

# Minnesota Environmental Partnership Legislative Wrap-Up 2019



## Summary

### Legislature makes little progress on major challenges.

At a time when the alarm bells are going off – about our changing climate, about pollinator declines, about insect and species extinction, about agricultural run-off impacting drinking water in communities across the state – the results from the 2019 state legislature short change the seriousness of the issues on almost every count. Fortunately, the severe budget cuts proposed by the Minnesota Senate were avoided. But fighting to keep the status quo means we aren't making needed forward progress.

## Initiatives

*Minnesota Environmental Partnership priorities for the 2019 legislature included the following:*

### Climate

**Increase the Renewable Energy Standard to 100% carbon free energy.** The Governor's proposal passed the House but the Senate leadership was opposed. No 100% bill passed this session.

**Invest in electric vehicle infrastructure.** Despite proposals from the House, Senate and Governor across different committees no state or RDA funding was committed to expanding EV infrastructure.



**Improve transit and active transportation options.** For the next biennium, Metro Mobility will be funded as its own line item in the general fund which will free up funds to support transit. The legislature also passed a one-time transfer of \$5 million in flexible federal funding into a biking and walking grant program, \$500,000 for Safe Routes to Schools in each of the next two years, and \$650,000 for an extension of the North Star Light Rail to St. Cloud.

### Water



**Adopt goal of clean water by 2050.** Establishing a clear state goal of making all lakes, rivers and streams meet basic health standards by 2040 passed the House, but not the conference process.

**Adjust the Safe Drinking Water Fee.** The Minnesota Department of Health will be funded to continue their work to keep our drinking water safe with an increase of this annual fee to \$9.72.

**Prevent salt pollution with applicator training and liability protection.** While many negotiations took place, this was not included in the final package.

**Renew the Legislative Water Commission.** The legislature provided funding but did not reauthorize this bipartisan commission that studies water issues facing Minnesota.



**Fully fund Forever Green Initiative: \$10 million.** \$4.3 m in funding secured from the Clean Water Fund.

**Develop Working Lands for Drinking Water Protection Program: \$8.5 million.** No funding was appropriated for this innovative effort.

**Fund drinking and wastewater infrastructure with state General Obligation Bonds: \$102.65 million.** No bond funding was provided this session.

**Fully fund CREP with state General Obligation Bonds: \$44 million.** \$17.5 m. allocated from Clean Water Fund for Conservation Reserve Easement Program (CREP).



**Restore the Environment and Natural Resources Trust Fund (ENRTF).** One of the first accomplishments of the session was passage of a legislative fix to the ENRTF raid of 2018. The fix funded the projects put on hold because of a lawsuit with General Obligation bonds – not appropriation bonds backed by the ENRTF. This allowed \$7.8 million that was formerly allocated for debt service to be used for additional ENRTF projects this year.

**Reinstate the Pollution Control Agency Citizens' Board.** A bill to reinstate the Citizens' Board that was eliminated in 2015 was passed by the House but was not included in the Senate version or the final conference committee agreement.

## Pollinators

**Incentivize switch to non-neonic-treated corn and soy seeds.** Initial discussions and a bill introduced late in the session laid a foundation for pursuing this in future years, though nothing happened this session.

**Restrict general public's access to neonic pesticides.** While a bill to advance this was offered in the House, it struggled to see the light of day in the Senate. No progress.



**Help homeowners convert their lawns to pollinator-friendly habitat.** This cost-share program is funded with \$900,000 and will be run by the Board of Water and Soil Resources.

**Create a Pollinator Protection Account.** Raising funds to help pollinators through fees on pesticide-treated seeds and other pesticides toxic to pollinators made no progress this session.

**Authorize a pesticide treated seed program.** Giving the state clear authority to regulate treated seeds (like they have for all other pesticides) and track their use did not progress this session.

**Prohibit use of neonic pesticides in Wildlife Management Areas.** In addition to passing the House, the Senate voted 67 – 0 to adopt this measure. Still, it didn't survive the conference committee process.

**Allow cities of the first class to regulate pesticides.** The bill passed the House but was not adopted by the Senate and did not survive the conference committee process.

## Defense

**The following bills were signed by the Governor and roll back environmental protections:**

- **Allowing the transfer of water from one water body to another without a permit,** risking the spread of aquatic invasive species or other pollution.
- **Changing the definition of pasture** to include certain feedlots for up to 90 days, thereby escaping regulation by the PCA. The final language was an improvement over an original proposal, but still rolls back regulations that protect water quality from manure contamination.
- **Removing from protection all endangered plant species in the entire public road right-of-way** along 135,000 miles of Minnesota roads, rolling back 40 years of standing protections.

**These harmful proposals were passed by the Senate but did NOT become law:**

- **Creating a non-representative Wild Rice Stewardship Council.**
- **Criminalizing protests near pipelines and “critical infrastructure.”**
- **Preventing the Department of Commerce from spending funds to appeal the PUC's approval of the Enbridge Line 3 pipeline.**
- **Reducing Xcel Energy's payment into the Renewable Development Account,**
- **Weakening the existing renewable energy standard by counting large hydro-electric facilities.**
- **Capping the community solar gardens** that can be constructed to 25 MW annually.
- **Giving industry water treatment facilities 16 years to comply with standards.**
- **Jeopardizing native species by delaying land conversion** in Sand Dunes State Forest.
- **Violating the Federal Clean Air Act** by preventing MPCA from enforcing certain permits.
- **Allowing the DNR to lease public mineral rights for underground solution mining.**
- **Preventing the DNR from modifying groundwater permits as they are transferred.**
- **Preventing the DNR from talking about Groundwater Management Areas.**
- **Redefining Groundwater Sustainability** in contradiction to the DNR definition.
- **Requiring legislative approval for agency fee increases.**
- **Giving veto power to any county board to prevent adopting a state water quality standard.**

MEP and member organizations – working with citizens from across the state -- successfully blocked these proposals.