



LETTER UPDATED TO REFLECT CONFERENCE COMMITTEE ACTION ON BUFFERS

May 18, 2015

Minnesota Legislators:

We maintain our strong opposition to the provisions of the Ag and Environment Omnibus budget bill conference committee report (H.F. 846).

When we ask Minnesotans what they value most about our state, they talk about our lakes, rivers and streams, forests, prairies and wildlife. Minnesotans care deeply about our Great Outdoors.

In stark contrast, the conference committee report for H.F. 846 cuts general fund spending for the environment by \$62 million (24%) while the state enjoys a large budget surplus. It undermines key policies that protect and restore our air, land, and water and provide for strong public engagement.

We ask you to oppose the Conference Committee report when it reaches the floor, and vote against final passage of the bill. The vote on this report is of the utmost importance to the state's environmental and conservation community.

There are some important provisions in this bill, including the agency budgets. The overall negative impacts to our state resources, however, outweigh these new positive provisions.

New language on the water quality buffers was adopted by the conference committee early this morning. The practical effect of this language is to accelerate implementation of long-standing law, over a 2-3 year timeline. This bill is a step forward and will have a modest water quality benefit, but it will not return the rivers, lakes and streams in Minnesota farm country to being swimmable and fishable. It is disappointing that the Governor's very solid buffer proposal was blocked by the legislature. The Governor's original proposal would have been a real step forward for protection of all of Minnesota's streams, rivers and lakes. We have a long way to go to clean up Minnesota's water, and getting there will require major ongoing executive attention and action.

The most offensive provisions include, but are not limited to:

- **Abolishing the Citizens' Board of the Pollution Control Agency:** The Citizens' Board was established in 1967 to ensure the PCA serves the public interest and to establish an open and transparent decision-making process. The Citizens' Board has worked well and is a model we can be

proud of. *The Conferees adopted language to eliminate the Citizens' Board altogether, which did not pass either the House or Senate.*

- **Raiding Dedicated Environmental Funds:** Even with \$1 billion on the bottom line, this bill raids funds that are to prevent old landfills from contaminating our groundwater and surface water and clean up the pollution where it occurs. This budget gimmick results in a more than 24% cut in general fund spending for the environmental. Even if some of the funds are eventually paid back as scheduled in the bill, the overall amount of clean up funds will fall far short of the amount needed for cleaning up leaks from our more than 100 landfills for which the state is responsible.
- **Breaks the Compromise Agreement on Biofuels:** The signed agreement between energy, agriculture, and environment stakeholders would establish the next-generation biofuel industry in Minnesota. This bill violates that agreement, undercutting our ability to establish perennial crops for ethanol production and develop new beneficial agricultural systems to protect and restore our lakes, rivers and streams in some of our most polluted watersheds in the heart of ag country.
- **Provides Funding to Promote False Pollinator Labelling:** Recently, the legislature voted to allow deceptive advertising for "pollinator-friendly plants" that need only not kill bees on first contact. Plants contaminated short of that threshold can be labeled "pollinator-friendly."
- **Expensive Re-dos:** The bill requires expensive cost analyses of existing and anticipated water quality standards that establish a false baseline for estimated capital and operating costs of complying with water quality standards without including economic and social costs associated with declines in water quality.
- **Surprise Sulfide Mining Amendment:** the bill exempts sulfide mining waste from solid waste rules. *This amendment was never introduced as a bill or heard in any committee, and its future effect is unknown.* Exempting as-of-yet unknown waste streams from potential sulfide mines is an unnecessary risk to water quality and public health. Nobody has been able to explain how or whether this would apply to PolyMet and other proposed mines.
- **Red River Rules Suspension:** Delays enforcement of updated nutrient pollution permits for wastewater treatment facilities in the Red River watershed until 2025, unless approved by the U.S. EPA, North Dakota Department Health, and EPA Regions 5 & 8.
- **Polluter Amnesty:** A polluter amnesty provision delays enforcement and waives penalties for regulated parties that self-report violations of environmental regulations. This provision needlessly strips the MPCA of its powers to hold polluters accountable for protecting our natural resources.

Lastly, although some previously adopted provisions that suspended current water quality standards were removed, the repetitive water quality studies that have been kept in the bill will have huge fiscal impacts, but are only minimally funded.

For these and other concerns that have been raised, we ask you to protect our water and our future resources by opposing the Conference Committee report for HF 846 and voting against final passage of the bill.

Thank you for defending the Legacy of our Great State.

Sincerely,



Steve Morse, Executive Director
Minnesota Environmental Partnership

Alliance for Sustainability

Audubon Society of St. Paul

Clean Water Action

Climate Generation

Conservation Minnesota

CURE (Clean Up the River Environment)

Environment Minnesota

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 County

Izaak Walton League - Minnesota Division

Izaak Walton League of America - Midwest Office

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

Minnesota Renewable Energy Society

MN350

Renewing the Countryside

Sierra Club - North Star Chapter

St. Croix River Association

Transit for Livable Communities

Urban Roots

Voyageurs National Park Association

WaterLegacy