

State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 3624

03/24/2016 Authored by Schomacker

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy and Finance

1.1 A bill for an act
1.2 relating to natural resources; providing for conditional water use permit and data
1.3 collection for calcareous fens; appropriating money.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. **WATER USE PERMIT AND DATA COLLECTION;**
1.6 **APPROPRIATION.**

1.7 (a) Notwithstanding Minnesota Statutes, sections 84.0895 and 103G.223, or other
1.8 law to the contrary, the commissioner of natural resources must issue, upon application, a
1.9 water use permit for calcareous fens located in the South Half of Section 28, Township
1.10 106 North, Range 44 West, Pipestone County. The permittee must agree to the following
1.11 permit conditions:

1.12 (1) the permit is for a term of 15 years, but may be revoked after five years if
1.13 paragraph (b) applies;

1.14 (2) water use under the permit is limited to irrigation of agricultural crops at a rate of
1.15 no more than 800 gallons per minute in accordance with an irrigation plan submitted with
1.16 the water use permit application;

1.17 (3) the permittee must pay for the irrigation system installed during the term of
1.18 the permit; and

1.19 (4) installation of the irrigation system must minimize disturbance to the existing
1.20 plant community in the calcareous fens. The commissioner must provide technical advice
1.21 for installation of the irrigation system.

1.22 (b) If, at any time after five years of water use, the commissioner determines the
1.23 drawdown of water from the fens endangers the continued sustainability of the calcareous
1.24 fens, the commissioner may revoke the permit. If the commissioner revokes the permit

2.1 before the permit's expiration date, the permittee must be reimbursed for the cost of the
2.2 irrigation system, prorated over the full 15-year term of the original permit.

2.3 (c) The commissioner must monitor the calcareous fens to collect data on the effects
2.4 of water use from the fens for the duration of the permit. If the commissioner concludes
2.5 that, based on collected data, the calcareous fens remain viable after 15 years of water
2.6 use, the commissioner must renew the water use permit for an additional 15 years, free
2.7 of the condition imposed under paragraph (a), clause (1).

2.8 (d) \$..... in fiscal year 2017 is appropriated from the natural resources fund to
2.9 the commissioner of natural resources to provide technical assistance and collect data
2.10 according to this section.