and for producing biochar from wood waste.
- Funding a lead tackle reduction program to keep this heavy metal from polluting our land and water and reduce the burden on county collection programs.

Thank you for the opportunity to present the Partnership's positions on H.F. 2310. We stand ready to work together on these important issues for the benefit of our communities and the state.

Sincerely,



Commissioner Debbie Goettel, Hennepin County
Chair, Partnership on Waste and Energy

cc: House Environment and Natural Resources Finance and Policy Committee members

March 27, 2023

HF 1317

Chair Hansen and Committee Members:

I am asking for your support for HF 1317 to govern the use, storage, disposal, clear labeling, and sale of pesticide treated seeds.

After the news of the environmental destruction in Mead NB due to the mishandling of pesticide treated seeds at the AltEn Ethanol plant, many environmental violations were discovered that had been reported since it opened in 2015. However, there had been no mitigation and the plant continued to operate as a free drop off site for left over seeds.

Seeds that were said to be “fertility amendments” were left fermenting in piles covering 30 acres; in addition there were three lagoons of liquid waste containing neonic levels over 5000 times safety levels.

in 2021 the plant was finally closed after which pipes ruptured sending 4 million gals of waste water into Mead’s rivers and streams leading to contamination of drinking water wells as far as 6 miles downstream. The UNL reported all honey bee hives died within 3 miles of Mead.

To date the seed waste remains at the site leaching neonics into aquatic systems, no processes are in effect for cleaning it up, and there are still are still widespread losses of honey bee hives.

MN is the 5th largest ethanol producer with 19 ethanol plants, and it is not known where surplus seeds are currently being disposed. MN cannot afford to make the irresponsible errors that occurred in Mead and risk such environmental degradation in this water rich state with 8 million acres of corn.

Please support HF 1317.

Thank you,

**Margot Monson, aquatic entomologist, beekeeper
St Paul, MN 55108**

March 27, 2023

HF 0921

Chair Hansen and Committee Members:

I ask for your support for HF 0921 prohibiting the use of pesticides on state lands.

The availability of wildlife habitats free from pesticides is less and less as more and more of our land is used for agricultural crops grown from pesticide treated seeds and other developments that encroach on natural habitat. In traveling to see family in western MN, the landscape which was once a patchwork of small farms separated by strips of native wildflowers and grasses, has been taken over by large scale agriculture that has essentially eliminated all natural habitat for wildlife. We no longer see any wild plants, other than a few in a ditch now and then, and the meadowlarks and bobolinks are nowhere to be seen or heard.

This lack of habitat free of chemicals has led to the decline in commercially raised honey bees and many native insect pollinator species as well. As we lose insects, we lose other wildlife dependent on them that are integral to healthy ecosystems, our birds, amphibians, reptiles, mammals, etc.

If we would prohibit the use of pesticide treated seeds and the spraying of these chemicals on all our state lands such as the wildlife management areas, parks, trails, etc., we could create safe havens for the pollinators and other wildlife we so need to be sustained.

Please support HF 0921.

Thank you,

Margot Monson, entomologist, beekeeper
St Paul, MN



March 28, 2023

Re: HF 2310 DE1 Amendment – Environment and Natural Resources Omnibus

Chair Hansen and members of the House Environment and Natural Resources Finance and Policy Committee:

The League of Minnesota Cities, on behalf of its 837 member cities, appreciates the opportunity to comment on the delete-all amendment to HF 2310. There are numerous sections of the bill that directly affect cities and their efforts to protect the health, safety, and welfare of their residents and respectfully requests that the chair and committee consider the impacts these changes might have on cities.

Pollution Control Agency Provisions

- **Municipal liaison at MPCA:** This position has existed for several biennia and has provided significant assistance to small city wastewater systems, as well as coordinated discussions of wastewater policy and programs between the agency, operators, and cities. The League supports continuing this position. Art. 1, Sec. 2, subd. 2(a) and 4(a).
- **Local climate infrastructure grants:** This program would provide over \$20 million each year of the biennium to assist local governments in identifying water infrastructure improvements needed due to climate change, particularly in stormwater infrastructure. These resources are badly needed and the proposal is supported by the League. It includes \$270,000 as a placeholder in future base budgets, which we also support. Art. 1, Sec. 2, subd. 2(k).
- **PFAS Drinking Water Protection and Response Plan:** The League supports the \$2.07 million appropriation to develop and implement drinking water protections related to PFAS compounds. Art. 1, Sec. 2, subd. 2(l).
- **MDH PFOS Health Risk Limits Set in Statute:** The League does not support the legislature listing a numeric standard on PFOS in statute and requiring state adoption of that limit. The legislature can certainly direct the executive branch to proceed with rules, but should not set numeric limits in state law. The administrative rule process is the correct place to determine appropriate scientific and health standards, which also assures that they will be regularly reviewed for adequacy. Art. 1, Sec. 2(t) and Art. 3, Sec. 56.
- **PFAS Treatment in Public Water Supplies:** The League supports \$25 million being allocated to assist communities with PFAS contamination in the costs of dealing with treatment of their drinking water and appreciates the availability of those resources being extended until the end of the FY 26-27 biennium. Art. 1, Sec. 2, Subd. 6(e).
- **Greater MN Recycling and Composting Grants:** The League supports continued funding for this grants program to establish and improve recycling and composting availability for non-metro communities and tribal governments. Art. 1, Sec. 2, Subd. 7(b).
- **SCORE Funding:** SCORE block grants are key for local government management of solid waste. While the grants are awarded to counties, many cities receive pass-through funding to

implement portions of the county solid waste plan within their communities. That support is essential to local government efforts and is supported by the League. Art. 1, Sec. 2, subd. 7(d).

- **GreenStep Cities:** The League supports the GreenStep Cities program and appreciated the role that the MPCA has played in coordinating that program. This appropriation of \$190,000 per year allows that effort to continue. While we believe this should be a base item in the agency's budget as an area where ongoing effort is needed, the League supports this one-time funding. Art. 1, Sec. 2, subd. 7(1).
- **PFAS Source Assessment and Reduction Grants:** The League supports the \$4 million one-time appropriation proposed for the identification and reduction of PFAS sources. Art. 1, Sec. 2, subd. 7 (o).
- **PFAS Rulewriting:** The League does not believe it is necessary for the state to undertake rule writing on PFAS and PPFOS water quality standards, as the federal Environmental Protection Agency is already well underway on that very complex process. Art. 1, Sec. 2, subd. 7(q) and Art. 3, Sec. 55.
- **Remediation Fund and MLCAT:** The state bears a permanent obligation to manage closed landfills, so the ongoing transfer of funds into the remediation fund and the repayment of funds back into the Metropolitan Landfill Contingency Action Trust (MLCAT) are both essential in making sure the state can meet those obligations. Art. 1, Sec. 2, Subd. 10 (a) and (b).
- **Spill and Overflow Notification:** The League supports the language proposed to clarify notification requirements when sewage spills or overflows occur. The changes were developed with involvement from public works supervisors and city organizations. Art. 3, Sec. 7.

Department of Natural Resources

- **ReLeaf Program Funding:** Emerald ash borer and other urban forest management needs have exposed the state's need to provide ongoing support for local management of urban forests. The League supports the state investing \$10 million per year in the ReLeaf program and in a placeholder being established at \$400,000 in the department's base budget. Art. 1, Sec. 3, subd. 4(j).
- **Emerald Ash Borer Grants:** The League supports the \$9 million in grant funding made available for cities preparing to respond or acting to manage emerald ash borer infestations. Art. 1, Sec. 3, subd. 4(m)(1).
- **Expanded DNR Water Appropriation Enforcement:** The League continues to be uncomfortable with the expansion of enforcement authority requested by the DNR over water appropriations. The target is supposedly unpermitted appropriations and abandoned responsibility by temporary permit holders. But the bill is vastly broader than that. With language changes to tie the more serious mandates directly to administrative penalty orders rather than leaving them as an open option for the courts, we are no longer opposing the change. However, should problems arise with how these powers are used by the department or interpreted by the courts, we will be working with the department to further scope down their authority. Art. 4, Sec. 94-95 and 101-105.
- **Summer Water Appropriation Fees:** While the League has not actively opposed the department's proposed increase in summer water use fees, it should be noted that the amount increases 40% in its per/gallon rate and will also apply to five months each year instead of only three months, as it currently does. That is a very large change in overall fees paid by city ratepayers. Art. 4, Sec. 98.

Board of Water and Soil Resources

- **Lawns to Legumes:** The League supports the funding and policy supporting the Lawns to Legumes program to assist interested property owners in transitioning to pollinator-friendly landscaping. Art. 1, Sec 4(i) and Art. 5, Sec. 6.

Other Issues

- **Legislative Water Commission:** The League supports the reconstitution of the Legislative Water Commission as a valued forum for more in-depth discussion of water policy issues, an opportunity for local government technical and operational staff to share knowledge with decision-makers on key issues, and a venue for legislators to develop deeper expertise in those issue areas. Art. 7, Sec. 1.
- **City Authority to Prohibit Pollinator-Lethal Pesticides:** A number of cities are actively attempting to expand habitat and protections for pollinators within their jurisdictions in response to local interest. To assist in that effort, cities have asked that the Department of Agriculture create a list of pollinator-lethal pesticides and for the authority to prohibit the use of chemicals on that list by ordinance within their community. The change does not allow cities to develop independent lists or to prohibit use for certain important health and safety purposes. It also eliminates current authority cities have for the certification of pesticide applicators within their city. The League supports all of these changes. Art. 7, Sec. 4-5.

Obviously, a great number of other programs and efforts in state agencies and departments also affect city abilities to provide safe, reliable, and affordable water and wastewater services, as well as to protect public, health, safety, welfare, and the environment. The League has been generally supportive of the proposed Governor's budget in areas where we have not expressed concerns, seeing those proposals as supporting the work cities need to do.

Thank you for taking time to consider these comments and good luck on your continued work. The League stands ready to assist and provide information as discussion of the omnibus policy and fiscal bills progress this session. Please contact me if you have any further questions.

Sincerely,



Craig A. Johnson
Intergovernmental Relations Representative
League of Minnesota Cities

March 28, 2023



Minnesota House of Representatives
Environment and Natural Resources Finance and Policy Committee

Re: HF2310 DE1– Environment and Natural Resources Omnibus Bill

Dear Chair Hansen and Members of the Committee,

As a social enterprise recycler, we hold a clear and bold vision for a world without waste, we use our on-the-ground experience to advocate for tangible, real-world solutions to better manage our resources, reduce waste, support local economies, and build healthy, equitable communities.

We appreciate the addition of a number of policies and initiatives in the Omnibus bill that address our waste crisis and move us toward a zero waste future, including:

Zero Waste Grant Program (HF2693): Amid historic supply chain disruptions, the intensifying climate crisis, and rampant plastic pollution, there has never been a more important time to invest in a circular economy for Minnesotans that prioritizes reduction and reuse. Investments in Zero Waste infrastructure are investments in a resilient statewide economy, a healthier environment, and stable supply chains for Minnesota manufacturers. The systems of single use packaging and linear consumption and waste are well established, and it is critical that we support opportunities to invest in and build out the alternatives. This bill creates a grant program for small businesses, non-profits, and local governments to overcome start-up barriers and support their efforts to create reuse systems, reduce waste, and contribute to a circular economy.

Compostable Labeling (HF1315): Counties and cities across Minnesota are increasingly developing composting facilities and diversion programs to meet our urgent climate change goals. The success of public and private programs and composting operations is dependent on reducing contamination. By setting standards for compostable product labeling, resident and business confusion will be reduced and composting programs in Minnesota can thrive. HF1315 provides much needed standards for compostable product labeling, which will reduce operational costs for composters; reduce confusion of food establishments who accidentally buy misleading products from manufacturers, distributors and wholesalers; reduce confusion for residents participating in organics recycling programs; support compostable product manufacturers in the State, and elsewhere, who already clearly label products.

Frontline Community Protection Act (HF637): The burden of air pollution is not evenly shared. Minnesota has a concentration of pollution in certain communities, identified as Environmental Justice Areas. As a result, overburdened and under resourced communities are more vulnerable to adverse health impacts such as asthma and cardiovascular disease. According to the Minnesota Department of Health, data shows disparities in heart and lung

disease by age, income, race/ethnicity and geography. The impacts of pollution have been disproportionately forced on overburdened communities for decades, leading to numerous environmental, health, economic, and social disparities. This issue is systemic, and we must address it with systemic change. There are environmental justice communities all across the state. No overburdened community should continue having pollution forced upon them.

Path to Zero Waste Report: Our climate crisis is directly correlated with an economy that supports linear consumption over circularity. According to the EPA, 40% of our greenhouse gas emissions come from linear consumption – producing, transporting, using, and disposing a material good.ⁱ In Minnesota, nearly two-thirds of what is landfilled and burned in Minnesota could be reduced, reused, recycled, or composted with improved infrastructure.ⁱⁱ The state needs a comprehensive plan for achieving zero waste and our hope is that this report, informed by Environmental Justice communities, can develop that strategy. We support the language in the bill that requires that the report abide by the internationally peer-reviewed definition of zero waste and the zero waste hierarchy as codified by the Zero Waste International Alliance.

Investing in a Zero Waste infrastructure and supporting policies that aim to address our plastic pollution crisis will result in a more sustainable economy and healthier environment for Minnesotans. We thank you for your leadership on these issues and ask that you support these policies as they move to conference committee with the Senate. Please feel free to contact us with questions or for further information.

Sincerely,



Lynn Hoffman
Co-President of Eureka Recycling
(612) 455-9110
lynnh@eurekarecycling.org

About Eureka Recycling: We are a social enterprise recycler based in Minneapolis. Our mission is to demonstrate that waste is completely preventable. We employ 130 people with living-wage jobs who collect, sort, and market 110,000 tons of residential recycling every year. Our union drivers pick up recycling from more than 130,000 households in St Paul and surrounding communities. Our team sorts these recyclables into 15 different commodities that support our local supply chain. About 80% of our feedstock stays in Minnesota and 90% in the greater Midwest, where it is made into new products.

ⁱ <https://www.epa.gov/smm/resources-waste-and-climate-change>

ⁱⁱ <https://www.pca.state.mn.us/air-water-land-climate/understanding-solid-waste>



Friends of Minnesota Scientific & Natural Areas

March 28, 2023

VIA E-MAIL ONLY

Peter.Strohmeier@house.mn.gov

Representative Rick Hansen, Chair, and
House Environment and Natural Resources Finance and Policy Committee

Re: Requested Amendments to HF 2310DE1 Amendment

\$600,000 for Shooting Sports Facilities Grants (page 39, lines 39.1 to 39.20)

Swan Protection Areas (pages 204-205, lines 204.27 to 205.30, etc.)

Scheduled for Committee Hearing, Tuesday, March 28 and Wednesday, March 29, 2023

Dear Chair Hansen and Committee Members:

Friends of Minnesota Scientific and Natural Areas (FMSNA) is a Minnesota non-profit, tax-exempt [“501(c)(3)”] corporation organized to protect and enhance Minnesota’s Scientific and Natural Areas (SNAs). SNAs are the “crown jewels” of Minnesota’s state land base, protecting some of Minnesota’s rarest and most sensitive plant and animal species and the ecosystems upon which they depend.

First, it is important to state that FMSNA recognizes and fully supports the Minnesota Constitution, including Article XIII, Section 12, which states: “**Hunting and fishing** and the taking of game and fish are a valued part of our heritage that shall be **forever preserved** for the people and **shall be managed by law and regulation for the public good.**” [Emphasis added.]

FMSNA also recognizes that the science is clear. Lead is a potent neurotoxin, for which **no safe exposure level exists.** [Emphasis added.]
<https://www.lung.org/clean-air/at-home/indoor-air-pollutants/lead> [Last visited 3/4/23.]

Shooting Sports Facilities Grants (HF 2310DE1, page 39, lines 39.1. to 39.15)

FMSNA supports shooting sports as an important part of our national heritage. We are pleased that the Minnesota State High School Clay Target League (the “League”) states on its website: “**Safe** and **responsible** handling and storage

of firearms and ammunition is the **first priority.**” [Emphasis added.]
<http://mnclaytarget.com/about-us/mission/> [Last visited, 3/19/23.]

Therefore, FMSNA has concerns that HF 2310DE, in its present form, could increase the proliferation of toxic lead ammunition in shooting sports facilities – adding to the adverse impacts of lead on wildlife and humans. To quote two words from the League, the use of lead ammunition is neither “safe” nor “responsible.”

Simply stated, Minnesota **taxpayers should not subsidize** the proliferation of toxic lead ammunition.

Therefore, we respectfully request that HF 2310DE1, page 39, lines 39.1 – 39.15 be amended to read as follows:

(q) Notwithstanding Minnesota Statutes, section 297A.94, \$300,000 the first year and \$300,000 the second year are from the heritage enhancement account in the game and fish fund for shooting sports facility grants under Minnesota Statutes, section 87A.10, including grants for archery facilities. Grants must be matched with a nonstate match, which may include in-kind contributions. ~~Priority must be given to~~ Facilities **must that** prohibit the use of lead ammunition. Recipients of money appropriated under this paragraph must provide information on the toxic effects of lead **and non-toxic alternatives to lead ammunition ...**”

Minnesota Swan Protection Act (HF 2310DE1, pages 204-205, lines 204.27 to 205.30, etc.)

FMSNA is pleased that the Minnesota Swan Protection Act, although modified from the language in the original bill (HF 2368), is included HF 2310DE1, pages 204-205, and elsewhere. However, we are concerned that the present bill language reduces the “swan protection area” possibilities from state-wide to the 7-county metropolitan area.

Nevertheless, FMSNA recognizes this language as an important legislative step forward, for “the public good”, towards “getting the lead out” of our hunting and fishing activities.

As a reminder, we are on record advocating that the Minnesota Legislature adopt comprehensive legislation to require the phase out of lead ammunition and lead fishing tackle – state-wide -on all Minnesota land and waters.

FMSNA looks forward to working with you – and other legislators on both sides of the aisle – to promote the passage of this bill and to adopt subsequent

*Rep. Rick Hansen, Chair
House Environment and Natural Resources Finance and Policy Committee
March 28, 2023*

legislation to **phase out the use of lead ammunition and lead fishing tackle on all of Minnesota's land and waters.**

On behalf of FMSNA, I **thank you** in advance for your kind consideration. Please contact me any time, if you have questions or comments.

Very truly yours,

Thomas E. Casey

Thomas E. Casey
Board Chair
Friends of Minnesota Scientific and Natural Areas, Inc.

Please send correspondence to:
2854 Cambridge Lane
Mound, MN 55364
telephone: (952) 472-1099
e-mail: tcasey@frontiernet.net

**The following organizations and individual have signed on
in support of this letter:**

**Minnesota Division, Izaak Walton League of America
Mr. Carrol L. Henderson, Minnesota DNR (retired)
Audubon Minnesota**

March 27, 2023

Minnesota Senate
Environment, Climate, and Legacy Committee

Minnesota House of Representatives
Environment and Natural Resources Finance and Policy Committee

Re: H.F. No. 2310– Zero Waste Study

Dear Chairs Hawj and Hansen, Members of the Committee,

We write to express our strong support for the path to zero waste study included in HF2310. We thank you House for including this bill and urge the Senate to include it. We believe that implementing sustainable waste management practices and committing to achieve zero waste will benefit not only our environment, but also our communities, public health, and the economy.

The proposed study will provide crucial insights into our current municipal solid waste management system and help identify the necessary steps to transition to a zero waste model. By involving certified zero waste experts and adhering to scientifically recognized definitions and standards, this study is poised to produce reliable, comprehensive, and actionable recommendations for waste reduction.

This legislation emphasizes the importance of stakeholder engagement and input from diverse communities, particularly those in environmental justice areas. This inclusive approach helps ensure that the voices of all affected parties are heard and considered throughout the development of the report and should lead to creating a more equitable and just waste management system.

The life cycle analysis comparing waste disposal approaches, including incineration and landfilling ash, direct use of landfilling, and zero waste implementation, will provide valuable data on the environmental and human health impacts of these approaches. This information will allow policymakers to make informed decisions about the most up-to-date, sustainable, and responsible waste management strategies, ultimately reducing our collective environmental footprint. There is currently an evolution in the science of waste management, as is evidenced by EPA's review of its waste hierarchy, and so it is the right time to do such a study.

The transition to a zero waste model also presents economic opportunities. Investment in the necessary infrastructure, programs, and resources can create far more job opportunities, boost local economies, and support innovative technologies and industries focused on waste reduction, reuse, composting, and recycling.

We urge you to support the path to zero waste study. By prioritizing the environment, public health, and social equity, we can build a more sustainable and resilient future for our families and communities.

Thank you for your time and consideration. I look forward to following the progress of this important initiative.

Sincerely,
Nazir Khan
Minnesota Environmental Justice Table

March 28, 2023

RE: HF 2310, DE1 amendment

Representative Rick Hansen, Chair
House Environment and Natural Resources Finance and Policy Committee
St. Paul, MN

Dear Representative Hansen:

On behalf of Missouri River Energy Services (MRES) and our 25 municipal electric utility members in Minnesota, we wish to express our concerns with HF 2310, as amended with the DE1 amendment, dated March 27. MRES is a municipal power agency serving 61-member municipal electric utilities in four states; 25 of our member utilities are located in Minnesota. They range in size from Westbrook (pop. 712) to Moorhead (pop. 44,500). MRES and its municipal utility members are not-for-profit and all rates are cost-based. While MRES and its members continue to work towards a greener portfolio, we do so with a weathered eye on resource adequacy, reliability, and affordability. It is with this in mind that MRES expresses its concerns to some of the sections of the bill.

Cumulative Impacts Analysis: Article 3, Sections 20-23, 26-28

This language, taken from HF 637, creates a broad definition of environmental justice (EJ) areas. Although the EJ areas have not yet been mapped, the definition of EJ areas would cut a wide swath in Minnesota. They are defined as tracts with 40 percent or more non-white population, 35 percent or more of households have an income level below 200 percent federal poverty level (roughly \$39,440 annually for 2-person households, \$60,000 annually for 4-person households), or 40 percent or more population over the age of five have limited English proficiency. This broad definition of EJ areas will likely include much of Greater Minnesota, including the municipal electric utilities that work to operate a reliable grid.

For air permit applications and renewals that could impact EJ areas, additional and costly analysis must be undertaken. If the analysis shows that a permit or permit renewal could have a public health impact, then the permit applicant or holder is required to enter into an agreement with community-based organizations to approve the permit, must demonstrate there is a compelling public interest in granting the permit, and must undertake any additional conditions imposed by the MPCA.

MRES is concerned that this could impact existing and future diesel-powered generators that utilities rely on to operate during grid instability, emergency, and other extraordinary events. In late-December 2023, the effects of Winter Storm Elliott were felt by the two Regional Transmission Organizations (RTOs) which coordinate the reliability of electricity across Minnesota and several other states. These two RTOs each issued emergency alerts, which resulted in municipal utilities being required to run these generators to support the grid. MRES member utilities in Minnesota who were called upon to run were Adrian, Alexandria, Benson, Lakefield, Melrose, St. James, Westbrook, Willmar and Worthington. These units play

a vital role in grid reliability, which benefits all Minnesotans, especially those without access to their own generators or other alternate generation resources.

Air Toxics Emissions Reporting: Article 3, Section 24

This language requires additional reporting of air toxics emissions—even if it is not required in an entity’s existing permits. This could place an administrative burden on the MPCA to amend this additional requirement into permits. It would also increase the burden of ensuring compliance with emissions reporting that already exists. This could create additional and duplicative reporting.

MRES would like to thank Chair Hansen for allowing us to comment on this important bill.

Sincerely,

A handwritten signature in cursive script that reads "Deb Birgen".

Deb Birgen
Vice-President, Government Relations



The Nature Conservancy in Minnesota,
North Dakota, South Dakota
1101 West River Parkway, Suite 200
Minneapolis, MN 55415-1291

tel (612) 331.0700
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nature.org

Representative Rick Hansen
House Environment and Natural Resources Finance and Policy Committee
407 State Office Building
100 Rev Dr. Martin Luther King Jr Boulevard
St. Paul, MN 55155

March 28, 2023

Dear Chair Hansen and Members of the House Environment and Natural Resources Finance and Policy Committee,

As the Committee reviews the DE amendment to HF2310, we write to share our support for proposed investments in programs that will benefit people and nature across the state. We are particularly pleased to see these proposed appropriations:

Department of Natural Resources (DNR):

- \$2,300,000 for nongame wildlife management (*Art. 1, Sec. 3, Subd. 3,(g)*)
- \$1,566,000 for protecting and restoring carbon storage on state-administered peatlands (*Art. 1, Sec. 3, Subd. 3, (l)*)
- \$4,172,000 for Private Forest Landowner Assistance, Cost-Share and Inventory (*Art. 1, Sec. 3, Subd. 4, (h)*)
- \$1,600,000 for Accelerated Tree Seed Collection (*Art. 1, Sec. 3, Subd. 4, (i)*)
- \$20,800,000 one-time and \$400,000 ongoing per year for Enhancing Community Forests through the ReLeaf Program (*Art. 1, Sec. 3, Subd.4, (j)*)
- \$6,000,000 for forest stand improvement and reforestation (*Art. 1, Sec. 3, Subd. 4, (k)*)
- \$6,000,000 for Scientific and Natural Areas (SNAs) Funding for improved maintenance (*Art. 1, Sec. 3, Subd. 5 (m)*)
- \$15,000,000 for Enhancing Grasslands and Restoring Wetlands on Wildlife Management Areas (*Art. 1, Sec. 3, Subd. 6, (f)*)

Board of Water and Soil Resources (BWSR):

- \$4,000,000 for the Habitat Enhancement Landscape Program (*Art. 1, Sec. 4, (j)*)
- \$17,000,000 for the Climate - Private Lands Grassland/Working Land Restoration Easements (*Art. 1, Sec. 4, (l)*)
- \$7,500,000 for Climate - Private Lands Peatland Restoration for Carbon Sequestration (*Art. 1, Sec. 4, (m)*)
- \$7,100,000 for Climate - Mitigation and Resiliency for Reinvest in Minnesota (RIM) Easements (*Art. 1, Sec. 4, (n)*)
- \$17,000,000 one-time for Climate Adaptation - Accelerated Water Storage and Treatment (*Art. 1, Sec. 4, (o)*)
- \$3,000,000 for the Reinvest in Minnesota (RIM) Reserve Program (*Art. 1, Sec. 4, (s)*)



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We also appreciate that the DE amendment to HF2310 includes appropriations from the Environment and Natural Resources Trust Fund as recommended by the Legislative-Citizen Commission on Minnesota Resources (LCCMR).

In addition to these appropriations, we also offer the following reflections on proposed appropriations in the bill that we are pleased to see but hope will be further discussed with these additional considerations:

- **(MPCA) Resilient Communities Grants and Technical Assistance** (*Art. 1, Sec. 2, (k)*): The DE amendment proposes \$40,546,000 one-time and \$270,000 ongoing per for a local government water infrastructure grant program. While this proposed appropriation is a meaningful start, we encourage the committee to consider further investments as opportunity allows. The Governor's budget request included a \$173,880,000 proposal for this program, which is reflective of the immense need in communities around the state.
- **(BWSR) \$4,000,000 for the Habitat Enhancement Landscape Program** (*Art. 1, Sec. 4, (j)*) We encourage the committee to match the Governor's budget request of \$9,000,000 for this program should there be an opportunity.
- **(BWSR) \$17,000,000 for the Climate - Private Lands Grassland/Working Land Restoration Easements** (*Art. 1, Sec. 4, (l)*) We encourage the committee to match the Governor's budget request of \$22,000,000 for this program should opportunity allow.
- **(BWSR) \$7,500,000 for Climate-Private Lands Peatland Restoration for Carbon Sequestration** (*Art. 1, Sec. 4, (m)*). We encourage the committee to match the Governor's budget request of \$15,000,000 for this program should opportunity allow.

These programs provide multiple benefits that touch all Minnesotans' lives, including carbon sequestration, water quality improvements, water quantity benefits, resiliency including flood mitigation, air quality improvements, outdoor recreation opportunities, habitat and more.

As the committee considers investments that can address climate change and make Minnesota more resilient, we encourage you to include these investments alongside additional natural climate solutions in other committee areas like Agriculture, Capital Investment, and Energy & Climate.

Thank you for your work on behalf of Minnesotans and Minnesota's environment and natural resources.

Sincerely,

Stephanie Pinkalla
Government Relations Director
The Nature Conservancy in Minnesota

Molly Jansen
Government Relations Specialist
The Nature Conservancy in Minnesota



March 27, 2023

To: Members of the Minnesota House Environment and Natural Resources Finance and Policy
Regarding: *HF 2310 - Environment and Natural Resources Appropriations*

The American Seed Trade Association (ASTA) is writing this letter to comment on HF 2310, which is currently pending before the Minnesota legislature, and set for hearing by the House Environment and Natural Resources Finance and Policy Committee on March 28, 2023. This bill has general appropriations language, but also seeks to establish a new program for systemic pesticide-treated seed, create a new account in agricultural funds, and appropriate money. In essence, it would enact a state-specific requirement that is conflicting with federal laws, making the regulation difficult to manage because of its redundancy.

Founded in 1883, ASTA is one of the oldest trade organizations in the United States. Its membership consists of over 700 companies involved in seed production and distribution, plant breeding, and related industries. ASTA is a diverse organization. It represents all types of seed companies and technologies – seed from alfalfa to zucchini, technologies from organic to biotechnology, and companies from “mom and pop” to multinationals. It works on behalf of its members at the state, national, and international levels. In other words, ASTA represents every seed company that would be affected by the proposed legislation, and it works in cooperation with the rest of agribusiness and consumers, whom the proposed legislation would also impact.

This bill raises several legal concerns. Depending on the circumstances in which it is applied, the language in the bill may be preempted by federal law. In essence, the bill would impose an additional burden on the users of the currently federally regulated pesticide and seed treatments, without benefit.

EPA tests, reviews, and approves every pesticide for safety and integrity. Even after regulatory authorities approve a pesticide for use, they continue to consider new information to assess the safety of registered products. And no pesticide’s regulatory approval is permanent. As consumers ourselves, we fully support the comprehensive and science-based processes used by the EPA and other regulatory authorities around the world to ensure these crop protection tools can be used safely. The EPA carefully considers effects on many non-pest organisms when they approve new insecticides for use.

It is important to remember that seed treatment is an important practice of Integrated Pest Management (IPM) & Sustainability. IPM is “a sustainable approach to managing pests by combining biological, cultural, physical, and chemical tools in a way that minimizes economic, health, and environmental risks.” (Source EPA). In the case of seed treatment, either for soil dwelling pests or seedling pests it may not be possible to monitor the pest. However, the farmer can use other IPM tactics such as crop history, pest history and agronomic practices such as variety and planting dates as part of the overall IPM plan for the use of seed treatments. There are no rescue treatments for soil dwelling insects which is why farmers view neonicotinoid seed treatments as an important part of their pest management plan. Neonicotinoid seed treatments create less potential impact on beneficial insects in the field and decreased potential worker exposure. From a pest spectrum and resistance management perspective, having multiple tools for farmers’ pest management programs is important both for the farmer as well as for the longevity of the tools.

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**Comment to the Members of the Minnesota House Agriculture Finance and Policy Committee
Regarding: HF 2472**

American Seed Trade Association

page 2

With the additional, and redundant, regulations outlined in this bill the cost of the seed for farmers will increase and/or the availability of seed will decrease. Both effects would penalize unnecessarily the many Minnesota farmers producing high quality crops from such seed. It would also penalize all others in the seed supply chain, including dealers, as well as small and large companies. To the extent that increases in input and production costs are passed through the food chain, the bill would penalize Minnesota consumers, as well.

As mentioned above, seed treatment products are highly regulated, just as foliar and soil-applied pesticides are. Seed treatment products undergo a thorough evaluation by the US EPA, and by applicable state agencies, prior to commercialization. Once product approval is received from the relevant federal and state agencies, then the seed treatment product can be used as a seed-applied technology per the guidelines set forth by EPA. The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) allows products that are treated with registered and approved technologies to continue to be treated as the product existed prior to the application of the technology. That is known as the "treated article exemption". This condition applies only if all three of the following conditions are met:

- i. the article contains or is treated with a pesticide,
- ii. the pesticide is intended to protect the article itself,
- iii. the pesticide is registered for this use.

It has been EPA's longstanding approach that treated seed qualifies under these conditions which are designed to prevent duplicative regulations. This position was reaffirmed on September 28, 2022, with a decision by EPA that reaffirms the Agency's longstanding, rigorous regulatory process for seed treatments. Application of the treated article exemption to seed has been challenged, undergone a thorough review by EPA, and has ultimately been upheld.

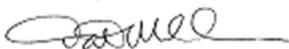
Without the Treated Article Exemption for seed, there would be a tremendous duplication of paperwork and increased bureaucratic burden on regulators, taxpayers and growers. Please note that this is not an exemption from the FIFRA regulations mentioned above.

As general information, the seed industry provides training for farmers about proper use of seed treatments and publishes user labels on every bag of seed. To learn more about the industry's efforts, go to [seed-treatment-guide.com](https://www.betterseed.org/seed-treatment-guide.com). Much more information and resources are available at [betterseed.org/treated-seeds](https://www.betterseed.org/treated-seeds)

In summary, the use of seeds improved through modern technologies, such as seed treatments, continues to grow around the world as a result of their economic, environmental, and human health benefits. Farmers' use of these seeds in Minnesota is no exception to this pattern of growth. In our view, HF 2310 as it is now drafted raises several serious legal and practical concerns. Of significance, it would add unnecessarily to the cost of doing business in Minnesota and penalize Minnesota farmers and consumers.

Please do not hesitate to contact us if you have any questions. Thank you for your consideration.

Sincerely,



Pat T. Miller
Director, State Affairs
American Seed Trade Association
pmiller@betterseed.org



Dedicated to a Strong Greater Minnesota

March 28, 2023

RE: House Environment and Natural Resources Omnibus bill

Dear Representative Hansen and Committee Members:

I am reaching out on behalf of the Coalition of Greater Minnesota Cities (CGMC) to comment on the House Environment and Natural Resources Omnibus bill. The CGMC is a group of more than 100 cities located outside the metropolitan area. Our members are dedicated to a stronger Greater Minnesota and are focused on developing viable, progressive communities for families and businesses through good local government and strong economic growth. Although some aspects of the bill will be beneficial to our communities, multiple provisions could have a detrimental impact on the ability of our communities to grow and thrive in the future.

MPCA CITIZENS BOARD

The proposal to reconstitute the Minnesota Pollution Control's Citizen Board goes far beyond previous versions of the board and gives too much authority to a non-elected body that does not have specialized experience in the matters that will come before it.(137.2 – 140.26)

This proposal vests final decision-making authority over a much broader range of activities than its predecessor board or any similar board in Minnesota or elsewhere. These decisions and the reinstated final authority over environmental assessment worksheets, environmental impact statements, and the adoption of rules all require highly specialized and technical knowledge. Yet there is no requirement that the members of this board have any experience or training regarding the matters over which they will be making decisions. In fact, the legislation specifically excludes members who have knowledge and experience with some of the issues the reconstituted agency will face.

We are concerned that reconstituting the board with this broad scope of power without requiring any technical background to address the issues before it will lead to delay, uncertainty, and potentially worse outcomes for the environment. Permit decisions that already take too long may be further delayed, particularly because of the increased amount of work this group will handle. Changes in administration could also lead to wildly different results as the make-up of the board shifts. We believe any such proposal should have a more limited policy-focused scope and be structured to guarantee that persons with direct experience in the subject matter are included.

CUMULATIVE IMPACTS

We support the underlying goal of the cumulative impacts analysis proposal and appreciate the efforts by the bill author to narrow its reach. Nonetheless, the proposal is still too broad to be effective, especially with respect to the definition of environmental justice areas. (141.21 – 142.1) We believe that the definition should be narrowed so that it better encompasses areas that have historically been overburdened with pollution. In addition, the modeling and analysis

requirements are significant, especially for small entities that are simply renewing their permit. More of the analysis should be performed centrally by the state, rather than requiring all air permit holders to do so. We are concerned about the impact that it would have on growth and economic development throughout the state.

PFAS PROVISIONS

The efforts to address limits for certain types of PFAS through statute, rather than rulemaking, should be removed from the bill. For example, the bill would require the MPCA to develop water quality standards for six categories of PFAS, which can then be used to impose limits on the chemicals in wastewater products. Unfortunately, there are not economically feasible, and in some cases, not technologically feasible ways to remove these chemicals from wastewater. Neither our communities nor our businesses in greater Minnesota that do not add the PFAS to their effluent should face such limits in their permits. Requiring this rulemaking on this timeline puts the rules ahead of the science and treatment options. (175.24 – 176.14)

We appreciate this committee's continuing focus on addressing the potential health hazards associated with per-and-polyfluoroalkyl substances (PFAS) by appropriating funds to the Minnesota Pollution Control Agency (MPCA) to address PFAS contamination in drinking water (15.20- 15.33) and by addressing the sources of PFAS. This bill contains multiple provisions aimed at eliminating or reducing the sources of PFAS in our air and water. We believe that addressing PFAS at the source is the best approach and support such efforts to the extent that they are grounded in the best available science.

PARKS AND TRAILS FUNDING

We are extremely disappointed that this committee will not recognize or support the regional parks and trails of Greater Minnesota. Despite the fact that multiple members of this committee from both parties authored and co-authored H.F. 873, this bill was refused even a hearing. This bill made a simple request seeking some parity with the regional parks of the metropolitan area by providing \$500,000 per year for the Greater Minnesota Regional Parks and Trails commission. Yet this omnibus bill provides millions of dollars in one-time and on-going funds to the metropolitan regional parks. (52.14 – 52.24, 53.5 – 53.8) Greater Minnesota's simple request should not have been ignored. The residents of Greater Minnesota are as deserving of strong regional parks and trails as the residents of the metropolitan area.

FUNDING FOR MPCA WATER QUALITY EFFORTS

We appreciate the inclusion of additional funding for the Minnesota Pollution Control Agency's water quality work, but we are disappointed that the agency's request for ongoing funds beyond this biennium was not included. The failure to include this funding in the tails will only result in increased fees for municipalities. We urge the committee to find ongoing funding for this important work.

SEWER OVERFLOW LANGUAGE

The MPCA has worked with our organization, the League of Minnesota Cities, and other city groups on the language regarding notification after sewer overflows. The compromise language provides a workable solution for our wastewater facilities. (120.30 – 121.10)

Thank you for the opportunity to comment on this omnibus bill. If you have any questions, please contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "B. D. H.", with a stylized flourish underneath.

Brian Holmer
President, Coalition of Greater Minnesota Cities
Mayor, Thief River Falls



To: Members of the House Environment and Natural Resources Finance and Policy Committee

From: Riley Titus, CropLife America
Jon Gaeta, RISE (Responsible Industry for a Sound Environment)

Date: 3/28/2023

RE: HF 2310 - Oppose Article 4, Sec. 17, Article 7, Secs. 3 – 6, and Sec. 8

Chair Hansen, and distinguished members of the House Environment and Natural Resources Finance and Policy Committee:

Thank you for the opportunity to submit written testimony about HF 2310. We respectfully oppose Article 4, Sec. 17, Article 7, Sec. 3, Sec. 4, Sec. 5, Sec. 6, and Sec. 8.

Article 4, Sec. 17 (lines 189.22 – 189.24)

Neonicotinoid (or “neonics”) insecticides are important crop protection tools used for combating invasive and harmful pests like root worms, boring insects, vegetable maggots and aphids, particularly in fruit and vegetable crops. Prohibiting the use of neonicotinoids would remove tools and options from farmers and land managers, ultimately impacting integrated pest management (IPM) practices. Proper IPM management practices recognize that in certain situations, the judicious use of pesticides may be necessary to rectify a pest problem. Article 4, Section 17 would strip wildlife refuge land managers of their ability to combat invasive species, which in some cases, neonicotinoids are the only option for species eradication, and left unchecked, invasive species present a serious threat to the goals and management of wildlife management areas. It would also hinder cooperative agriculture, which is used on refuges only in situations where the Service Agency cannot meet its resource management objectives through the maintenance, management or mimicking of natural ecosystem processes or functions in other ways.

Neonicotinoids represent one of the most significant advances in insecticide technology in recent history and are among the safest pesticides for people and the environment. Initially registered as a reduced risk pesticide, neonics are an important crop protection technology and vital agricultural tool that protects a wide variety of crops. In 2013, the EPA made labeling changes to neonics labeled for outdoor foliar use to minimize exposure to pollinators. The label changes included a “Pollinator Protection Box,” as well as new pollinator language to the Directions for Use section of each label, and that information is now found on every container of these products. On January 30, 2020, EPA released Proposed Interim Decisions (PIDs) for several neonics under their registration review process.¹ The PIDs contained new mitigations to reduce potential ecological risks, particularly to pollinators, and protect public health. Additionally, the EPA requested that registrants implement a national stewardship program to increase grower awareness and use of best management practices to reduce ecological risks. As part of this process, the EPA published a Federal Register notice, and allowed for public comment on the proposals for 60 days. EPA is currently reviewing and responding to comments and will issue final interim decisions in early 2024. Taking any action on neonicotinoids prior to EPA releasing their interim decisions, after reviewing the most contemporary science, data and information available, is premature.

¹ United States Environmental Protection Agency, Pollinator Protection, Schedule for Review of Neonicotinoid Pesticides, <https://www.epa.gov/pollinator-protection/schedule-review-neonicotinoid-pesticides>

Article 7, Sec. 3, Sec. 4, and Sec. 5 (lines 264.26 – 266.4)

We support and promote science-based policy and regulatory processes necessary in the regulation of pesticide products at both the state and federal level. Pesticides in Minnesota are registered and regulated by the Minnesota Department of Agriculture (MDA). These regulations enforced by MDA ensure safe and proper pesticide use in the state through registration of pesticides, licensing of pesticide applicators, and through research and enforcement activities. The Minnesota Office of the Legislative Auditor (OLA) evaluated MDA's pesticide regulation activities in 2006 and 2020 and concluded that the Department is more than satisfactorily performing its function to regulate pesticides.

Current Minnesota law comprehensively regulates virtually all aspects of labeling, distribution, sale, storage, transportation, education, use and application, and disposal of pesticides in the state. State regulation of pesticides also ensures uniformity with federal regulation, and between states and their municipalities to avoid confusion that may endanger public health or the environment from differing requirements across municipalities and resulting increased compliance costs to the people of Minnesota. Granting the authority to regulate or ban pesticides to cities who may lack the expertise and resources to make science-based decisions on highly regulated products may cause unintended consequences, particularly when considering products with stringent use and safety rules. It would also create confusion in the marketplace and take away important health and safety tools for consumers to control pests.

Pesticides are important public health and environmental tools, protecting people, pets and property from pests and insect-borne diseases, invasive and non-native plants, and providing safe and healthy places to live, work and play. Pesticides play an important role in agriculture and IPM (Integrated Pest Management). Crop protection tools and technologies are vital to protect farmers' crops and enable farmers to grow more food using less land and resources, therein protecting farmers' investments and making food more affordable. Pesticides are rigorously reviewed, evaluated, and approved for sale and use at the state and federal levels on an ongoing basis, ensuring they meet the most current scientific and safety standards. The manufacture, sale, and use of pesticides is extensively regulated by the MDA and the U.S. Environmental Protection Agency (EPA).

Article 7, Sec. 6 (lines 266.19 – 266.22), Sec. 8 (lines 267.16 – 267.20)

Mandating additional cautionary statements on the label of treated seeds is redundant and unnecessary for seed labels with existing cautionary statements already mandated by EPA as part of its registration requirements under Section 3 of the Federal Insecticide Fungicide Rodenticide Act (or "FIFRA") for the pesticides used in seed treatment. Furthermore, requiring additional Minnesota-only instructions on the labels of seeds treated with federally labeled and registered pesticide products moving through interstate commerce would likely violate the Interstate Commerce Clause of the Constitution and unduly burden manufacturers of seed supplied to one state when the same seed coatings are subject to uniform regulations by the EPA and the U.S. Department of Agriculture (USDA), and supplied in a consistent manner to all other states. There would be multiple supply-chain disruptions to treated seed that could be initially destined for one state but ultimately purchased or needed in Minnesota. This would likely result in a supply chain void (reduced treated seed availability) to Minnesota growers.

On September 28, 2022, EPA dismissed a petition requesting "the Agency to interpret or amend the treated article exemption at 40 C.F.R. §152.25(a) so that it does not cover seeds treated with systemic pesticides, and to aggressively enforce registration and labeling requirements for such treated seed." "EPA explains in its response that it does fully assess, as part of its review of the pesticide registered for treating seed, both the use of the treating pesticide and the treated seed and impacts to human health and the environment. These assessments take into account the fate and effect of the pesticide, including the uptake and distribution into the developing seedling and plant and the availability of the pesticide on the treated seed to all taxa.² In addition, in the September 28 decision

² EPA Responds to Treated Seed Petition," Released on September 28, 2022, <https://www.epa.gov/pesticides/epa-responds-treated-seed-petition>

the EPA explains that the treated article exemption regulatory text appropriately covers any seed treated if it meets the two regulatory conditions.

Seed treatments are an important tool that provide farmers with an economical means of protecting seeds and seedlings against early-season insect pests and diseases. There is no question that today's seed treatments are enabling America's farmers to realize greater yields and healthier crops than ever. At the same time, seed treatment technology is reducing potential risks to the environment, thanks to their highly targeted approach to controlling pests. It is important to note that pesticides applied as seed treatments undergo rigorous testing and review by federal and state regulators to ensure their safety to applicators, wildlife, and the environment.

Disposing of treated seed is heavily regulated at various levels of government, including under the Clean Water Act, Groundwater Protection Act, and Clean Air Act. In general, a few methods for disposing of treated seed exist today, each with their own permitting or regulatory requirements already in place. Various alternatives are available for solid and waste disposal offerings, but all must be permitted in accordance with relevant water, air, or solid-waste disposal rules of that state or locality. The seed industry is fully committed to following all laws, regulations, and guidelines for the safe use and management of surplus and unused seed. Seed companies also work closely with industry and grower partners to communicate the importance of following proper guidelines at every step of the process – whether they're involved in treating, handling, transporting or planting treated seed, or managing surplus seed. Information on these practices can be found at: www.seed-treatment-guide.com

Federal seed laws (specifically the Federal Seed Act) regulate the sale and movement of seed in the U.S., and seed companies must abide by those regulations. Within the Federal Seed Act, there are requirements governing the labeling of treated seed. The tags on a package of treated seed must include identification of what the seed has been treated with, requirements of special guidance dependent upon the toxicity classification of compounds within the treatment recipe or risk assessment, label statements based on worker protection standards, and other applicable labeling requirements.³ State-specific laws on these matters are simply unnecessary.

Sincerely,

Riley Titus
Director, Government Affairs
CropLife America
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Jon Gaeta
Director, State Affairs
RISE
Jgaeta@pestfacts.org
202-695-5725

CropLife America (CLA) represents the manufacturers, formulators and distributors of crop protection products in the United States. CLA member companies produce, sell and distribute virtually all the crop protection products used by American farmers.

RISE (Responsible Industry for a Sound Environment) is the national trade association representing manufacturers, formulators, distributors and other industry leaders engaged with specialty pesticides and fertilizers used by professionals and consumers.

³ Label Review Manual: Revised September 2013, Chapter 18: Unique Product Labeling, United States Environmental Protection Agency, https://www.epa.gov/sites/production/files/2014-06/documents/chap-18_0.pdf

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March 28, 2023

Rep. Rick Hansen
Chair, House Environment and Natural Resources Committee
407 State Office Building
St. Paul, MN 55155

Dear Chair Hansen and Committee Members;

Thank you for your hard work on priority issues facing Minnesotans during this whirlwind session. As you finalize your budget bill, we wanted to draw attention to the menu of investment tools in the Governor's budget that address climate change and respond to critical threats facing drinking water in Minnesota. We appreciate the inclusion of some of these items in HF2335.

Thank you for including \$17 million in one-time funding for **Water Storage** which reduces artificially-high water levels in rivers and minimizes erosion by temporarily storing water, at critical times, in key places. Combined with the **Soil Health** program, water storage addresses rapid agricultural runoff loaded with nutrients and helps everyone downstream.

We were disappointed that the Governor's proposal for **Soil Health** at \$27 million for the biennium with ongoing base to BWSR was not included. Improving soil health achieves the same and more benefits and can be seen as green infrastructure. Providing base funding recognizes the complexity and multiyear work needed to improve the microscopic soil community that 1) increases the diversity of microbes that 2) create soil structure and 3) sequester carbon in soil and removing carbon and other greenhouse gasses from the atmosphere. This win-win-win keeps water where it falls by allowing mega-rain events to infiltrate rather than runoff, keeps water and nutrients in place, and builds climate resilience. It is the fundamental tool in regenerative—not extractive agriculture.

Thank you for including funding for the **Resilient Communities Grants and Technical Assistance** program. However, \$40 million in one-time funding is far short of what \$173.88 million would have provided communities that need resources to plan and implement projects to adapt to a warmer and wetter Minnesota. One-time money would help assess infrastructure needs and plan for changes so that local infrastructure can withstand flooding and other climate stressors.

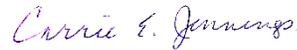
Thank you for the \$25 million in one-time funds for **Drinking Water Protection and PFAS Response**, essential for planning, designing, and bidding public water treatment systems to combat the widespread Per- and polyfluoroalkyl (PFAS) contamination in drinking water. The funds will also be used for sampling and installing treatment on private wells in areas of known impacts and for investigating sources of PFAS contamination to the public water systems.



Thank you for providing funding to **Implement Minnesota's PFAS Blueprint**. Additional staff would begin with the first major initiative, the PFAS Monitoring Plan, which calls for gathering Minnesota-specific information, identifying areas of concerns, and collecting data to prioritize sources of PFAS to prevent pollution.

We appreciate the many challenges and priorities that you and the Committee must juggle. As you continue your budget work, we are hopeful that a robust climate package can be achieved.

Sincerely,

A handwritten signature in purple ink that reads "Carrie E. Jennings".

Carrie Jennings, Research and Policy Director,
Jen Kader, Director for Engagement and Systems Change



Hennepin County Board of Commissioners
A-2400 Government Center
Minneapolis, Minnesota 55487-0240

March 28, 2023

Representative Rick Hansen
Chair, House Environment and Natural Resources Finance and Policy Committee
407 State Office Building
St. Paul, MN 55155

**Re: Hennepin County Comments on the House Environment and Natural Resources
Omnibus Bill (HF 2310)**

Dear Chair Hansen:

Hennepin County appreciates the opportunity to comment on the House omnibus environment and natural resources bill (HF 2310). Hennepin County supports overall measures contained in this legislation to advance efforts to reduce our state's contribution to climate change. The bill includes generous funding and several policy initiatives and programmatic changes that will help us meet our climate action plan, zero waste goals and larger environmental protection initiatives.

As you know, state law mandates that counties manage municipal solid waste. Hennepin County supports the funding in HF 2310 to improve the reuse, recycling, and composting of waste, including an increase in SCORE block grants to \$22.45 million. Currently, Hennepin County passes our SCORE funds through to cities for their recycling and organics collection programs for residents, and this additional funding will help improve recycling rates and organics composting efforts across the county. We also support transferring that portion of the solid waste management tax that currently goes to the general fund to provide increased SCORE funding as is contained in separate legislation that was heard in your committee. And the broad range of grants for improving recycling market development, reducing food waste, and enforcement of the elimination of PFAS in food packaging all help to advance our work to achieve our 75% recycling and zero waste goals.

This bill also provides funding for a variety of programs and grants to help local governments remove and replace shade trees lost to Emerald Ash Borer (EAB) and other diseases and pests. This funding is critical, as many local governments do not have the technical or financial resources to undertake these efforts. In particular, Hennepin County supports the funding for the ReLeaf program and EAB emergency response grants as well as money for transportation of wood waste from trees lost to EAB and the continued operation of facilities that dispose of wood waste.

HF 2310 includes robust funding to support environmental programs and regulatory oversight at the Minnesota Pollution Control Agency. This includes money to improve staffing levels and data systems, which will add efficiency by helping ensure permits are reviewed and approved in a timely way.

Finally, Hennepin County supports funding for the establishment of a new statewide zero waste grant program and a report on a path to zero waste included in HF 2310. However, there are some technical details not in alignment with state and federal policy, and we look forward to continuing to work with the authors of these proposals to find language that achieves the goals of the interested parties.

Again, thank you for the opportunity to comment on HF 2310.

Sincerely,

A handwritten signature in cursive script that reads "Debbie Goettel". The signature is written in black ink and is positioned below the word "Sincerely,".

Commissioner Debbie Goettel, Hennepin County

cc: House Environment and Natural Resources Finance and Policy Committee members

March 27, 2023

Representative Rick Hansen
Environment and Natural Resources Finance and Policy Committee
Minnesota House of Representatives

Re: Support for the Frontline Communities Protection Act (HF 637)

Chair Hansen and Committee Members,

The Frontline Communities Protection Coalition is proud to support the cumulative impacts bill language, HF 637, within the Environment and Natural Resources Omnibus bill. This legislation is the culmination of years of work by community members, in cooperation with the Minnesota Pollution Control Agency. Organizers at Community Members for Environmental Justice and the East Phillips Neighborhood Institute are fighting for a future where facilities like Northern Metals aren't next door – and instead, are replaced with things their communities really need: a community center, truly affordable housing, food production, mutual aid, etc. We believe that this bill is a crucial part of that vision.

Community members, our coalition, and the MPCA have identified a clear, glaring problem: environmental protections in Minnesota do not take into account the cumulative impacts of pollution when granting permits. There are neighborhoods in Minnesota that have unsafe drinking water, right next to highways built by bulldozing neighborhoods that no longer exist, breathing air tainted by burning trash from a waste incinerator. Our environmental protections need to reflect the ways in which multiple sources of pollution create an increased health and environmental burden, and empower overburdened communities to have an actual say in what gets built in their space.

When we consider these problems individually, we miss the way they intersect, amplifying the harm done. We miss how someone with severe asthma might be forced to live next to an 800 vehicle depot in a neighborhood with barely buried arsenic contamination. That same person might already have been exposed to life changing amounts of lead – but as long as that waste incinerator isn't emitting “too much” lead, it can keep burning microwaves and USB cords. Consequently, we're missing out on jobs that strengthen our communities: zero waste jobs, clean energy jobs, and the care work necessary to keep each other healthy and happy.

This isn't just an issue for folks in the Twin Cities. We've strengthened the language in this bill so that all areas of Minnesota facing forced scarcity will be able to use this law to push back against industrial polluters, just like environmental justice areas in the metropolitan Twin Cities area. We don't want to create new sacrifice zones anywhere in Minnesota.

We believe this bill creates a fair process that gives permit applicants a chance to conclusively show that they are not harming these communities. This bill clearly defines which neighborhoods need help the most. This bill also centers around community agency – it's not about saying what can or cannot be constructed in environmental justice communities, but rather gives those communities a

chance to fully understand the potential harms and determine for themselves if they want a project in their community.

We are also not asking every single project to go through this process and we understand there are some permits that simply do not have the potential to disproportionately contribute to the problem. We have worked with the PCA to narrow the scope of this law to those permits that have the most potential to allow harm.

We want to be very clear: this is the first step and not the last towards ensuring that every Minnesotan is able to enjoy their right to a healthy environment. Right now there are permitted facilities in Minnesota that are profiting at the expense of community members' health and wellbeing. This bill shifts the narrative around permitting to say that we are not going to keep treating certain communities as sacrifice zones. We are not going to force more pollution on overburdened communities, we are going to uplift community agency and government accountability. The fight over the roof depot in East Phillips shows that we don't have that right now. Please take this first step towards a truly just future.

Signed,

A.C.E.S.
Clean Water Action Minnesota
Climate Generation
CURE (Clean Up the River Environment)
Environmental Justice Coordinating Council (EJCC)
Eureka Recycling
Friends of the Mississippi River
Honor the Earth
Land Stewardship Project
League of Women Voters of Minnesota
Lutheran Advocacy - Minnesota
Minnesota Environmental Justice Table
Minnesota Environmental Partnership
Minnesota Well Owners Organization (MNWOO)
MN Interfaith Power & Light
MN350 Action
Native Sun Community Power Development
Resilient Cities and Communities
Repowered
Saint Paul Audubon Society
Sierra Club North Star Chapter
TakeAction Minnesota
WaterLegacy



March 28, 2023

The Honorable Rick Hansen, Chair
Environment and Natural Resources Finance and Policy Committee
407 State Office Building
St. Paul, MN 55155

RE: HF2310--A bill appropriating money for environment and natural resources (FY24 & FY25).

The Minnesota Forest Resources Council (MFRC) expresses its appreciation and support for FY24 and FY25 funding to acquire high priority sustainable forestry, climate change and forest carbon informational needs. Specifically, HF2310 provides an appropriation of \$906,000 the first year and \$926,000 the second year for MFRC to implement the Sustainable Forest Resources Act (MN Stat. 89A). If appropriated, MFRC plans to use increased base funding of \$49,000 in FY24, \$69,000 in FY25, and in each year thereafter, to secure immediate and on-going priority sustainable forest resource information, data and research needs as determined by MFRC's seventeen stakeholder representatives.

Entering FY24 and FY25, MFRC's highest priority informational needs are scientific assessments to better inform, prepare, and enable policymakers, communities, stakeholders, and forestry sectors to anticipate, respond, and adapt to climate change. Such information is vital to develop and implement sustainable forest resource management strategies; improve forest carbon sequestration and storage; offset greenhouse gas emissions; and promote state-of-the-art, climate-friendly forest product development critical to the implementation of the Governor's Climate Adaption Framework.

I respectfully request that this written testimony and the attached MFRC Resolution 2022-4 "Supporting Minnesota's Informational Needs for Sustainable Forest Resources Management, Products, and Policies" be included in the record of the March 28 hearing of the Environment and Natural Resources Finance and Policy Committee.

Pete Aube, Chair
Minnesota Forest Resources Council
1530 Cleveland Ave. North
St. Paul, MN 55108
651-247-1367
eric.schenck@state.mn.us
<https://mn.gov/frc/>

Cc: Pete Aube, Chair
Rick Horton, Policy Committee
Patty Thielen, DNR



March 27, 2023

Representative Rick Hansen
Chair – Environment and Natural Resources Finance and Policy Committee

Dear Representative Hansen,

On behalf of the Greater Minnesota Regional Parks and Trails Commission I am writing to express our disappointment that H.F.873 did not receive a hearing in your committee.

This bill requests a general fund appropriation of \$1 million for the Commission's operating budget. Greater Minnesota is at a disadvantage receiving just 20% of the Parks and Trails Legacy Fund, compared to the 40% that DNR and Metropolitan Regional Parks each receive. It is our hope that the operating funds are included in the final version of the omnibus bill.

The Commission was established in 2013 by the Legislature with the express purpose and authority of evaluating whether a park and trail is regionally significant and to establish a method by which grants would be recommended based on criteria. To do that work the Commission has a modest operating budget that comes out of the 20% share of the Parks and Trails Fund. A general fund appropriation for administration would mean that 100% of the Legacy funds are used for grants.

There are presently 75 designated facilities in Greater Minnesota that provide outdoor recreation for ALL Minnesotans. We encourage you to include this important funding in the final version of H.F.2310.

Respectfully,

Rick Anderson
Chair – Greater Minnesota Regional Parks and Trails Commission



March 28, 2023

Chair Rick Hansen
House Environment and Natural Resources Committee
10 State Office Building
St. Paul, MN 55155

Dear Chair Hansen, Ranking Member Heintzeman and members of the committee:

On behalf of the Minnesota Bio-Fuels Association, I appreciate the opportunity to submit written testimony for H.F. 2310, the Environment and Natural Resources' omnibus finance bill.

On March 15, 2023, we testified in opposition to H.F. 2761, legislation to require biofuel plants to monitor and test for the presence of perfluoroalkyl or polyfluoroalkyl substances (PFAS) and neonicotinoid pesticides. We remain concerned that several provisions from H.F. 2761 have been included in the committee's omnibus bill. Specifically, we want to highlight lines 8.33, 9.3, 120.11, and 266.23 relating to PFAS and neonicotinoid monitoring requirements, lifecycle assessments, and associated funding.

Ethanol in Minnesota is processed from harvested field corn, not corn seed treated with neonicotinoid pesticides for planting. No ethanol plant in the state of Minnesota accepts pesticide-treated seed corn as a feedstock for biofuel production. All grain shipments are inspected upon arrival and rejected if treated seed corn is detected. The Mead, Nebraska plant was one of only two in the U.S. that processed pesticide-treated seed as a feedstock for ethanol production and it is no longer in operation. If an individual facility decided to move forward with utilizing treated seed as a feedstock, they would be required to obtain a permit from MPCA which would include subsequent monitoring, testing, and reporting.

Finally, with respect to PFAS monitoring and testing, methods for determining the presence of PFAS are still undergoing thorough testing and have yet to be validated by the federal Environmental Protection Agency (EPA). Recent guidance from EPA noted progress in developing new analytical methods to test for PFAS in wastewater but also recognized that, "... these actions help ensure that federally enforceable wastewater monitoring for PFAS *can begin as soon as validated analytical methods are finalized.*"¹

Again, we remained concerned about subjecting ethanol production plants to unnecessary and redundant monitoring requirements based on non-existent production practices and draft testing methods that have not been through a complete federal rulemaking process.

Sincerely,

Brian Werner
Executive Director
Minnesota Bio-Fuels Association

¹ [New Interim Strategy Will Address PFAS Through Certain EPA-Issued Wastewater Permits | US EPA](#)

Minnesota Forestry Association

www.MinnesotaForestry.org

P.O. Box 6060 • Grand Rapids, MN 55744

E-Mail: Info@MinnesotaForestry.org



Your Woodland, Your Legacy

Chair Hansen and Members of the Environment and Natural Resources Committee
100 Rev Dr Martin Luther King Jr Boulevard.
March 22, 2023

Chair Hansen and Committee Members:

Since 1876, the Minnesota Forestry Association (MFA) has been a leading advocate for private forestland owners to ensure sound forest stewardship. Privately-owned forestlands comprise 40% of Minnesota's forests. Well-managed forests, a complex endeavor, protect water quality and provide critical wildlife habitats. Private forests must also play a significant role in supplying the wood and wood fiber to the timber industry and in carbon sequestration planning and execution.

We write in support of HF2310 DE1, the House Environment and Natural Resource's Omnibus bill. We want to highlight specific provisions that are critical to fostering healthy forests and tree canopies across the state.

MFA strongly supports the following provisions:

- \$4 million grant for a wood dehydrator at the Koda biomass plant in Shakopee to process EAB woodwaste (among other materials) and produce heat. (Line 13.25)
- \$37 million for the EAB response program (Line 200.19)
 - \$28 million for District Energy in St. Paul to keep it viable as an EAB wood waste destination, which is the only option many counties currently have available.
 - \$9 million for grants to local units of government for EAB response, for tree removal and planting.
 - \$1 million for grants to schools to plant trees on school grounds.
- \$10 million for tree removal and replacement with more climate-adapted tree species in the State Parks System. (Line 34.32)
- \$9 million for tree removal and replacement in the Metro Regional Parks System. (Line 53.24)
- \$1.5 million for ServeMinnesota to “preserve and increase tree canopy throughout the state by training, support, and deploying AmeriCorps members to plant and inventory trees, develop and implement pest management plans.” (Line 70.20)
- \$906,000 for seedlings for reforestation. Funding will go to the Board of Regents of the University of Minnesota and Duluth, to collaborate with The Nature Conservancy and Minnesota Extension. (Line 74.29)

Minnesota Forestry Association

www.MinnesotaForestry.org

P.O. Box 6060 • Grand Rapids, MN 55744

E-Mail: Info@MinnesotaForestry.org



Your Woodland, Your Legacy

MFA is encouraged by the funding provisions put forth by the House Environment and Natural Resources Committee members and the Chair's leadership. We look forward to watching these provisions continue to move forward. Please see us as a resource should any forestry questions arise. For additional information, contact Sam Richie at srichie@fryberger.com or at (218) 301-9758.

Sincerely,

A handwritten signature in black ink that reads 'Brian Huberty'.

Brian Huberty

MFA President

Minnesota Forestry Association:

An organization of, by, and for private woodland owners and friends



March 28, 2023

Representative Rick Hansen
Chair, Minnesota Environment and Natural Resources Finance and Policy Committee

Dear Chair Hansen and committee members,

Thank you for the opportunity to share our organization's feedback on H.F. 2310. As the trade association representing Minnesota's nonferrous mineral exploration and development companies, MiningMinnesota recognizes that a transparent, robust, and thorough regulatory process is essential as we seek to responsibly mine the critical minerals that our state and nation must have in order to achieve the carbon reduction goals that we all share.

MiningMinnesota and our members are concerned that a few of the provisions in this bill will inadvertently hamper our nation's efforts to produce a domestic supply chain of these critical minerals without significantly providing a public benefit or protecting the environment. First, we oppose the re-creation of the MPCA Citizen's Board. The scientists and experts who work at the MPCA and other state and federal regulatory agencies are best equipped to evaluate any proposal, and there are already many opportunities for the public to engage, become informed, and provide input on any proposal. The Citizen's Board only adds uncertainty and cost to the process.

Secondly, we are concerned with provisions that create a new cumulative impact standard for air pollution. We believe there is a lack of clarity in the definitions in these provisions that will create additional uncertainty to the permitting process.

Our third concern is with the Lowland Conifer Carbon Reserve that has been proposed. As it is currently proposed, there is not exclusion for mining activities. The establishment of this Reserve would impact private- or other state-owned minerals and the impacts on these parties have not been accounted for within this proposal.

Minnesota already has a very rigorous and thorough process for evaluating proposed permits. It is important to our members that the process also be transparent, predictable, and provide certainty about what is required to get a permit. These proposals detract from those goals, and we would respectfully request that they are removed from this bill.

Sincerely,

A handwritten signature in cursive script that reads 'Julie C. Lucas'.

Julie Lucas