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### Overview

This bill makes a number of updates and changes to the state's Clean Water Legacy Act.

#### Section

- 1**      **Financial assistance.** Amends § 103B.3369, subd. 5. Expands the types of financial assistance the Board of Water and Soil Resources (BWSR) can provide by allowing contracts and payments, allows the assistance to go to other local units of government (in addition to counties which is allowed under current law), and allows the assistance to be awarded using a watershed-based approach in addition to performance-based as provided under current law.
- 2**      **Performance-based criteria.** Amends § 103B.3369, subd. 9. No longer requires BWSR to develop and use performance-based criteria, this would allow for the watershed-based assistance allowed in section 1.
- 3**      **Program purposes.** Amends § 103B.801, subd. 2. Technical.
- 4**      **Timelines; administration.** Amends § 103B.801, subd. 5. Restricts BWSR from amending its transition plan for watershed-based planning to no more than once every two years.
- 5**      **Comprehensive local water management plan.** Adds § 114D.15, subd. 3a. Defines “comprehensive local water management plan” for purposes of the Clean Water Legacy Act.
- 6**      **Comprehensive watershed management plan.** Adds § 114D.15, subd. 3b. Defines “comprehensive watershed management plan” for purposes of the Clean Water Legacy Act.

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- 7 **Restoration.** Amends § 114D.15, subd. 7. Modifies the definition of “restoration” for purposes of the Clean Water Legacy Act.
- 8 **Total maximum daily load (TMDL) implementation plan.** Amends § 114D.15, subd. 7. Adds comprehensive watershed management plans, comprehensive local watershed management plans, and existing statewide or regional strategies published by the Pollution Control Agency (PCA) to the definition of what a “TMDL implementation plan” can mean for purposes of the Clean Water Legacy Act.
- 9 **Watershed restoration and protection strategy or WRAPS.** Amends § 114D.15, subd. 13. Modifies the definition of WRAPS to allow the strategy to apply to a more flexible area.
- 10 **Goals for implementation.** Amends § 114D.20, subd. 2. Updates the Clean Water Legacy Act goals.
- 11 **Implementation policies.** Amends § 114D.20, subd. 3. Updates the Clean Water Legacy Act implementation policies.
- 12 **Priorities for preparing WRAPSs and TMDL’s.** Amends § 114D.20, subd. 5. Requires the PCA to establish priorities for scheduling and preparing WRAPSs and TMDL’s (rather than requiring the Clean Water Council to make recommendations on the priorities) and adds groundwater protection to the list of considerations that must be made when doing so.
- 13 **Priorities for funding prevention actions.** Amends § 114D.20, subd. 5. Expands the types of water the Clean Water Council (CWC) may provide recommendations for funding to include waters that have an approved TMDL.
- 14 **Alternatives; TMDL, TMDL implementation plan, or WRAPS.** Adds § 114D.20, subd. 8. Allows the PCA to submit a comprehensive watershed management plan or comprehensive local water management plan as an alternative to a TMDL in certain circumstances. States that a TMDL implementation plan or WRAPS is not needed if the PCA determines that a comprehensive watershed management plan, comprehensive local water management plan, or statewide/regional plan published by the agency is sufficient and allows the PCA to request BWSR to evaluate the implementation of these plans and to revoke or amend a determination after the evaluation is conducted.
- 15 **Coordinating of municipal and local water quality activities.** Adds § 114D.20, subd. 9. States that certain projects, practices, and programs for water quality improvement or protection must be considered as contributing to the requirements of a storm water pollution prevention plan for purposes of municipal separate storm sewer system (MS4) permits unless already documented as contributing.
- 16 **Watershed restoration and protection strategies.** Amends § 114D.26. Updates WRAPS requirements, including requiring the PCA and BWSR to coordinate the schedule, budget, scope, and use of WRAPS, and requiring completion of WRAPS for the state’s major watersheds by June 30, 2023, unless a comprehensive watershed management plan or comprehensive local water management plan is determined to be sufficient.
- 17 **Public and stakeholder participation.** Amends § 114D.35, subd. 1. Requires public agencies and private entities implementing restoration and protection activities identified in comprehensive watershed management plans or comprehensive local water management

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plans to make efforts to inform, consult, and involve the public and requires the PCA and BWSR to coordinate public and stakeholder participation.

**18**      **Education.** Amends § 114D.35, subd. 3. Technical.

**19**      **Nonpoint funding alternative.** Adds § 114D.47. Allows BWSR to establish alternative timelines or content for the priority funding plan for nonpoint sources and use information from comprehensive watershed management plans or comprehensive local water management plans to estimate/summarize costs.