



April 24, 2015

Dear Members of the Minnesota House:

We, the undersigned organizations and the citizens we represent, ask you to remove a number of provisions in the House Omnibus Environment and Natural Resources Budget Bill, H.F. 846, that will have the effect of blocking or rolling back clean water rules and standards necessary to reduce the discharge of pollution to Minnesota waters, and to clean up our polluted lakes, rivers, and streams. If the dirty water provisions, identified below, are not removed by amendment on the House Floor, we ask that you oppose the bill and vote “no” on the question of its passage.

House File 846 contains both finance and policy provisions. The bill (Article 1, Sec. 2, Subd. 6) on page 11, lines 17-31, raids \$21.376 Million that was set aside for protecting and cleaning up our water from leaking solid waste landfills. At a time when the state coffers are overflowing, it is not right to raid these funds that were collected from citizens and businesses across the state with the intention of protecting our water. The bill also fails to follow through with \$29 Million in paybacks to the closed landfill funds, which were scheduled to make up for the last time the House raided the closed landfill funds, in 2010.

House File 846 includes a large number of policy provisions that obstruct or prohibit the state agencies, charged with protecting our water and controlling pollution, from carrying out their functions and duties. Some of those duties are delegated to Minnesota under the Federal Clean Water Act, and legislative action interfering with the state’s ability to carry out delegated duties may cause the Minnesota to become one of the few states to have its delegated authority revoked. For example:

- Article 2, Sections 87 and 88 roll back protections for our lakes, rivers, and trout streams and other streams, by making it more difficult to assess ground water usage, and by effectively blocking the Minnesota Department of Natural Resources from protecting groundwater supplies;
- Article 2, Sec. 92 prohibits the Minnesota Pollution Control Agency (MPCA) from using its discretionary authority to fine violators of “environmental requirement” including pollution limits, regardless of the duration, severity, or effect of the violation, if the violator notifies the MPCA of the violation;
- Article 2, Sec. 93 would require that any water quality rule or standard promulgated by the MPCA be voted on and approved by the legislature before it could be finalized, effectively creating a legislative veto over new clean water standards;
- Article 2, Sec. 94, on the pretense of injecting more science in the MPCA’s decision-making, creates new hurdles to regulatory improvements for clean water by requiring “studies of the studies” upon which the MPCA bases its water quality rules and standards;

- Article 2, Sec. 106 removes from the Minnesota Pollution Control Agency Citizens' Board key powers that it has held since the agency was created in 1967, by cutting out citizen review and oversight from many important and controversial environmental review decisions;
- Article 2, Sections 125 – 127 suspend and block water quality rules and pollution limits intended to clean up and protect rivers from phosphorus, suspended solids and other excess nutrients. These pollutants lead to river eutrophication, algae blooms, and other conditions that lead our rivers and lakes to no longer be fishable and swimmable; and
- Article 2, Section 128 prohibits the MPCA from applying and enforcing the existing water quality standard for sulfate pollution, which is a protective of wild rice and the water bodies that sustain wild rice.

Please oppose these and all other roll-backs and attacks on Minnesota's clean water rules; long-standing citizen review and oversight of important and controversial environmental review decisions; our state agencies' enforcement, rule-making, and other decision-making authorities. These dirty water provisions in H.F. 846 would prevent Minnesota from carrying out the duties delegated to the state under the Federal Clean Water Act.

Please support floor amendments to delete the above and other dirty water provisions from the bill.

We ask you to vote NO on H.F. 846 unless all dirty water provisions are removed.



Minnesota Environmental Partnership  
 Alliance for Sustainability  
 Audubon Minnesota  
 Audubon Society of St. Paul  
 Austin Coalition for Environmental Sustainability  
 Center for Biological Diversity  
 Clean Water Action  
 Conservation Minnesota  
 CURE (Clean Up the River Environment)  
 Environment Minnesota  
 Freshwater Society  
 Friends of the Boundary Waters Wilderness  
 Friends of the Cloquet Valley State Forest  
 Friends of The Mississippi River  
 Friends of The Parks & Trails of St. Paul  
 & Ramsey Co.  
 Izaak Walton League - Minnesota Division  
 Izaak Walton League Of America -Midwest Office  
 Kids for Saving Earth  
 Land Stewardship Project  
 League Of Women Voters Minnesota  
 Lower Phalen Creek Project  
 Mankato Area Environmentalists

Minnesota Center for Environmental Advocacy  
 Minnesota Conservation Federation  
 Minnesota Food Association  
 Minnesota Land Trust  
 Minnesota Ornithologists' Union  
 Minnesota Project  
 MPIRG  
 Minnesota Renewable Energy Society  
 Minnesota River Valley Audubon Chapter  
 Minnesota Trout Unlimited  
 MN350  
 National Parks Conservation Association  
 Northeastern Minnesotans for Wilderness  
 Parks & Trails Council of Minnesota  
 Renewing the Countryside  
 Sierra Club – North Star Chapter  
 St. Croix River Association  
 Transit For Livable Communities  
 Trust for Public Land  
 Urban Roots  
 Voyageurs National Park Association  
 WaterLegacy  
 Will Steger Foundation