

Meeting Minutes: 2024 UPC ad hoc Chapter 15 Rulemaking Committee of the Plumbing Board

Date: July 21, 2026 | Time: 1 to 3 p.m.

Minutes by: Lyndy Logan

Location: DLI, 443 Lafayette Rd. No., St. Paul, MN 55155

Committee Members

1. Karl Abrahamson (Committee Secretary)
2. Richard Becker (Committee Chair)
3. Jonathan Lemke
4. Mike Westemeier (DLI CO's Designee)
5. Scott Yarwood

Committee Members Absent

- None

DLI Staff & Visitors

- Ken McGurran (Board Counsel, DLI)
- Lyndy Logan (DLI)
- Sean Callanan (DLI)
- Brad Jensen (DLI)
- Josiah Moore (DLI)
- Steve Neubel (DLI) – WebEx
- Chuck Olson (DLI)
- Ryan Rehn (DLI)
- Adriana Atchenson (Washington County) – WebEx
- Kyle Axtell (South Washington WD)
- John Berns (MNLA)
- Bruce Bernhjelm – WebEx
- Joe Birkholz (Park Street Public) – WebEx
- Brian Brown (Plumbers Local 34)
- Nicole Blasing (MPCA) – WebEx
- David Campana (MCLA) – WebEx
- Andy Campeau (MNPTA)
- Joe Collins (CRWD)
- Katie Davidson (LMC) – WebEx
- Megan Dayton (ACEC MN) – WebEx
- Michelle Dreier – WebEx
- Anna Eleria (CRWD)
- Dan Engsborg – WebEx
- Nick Erickson (Housing First) – WebEx
- Bob Fossum (CRWD)

DLI Staff & Visitors continued...

- Eric Furs (Plumbing Board)
- John Galt (MDH) – WebEx
- Maureen Hoffman (Metro Council) – WebEx
- Tom Hogan (MDH)- WebEx
- Andrew Hogg (City of STP) – WebEx
- Felipe Illercas (MNLA)
- Jon Janke (CoonCreek WD) – WebEx
- Craig Johnson (LMC)
- Jen Kader (Clean Water Council)
- Grace Keliher (BAM)
- Forrest Kelley (CRWD)
- Jeppe Kjaersgaard (MDA) – WebEx
- Myra Kunas (MDH) – WebEx
- Jeff Latterell (MN Nursery & Landscape)
- Ann Lindstrom (MMCA)
- Tim Malooly (MN Nursery & Landscape)
- Shawn Mazanec (MN Watersheds)
- Stephanie Menning – WebEx
- Morgan Miedema (City Of Owatonna) – WebEx
- Trevor Ogilvie (MPLS Plumbers)
- Tom Pakkala (Plumbers Local 15)
- John Paulsen (MCSC)
- Travis Reese – WebEx
- Nancy Rice (MDH) – WebEx
- Rick Sanders (CRWD) – WebEx
- Mark Scholle – WebEx
- Lauryn Schothorst (MN Chamber) – WebEx
- Brandon Smith (MPCA) – WebEx
- Todd Shoemaker – WebEx
- Magic Sun – WebEx
- Travis Theil (Dakota County) – WebEx
- Scott Thompson - WebEx
- Jan Voit (MN WaterSheds) – WebEx
- Brad Wozney (BWSR) – WebEx

1. Call to Order

- A. Chair Becker called the meeting to order at 1:09 p.m., and roll call was taken. A quorum was declared with 5 of 5 Committee members present in person.
- B. Announcements/Introductions
 - Everyone present in person and remotely can hear all discussions.
 - All votes will be taken by roll call if any member is attending remotely.
 - All handouts discussed are emailed to members and interested parties, shown on the screen during the meeting, and at least one printed copy is available in the room.

2. Approval of meeting agenda

A motion was made by Abrahamson, seconded by Lemke, to approve the agenda as presented. The vote was unanimous, with 5 votes in favor; the motion carried.

3. Approval of previous meeting minutes

UPC Committee minutes from the February 18, 2026 meeting were previously approved at the Plumbing Board's special meeting on March 17, 2026.

4. Regular Business

No expense reports.

5. Special Business

- A. The following RFAs were reviewed:
 - a. **RFA, PB0230, Felipe Illescas, MNLA**
 - **The RFA will be discussed at the next UPC Committee meeting.**
 - b. **RFA, PB0231, Brian Martinson, Association of Minnesota Counties**
 - **The RFA will be discussed at the next UPC Committee meeting.**
- B. Review Chapter 15 and related items, including current draft rules (4714.1500 dated 6.23.2026) and any new RFAs. Additionally, the Committee may discuss potential rulemaking recommendations for the Plumbing Board (as part of its work, the Committee will review new Requests for Action (RFAs) that suggest changes to the draft rules the Committee shared at the June 23 special Plumbing Board meeting. New RFAs should be based on those draft rules—not on the original, unchanged 2024 UPC Chapter 15 language).
 - **Abrahamson:** Last month, the board reviewed several presentations highlighting Minnesota's urgent need for water reuse systems to sustain its growing population. Having reviewed the presentations, I would advocate for regulatory frameworks and standards that authorize alternative water sourcing and optimize stormwater utilization for properties. However, there are a number of comments that were made during the Open Forum portion of the Plumbing Board's last special meeting that I would like to address at the outset before we concentrate as a committee on what I believe is the main reason why we have reopened Chapter 15 for discussion. Before I begin, I want to be clear that in making these remarks I am not speaking as the Chair of the Plumbing Board or providing any official interpretation of the Plumbing Code on behalf of the Board.
 - 1. **A Statement was made that: U.P.C. Chapter 15, by its content and its prescription, has not been widely adopted by most U.S. states. This lack of adoption raises legitimate concerns regarding the practicality, enforceability, and overall effectiveness of the chapter.**

- **The Executive Vice President for IAPMO Field Services was emailed for clarification.**
- *Response:* I surveyed my 8 field managers on chapter 15 adoption of the UPC and found that most states and jurisdictions DO adopt chapter 15 with some amendments. Both IGC 324 & NSF 350 are recognized as approved WQ standards for this chapter.
- I would ask the person or group that stated that most states don't adopt chapter 15 to name them. The only large jurisdiction that doesn't is Nevada and they adopt commercial use with some amendments but don't allow on residential.
- CALIFORNIA, TEXAS, WASHINGTON, OREGON, HAWAII, ALASKA, NEW MEXICO, and several other states have all been confirmed as adopting with amendments.

End of the Executive VP email.

2. **A statement was made that the primary objective of the plumbing code is to ensure safe delivery of potable water and the sanitary disposal of waste within a structure. We also heard other statements imply that the plumbing code only applies within the footprint of the building.**
 - Regulatory authority over all drainage systems—including onsite stormwater drainage extending to the property line currently resides within the 2020 Minnesota State Plumbing Code and the 2024 UPC.
 - i. **2020 MPC: Plumbing System.** Includes all potable water, building supply, and distribution pipes; all plumbing fixtures and traps; all drainage and vent pipes; and all building drains and building sewers, including their respective joints and connections, devices, receptors, and appurtenances ***within the property lines*** of the premises and shall include potable water piping, potable water treating or using equipment, and non-potable water piping serving plumbing fixtures.
 - ii. **2024 UPC: Plumbing System.** Includes all potable water, alternate water sources, building supply, and distribution pipes; all plumbing fixtures and traps; all drainage and vent pipes; and all building drains and building sewers, including their respective joints and connections, devices, receptors, and appurtenances ***within the property lines*** of the premises and shall include potable water piping, potable water treating or using equipment, medical gas and medical vacuum systems, liquid and fuel gas piping, and water heaters and vents for same.
 - iii. **2020 MPC 1101.2 Where Required. Roofs, paved areas, yards, courts, courtyards, vent shafts, light wells, or similar areas having rainwater,** shall be drained into a separate storm sewer system or into a combined sewer system where a separate storm sewer system is not available, or to some other place of disposal satisfactory to the Authority Having Jurisdiction.
 - **In addition, the regulatory authority has resided within the Minnesota State Plumbing Code since its inception.**
 - i. **1937 Minnesota State Plumbing Code: Plumbing System: Section 2.** The plumbing system of a building includes the water supply distributing pipes; the fixtures and the fixture traps; the soil waste, and vent pipes; the building drain and building sewer; the storm-water drainage; with their devices, appurtenances, and connections ***within the building and outside of the building within the property line.***
 - ii. **1931 City of Saint Paul Plumbing Code (predating 1933 State Plumbing Code), Sec 17-2 Plumbing:** The act or occupation of putting into buildings the pipes, traps, etc., for the conveyance of water, gas, sewage and the installation of all auxiliary piping including vents, fixtures, etc., and the installing of the house drain to a point where the same connects with the house sewer; ***and the installing of the house sewer to the property line of the building.*** Any repair work to plumbing systems shall be considered as coming under the scope of this ordinance.

3. **A statement was made that there is redundancy in Cross-Connection and Backflow Protection. Existing protections: Certified irrigation professionals routinely install, maintain, and test approved backflow prevention assemblies (Such as ASSE 1013/RPZ or ASSE 1020/PVB devices) where a potable water connection exists.**
- **MN Statutes 326B.46 LICENSING, BOND AND INSURANCE. Subdivision 1. License required.** (a) No individual shall engage in or work at the business of a master plumber, restricted master plumber, journey worker plumber, and restricted journey worker plumber unless licensed to do so by the commissioner.
 - **Minnesota Rules 4716.0096 LICENSURE; CERTIFICATION. Subpart 1. Backflow prevention rebuilder.** An applicant for backflow prevention rebuilder certification must be a licensed master plumber, journey worker plumber, or restricted master or restricted journey worker plumber and possess current American Society of Sanitary Engineering (ASSE) Standard 5110 Backflow Prevention Assembly Tester and ASSE Standard 5130 Backflow Prevention Assembly Repairer certifications.
 - **Subp. 2. Backflow prevention tester.** An applicant for backflow prevention tester certification shall possess a current ASSE Standard 5110 Backflow Prevention Assembly Tester certification.
 - Pursuant to state statute and rule, an irrigation contractor with an ASSE 5110 certification is restricted to testing backflow assemblies only. In the event of a test failure, all subsequent repairs or replacements must be executed by a licensed plumbing contractor. If this statement is indeed accurate, it highlights a compliance gap that local AHJs may need to address. Moving forward, AHJs may be required to step up enforcement and education for irrigation contractors, utilizing formal citations and fines where necessary to ensure adherence to the law. If redundancy exists within the current framework, it stems from the backflow tester-only license. Originally established in the 1980s, this designation allowed individuals in smaller municipalities (under 5,000 residents) to perform testing without a state plumbing license. Now that statewide licensing requirements apply universally, is it your intent to request a formal reexamination of this credential?
4. **A statement was made that adopting chapter 15 will create unnecessary regulatory burdens on agricultural production.**
- **Per statute, the plumbing code does not apply to agricultural buildings.** The code applies statewide except as provided in Minnesota Statutes, sections [326B.112](#); [326B.121](#); [326B.16](#); and [326B.184](#), and supersedes the building code of any municipality. **The code does not apply to agricultural buildings** except with respect to state inspections required or rulemaking authorized by Minnesota Statutes, sections [103F.141](#), subdivision 8, and 326B.36. In closing there are several other comments that I feel I could respond to, but I would rather redirect my efforts to the task at hand, all the testimony heard at last June's Board meeting revealed that there are already many reuse systems installed throughout the state, and that there is a need for them. I have found studies and reports from the EPA, Minnesota Department of Health, and local universities speaking on the potential dangers to environmental and public health impacts. The EPA's report *Advancing the Potential for Stormwater Reuse: Investigation of Water Quality published February 1, 2022* notes that while untreated stormwater contains pathogens, filtration and disinfection can effectively remove them. Since other states have already established code language for alternate water sources for nonpotable applications, I would like to see this committee investigate what these states have done with UPC chapter 15, water quality standards, and appendix s. In addition, I would hope that the stakeholders can provide the language from the Minnesota Stormwater Manual or any other documents or studies that evaluate and set the water quality standards for protection of human life and health safety to compare it to the standards set forth in the UPC chapter 15.

- **Westemeier:** Agricultural buildings, as defined in Minnesota statute—including barns, animal-holding facilities, and field irrigation systems—are exempt from the Minnesota Plumbing Code. This exemption generally applies to grain-crop irrigation and certain livestock-related uses. However, the residence on agricultural property is not exempt and must comply with both the Minnesota Building Code and the Minnesota Plumbing Code. Any lawn irrigation connected to the house must meet plumbing code requirements up to the point of the irrigation connection.
 - **Yarwood:** There is currently no unified oversight or inspection system for these installations, which creates gaps and inefficiencies. Other cities, like San Francisco, address this by coordinating plumbing, health, and pollution control under a single permitting structure, reducing confusion and improving accountability. As water challenges grow and internal reuse systems become more common, it's important to maintain involvement from the plumbing code and related agencies to avoid future problems. While stakeholder feedback and potential adjustments should be considered, preserving a coordinated role for plumbing oversight remains essential.
- Becker:** The June 23rd meeting revealed broad agreement among stakeholders that a clear regulatory framework for these systems is lacking and urgently needed. Although agencies like the DNR, MPCA, and Department of Health have discussed the issue for many years, little progress has been made beyond recognizing the need for regulation. Municipalities, such as Hugo, highlighted the importance of these systems for managing limited aquifer withdrawals. Several misunderstandings also surfaced: Chapter 15 does not govern residential rain-barrel systems, as roof-water systems are already covered in Chapter 16, and designing these systems does not require a plumbing-specific engineering license, since Minnesota licenses professional engineers without discipline-specific categories. The proposed rule correctly identifies licensed plumbing contractors or registered design professionals as the appropriate designers under existing statutes.
- **Lemke:** There was confusion among some commenters about the difference between stormwater and rainwater, even though rainwater catchment systems already exist in Minnesota and are regulated under the plumbing code. This underscores the importance of adopting Chapter 15, as water reuse is a limited but essential resource. The EPA's Water Reuse Action Plan indicates that by 2030, most of the country will face a level of water shortage, making responsible reuse increasingly critical. Across all guidance, the consistent message is that public health protections must come first—systems must include clear standards for how reused water is treated, tested, verified, and applied to ensure it is safe for employees, occupants, and the public. Our position is that water reuse is necessary, but it must be governed by a code that ensures it is done safely and responsibly.

6. Open Forum

A. Shawn Mazanec, Minnesota Watersheds

- Minnesota Watersheds, representing 40 watershed organizations statewide, opposes adopting Chapter 15 into the Minnesota Plumbing Code, arguing that it would impose broad and unworkable regulatory burdens while expanding the plumbing industry's scope without delivering public benefits. They contend the proposal would undermine existing stormwater reuse and drainage systems, ban stormwater irrigation, and threaten cost-effective practices that protect lakes, groundwater, water quality, and climate resiliency. They warn it would jeopardize significant public investments, hinder MS4 permit compliance, increase groundwater pumping, elevate flooding risks, and weaken efforts to protect surface waters. Minnesota Watersheds urges the Plumbing Board to reject Chapter 15 and instead collaborate with watershed districts, local governments, engineers,

environmental organizations, and agricultural stakeholders to develop standards that align public health with Minnesota's established water-management framework.

- **Abrahamson:** explained that the group's purpose is to collaborate on workable standards and noted that all members support stormwater reuse. They agreed that removing the current prohibition is necessary and would require an RFA. The chair emphasized the committee's commitment to developing rules that ensure life safety and public health and expressed interest in understanding stakeholders' current water testing and treatment practices. They pointed out that both the IPC and UPC already address stormwater reuse, with the IPC referencing ASTM E2727 for testing and treatment guidelines. Overall, the chair stressed that the committee is aligned with stakeholders and focused on creating rules that serve all parties effectively.
- **Mazanec:** noted that it would be ideal to have all relevant agencies—such as Water and Soil Resources, the Department of Health, and the Department of Agriculture—collaborating at the same table because the questions involved are complex and stakeholders largely share the same goals. Our main concern is ensuring that if new rules are implemented, every affected group has a chance to participate in the conversation and have their perspectives heard.
- **Abrahamson:** noted that the committee needs an RFA with practical, workable language to make progress, rather than proposals that simply eliminate existing rules. Removing the prohibition on stormwater reuse will likely be the first step, enabling the committee to begin discussing water-quality standards and to examine approaches used in other states. You explained that municipalities set water-quality standards for treated water they distribute, while the plumbing code governs on-site treatment, materials, installation, and non-potable system requirements once the water enters a property. Overall, the committee is committed to finding standards that allow stormwater reuse while ensuring public health protection.
- **Becker and Yarwood** agreed with Abrahamson's comments.

B. Travis Thiel, Vermillion River Watershed Joint Power Organization

- The Vermillion River Watershed Administrator attended mainly to listen and expressed appreciation that the Plumbing Board is taking up these issues. They stressed the importance of understanding how any plumbing code changes might affect existing stormwater reuse systems, as the potential impacts are not yet clear. For future systems, they encouraged renewed coordination between the Plumbing Board and the Minnesota Department of Health, which previously led extensive discussions on stormwater reuse and water-quality protection before the effort was paused. They urged the agencies to revisit that work, share progress, and collaborate to develop code language—if needed—that effectively addresses stormwater reuse.
- **Abrahamson:** As far as the Department of Health is concerned, I'm thinking they were going to be involved. I think they had a scheduling conflict today. So, I'm hoping that they're going to be here.
- **Westemeier:** explained that the plumbing code already includes provisions for existing buildings, and those rules also apply to existing stormwater or irrigation systems. Whether an upgrade is required depends on the scope of work: a full system overhaul would trigger compliance with current code requirements, while minor additions—such as extending an irrigation line or adding a few heads—would not automatically require updating the entire system. The intent is similar to how jurisdictions handle existing buildings, where upgrades are only mandated when the work being done reaches a certain threshold.
- **Lemke:** I just want to make one clarification though, because the Minnesota Department of Health and the Minnesota Pollution Control were at the ad hoc meetings and, you know, they gave their input and amendments they wanted to see in this proposed chapter 15. I hope they come back

again, because it really seems like a lot of people want to hear, but I just want everyone to understand they were there, and they gave their input when we first did this. So it wasn't like we weren't listening to people.

- **McGurran:** I'll just say that I believe Karl's correct that some individuals from MDH couldn't attend today, but I am comfortable sharing that I've had some conversations with some of them and I know that they intend to submit RFAs for consideration at future meetings. So I just want to assure you that those interagency conversations are very important to this committee's work and they're continuing.

C. Craig Johnson, League of Minnesota Cities

- **Craig Johnson** of the League of Minnesota Cities stated that his organization supports the RFAs requesting that the proposed Chapter 15 changes not move forward, noting this position was strongly reflected in prior Plumbing Board testimony. He argued that the proposal conflicts with existing state and federal stormwater requirements under MS4 permits, which mandate stormwater-volume reduction and protection of impaired waters—obligations held by all Minnesota cities. He emphasized that prohibiting stormwater reuse contradicts these legal requirements and ignores the history of separating storm and sanitary systems to prevent wastewater overflows. Johnson warned that adopting Chapter 15 would impose significant unfunded mandates, jeopardize compliance with federal regulations, and place the Plumbing Board in a role already assigned to the Pollution Control Agency and Department of Health. He further expressed concern that several committee members appeared to dismiss prior public testimony at the outset of the meeting, which he felt undermines the Chapter 15 administrative process. Johnson urged the board not to adopt the proposed changes, to consider the real impacts on cities, and to allow existing stormwater-management agencies and engineers to lead any needed policy development.
- **Abrahamson:** explained that earlier comments were meant to clarify the committee's purpose, not dismissing previous testimony. Chapter 15 was pulled back specifically to allow open discussion, gather RFAs with workable language, and collaborate on solutions. The committee supports removing the prohibition on stormwater reuse but needs an RFA to formally begin that work. Abrahamson emphasized the intent to review what other states are doing, acknowledge ongoing inconsistencies in water-quality standards, and incorporate research such as the upcoming University of Minnesota study. This subcommittee's role is to ensure that any future standards avoid conflicts with other regulations and are developed with full stakeholder input, with a core focus on on-site treatment, water-quality requirements, and protecting health and safety.
- **Becker:** clarified that concerns about committee members having predetermined opinions are unfounded. Becker explained that your earlier comments reflected personal impressions from the meeting, not a final decision, and that the board wants input from the broader industry before reaching any conclusions. As a business owner and engineer, he explained he relies on listening to knowledgeable stakeholders, which is the purpose of reopening Chapter 15 and holding these discussions. He noted that the committee actively sought participation from interested parties, but many who clearly have strong concerns did not engage in earlier stages a year and a half ago. He emphasized that the committee is seeking broad input now to make informed, collaborative decisions.
- **Johnson:** apologized and clarified that you were not accusing the committee of having predetermined conclusions but were concerned that comments made before testimony began were unusual for a Rule 15 process and appeared to dismiss earlier input. His main point is that prohibiting stormwater reuse is incompatible with state and federal requirements that mandate its

use, and saying it is illegal while expecting future solutions is not workable. He noted that the RFAs from both the Minnesota Nursery and Landscape Association and the Association of Minnesota Counties—requests not to move forward with the proposed Chapter 15 changes—would prevent the harms cities are worried about. In his view, this approach would allow the Department of Health and the Pollution Control Agency to continue developing appropriate stormwater-reuse standards, after which it can be determined whether any plumbing-code provisions are needed or whether stormwater management should remain under existing manuals and technical specifications.

- **McGurran**, the Board’s counsel, noted that the committee will not make a recommendation on whether to stop adoption of Chapter 15 until the next meeting. He encouraged stakeholders interested in that action to think about what Requests for Action (RFAs) should look like if the stormwater prohibition is removed, since no RFA has been submitted on that specific issue. Future proposals may depend on whether Chapter 15 continues without the stormwater prohibition. He emphasized the importance of stakeholder RFAs for code amendments and noted that this is his first committee meeting allowing open forum testimony.

D. Megan Dayton, American Council of Engineers

- I appreciate that the committee reviewed RFAs today, and I will submit one this week. While the formal question will be addressed in the next cycle, I raise it now because the jurisdictional issue must be resolved first. The RFA process assumes Chapter 15 is the correct framework for regulating site stormwater reuse, and our letter asks the committee and board to confirm that assumption before building rules on it. We propose specific language to revise subpart six, and Minnesota’s engineers want to work collaboratively to ensure clarity. A member noted the board does not have jurisdiction over licensed design professionals, which aligns with our position. If the board does not claim that jurisdiction, our clarifying revision simply records what the board already believes. On misinterpretation: cities, watershed districts, state agencies, and engineers have all read the text the same way. If dozens of organizations reach the same unintended conclusion, the problem is the text, not the readers. Clear rule language is required by the Office of Administrative Hearings and is what officials and engineers in the field will rely on—not today’s discussion. The solution to widespread misreading is rule text that cannot be misinterpreted. Our letter will include that text, and we welcome working with the committee on it.

E. Magic Sun, American Society of Landscape Architecture

- Landscape architects are licensed professionals who design parks, campuses, streetscapes, and residential developments, integrating functionality with environmental sustainability. Working with civil and plumbing engineers, we routinely design advanced nature-based stormwater treatment systems. A blanket ban on stormwater reuse in Chapter 15 would disrupt professional practice, conflict with state sustainability goals, and dismantle important water-conservation infrastructure, as many presenters have already explained today. We therefore respectfully urge the board not to advance Chapter 15 without comprehensive stakeholder engagement. We also welcome the opportunity to provide case studies demonstrating that existing on-site stormwater treatment practices effectively protect health and safety.

F. Jeff Latterell, Minnesota Landscape Association

- I’m an accredited irrigation professional, licensed where required, a certified irrigation designer and landscape irrigation auditor, and a US EPA Water Sense partner. I also serve on the Minnesota Nursery and Landscape Association Board of Directors. MNLA represents the state’s irrigation, nursery, landscape, and green industry professionals—over 42,000 jobs and billions in annual economic impact. I want to outline likely consequences of adopting UPC Chapter 15 with Minnesota

amendments. The Minnesota Department of Health has twice received legislative funding to study outdoor water use and reuse. MNLA participated in both efforts. Neither MDH study produced conclusive evidence supporting the regulatory restrictions proposed in Chapter 15. At the June 23 board meeting, testimony referenced illnesses and deaths from inhaling water with bacteria. However, MDH found no verified cases anywhere in the world of injury caused by direct exposure to reuse water applied through landscape irrigation, regardless of whether the source was stormwater. Adopting Chapter 15 with these amendments would effectively outlaw thousands of existing public and private irrigation systems that use lake water and other non-potable sources. These systems reduce demand for municipal drinking water and groundwater supplies. Failing to recognize their legitimacy would add unnecessary regulatory burden, increase pressure on municipal and groundwater infrastructure, and create real public concern. In conclusion, the MNLA opposes adoption of UPC Chapter 15, with or without Minnesota amendments.

G. Isaac Loynachan, Minnesota Landscape Association

- I'm a landscape irrigation professional accredited in multiple disciplines, including irrigation technician, auditor, contractor, designer, and EPA Water Sense partner. I'm committed to the safe and responsible use of water resources. I'll briefly state my organization's position and relevant background. The Minnesota Nursery and Landscape Association (MNLA) represent the state's irrigation, nursery, landscape, and green industry professional businesses employing more than 42,000 Minnesotans and contributing billions annually to the state economy. Since the 1930s, following the first patented sprinkler, our members have built extensive expertise in the design, installation, and maintenance of outdoor water systems. MNLA is a critical stakeholder in any policies involving outdoor water use, including potable rainwater, stormwater, and tertiary-treated water. MNLA opposes adoption of UPC Chapter 15. In 2012, Minnesota codified low-impact development principles and has since invested substantially in science-based stormwater management standards with transparent, collaborative stakeholder processes. This work led to the Minnesota Pollution Control Agency's Stormwater Manual, now a nationally recognized resource for designing safe and effective stormwater practices. The Department of Labor and Industry has long contributed to these efforts. Minnesota is a national leader in practical stormwater management and low-impact development, with hundreds of successful rainwater and stormwater-based irrigation systems installed across the state. Minnesota already has a thoughtful framework that balances water quality, conservation, and practicality. Rather than adopting UPC Chapter 15, Minnesota should continue building on its proven foundation.

H. John Paulson, Minnesota Cities Stormwater Coalition

- I represent the Minnesota City Stormwater Coalition, which includes 130 cities across Minnesota. Our members, along with counties, watershed districts, and others, have a strong interest in maintaining stormwater reuse as a practical and science-based tool. For that reason, we support the MNLA's request for action and do not support adopting Chapter 15 currently. Our position is essentially a pause. We need a stepwise, science-supported process informed by research and by the work happening nationwide. Multiple state agencies—MPCA, MDH, BWSR, DNR, and others—have roles in this, and their involvement is important before moving forward. The uncertainty around Chapter 15's implications is exactly why we believe adoption should wait. Whether future changes are minor or more substantial, we need a path that is shaped through collaboration and clear understanding. The RFA process is valuable, but its formal structure can make it challenging to navigate complex, "if-this-then-that" questions. A forum like this committee allows for more effective discussion. Minnesota's MS4 cities want stormwater reuse to continue, grounded in sound

science. Ongoing stakeholder work—with MPCA and others—should help inform the ultimate direction, though we don't know how long that will take. What matters is ensuring the stakeholder process is allowed to play out so the state can move forward wisely. That's the basis of our request not to adopt Chapter 15 currently.

- **Becker:** We want to work together. Our goals are the same protecting the health and welfare of the public. The RFA process can feel rigid and cumbersome, but it gives us a starting point: someone proposes an idea, and we discuss it. In our ad hoc committees, those discussions are run as roundtables, not one-way testimony. Everyone in the room gets the chance to respond, clarify, and talk through issues in a constructive, professional way. We're committed to collaboration, not working against each other.
- **Abrahamson:** That's a good example of what next month may look like. We may propose not adopting any part of Chapter 15, but that discussion could go in several directions—and it's important to have the right people in the room to work through it. The RFA process can feel slow, since proposals brought forward today often aren't discussed again for one to three months. But it takes time to research, gather feedback, and navigate rulemaking.
- **Paulson:** I appreciate that, and I hope the collaborative approach continues.
- **Lemke:** I've listened closely to the testimony today, especially from watershed districts and others, and I want to ask a straightforward question. Setting aside stormwater and irrigation—since those are clearly major concerns—is there anything else in Chapter 15 that stakeholders find problematic? For example, are issues like cross-connection control or maintenance logs significant concerns? I'm not trying to put anyone on the spot, but if the primary objections are the stormwater prohibition and the irrigation provisions, and those are removed, then what else remains as a barrier? This highlights why we need more roundtable-style discussions to clarify these details. RFAs are our starting point, but conversations like this help us understand the full picture.
- **Paulson:** Other than stormwater and irrigation, those are really the core concerns for cities. There may be additional issues related to cross-connection control, backflow prevention, or RPZ requirements that could affect water system operators, but I can't speak for those professionals. That's why agencies like MPCA and the Department of Health regulate water quality and public health, while plumbing code governs piping and system interactions. So yes, there may be other concerns—but stormwater is the main one. Understanding the remaining nuances will require continued discussion. Working through those "if this, then that" details together is how we ultimately reach a sound solution.
- **Abrahamson** – the RFA is more of a tracking process in that it provides the committee a structure to document its discussions on code issues and see its progress in working through the chapter.

I. **Anna Eleria, Capital Region Watershed District**

- Thank you for reconvening this committee and for being open to new perspectives. As a watershed district administrator, this is relatively new territory for us. Although Chapter 15 rulemaking was publicly noticed last year, plumbing code is not something we typically monitor, and we were unaware the process was underway. One advantage of speaking later today is hearing your clarifications, your willingness to adjust language, and your interest in receiving an RFA that would allow stormwater as an alternate water source and support outdoor non-potable uses like irrigation. That is encouraging. Still, based on the testimony today, there remains significant ambiguity and several unresolved issues that extend beyond this ad hoc committee. At the last special board meeting, we heard that MPCA is beginning a stakeholder process to develop stormwater-reuse guidance grounded in best practices and current research. That work should be allowed to proceed

before rules are developed. For that reason, we respectfully request that rulemaking for Chapter 15 be paused. We have formally opposed adoption, but we believe a pause—until MPCA completes its process—is the appropriate next step. We also recently learned of a forthcoming University of Minnesota study that will provide local data relevant to stormwater reuse. That information should inform any future work in Chapter 15 if rulemaking becomes necessary. Finally, we ask that the committee provide its comments and propose changes in writing. There were many code citations today and having them documented would help us understand your intent and prepare constructive responses.

- **Becker:** Regarding the request for written comments: everything discussed in these meetings is memorialized in the official minutes, which are approved at the next meeting. Those minutes will ultimately serve as the written record of the committee's comments. We don't typically circulate draft minutes beforehand, but once approved, they provide the formal documentation of what was said.
- **McGurran:** with respect to the request for a pause, noted that the Plumbing Board did rescind his authorization to proceed with Chapter 15 rulemaking. Accordingly, Chapter 15 will not proceed at all through the rulemaking process.. Chapter 15 rulemaking is fully paused at this point until this committee has a new recommendation for the board to act on at a board meeting.
- **Becker:** My intent as chair is not to rush anything through or claim we provided an opportunity for input without truly considering it. This process will take as long as it needs to ensure the topic receives appropriate attention, discussion, and refinement. We'll move forward only when it genuinely makes sense to do so.
- **Abrahamson:** I'd be surprised if we finish this before the first of the year. The last time we worked through Chapter 15, it took six to eight meetings over roughly eight months, including breaks for the holidays. This won't be pushed through next month. As new RFAs come in, we want to discuss each one, give everyone an opportunity to speak, and continue the roundtable approach.
- **Westemeier:** Encouraged stakeholders to get RFAs in as soon as possible.
- **Eleria:** How will this work with the MPCA's process to develop guidance for stormwater reuse and their intent to start that up very shortly here and bring folks together? It seems like there might be two processes here that are involved. How is that going to work together?
- **Becker:** I'm not sure exactly how that would work. I think part of that would come back to the full plumbing board to find that authorization and or, you know, provide somebody, appoint somebody to work with MPCA or be part of that committee or that group and that. And some of it, I think, to me, in my opinion, again, ultimately would come down to the board's determination or the full board is that, you know, what's the timing of that working group and those recommendations that, you know, I don't know that it's necessarily proven to, okay, if this working group is going to take two or three years to say, okay, well, we're going to wait for that to, that sort of thing. But also, you know, not, again, not trying to push it through so fast that if there's things that are advancing that we're not giving the appropriate time to let other things develop.
- **McGurran:** We've heard today that some jurisdictions have adopted Chapter 15 in ways that defer to the regulatory authority of other agencies, and that's certainly an approach the board could consider. But before doing so, this committee needs a clear understanding of those regulatory frameworks to determine whether they align with board code language and, if so, how to reconcile them. That's why we are hoping to receive RFAs not only from external stakeholders and trade organizations, but also from agencies like MDH, MPCA, DNR, and BWSR. Gathering that information will take time, but that's the proper way to approach this. We can't offer more clarity yet, but we're

committed to learning how these systems work and identifying how they might fit within the board's rulemaking.

- **Abrahamson:** We've also discussed having a few board members monitor industry developments, because six years is a long time to lock in code language. Materials and technologies have advanced significantly even in the last six years. While I can't speak for the full board, my hope is that once Chapter 15 is completed, we'll have people watching for new research—such as upcoming work from the University of Minnesota—and, if needed, initiate a small, targeted rulemaking to update specific sections. We have mechanisms to make corrections or adjustments once the code is in place, and we would ensure stakeholders are notified and involved.
- **Becker** agreed with Abrahamson.

J. Jon Janke, Coon Creek Watershed District

- I'm the administrator of the Coon Creek Watershed District in Anoka County, and I appreciate the opportunity to comment and the committee's willingness to hold additional meetings. I'll be brief, as many of my concerns have already been discussed.
- I appreciate today's in-depth conversation and the shared recognition that numerous technical and implementation issues remain unresolved. For that reason, I recommend the board not move forward with Chapter 15 currently.
- I fully support the board's responsibility to protect public health and safety through properly designed, installed, and maintained plumbing systems. My concern is that stormwater professionals, local governments, watershed organizations, irrigation experts, and other affected stakeholders still have significant unanswered questions. That suggests earlier engagement did not reach all impacted audiences or did not fully resolve the practical implications of the proposed rule.
- Regulatory certainty is another major issue. Engineers, developers, and public officials need confidence that stormwater-reuse systems can be planned, permitted, maintained, repaired, and operated over their lifespan. The long history of uncertainty—and the unresolved questions today—creates hesitation for agencies even to consider using this tool.
- Stormwater-reuse conflicts need to be addressed first, before adopting language that may not fit Minnesota's realities. If the board continues evaluating Chapter 15, I recommend moving cautiously and only after developing a Minnesota-specific solution that protects public health and is workable for existing systems, new projects, maintenance needs, and long-term water resource planning.

K. Timothy Malooly, Minnesota Nursery and Landscape Association

- UPC Chapter 15 is highly prescriptive, and it raises legitimate concerns about practicality, enforceability, and overall effectiveness. Outdoor water-use and reuse standards continue to evolve through ANSI-accredited national consensus processes. As noted today, no documented cases of harm from reused irrigation water have been found, indicating the probability of injury is very low.
- The University of Minnesota Stormwater Research Council's 2018–2020 brief—available online and which MNLA can provide—reached similar conclusions: naturally occurring pathogens may be present, but the likelihood of harm is very low. MNLA acknowledges that injury is theoretically possible, but the probability remains extremely small. That is an important distinction we want to convey regarding water reuse in landscape irrigation, whether drip, micro, or spray.
- Minnesota already has a collaborative, science-based process for stormwater management and water conservation, involving experts, agencies, and stakeholders. This process evaluates technologies, emerging science, safety, best practices, and feasibility. Given that structure, MNLA urges the Plumbing Board to abandon adoption of Chapter 15 and supports the existing collaborative approach to outdoor water use, stormwater management, and water reuse.

- I also want to highlight an example of unintended consequences. When the Plumbing Board expanded requirements for annual testing of all testable backflow prevention assemblies, many cities lacked programs robust enough to meet those mandates. The directive was revised, but tens of thousands of assemblies still go untested. MNLA has repeatedly offered to help by enabling certified testers to rebuild certain devices—not install but rebuild and retest them to ensure proper functioning. Each time, those offers were declined. We view this as a missed opportunity to protect public health.
- This relates to concerns in Chapter 15, including language suggesting all water is plumbing and only licensed plumbers may design, install, or maintain systems. Combined with the stormwater-reuse prohibition, these issues directly affect our members.
- For these reasons, MNLA supports pausing or abandoning Chapter 15 and working through the established stakeholder-based process already in place to responsibly advance water reuse in Minnesota
- **McGurran** asked for the report to be sent to him or Lyndy Logan.

L. David Campana, Minnesota Council on Latino Affairs

- Dear members of the Minnesota Plumbing Board, my name is David Campana, legislative and policy director in the area of economic development for the Minnesota Council on Latino Affairs. The Council wants to reiterate its opposition to the proposed adoption of Chapter 15 of the Uniform Plumbing Code into the Minnesota Plumbing Code currently under consideration. Latinos are responsible for a large increase in the Minnesota population and workforce.
- Minnesota's Latino population is an important economic driving force in the state, representing over 370,000 residents and a workforce of almost 200,000 individuals. Latino workers gain the highest labor force participation rate in the state at 77%, generating more than \$52 billion annually across key sectors of the economy. Nationwide, Latinos represent 36% of the workforce in landscape, nursery, and irrigation activities.
- In Minnesota, Latinos make up over 35% to 80% of the landscape workforce, while there are approximately 45,000 Latino workers in the irrigation industry. If adopted, the proposed rule will have a negative impact on the Minnesota workforce at large and a disproportionate impact on Latino workers in the landscape, nursery, and irrigation sectors in Minnesota. Thank you for your time and attention to this important matter.

7. Announcements

UPC ad hoc Chap. 15 Rulemaking Committee meeting dates.

- 9/1/2026 | 10/1/2026 | 11/5/2026

8. Adjournment

A motion was made by Abrahamson, seconded by Lemke, to adjourn the meeting at 3:16 p.m. The vote was unanimous, with 5 votes in favor of the motion; the motion passed.

Respectfully submitted,

Karl Abrahamson

Karl Abrahamson, Committee Secretary