

# DRAFT of a Strategic Plan

Approved by the Clean Water Council

2/24/2020

## Mission

Protect and Restore Minnesota's Waters throughout Our Diverse State for Generations to Come

## Vision

- Minnesota will have fishable and swimmable waters throughout the state.
- Drinking water sources statewide will be protected, and drinking water at the tap for both public water system users and private well owners will be available and safe for all Minnesotans.
- Minnesotans will be aware of crucial issues impacting water quality and availability, and will understand the need for protecting, restoring, and conserving water.

## Guiding Values and Requirements

Several values and state statutes will guide the Council's strategies through 2034. First, the Council uses the Clean Water Legacy Act (Minnesota Statutes 114D) for guidance on the following topics.

- Effectively leverage other sources of funding for protection and restoration projects, including federal, state, local, and private sources of funds, the Environment & Natural Resources Trust Fund, and the Outdoor Heritage Fund. Leverage may include coordination and partnerships in addition to matching funds.<sup>1</sup>
- Within Minnesota's major watersheds, prioritize protection and restoration funding according to approved watershed management plans, including comprehensive watershed management plans developed under the One Watershed One Plan program, when an approved plan exists.
- Prioritize projects that show a high potential for early restoration and delisting [from impaired waters list] based upon scientific data developed through public agency and citizen monitoring or other means.<sup>2</sup>
- Continue to develop policy advice that would improve outcomes from Clean Water Fund appropriations and the strategies in this plan.<sup>3</sup>

In addition, the Council has developed strategies in this document that are "SMART": (Specific, Measurable, Attainable, Relevant and Time-bound). This level of specificity will maintain continuity through 2034.

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<sup>1</sup> Minnesota Statutes 114D.20, subdivision 6(3) and subdivision 7.

<sup>2</sup> Minnesota Statutes 114D.20, subdivision 6(4).

<sup>3</sup> Minnesota Statutes 114D.30, subdivision 1 and 114D.20, subdivision 3(6). Past examples include buffers/continuous living cover and chloride recommendations.

Finally, the Council acknowledges that many of the strategies listed below will not solely be funded or supported by the Clean Water Fund and the Clean Water Council. However, state statute requires the Council to “advise on the administration and implementation of [the Clean Water Legacy Act], and foster coordination and cooperation” among public agencies and private entities. This strategic plan will serve as guidance as those agencies and entities in order to complete the listed strategies, whether or not the Clean Water Fund is the sole or partial funding source.<sup>4</sup>

## Goals & Strategies

### Goal 1: Drinking water is safe for everyone, everywhere in Minnesota

- Protect public drinking water sources
- Ensure that users of public water systems have safe water
- Ensure that private well users have safe water

#### Strategies to Achieve Goal 1

1. Spend a minimum of five percent of the Clean Water Fund exclusively on drinking water as required in the State Constitution.
2. Support widespread and routine testing of private well water and help private well owners achieve safe limits at the tap, beginning with a pilot project in FY2020-2021.
3. Prioritize implementation funding that supports the Ground Water Protection Rule, so no additional municipal water supply wells exceed the drinking water standard for nitrate.
4. Implement the Nitrogen Fertilizer Management Plan (NFMP) to promote vegetative cover and advanced nitrogen fertilizer management tools to protect private wells in vulnerable areas.
5. Complete the development of surface water intake plans by 2025.

### Goal 2: Groundwater is clean and available to all

- Protect groundwater from degradation-
- Support effective measures to restore degraded groundwater.<sup>5</sup>
- Ensure groundwater use is sustainable
- Avoid adverse impacts to surface water features due to groundwater use

#### Strategies to Achieve Goal 2

1. Complete Groundwater Restoration and Protection Strategies (GRAPS) for all major watersheds engaged in comprehensive watershed planning by 2025.
2. Complete groundwater atlases for all Minnesota counties by 2029.
3. Achieve a goal of 1,600 state-owned and managed long-term groundwater monitoring wells statewide by 2034.
4. Protect the approximately 400,000 acres of vulnerable land surrounding drinking water wellhead areas statewide by 2034.
5. Source Water Protection Planning

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<sup>4</sup> Minnesota Statutes 114D. 30, subdivision 1.

<sup>5</sup> Minnesota Statutes 114D.20, subdivision 2(7) and 2(8). Also refer to degradation prevention goal in Minnesota Statutes 103H.001.

- a. Conduct ongoing source water protection planning and implementation for the state’s 500 vulnerable community public water systems and
  - b. Complete first generation source water protection plans for the remaining 420 community public water systems by 2025;
  - c. Complete revised source water assessments for all 23 surface water systems by 2025;
  - d. Complete source water intake protection planning by 2027;
  - e. Complete pilot source water protection planning for 10 non-community public water systems with at-risk populations by 2025.
6. Provide financial assistance for source water implementation activities through grants to satisfy 50% of demand through 2034.
  7. Prioritize the sealing of unused groundwater wells that present a risk to drinking water aquifers by 2034.
  8. Maintain a compliance rate for subsurface septic treatment (SSTS) systems at a minimum of 80 percent, and to attain a goal of 90 percent annually.
  9. Adopt BMPs for water efficiency, water use reduction, and irrigation water management, , and prioritize them in areas of high water use intensity by agricultural irrigators, highly sensitive areas, Groundwater Management Areas (GWMAs), and highly vulnerable Drinking Water Source Management Areas (DWSMAs).

### Goal 3: Surface waters are swimmable and fishable throughout the state<sup>6</sup>

- Prevent and reduce impairments in surface waters
- Maintain and improve the health of aquatic ecosystems
- Protect and restore hydrologic systems
- Incorporate climate considerations into planning for water quality

### Strategies to Achieve Goal 3

1. There will be no net increases in impairments after 2019 when the first statewide testing cycle was completed, and there will be a substantial reduction in impairments overall.
2. Fund the completion of Watershed Restoration and Protection Strategies (WRAPS) for all 80 major watersheds by 2023.<sup>7</sup>
3. Fund the completion of comprehensive watershed management plans for all 80 major watersheds, including those under One Watershed One Plan, by 2025.<sup>8</sup>
4. In the Upper Mississippi River headwaters basin, protect 100,000 priority acres and restore 100,000 priority acres with a combination of public and private funding to ensure high quality water by 2034.<sup>9</sup>

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<sup>6</sup> The state’s “swimmable” goal set in 2014 is to increase the percentage of Minnesota lakes with good water quality, as measured by acceptable Trophic State Index, from 62% to 70% by 2034. The “fishable” goal is to increase the percentage of Minnesota’s rivers and streams with healthy fish communities, as measured by the Index of Biotic Integrity, from 60% to 67% by 2034. *Minnesota’s Clean Water Road Map: Setting Long-Range Goals for Minnesota’s Water Resources, 2014.*

<sup>7</sup> As required in Minnesota Statutes 114D.26, subdivision 3.

<sup>8</sup> As required in Minnesota Statutes 103B.801, subdivision 5.

<sup>9</sup> The Nature Conservancy, Water Fund Prioritization, 2019 & *Multiple Benefits for People and Nature: Mapping and Modeling Tools to Identify Priorities for The Nature Conservancy’s Freshwater Program and the Minnesota Headwaters Fund.*

5. Invest in activities and research that can accelerate improvement in water quality through new approaches (e.g., perennial crops and other “landscape drivers”, chloride management or alternatives, etc.).
6. Include climate impacts as one of multiple benefits of protection and restoration, and incorporate climate resilience into comprehensive watershed management plans.<sup>10</sup>
7. Support effective science-based responses to emerging threats or contaminants of emerging concern.
8. Support cities to upgrade water treatment facilities to address specific water quality goals by reducing the discharge of nutrients and other pollutants based on total maximum daily loads (TMDL) and regulatory requirements.<sup>11</sup>
9. Support technical assistance and construction financing to help small communities replace failing septic systems with community subsurface systems.<sup>12</sup>
10. Achieve a goal of five million acres of row crop agriculture that use cover crops or continuous living cover by 2034.<sup>13</sup>
11. Enroll 6,500,000 acres and 5,100 Minnesota farms in the Minnesota Agricultural Water Quality Certification Program (MAWQCP) by 2030.<sup>14</sup>
12. Fund technical assistance and local demonstration sites to assure that application of crop fertilizer uses the best available science.
13. Support in-lake treatment and restoration activities that only address water quality impairments and are supported by comprehensive plans, including One Watershed One Plan.

#### Goal 4: All Minnesotans value water and take actions to sustain and protect it

- Build capacity of local communities to protect and sustain water resources
- Encourage systems and approaches that support, protect, and improve water
- Provide education and outreach to inform Minnesotans’ water choices
- Encourage citizen and community engagement on water issues
- Incorporate the needs and assets of Minnesota’s diverse communities

#### Strategies to Achieve Goal 4

1. Develop cultural competency on the Council to incorporate the strengths of diverse communities in Minnesota. Develop an inclusion plan by 2021 in consultation with the state’s four ethnic councils (Councils for Minnesotans of African Heritage, Minnesota Council on Latino Affairs, Minnesota Indian Affairs Council, and Minnesota Council on Asian Pacific Minnesotans),

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<sup>10</sup> Minnesota Statutes 114D.50 subdivision 4: “A project receiving funding from the clean water fund must meet or exceed the constitutional requirements to protect, enhance, and restore water quality in lakes, rivers, and streams and to protect groundwater and drinking water from degradation. Priority may be given to projects that meet more than one of these requirements.”

<sup>11</sup> As described in Minnesota Statutes 446A.073

<sup>12</sup> As described in Minnesota Statutes 446A.075

<sup>13</sup> Minnesota Environmental Quality Board/Center for Climate Strategies, Minnesota Climate Strategies and Economic Opportunities, March 2016, p. XVI-40 (301), <https://www.eqb.state.mn.us/sites/default/files/documents/CCS%20Appendix%20with%20policy%20details%20and%20results.pdf>.

<sup>14</sup> As described in Minnesota Statutes 17.9891

Women Caring for the Land/Women Food & Ag Network, Hmong American Farmers Association, Center for Health Equity at the Minnesota Department of Health, and others.

2. Support agency efforts to inform, educate, and encourage the participation of citizens, stakeholders, and others in the protection and restoration of Minnesota's waters.<sup>15</sup> Efforts should include the biennial Clean Water Fund Performance Report, traveling exhibits, more integrated presentation of projects and outcomes supported by the Clean Water Fund on state web sites, etc.
3. Develop a set of questions by 2021 that can be used in occasional statewide surveys to determine the public's understanding of water resources and quality in Minnesota. The Council will work with agencies and/or the University of Minnesota on a cost-effective method of surveying Minnesotans regularly on the same questions through 2034.
4. Plan for program resilience after expiration of Legacy Amendment in 2034 and discourage Clean Water Fund applicants from relying on 100% CWF funding.

### Recommended "Portfolio Mix" for Biennial Clean Water Fund Appropriations

1. Recommend a minimum of 20% of available Clean Water Fund revenue for projects that protect groundwater and drinking water from degradation, with five percent that is *exclusively* dedicated to drinking water.<sup>16</sup> Groundwater and drinking water projects may count as implementation activities as described in the next paragraph, when applicable.
2. Recommend spending a minimum of available Clean Water Fund revenue for implementation of priorities in approved comprehensive watershed management plans, including those under One Watershed One Plan, and implementation that fulfills other strategies in this plan, according to the following schedule.
  - a. 30 percent in FY22-23
  - b. 40 percent in FY24-25
  - c. 50 percent in FY26-27
  - d. 55 percent in FY28-29
  - e. 60 percent in FY30-31
  - f. 60 percent in FY32-33
  - g. 60 percent in FY2034 through expiration of the Legacy Amendment.
3. Recommend a maximum of 15% of available Clean Water Fund revenue for ongoing monitoring of Minnesota's surface waters on a ten-year cycle that measures progress against water quality goals, monitoring for nitrate concentrations and trends in vulnerable groundwater and private wells, monitoring of aquifers for water supply planning, monitoring of stream flow, and assessment of groundwater.
4. Recommend spending a minimum of 5% for innovation and activities that focus on "landscape drivers" and pollution prevention.

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<sup>15</sup> As required in Minnesota Statutes 114D.35, subdivision 3.

<sup>16</sup> Minnesota Constitution, article XI, section 15: "33 percent of the [Legacy Amendment] receipts shall be deposited in the clean water fund and may be spent only to protect, enhance, and restore water quality in lakes, rivers, and streams and to protect groundwater from degradation, and at at least five percent of the clean water fund must be spent only to protect drinking water sources."

5. Recommend spending a maximum of 5% for a small grants program, administered by a state agency, modeled on the Conservation Partners Legacy program that furthers the objectives of the Clean Water Legacy Act.<sup>17</sup>
6. Require all applicants for Clean Water Fund support to show anticipated and actual measurable outcomes and to use approved attribution to the Clean Water Fund and Legacy Amendment.<sup>18</sup>
7. Recommend random third-party reviews of programs supported by the Clean Water Fund.

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<sup>17</sup> Refer to Minnesota Statutes 114D.30 subdivision 6 and 114D.50 subdivision 3 for guidance on eligibility.

<sup>18</sup> Minnesota Statutes 114D.50 subdivision 4(a) and 4(f).