



Bassett Creek Watershed Management Commission

March 11, 2020

Denise Collins, Court Administrator
Office of Administrative Hearings
600 North Robert Street
P.O. Box 64620
St. Paul, Minnesota 55164-0620

Submitted via web: minnesotaoah.granicusideas.com

Re: Planned Amendments to Rules Governing Water Quality Fees, *Minnesota Rules*, Chapters 7002 and 7083; Revisor's ID Number R-4476; OAH Docket No. 65-9003-34479

Ms. Collins,

The Bassett Creek Watershed Management Commission (Commission) is a joint powers watershed management organization established in conformance with Minnesota Statutes Section 103B.211. The Commission works cooperatively with its nine member cities (Crystal, Golden Valley, Medicine Lake, Minneapolis, Minnetonka, New Hope, Plymouth, Robbinsdale, and St. Louis Park) to protect and improve waterbodies within its jurisdiction in accordance with its state-approved 2015 Bassett Creek Watershed Management Plan (Plan). This work includes implementing the Plan's policy to "assist and cooperate with member cities, MPCA, MDNR, MnDOT, other watersheds and other stakeholders in implementing projects or other management actions resulting from the Minnesota Pollution Control Agency's Twin Cities Metro Chloride Project or future chloride TMDL."

As chloride concentrations continue to increase in our lakes and streams, the Commission has increased its outreach and education program to include smart salting certification classes, education to residents through newspaper articles, social media, written brochures, flyers, videos, and other materials. The Commission is also cooperating with all watersheds in Hennepin County on an initiative to better understand the barriers to using chloride management best practices.

With regard to the above-captioned agency request for comments, BCWMC supports establishment of a program-fee structure that facilitates the Minnesota Pollution Control Agency smart salting education and certification program for commercial applicators. BCWMC's support is contingent on amendment of state law to provide liability limitations for those having received such certification. In other words, no fee should be charged for the training for commercial salt applicators to take the training unless a tort-liability limitation for certified applicators is incorporated into state law, as provided in bills presently pending in the Legislature: House File 1502 and Senate File 1667. BCWMC strongly encourages the agency to implement both of these key upgrades to its current chloride program as soon as possible.

Thank you for the opportunity to comment. We look forward to continuing to cooperate with the State and others on this important issue.

Sincerely,
James Prom, Chair

CC: BCWMC Administrator, Commissioners, Technical Advisory Committee Members