

## **Policy Committee Meeting Agenda**

Clean Water Council

May 30, 2025

9:30 a.m. – 12:00 p.m.

[WebEx Only](#)

*Policy Committee: John Barten, Rich Biske (Chair), Gail Cederberg, Kelly Gribauval-Hite, Chris Meyer, Peter Schwagerl, Marcie Weinandt, and Jessica Wilson*

### **9:30 Regular Business**

- Introductions
- Approve today's agenda
- Approve minutes of previous meeting(s)
- Chair update
- Staff update

### **9:45 Review revised draft Policy Statement on large volume water users**

### **10:30 BREAK**

### **10:45 Update on Engagement Plan**

### **11:15 Reviewing policy priorities post-Legislative session**

### **11:45 Public Comment**

### **12:00 Adjourn**

**Policy Committee Meeting Summary**  
**Clean Water Council (Council)**  
**March 28, 2025, 9:30 a.m. to 12:00 p.m.**

**Committee Members present:** John Barten, Rich Biske (Chair), Gail Cederberg, Chris Meyer, Marcie Weinandt (Vice Chair), and Jessica Wilson.

**Members absent:** Kelly Gribauval-Hite and Peter Schwagerl.

**Others present:** Glenn Skuta (MPCA), Paul Gardner (CWC), Brianna Frisch (MPCA), Margaret Wagner (MDA), Jim Stark (SWMP), Nikol Ross (MDA), Frieda VonQualen (MDH), Caitlin Meyer (Olmsted County), Jen Kader (Met Council), Sophia Walsh (MDH), Annie Gunness (BWSR), Chris O'Brien (Freshwater), Jeremy Haul (BWSR), Judy Sventek (Met Council), Tannie Eshenaur (MDH), Kim Kaiser (MDA), Jeff Berg (MDA), Carrie Jennings (Freshwater), Jason Moeckel (DNR)

*To watch the Webex video recording of this meeting, please go to <https://www.pca.state.mn.us/clean-water-council/policy-ad-hoc-committee>, or contact [Brianna Frisch](#).*

**Regular Business**

- Introductions
- Approve today's March 28<sup>th</sup> meeting agenda and February 28<sup>th</sup> meeting minutes.
  - Amendment for the private well initiative to be moved to the 9:45 time slot, with the policy statement shifted to 10:45. Motion for the agenda and meeting minutes by Marcie Weinandt, seconded by John Barten. Motion carries unanimously.
- Chair Update:
  - John Barten (Chair of the Council) and Rich Biske (Vice Chair) participated in the interviews for the new administrator to take Paul Gardner's place.
  - Perhaps a future discussion can be on the uncertainty of the federal funding (as it relates to USDA). It would be good to have more information, and if there are any policy changes that might impact it.
  - The April meeting will be canceled because Rich Biske and Marcie Weinandt will be out.
- Staff Update:
  - New Council member Senator John Hoffman will replace Senator Nicole Mitchell.
  - Omnibus bills will start coming out next week for most committees. The Legislature must adjourn by the third Monday in May. Policy bills must clear committee by April 4<sup>th</sup> and finance bills by April 11<sup>th</sup>.
  - There are two bills related to large water users, HF 2928 as well as HF2918. There are some bills to continue general funding for private well mitigation in southeastern Minnesota.

**Update on Private Well Initiative in SE Minnesota**, by Sophia Walsh and Frieda von Qualen, Minnesota Department of Health (MDH) and Nikol Ross with Minnesota Department of Agriculture (MDA) (*Webex 00:25:00*)

- As a reminder, the EPA has a directive to the MDH, MDA, and MPCA for a comprehensive workplan to reduce nitrate contamination of drinking water aquifers in eight southeastern Minnesota counties.
- As a part of this directive, there are seven key components:
  - Develop coordinated communication plan
  - Identify all private wells
  - Provide education and outreach (private well owners/users, plus community water system customers)
  - Offer testing for all private wells
  - Offer remediation for wells that exceed drinking water guidance
  - Establish public access to data and records
  - Report quarterly to the US EPA
- Under the Safe Drinking Water Act, community water systems protect consumers. However, private wells have little protection, so the concern is with private wells. The well code regulates construction and sealing. It is the owner's responsibility to test, mitigate, and operate their private wells. Additionally, pre-code wells are very vulnerable.
- The workplan has three phases:

- Phase 1: Immediate response (MDH/MDA) January-June 2024: Conduct education and outreach encouraging well testing, along with provide limited alternative water for vulnerable populations.
- Phase 2: Public health intervention (MDH and MDA) in July 2024 to current. This is to identify impacted residence, to conduct education and outreach, test private well drinking water, provide mitigation, and provide public records of the work being done.
- Phase 3: Long-term nitrate strategies (MDA and MPCA) for long-term. This is a task force to address nitrate, the Nitrogen Fertilizer Management Plan and the Groundwater Protection Rule, feedlot permits and rules, revising the Minnesota Nutrient Reduction Strategy, working on fish kill prevention, and wastewater nitrogen reduction and karst protection strategies.
- The Clean Water Funds (CWFs) helped fund public health intervention
  - There was \$2.79 million to MDH of CWFs for well inventory, testing, community education and outreach engagement, as well as staff capacity (local and state).
  - There was \$2.8 million to the MDA of general funds. This was for home water treatment systems, with the option to transfer to MDH for a mitigation program.
  - This equals funding for one year of a ten-year public health intervention.
- These efforts align well with the Clean Water Council's Strategic Plan. The vision that drinking water is safe for everyone, everywhere in Minnesota. The Goal 2: Ensure that private well users have safe, sufficient, and equitable access to drinking water (looking at testing, mitigation, and policy). The action is to support a ten-year effort to give every private well user the opportunity to test for five major contaminants, with an initial focus on the most vulnerable to contamination.
- We are in Phase 2: Public Health Intervention
  - Local partners, like the Tap In Collaborative are key.
  - Offering free water tests, and mitigation for households with nitrate above 10 mg/L.
  - This is also work for a well inventory, to locate private wells. As of mid-March, 1,300 test kits have been requested in the last three months, with over a third returned to the lab for testing.
  - They have ongoing work with outreach, focusing the testing and mitigation. The MDH is using lessons learned for the rest of Minnesota as well and it is scalable.
- Private well test results (as of February 2025)
  - Out of 236 private well test kits:
    - 11 percent nitrate greater than 10 mg/L (this was the focus of the EPA petition)
    - 12 percent bacteria present
    - 1 percent *E.coli* present
    - 12 percent arsenic present
    - 45 percent lead present
    - 5 percent manganese present
- Outreach and Education
  - Social media, TV, radio, newspaper
  - Community meetings, webinars
  - Private Well Steward Network, UMN Extension
  - Groundwater Awareness Week, Drinking Water Week
  - MDH website
  - Realtor CEUs, Buying and Selling a Home brochures
  - Well mitigation navigator with county laboratory
  - Social science research with UMN
- Well Inventory:
  - Identify all private wells supplying drinking water for a home (county by county), starting with Dodge, Fillmore, and Houston counties.
  - Provide information to update the County Well Index (which updates the Minnesota Well Index).
- Where do we go from here?
  - Expand mitigation options to maximize cost/benefit and sustainability.
  - Improve test kit return rate and bacteria hold time compliance.
  - Address nitrate and other "top five" contaminants to other parts of the state.

- Approaches to carry forward: locally led, be adaptable, prioritize vulnerable populations, rely on social science, multi-pronged outreach, test the top 5, multiple mitigation strategies, and make it simple.

*Questions:*

- Rich Biske: Three counties are participating in the well inventory. Have any considered the requirement to test at time of property transfer? *Answer:* We have been in conversation with a few counties. Winona County has reached out to us recently. Also, Washington County (not in the eight in southeast Minnesota). We are not sure where it is at. We are happy to help if anyone reaches out to us. Dakota County has an ordinance in place, and we are working to connect interested parties with them. A model ordinance is not something the MDH can provide, but folks can look at Dakota County's document.
- John Barten: Regarding the well inventory, it will document the pre-code wells. *Answer:* Yes. We are working to document those wells. We are collecting as much info on those wells as possible.
- John Barten: Do you know how long those three counties are working on collecting the well inventory? *Answer:* The funding expires June 2027, which is the projected end of contracts currently. We know they are not going to get to one hundred percent, but we are asking them to get as much as they can.

**MDA Mitigation Project in Southeast Minnesota**, by Nikol Ross, MDA (*Webex 00:59:00*)

- The funds are from CWFs and general funds, following the slide provided from MDH. Different funding sources, but same goal working with contamination issues with the private well owners.
- Timeline: Getting Started
  - May to July 2024 was pre-planning.
  - Funding became available July 2024 (Joint Powers Agreement (JPA) signed with Olmsted County in July)
  - They reached out directing to MDA private well testing participants (over 1,200). This involved Township testing, Private Well Pesticide Sampling Program, and the Southeast Volunteer Monitoring Network.
  - The first Reverse Osmosis system was installed in October 2024.
- Reverse Osmosis Installations
  - There were 146 systems installed to date. About twelve percent of those were for households with a vulnerable population (pregnant or small children). About thirty-one percent of households were below the three hundred percent of the federal poverty level. Twelve exceeded for both nitrate (10 mg/L) and cyanazine (1 µg/L). Only five exceeded the cyanazine health risk level.
  - See pie chart of locations where these systems were installed.
- Follow-up sampling (post treatment):
  - All households with installed reverse osmosis systems will receive a follow-up sample to test the effectiveness of the system. SEMWAL directly mails out bottles for nitrate sampling. All follow up-up nitrate results have been below 10 mg/L nitrate (median post treatment is 1.6 mg/L). The median reduction rate was eighty-eight percent.
  - The MDA has conducted in-person cyanazine testing this winter. There have been fifteen sites sampled and results received. There are two sites that were recently sampled, but no results yet. Follow up 15 sites sampling revealed a hundred percent reduction in all sites.
  - They reached out beyond the MDA testing participants (working with Olmsted County local government units). To improve the response rate from the original list of participants, the MDA sent reminder letters to the original outreach group. Originally a 28 percent-response rate (which is pretty normal), with the second letter, they are still receiving letters at this time, but there are more responses.
  - The local efforts have really helped drive this along.

*Questions:*

- Marcie Weinandt: This information highlights many issues the Council talks about. The information getting out there, the technical assistance, the results of the testing, all of it. I was surprised by the number of households below the federal poverty rate. Do you know how many of those homes might be rentals versus privately owned? That would share a lot of the constituents of these counties. When we talk about the federal disinvestment, and I see huge issues for us as a society. We need to grapple with these disinvestments. *Response:* I don't think it is a required question, but there is a question, and there are some renters.
- John Barten: The data reveals a forty-five percent of lead found in the private well testing, where is that coming from? Do they have lead supply pipes? *Answer:* We do not know for sure; we are not looking at the plumbing. It is either lead pipes in the home, or components in the well system that has lead in it as well.

## Review Draft Policy Statement on Data Centers and Groundwater (Webex 01:34:00)

- At the last Policy Committee meeting, there was a presentation from Freshwater about the concerns and opportunities with data centers. A one-page document has been created (see meeting packet). The Policy Committee did not say they wanted a policy statement, but this document is similar (without the background). There are two bills in the Legislature (not a DNR bill), that has focused on this area.
- Rich Biske: We tend to take a two-stage approach. Starting with a document, which we now have, and then a comprehensive effort for the second phase. Looking at the groundwater atlases for identifying areas, was something the committee was interested in. Perhaps we can open this up for questions.

### Questions/Comments/Discussion:

- John Barten: Do we have a timeline for redoing the WRAPS and One Watershed One Plans (1W1P) where some of these new concerns could be included? What would that timeline look like? The new concerns water use issues could be included. Answer from Jeremy Maul, BWSR: We still have half a dozen 1W1P still working on their plans. It will be a ten-year rotation. It would be a couple years before you start to see the plans include the water usage into it.
- Gail Cederberg: We have the title as “data centers”, but perhaps we could include “water intensive industry” as well, so we capture that area. *Response from Rich Biske:* I agree, we need to adjust that to be included. Or strike data centers completely.
- Judy Sventek, Metropolitan Council: We do get notified of a large water users going in, and they have been focused on a sewer service to treat waste. Some initial conversations have included reusing wastewater. We try to respond to these conversations and raise the concerns. What you have in here is fine. It shows where the metro can have more of a role. We do bring some of these issues forward, so it is not like we aren’t doing anything. However, it has been focused heavily on the sewer aspect of the review. *Response by Rich Biske:* Thank you, and this document leaves room outside of the Metropolitan Council as well. We need to look at some of the proposed legislation too. Perhaps, we have a required first stop with the DNR, and the need to request additional information as well for some initial review.
- Chris O’Brien, Freshwater: The DNR is involved, but maybe update the operating procedures of how that works to make sure DNR is involved early in the process, and they are receiving adequate information receiving site information. We have heard it has been vague, and not enough to really help with the process. This area is also underfunded, we need more support of work along these lines.
- Jason Moeckel, DNR: I have a thousand ideas. I want to be helpful to answer your questions. Business First Stop is a voluntary thing. So, if a business wants to learn as much as they can, but there is nothing in it that requires it. Some of the legislators want something more compelling and an interaction early in the process. In Rep. Acomb’s bill, it says if a business requires a high volume of water, you need to be in contact with the DNR. This leads to a conversation, on the water needs, so the DNR can assess what is known about a certain area of water. It can help each connect and share information. In general, we think that is a positive step in the right direction. I appreciate not making it a data center specifically, but any business with a large amount of water use. You also mentioned the groundwater atlas availability. It was a bill we learned about in the past few days, we are reviewing it and trying to understand it. It’s complicated. There are so many things that businesses consider. It would be hard to produce an atlas but we can say we have areas experiencing stress.
  - Rich Biske: Yes, we do not want to advertise areas. Is there a framework in place, that can be proactive with communities, and reactive in a short time frame for project proposers?
  - Jason Moeckel: We can receive the phone call or request for information on a county. We can share what we know, and the potential concerns. We do that for irrigation permits with a preliminary well assessment. We do this for cities for the long-term well supply plans. However, high-volume users have teams that come in looking for certain things, with water being low on their list. We are all trying to signal to the business world that Minnesota does not have unlimited amounts of water! We need to create a mechanism for getting in on the front end of some of these siting questions.
  - Carrie Jennings: There is an atlas out there at the global level. It is already being used by global businesses to make determinations on water risk areas. Minnesota is represented on it. [Aqueduct Risk Atlas](#). Also, groundwater is not going to be sustainable for large uses. It is a bad habit to think it will always be there, because there are limits. You can refer to existing statute 103G.261 and 5th priority uses. <https://www.revisor.mn.gov/statutes/cite/103G.261>, as well as 103G.287 Subd. 5. Sustainability standard.

- Chris O'Brien, Freshwater: A suggested addition: Incentivize use of alternate water supply sources beyond groundwater including surface water, reclaimed water, gray water, or water reuse for supplying water-intensive industry.
- *John Barten*: I am wondering if it is a closed loop water system, if the piping is sanitized, is it a possibility?  
Answer: We've heard from the engineers that the water comes out hot and concentrated with whatever was circulating in the water. Usually, it needs to be cooled off and treated before it meets surface water quality standards. There is reluctance to design things in circular design. They want to get in fast, so it becomes first come first served. Getting it approved may take a long time. They go through the quickest route. Closed loop is differently used as well (closed loop geothermal system using propylene glycol). The specifics of what happens is a proprietary secret, so we also do not know what happens.
- *Updated document will be revealed at a future meeting.*

## **No Public Comments**

**Adjournment** (*Webex 02:16:33*)

## Clean Water Council

2<sup>nd</sup> Draft Policy Statement on High-volume water users as of May 29, 2025

### High-volume water users

Minnesota has a relative abundance of groundwater, but the Council has concerns about siting high-volume water users in locations where sustainable supply is or could become an issue.

The Council has a statutory role to foster coordination and cooperation as part of the Clean Water Legacy Act. The Council encourages improved data sharing, local government capacity building, and broader interagency collaboration to protect groundwater resources in a way that also provides rapid responses for industry decision making.

To address these concerns, the Council recommends the following.

- Update operating procedures for Minnesota Business First Stop to ensure the Minnesota Department of Natural Resources (and the Met Council, where appropriate) are engaged early in the development process and provided sufficient information to assist with siting of new facilities from a groundwater availability and water supply perspective.
- Develop a framework or tool to aid the private sector in better evaluating water risk and more strategically site or design high-volume water use industries. This could include:
  - The Minnesota Geospatial Commons, Aqueduct Water Risk Atlas, Moody's water risk mapping, and other existing resources
  - Enhanced regional groundwater models
  - Identification of locations with plentiful groundwater where cooling use will not interfere with other higher priority uses
  - Identification of where there might co-location opportunities with a beneficial industry
  - Identification of opportunities for recharge, and
  - A list of alternate water supply sources beyond groundwater for cooling, including surface water and reclaimed water
- Include high-volume water users as considerations in Groundwater Restoration and Protection Strategies (GRAPS) and the development or amendment of comprehensive watershed management plans (One Watershed One Plan or other approved plans). Groundwater use and discharges to surface waters from data centers should be of particular interest.
- Review and possibly modify once-through cooling prohibitions in the Minnesota Groundwater Protection Act (Minn. Stat. [§103G.271 Subdivision 5.](#)) Modifications could encourage closed loop geothermal systems, water reuse, or other innovative approaches that provide multiple benefits.

## Clean Water Council

2<sup>nd</sup> Draft Policy Statement on High-volume water users as of May 29, 2025

- Promote capacity building programs or activities for local governments so that they can evaluate risks to groundwater supplies more quickly. The Metropolitan Council and state associations such as the League of Minnesota Cities and the Coalition of Greater Minnesota Cities would be logical partners for proactive outreach and training opportunities.

DRAFT



# PUBLIC PARTICIPATION PLAN

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## INTRODUCTION

The Clean Water Council is committed to seeking the input not just from interested parties but from the public at large. The ratification of the Clean Water, Land and Legacy Amendment in 2008 led to the creation of the Clean Water Fund. Because voters provided their direct financial support to clean water, the Council believes that the Clean Water Fund deserves special attention from the public.

This public participation plan is intended to guide the Clean Water Council in seeking input on its budget and policy recommendations and strategic plan. It is based on the International Association of Public Participation (IAP2) framework.

The purpose of this plan is to

- Apply a process to increase public participation, build trust and relationships, gather input and feedback, and promote transparency and accountability.
- Help the Council be intentional about why, how, when, and who it is engaging, including identifying the voices that may be missing.
- Be strategic in identifying the public participation efforts that are needed as well as capturing those already underway so that they can inform the Council's decisions. Public participation can be diffuse; and we know it's happening at multiple levels, to varying degrees, across many groups, in formal and informal ways. This plan can help to aggregate input and apply it at strategic points in time so that it can be used as a more formal element in the Council's decision-making process.
- Improve transparency and accessibility for the budget recommendation and policy recommendation process. Defining the Council's scope of work and role allows the Council to better sort and respond to the input received including informing people when their input is outside of the scope of the Clean Water Council.
- Continually review and adapt the approach to meet public participation goals and objectives. To that end, the Council intends to review the plan annually in January and adapt as needed.

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## DECISION TO BE MADE

- Clean Water Council budget and policy recommendation to the legislature.
- Clean Water Council will make a recommendation, Minnesota legislature will decide.

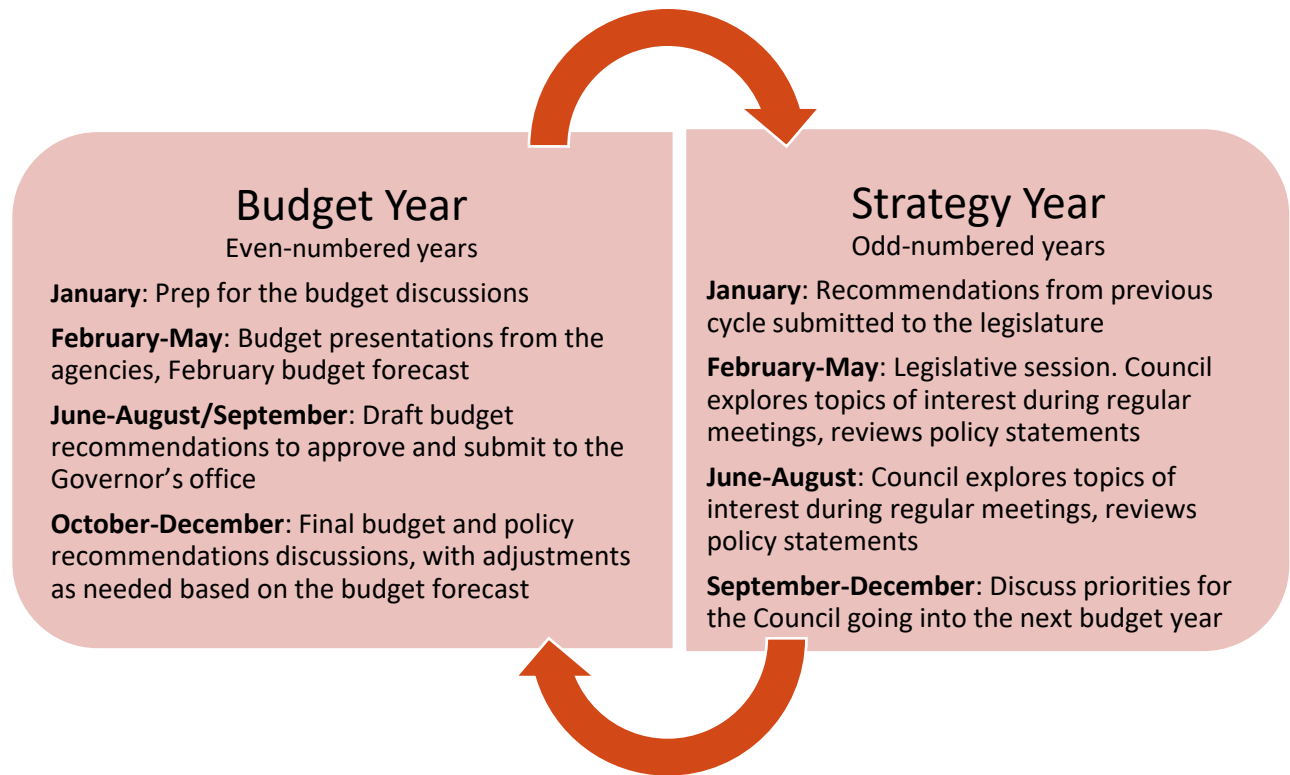


Figure 1. Clean Water Council workflow diagram.

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## DECISION CRITERIA

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### IN SCOPE

- Funding allocation for individual programs, projects, and initiatives
- Policy statements
- Clean Water Council Strategic Plan

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### OUT OF SCOPE

- Implementation of Clean Water Funded programs, projects, and initiatives
- Grant award processes and decisions

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### DECISIONS ALREADY MADE

- Budget deadlines
- Past budget recommendations
- Existing appropriations with and without tails
- Clean Water Council Bylaws and charter
- Clean Water Land and Legacy Amendment and statutory language, Statute 114D

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### OTHER CONSIDERATIONS

- Clean Water Council Strategic Plan
- Clean Water Fund Performance Report and Dashboard
- Clean Water Fund Communications Plan
- Clean Water Road Map

- Most recent Clean Water Fund budget and policy recommendations report
- Individual agency and Interagency Coordination Team (ICT) structure and budget process
- Research on values, attitudes, beliefs around water
- Outcomes of engagement initiatives such as the We Are Water program
- Budget and Outcomes Committee scoring rubric

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## INTERESTED PARTIES

- |   |   |
|---|---|
| - Tribal governments  | - Metropolitan Council                      |
| - Minnesota Residents and Taxpayers                                     | - University of Minnesota                   |
| - Rights-holders  | - Board of Water and Soil Resources         |
| - Environmental organizations   | - Minnesota Department of Agriculture       |
| - Nonprofit organizations   | - Minnesota Pollution Control Agency        |
| - Business organizations  | - Minnesota Department of Health            |
| - Statewide hunting organizations                                       | - Minnesota Public Facilities Authority     |
| - Statewide farm organizations  | - Local public health officials             |
| - Statewide fishing organizations                                       | - Minnesota Department of Natural Resources |
| - County government (rural counties and seven-county metropolitan area) | - Interagency Coordination Team             |
| - City governments  | - Minnesota House of Representatives        |
| - Township officers   | - Minnesota Senate                          |
| - Soil and Water Conservation Districts                                 | - Governor's Office                         |
| - Watershed Districts   |   |

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## ROLES

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### INTERESTED PARTIES, PRACTITIONERS, RIGHTS-HOLDERS, AND RESIDENTS

Expertise in sense of place, community interests and values, public attitudes, and desired amenities.

- Provides their expertise on values
- Communicates questions, concerns, and ideas
- Reviews and provides input on Council budget recommendations and policy statements

Individuals and groups may provide input directly to the Council or their representative on the Council. Insights may also come indirectly from local engagement initiatives (for example, the We Are Water program) or from research on local perspectives on water.

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### CLEAN WATER COUNCIL

The state varies widely in terms of demography, geography, industry, land use, and local capacity. Members of the Council represent the interests of various groups in strategic planning, setting priorities, providing feedback to agencies on programs, making funding recommendations, and forming policy statements.

- Provides information to and acts as the aggregator of public sentiment
- Coordinates budget and policy recommendations with the Interagency Coordination Team

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### INTERAGENCY COORDINATION TEAM (ICT)

The Clean Water Fund Interagency Coordination Team (ICT) was formed to coordinate the use of Clean Water Fund dollars for achieving the aims of Clean Water Land and Legacy Act. The ICT includes the seven state agencies involved in protecting water quality: Metropolitan Council, Minnesota Board of Water and Soil Resources, Minnesota Department of Agriculture, Minnesota Department of Health, Minnesota Department of Natural Resources, Minnesota Pollution Control Agency, Minnesota Public Facilities Authority.

- Represents the agencies that implement various programs funded by the Clean Water Fund
- Informs the Council of agency programs and their associated budgets, needs, and outcomes
- Considers feedback from the Council in their budget proposal to the Governor's office

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### CLEAN WATER COUNCIL ADMINISTRATOR

This position exists to perform high-level strategic planning, stakeholder outreach, and coordination for the Clean Water Council. They guide the process for developing policy recommendations and biennial budget recommendations, provide communication and engagement support, coordinate with the legislature and state agencies, and ensure that all Members are equipped with what they need to participate fully and effectively.

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## GOVERNOR'S OFFICE

- Receives Clean Water Fund budget recommendation from the Clean Water Council
  - Receives Clean Water Fund budget recommendation from the ICT (with input from the Clean Water Council)
  - Submits its budget proposal to the Legislature
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## LEGISLATURE

- Receives Clean Water Fund budget recommendation from the Clean Water Council
- Receives Clean Water Fund budget recommendation from the Governor's Office (which is informed by the ICT and Clean Water Council)
- Finalizes and approves the Clean Water Fund budget and makes appropriations to agencies

**The Clean Water Council makes Clean Water Fund spending recommendations to the Governor and Legislature**

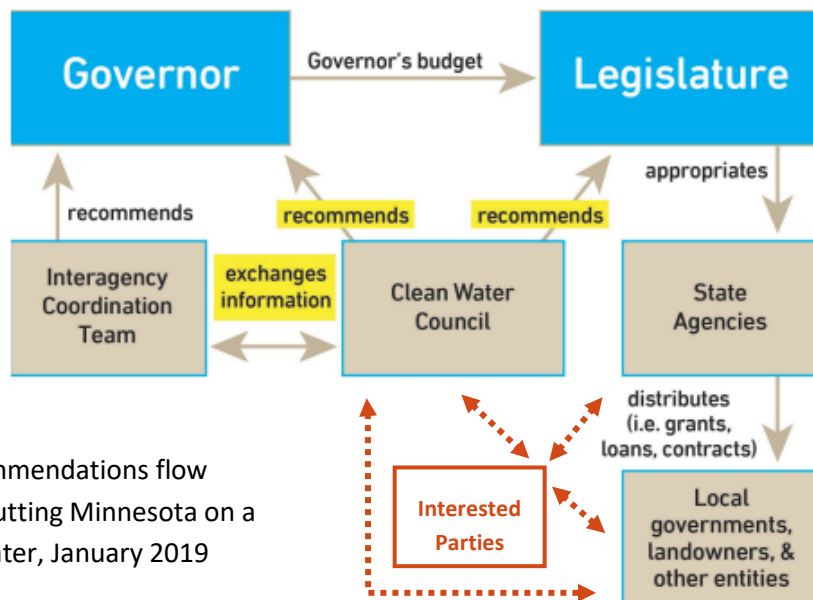


Figure 2. Clean Water Fund recommendations flow chart. Original graphic source: "Putting Minnesota on a Clean Water Trajectory", Freshwater, January 2019

\*Note, orange dashed lines and text box added.

## PUBLIC PARTICIPATION LEVEL

## IAP2 Spectrum of Public Participation



IAP2's Spectrum of Public Participation was designed to assist with the selection of the level of participation that defines the public's role in any public participation process. The Spectrum is used internationally, and it is found in public participation plans around the world.

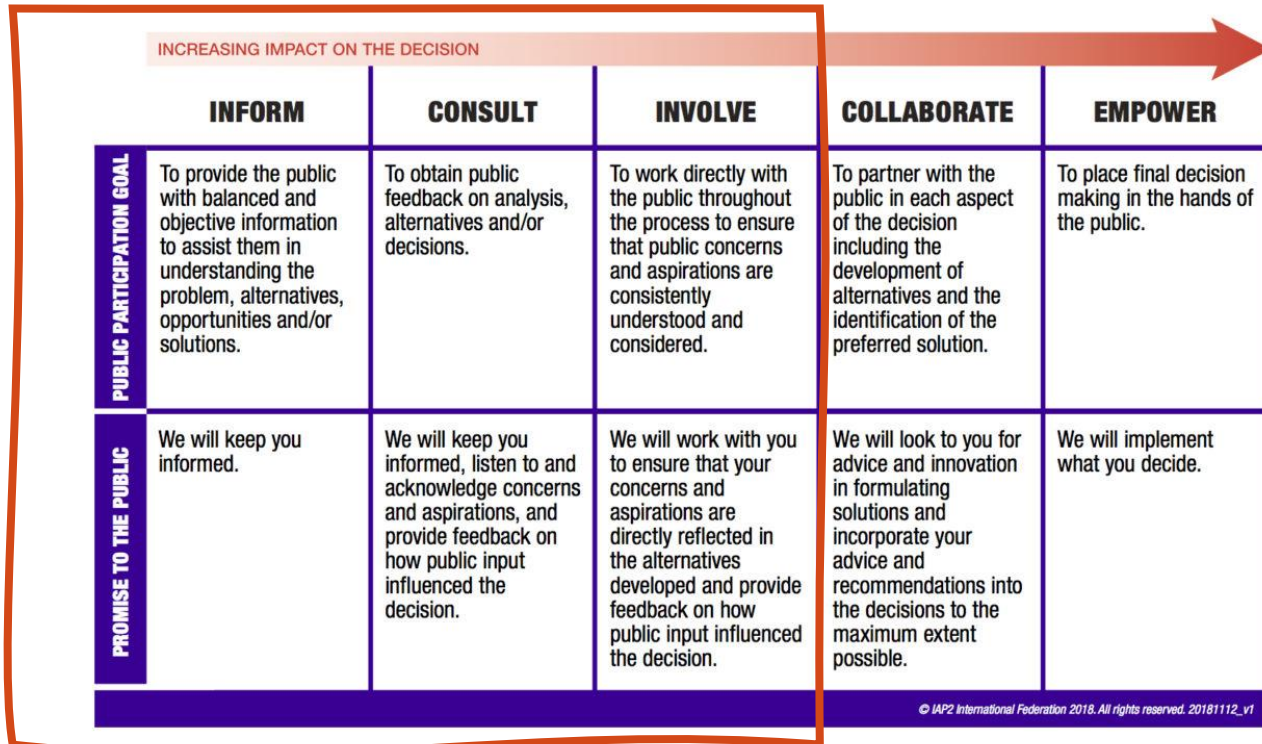


Figure 3. IAP2 spectrum of public participation. \*Orange box outline emphasis added.

- **During the strategy year, the Council operates predominantly at the Involve level as members meet with interested parties they represent and seek broad input.** Techniques could include: Members meeting with individuals and groups they represent, with information and ideas flowing in both directions; attending industry and interested party conferences, meetings, field days, and other opportunities seeking to understand concerns and aspirations.
- **As budget recommendations and policy statements form up or are open for discussion, the Council may Consult people on the Council's priorities or drafts.** Techniques could include: Community comment at Council meetings, written comments, We Are Water program summaries, research that captures local perspectives on water, agency presentations, workshops/presentations from the Council at industry and interested party conferences and meetings.
- **As decisions are made, the Council communicates with interested parties at the Inform level.** Techniques could include: Website, social media, newsletters, interactive storymap, performance reports.

## DECISION PROCESS

In designing the process for soliciting input, members of the Council should consider what they want to know, when, and how they will get that information. The Council ought to consider all input equally at all phases of engagement and in whatever form individuals and groups choose to provide it.

The Council ought to program its engagement actions to sync with when the information would be most impactful to the process. Figure 4 shows the budget year coordination with ICT flowchart including outcomes and key dates.

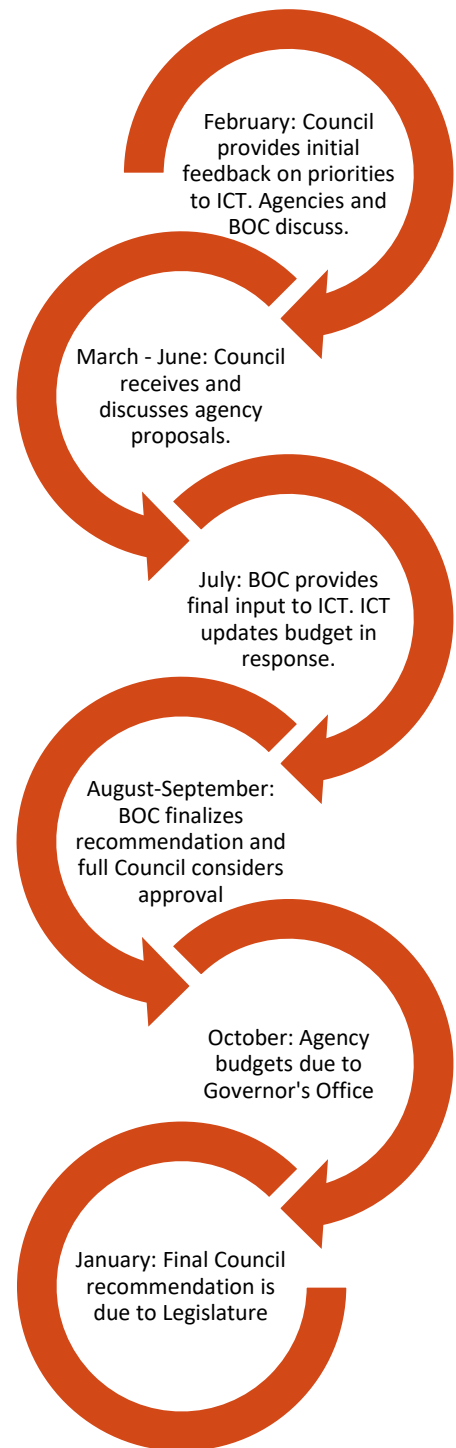










Figure 4. Budget year (even-year) coordination flowchart with ICT.

Table 1. Process outline.

Strategy Year (odd-numbered years)	
Description	Engagement level (primary)
<p>Quarter 1</p> <ul style="list-style-type: none"> <li>The Administrator submits the policy and budget recommendations to the Governor and Legislature in January.</li> <li>Clean Water Council reviews the Public Participation Plan.</li> <li>Clean Water Council closes the loop with interested parties that provided input in the budget recommendation process, shares the report with interested parties, and notifies them of next opportunities for input. The Administrator prepares communication for distribution. Members forward the content to their constituencies.</li> <li>Clean Water Council testifies at committee meetings.</li> <li>Clean Water Council adjusts recommendations as needed based on final budget forecast.</li> </ul>	<p><b>Inform</b></p> 
<p>Quarter 2</p> <ul style="list-style-type: none"> <li>Clean Water Council members kick-off engagement with the interested parties they represent broadly, informing them of process, how to participate, and asking for input. All Minnesotans are invited to provide input at this early stage and respond to questions such as: <ul style="list-style-type: none"> <li>What is your vision for 10 years from now?</li> <li>What is your hope for water resources in Minnesota?</li> <li>What do we need more of?</li> <li>What do we need less of?</li> <li>What are your concerns related to water resources in Minnesota?</li> <li>What do you want the Clean Water Council to know?</li> </ul> </li> <li>The Administrator develops tools to facilitate communication and engagement, including newsletters, press releases, social media, surveys, etc.</li> <li>The Clean Water Council identifies conferences and meetings where it can provide updates, solicit input, share the public participation plan and (later in the year) preview its priorities going into the next budget year.</li> <li>As is needed, the Administrator works with interested Members to submit conference abstracts.</li> </ul>	<p><b>Involve</b></p> 
<p>Quarters 3 and 4</p> <ul style="list-style-type: none"> <li>Members bring input from individuals and groups they represent to the regular Council meetings.</li> <li>The Administrator facilitates discussion helps to outline Council priorities based on what each member brings as well as what is heard from interested parties. Themes from this exercise are referenced in subsequent meetings as the next budget and policy recommendations are developed.</li> <li>The Clean Water Council also seeks input from We Are Water program coordinators and researchers and other indirect sources to seek to better understand local perspectives. The Council continues to invite people to react to prompts and encourage people to provide verbal or written testimony.</li> </ul>	<p><b>Involve</b></p> 



<ul style="list-style-type: none"> <li>The Council presents its public participation plan and a preview of its priorities at industry and interested party conferences and meetings where it seems input. Presenters share an after-action review with the Council.</li> </ul>	
<p>Late Quarter 4</p> <ul style="list-style-type: none"> <li>The Council crystallizes themes and priorities in preparation for the budget year. These themes are shared with interested parties for them to react.</li> </ul>	<p><b>Consult</b></p> 
<b>Budget Year (even-numbered years)</b>	
<b>Description</b>	<b>Engagement level</b>
<p>Quarter 1</p> <ul style="list-style-type: none"> <li>Clean Water Council shares priorities with the ICT, kickstarting the proposal process. The Administrator develops communication materials to close the loop with interested parties, sharing the priorities, an overview of the budget-setting process, and opportunities to engage next.</li> <li>Clean Water Council annually reviews the Public Participation Plan.</li> </ul>	<p><b>Inform</b></p> 
<p>Quarter 2</p> <ul style="list-style-type: none"> <li>Clean Water Council receives proposal presentations from agencies. The Council and ICT consider input as they form up their proposals.</li> <li>Clean Water Council members consult with individuals and groups they represent.</li> <li>The Council considers all feedback and synthesizing work from the past year, taking care to weigh all input equally regardless of when or how it was received.</li> </ul>	<p><b>Consult</b></p> 
<p>Quarter 3</p> <ul style="list-style-type: none"> <li>The BOC and ICT exchange budget proposals. The committee and Council describe how input received to-date was used or not used.</li> <li>The Council consults interested parties on the budget and policy recommendations, then makes a decision.</li> <li>The Administrator prepares communications to share with interested parties after the initial draft recommendations are developed, detailing outcomes, how it may adjust based on budget forecasts, and opportunities to be engaged in the coming months.</li> </ul>	<p><b>Consult</b></p> 
<p>Quarter 4</p> <ul style="list-style-type: none"> <li>Clean Water Council makes adjustments to its recommendations based on updated budget forecast information, makes a decision, and shares the final version with interested parties. When the final budget decision is made, it's accompanied by a report that evaluates the engagement process and closes the loop with interested parties. The report describes the fate of input received and how it influenced the decision as well as where input landed – it could be acknowledged, answered, or referred to agencies/policy committee/BOC, as appropriate. The report describes how input was used or not used.</li> </ul>	<p><b>Inform</b></p> 

\*Cycle repeats with strategy year. All input and wisdom are carried forward into subsequent cycles.

Clean Water Council  
Prioritized List of Policy Ideas from 2024 Public Input as of 5/29/25

Agency	Current Program	Public Comment	Staff comments	Response
<b>HIGH PRIORITY (Near term action should be considered)</b>				
BWSR	Targeted Wellhead/Drinking Water Protection Easements	Environmental group supports paying fair market value for easements within high risk DWSMAs. They feel it is cheaper than water plant de-nitrification.		Protecting 400,000 acres in vulnerable DWSMAS is a high priority for the Council.
MDA	Forever Green Initiative	Advocates ask for support to ensure a water-quality friendly policy for sustainable aviation fuel (SAF).	<ul style="list-style-type: none"> <li>The Policy Committee heard a presentation on SAF on 8/23.</li> </ul> Full council has expressed interest in the topic.	Yes, to considering a water policy statement for SAF and the council should consider a statement regarding the use of CWF to subsidize basic requirements SAF
DNR MDH Met Council	N/A	Funding needed for water reuse, especially capital improvement funds. State also needs a statewide reuse policy and guidelines. Incentives are needed for better irrigation.		MDH coming out with report in November. Await results. MDH would like to hand over to MPCA and MDH.
MDH MDA	Private well initiative Irrigation Water Quality Protection Monitoring for Pesticides in Surface Water and Groundwater Nitrate in Groundwater	Several environmental groups want these programs to be supported by the responsible parties through fees. These activities previously relied on other funding sources.	<ul style="list-style-type: none"> <li>It is always a good time to discuss what funding sources would be needed if the Legacy Amendment expires and isn't renewed in its current form.</li> <li>DNR charges groundwater fees but MDA runs the irrigation WQ protection program—would an additional fee be charged on the water and sent to MDA?</li> <li>A modest fertilizer fee increase was proposed (\$0.99 per ton and then \$0.40 per ton) in the Legislature in 2024 but failed. It would have funded a limited amount of mitigation (\$5M?).</li> <li>It would be good to model what the cost would be to carry these programs out and what it would cost per unit of product.</li> </ul>	<ul style="list-style-type: none"> <li>Identifying users, fee structures and the extent CWF supplements would be interesting and help inform potential rate increases.</li> <li>Emerging concern with CWF paying for the carbon and environmental benefits of renewable energy like SAF when there's a market or potential market that pays a premium</li> </ul>

MPCA (pass through)	National Park Water Quality Protection Program	Several organizations oppose earmarking funds in the CWF recommendations to avoid precedent. They also are concerned about this funding supporting additional development in a unique environment.	<ul style="list-style-type: none"> <li>The policy at work here is whether we earmark specific projects.</li> </ul>	We should ask PFA and PCA how this would rank within other programs that also fund this work. And receive in writing how much of the funding is going to private businesses. <ul style="list-style-type: none"> <li></li> </ul>
<b>MEDIUM PRIORITY (There is interest but more info is needed)</b>				
BWSR MDA DNR	N/A	MN River group seeks to minimize/eliminate hydrologic changes in Minnesota River basin because BMPs are not keeping up with growth in TSS. Problem due to land use changes, more drainage, and more precipitation.		Current drainage policy statement is sufficient for now. Pursue water storage options. Not ready to take on tile drainage.
BWSR	Buffer Implementation	Environmental groups would like to see administrative penalty order (APO) authority used to enforce buffer law for those not in compliance, rather than only using CWFs to help them get in compliance. Fines could also help fund the work.		BWSR is discussing APO this fall and can report back.
DNR MDA	Nonpoint Source Implementation Technical Assistance	Red River projects experience permit delays with DNR. Please encourage state agencies to standardize and streamline process.		Refer to DNR and/or MDA
BWSR	Watershed Partners Legacy Grant Program	Nature Conservancy supports a significant increase and appreciates greater outreach to tribal government.		Stay in touch with BWSR on awardees in 2025. Track tribal government participation as part of the CWC's efforts to build ongoing communications.
MDA	Conservation Equipment Assistance	Ag stakeholders support ownership rather than a rental model and support the idea of those producers being able to do custom work for other farms.	The BOC has discussed this a bit. There was some discomfort about free equipment that someone could use to set up a business. Advocates say we should want a producer to use the equipment on as many acres as possible no matter who owns it for maximum water quality benefits.	It shouldn't be free, and if it's being fully paid for without a requirement of performance, then a policy should be put in place. Cost-share should be for no more than 25% and there should be a minimum annual acreage performance requirement for the life of the equipment.

MDA	MN Agricultural Water Quality Certification Program	Use the program as a conduit for more soil health BMPs.	<ul style="list-style-type: none"> <li>MAWQCP does provide up to \$5,000 grants to producers to support BMPs.</li> <li>A discussion is warranted about synchronizing multiple CWF programs that support soil health to make sure we are maximizing acreage and not leaving funds on the table in any one program.</li> </ul>	<ul style="list-style-type: none"> <li>It would be good for MDA to quantify environmental outcomes at a watershed scale and to understand how the program is interacting with other programs for cumulative impact at a watershed scale</li> </ul>
<b>LOW PRIORITY</b>				
MPCA	Chloride Reduction	Chloride application liability protection for snow removal businesses with Smart Salting certification	Already in Council policy platform	Low priority
BWSR	One Watershed One Plan and Watershed Based Implementation Funding	A metro county SWCD believes that 1W1P is redundant within metro area where conservation districts and watershed districts have done much of the planning already.		This is something BWSR should be able to look into and elevate to the council if warranted.
BWSR	Various grant programs	Bois de Sioux Watershed Districts asks that flood control be eligible since it impacts water quality since drainage management can reduce TSS and P at lower cost than cover crops. They ask the Council to evaluate grant portfolio by problem scale.		Projects that have flood control as the main objective may not be constitutional under the Legacy Amendment.
DNR	Culvert Replacement Incentives	Bois de Sioux asks Council to recognize conflict between connectivity and flood control in Red River basin.		
DNR	Water Storage	The Red River is not getting CWFs for water storage. Funding is going to less organized parts of the state. Make the distribution uniform.	Water storage funding on a larger scale is being done via other funding sources than CWF.	However, the DNR water storage line item in FY24-25 was only for two projects on state owned land in SW MN. DNR is not asking for funding in FY26-27.
MDA	Agricultural Best Management Practices Loan Program	A lender suggests re-allocating unspent funds from some counties to counties with higher need and larger backlog.	Let's ask MDA if there are any counties that have unspent funds to see if there is an issue. MDA has usually indicated that these funds get committed pretty quickly statewide?	