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John Barten  
Chair, Clean Water Council  
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Jen Kader  
Administrator, Clean Water Council  
520 Lafayette Road N  
Saint Paul, MN 55155

RE: Clean Water Council funding priorities

June 5, 2026

Dear Chair Barten, Administrator Kader, and council members,

On behalf of the Minnesota Environmental Partnership and our member organizations signed below, we would like to thank the Clean Water Council for this opportunity to provide comments on the process of developing Council recommendations for the FY 2028-29 Clean Water Fund allocations. We especially appreciate the Council's revised process and commend it for being significantly more transparent and openly deliberative.

This is an important moment for the Clean Water Fund. With this next round of appropriations, the Clean Water Fund will have completed 20 of its 25 years of authorized funding.

Yet, we know that we are far from solving our water quality challenges and adequately protecting our state's drinking and other waters.

**Guidance from 2025 Pollution Control Agency Nutrient Reduction Strategy (NRS)**

This recently released update to the state's nutrient reduction strategy documents our modest gains to date in addressing perhaps the most significant and intractable challenge of nutrient loading to our lakes, rivers and groundwater. The Mississippi River drainage is responsible for 83% of the total nitrogen load leaving our state and the Strategy estimates that more than 70% of this is from agricultural practices. The ongoing drinking water crisis in SE Minnesota and other areas of the state is a clear sign of the urgency to reassess current practices and adopt and fund strategies that are capable of protecting our drinking water sources and meeting water quality goals.

The NRS is refreshingly clear in calling for a shift in how we address this challenge. It states; "nitrogen reduction goals cannot be achieved without transformative changes in crop system rotations and maintaining living cover for more months each year." In fact, it calls for a Continuous Living Cover (CLC) Campaign to advance this work. We were pleased to see the NRS also develop a model scenario designed to achieve water quality goals that includes eight million acres of increased CLC adoption. This is roughly the total acreage of soybeans grown in Minnesota annually. We fully endorse this call to recalibrate the approach that has been pursued for the last 18 years and provide substantially greater support for developing and implementing a

wide range of living cover options. These include perennial pastures, winter cover crops, oats and the suite of Forever Green crops.

This is the time to reexamine and refocus the allocation of our limited Clean Water Fund resources. As we look at what strategies are capable of achieving our water quality goals, we should also proportionally align the available CWF resources to match these strategies.

### **Scoring Rubric Comments**

The rubric is an important part of the benefits of the revised recommendation process. Please consider these comments as you determine how to use this going forward.

- The focus on measurable water quality impacts in the water is critical. But it is important not to think about this in just one- or two-year increments. As agricultural and other impacts on our water are a long-term problem, we must consider which strategies are capable of achieving water quality goals over the longer term. A key part of this is scale. What can be done now - that as scaled over time - and can actually meet our water goals. Historically, we have pursued many agricultural practices that, even if fully implemented, would not achieve our stated overall goals.
- Alignment with state plans is important, but approval of a watershed plan should not automatically trigger state funding for all plan activities. As we recalibrate and refocus the use of CWF resources, we should evaluate how effectively the plans lay out a strategy to achieve WQ goals within a defined timeline, not just supporting helpful, but piecemeal, activities. The council should prioritize state resources for those practices, or an intentional mix of practices, that are capable of meeting state water quality goals.

### **Clean Water Fund substituting for traditional funding sources**

When voters approved of the Clean Water, Land and Legacy Amendment, they did so with the clear expectation that funds would not be used as a substitute for traditional sources of funding. Repeatedly, there have been several programs included in the CWF allocations that were traditionally funded through the use of fees, including fees related to pesticides, fertilizer, chemigation, irrigation and urban stormwater. In these instances, the Clean Water Fund has become a way to continue and expand existing programs while avoiding the challenge of funding these programs from those activities that create the problem.

A sample of these Clean Water Fund programs that had previously been funded in whole or part by fees include:

- MN Department of Agriculture - Monitoring for pesticides in surface water and groundwater
- MN Department of Agriculture - Pesticide testing in private wells
- MN Department of Natural Resources - Aquifer monitoring for water supply planning
- MN Pollution Control Agency - Accelerated implementation of MS4 permit requirements
- MN Department of Agriculture - Nitrate in groundwater

We ask the Council to examine how these programs have migrated away from their historic reliance on fees, determine which of these programs effectively substitute CWF dollars for fee revenues, and act to restore their traditional reliance on fees to operate these programs. The Council should ensure that funded projects are not using Clean Water Fund resources to substitute for traditional fee funding, including periodic fee increases needed to maintain program integrity.

Thank you for this opportunity to comment on this process. We hope the Council will carefully consider how to recalibrate to make the best use of current information to meet the needs of our time.

Sincerely,



Steve Morse  
Executive Director

*Submitted on behalf of the organizations listed below.*

Austin Chapter 10 Izaak Walton League of America  
Bicycle Alliance of Minnesota  
Clean Water Action Minnesota  
Climate Land Leaders  
CURE  
Environmental Working Group  
Friends of the Mississippi River  
Land Stewardship Project  
League of Women Voters of Minnesota  
Lutefisk Technologies, Inc.\*  
Minnesota Division Izaak Walton League of America  
Minnesota Well Owners Organization  
Vote Climate  
WaterLegacy

*\*denotes non-MEP member*