



## 2018 CGMC Wastewater Accomplishments & Activities

Over the last several years, cities in Greater Minnesota have begun to face a tsunami of legislative and regulatory changes resulting in stricter permit limits and increasingly high wastewater costs. In response, the CGMC's environmental program has drastically increased its activities. While we have made progress over the past two years, there is still much more work to do. Thank you to the cities who have contributed to the CGMC Environmental Action Fund to help support these efforts.

### 1. **Obtained funding for water infrastructure**

The CGMC advocated for significant funding for the Public Facilities Authority (PFA) water infrastructure grant and loan programs. The bonding bill passed by the Legislature and signed into law appropriated more than \$123 million in funding for the PFA programs.

### 2. **Developed new supplemental grant program**

The CGMC developed legislation, obtained authors and testified at hearings in support of a new supplemental grant program to provide additional funding to cities that are not adequately served by the existing PFA programs. The proposed supplemental grant program would have limited the costs of state-mandated water quality regulations that are imposed on city wastewater ratepayers. Due to strong opposition from the PFA, the Legislature did not pass this new policy. However, they did require the PFA to provide new information on the amount of money needed to fund water and wastewater grants each year and to show the impact that receiving or not receiving PFA funding would have on each community's water rates. This information should help pass a supplemental grant program in the future.

### 3. **Required the MPCA to consider compliance schedules that reflect debt loads**

In response to CGMC testimony about the high cost of water quality regulations, the Legislature required the Minnesota Pollution Control Agency (MPCA) to consider debt service when developing compliance schedules in wastewater permits.

### 4. **Fought for independent review of permits and water quality standards**

CGMC sponsored legislation that would have made \$2 million available to perform independent scientific review of water quality standards and cost and environmental analysis of municipal wastewater permits. The bonding bill included \$1 million for this permit review activity, but it was line-item vetoed by the Governor because of strong opposition from the MPCA and environmental groups.

### 5. **Increased disclosures for permit holders**

In response to CGMC testimony that many small cities did not know they could challenge MPCA permits, the Legislature imposed a requirement that the MPCA provide wastewater permit holders with a written summary of their rights to participate and challenge their permit during the permit writing process.

### 6. **Supported codifying external peer review**

In July 2017, MPCA Commissioner John Linc Stine issued a directive requiring the MPCA to integrate external and transparent scientific peer review requirements in the water quality standards development process. This directive was a response to legislation proposed by the CGMC for independent peer review earlier that year. In 2018, the CGMC supported an effort to put Commissioner Stine's directive review into state law. The external peer review requirement was included in the supplemental budget bill passed by the Legislature, but the bill was vetoed by the Governor.



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### 7. Participated in Legislative Water Commission stakeholder group

The CGMC participated in a stakeholder group established by the Legislative Water Commission (LWC) focused on taking an in-depth look at the regulatory and cost issues associated with wastewater treatment. The CGMC advocated for strengthening the peer review process, addressing problems with unadopted rules, increasing the amount and sources for infrastructure funding, and examining a pilot trading program to address non-point-source pollution. The LWC recommended several of the initiatives supported by the CGMC, including putting Commissioner Stine's directive on external peer review into law and appropriating \$167 million in bonding for water infrastructure programs.

### 8. Supported trading legislation

The CGMC worked with other stakeholders, including the Chamber of Commerce and the MPCA, to develop a trading program to facilitate innovative approaches to addressing water quality issues. Although the legislation did not pass, an important dialogue was started.

### 9. Worked on wild rice sulfate water quality issues

After the CGMC and other stakeholders objected to the MPCA's revised rule regarding wild rice waters, an administrative law judge rejected it and the MPCA eventually withdrew the rule. The CGMC worked with other stakeholders on legislation that was ultimately vetoed by the Governor. However, the Governor addressed some of the CGMC's concerns through an executive order that creates a task force to work on the issue and by directing that the MPCA could not require construction of expensive sulfate removal equipment until the technology becomes affordable.

### 10. Enhanced regulatory certainty

A bill was signed into law that says that to the extent allowable by federal law, cities cannot be required to make expensive upgrades to their wastewater facilities for 16 years after upgrading to meet new effluent limits. The CGMC participated in defending against a legal challenge to this requirement and supported legislation on this issue.

### 11. Opposed arbitrary fee increases

The CGMC submitted comments in opposition to an MPCA proposal that would increase fees for water quality. The CGMC also supported legislation that would have required legislative approval for any MPCA fee increases, but the Governor vetoed the bill. The CGMC will remain engaged in any rulemaking on this issue.

### 12. Supported "Safe Salting" legislation

The CGMC lobbied in favor of bipartisan legislation that would encourage practices aimed at preventing road salt from reaching our lakes and streams. The bill advanced in both the House and the Senate, and a modified version was included in the House version of the omnibus supplemental finance bill.

### 13. Engaged legislators on flushable wipes issue

The CGMC met with legislators to discuss a solution to the flushable wipes problem that clogs many city pipes and sewers. However, the current legislative climate does not support a legislative solution.