

Public input needed: Adjusting water programs fees

The MPCA is considering rule amendments that could alter fees for municipal and industrial wastewater permits, noncontact cooling water permits, stormwater permits, feedlot permits, septic systems, environmental review, variances, and laboratory certification. The current fees do not generate sufficient revenue to cover the costs of administering the water quality programs associated with those fees. The proposed rulemaking would amend the fee rules to generate revenue that more closely covers the cost of administering the water quality programs. The MPCA is seeking public input on how to adjust these fees.

The MPCA is at the first stage of the rule process and invites public comment on the questions and options below. Please consider commenting and include the “why” behind your comment or recommendation, and note the water quality program to which your comment applies. Instructions on how to submit comments are in the Notice of Request for Comments at <https://www.pca.state.mn.us/public-notices>. The MPCA is seeking comment on the following:

1. Are there particular existing fees the MPCA should focus on increasing and why? For example:

- Small facilities with one site pay the same fees as large facilities with multiple (sometimes 50+) sites. *Option: Set a base fee with additional costs for multiple sites.*
- Environmental review for controversial feedlot permits can require time-consuming responses to comments, public meetings, etc. *Option: Increase fee for permits needing environmental review or set a sliding fee based on facility size or number of animal units.*
- New construction or modification under a feedlot general permit requires more plan review and construction inspections than renewing an existing permit. *Option: Increase the fee for new construction or modification, but not for reissuance of an existing general permit.*
- The application fees for stormwater general permits are the same for all municipalities and for all construction sites. *Option: Set a sliding fee based on population and construction site size.*

2. Are there specific new fees the MPCA should consider and why? For example, should we charge:

- Feedlot interim and construction short-form permit fees
- Ownership or name change processing fees on feedlot permits, for changes that don't require a review
- Stormwater general permit annual fees

3. Are there fee options or structures that the MPCA should pursue? For example:

- A phase-in schedule or built-in step up for inflation increases
- Collecting SSTS fees from homeowners, rather than installers

4. Are there particular existing fees the MPCA should increase due to greater environmental risk of a project?

5. Are there particular existing fees the MPCA should not increase or even consider decreasing and why? For example:

- For municipal and industrial wastewater, should the agency rely mainly on annual fees to support the program and eliminate annual and application fees?

- For feedlot permits, should the MPCA wait and increase application fees the next time NPDES and SDS general permits are reissued, and increase annual fees sooner?
- 6. Are there constraints or factors regarding fee increases the MPCA should consider and why? For example:**
- Significant application fees and annual fees in the same year may get confusing.
 - High permit application fees may deter the launch of small businesses.

Opportunities for public involvement

The rulemaking process provides multiple opportunities for the public to get involved and provide comment. The MPCA sends emails to notify the public at critical points in the process. At minimum, notices are sent when:

- Rule changes are first being considered
- Rules are proposed for public comment
- New rules become effective

If you want to stay informed about this rulemaking, sign up at <https://public.govdelivery.com/accounts/MNPCA/subscriber/new> to be notified of public comment opportunities and messages about the progress of this rulemaking.