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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 3951

03/02/2020 Authored by Lippert, Poston, Brand and Fischer  
The bill was read for the first time and referred to the Water Division

1.1 A bill for an act  
1.2 relating to natural resources; facilitating use of artificial aquifer recharge where  
1.3 appropriate; requiring a report; amending Minnesota Statutes 2018, section  
1.4 103A.204.

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

1.6 Section 1. Minnesota Statutes 2018, section 103A.204, is amended to read:

1.7 **103A.204 GROUNDWATER POLICY.**

1.8 (a) The responsibility for the protection of groundwater in Minnesota is vested in a  
1.9 multiagency approach to management. The following is a list of agencies and the groundwater  
1.10 protection areas for which the agencies are primarily responsible; the list is not intended to  
1.11 restrict the areas of responsibility to only those specified:

1.12 (1) Environmental Quality Board: coordination of state groundwater protection programs;

1.13 (2) Pollution Control Agency: water quality monitoring and reporting and the  
1.14 development of best management practices and regulatory mechanisms for protection of  
1.15 groundwater from nonagricultural chemical contaminants;

1.16 (3) Department of Agriculture: sustainable agriculture, integrated pest management,  
1.17 water quality monitoring, and the development of best management practices and regulatory  
1.18 mechanisms for protection of groundwater from agricultural chemical contaminants;

1.19 (4) Board of Water and Soil Resources: reporting on groundwater education and outreach  
1.20 with local government officials, local water planning and management, and local cost share  
1.21 programs;

2.1 (5) Department of Natural Resources: water quantity monitoring and regulation,  
2.2 sensitivity mapping, and development of a plan for the use of integrated pest management  
2.3 and sustainable agriculture on state-owned lands; and

2.4 (6) Department of Health: regulation of wells and borings, and the development of health  
2.5 risk limits under section 103H.201.

2.6 (b) The Environmental Quality Board shall prepare a report on policy issues related to  
2.7 its responsibilities listed in paragraph (a), and include these reports with the assessments in  
2.8 section 103A.43 and the "Minnesota Water Plan" in section 103B.151.

2.9 (c) Where groundwater levels are depleted and not naturally recovering with sufficient  
2.10 speed, it is the policy of the state that artificial recharge options be considered and  
2.11 implemented where feasible and appropriate.

2.12 Sec. 2. **REPORT ON ARTIFICIAL AQUIFER RECHARGE.**

2.13 By February 1, 2021, the Environmental Quality Board, in cooperation with the agencies  
2.14 listed in Minnesota Statutes, section 103A.204, paragraph (a), must submit a report to the  
2.15 chairs and ranking minority members of the house of representatives and senate committees  
2.16 and divisions with jurisdiction over environment and natural resources policy on the  
2.17 feasibility of using artificial aquifer recharge to replenish groundwater levels in aquifers  
2.18 where water levels are insufficient. The report must include:

2.19 (1) an explanation of the various techniques available for artificial aquifer recharge;

2.20 (2) a summary of the strengths, weaknesses, and costs of each of the recharge methods  
2.21 identified;

2.22 (3) an overview of which aquifers in the state might be candidates for artificial recharge;

2.23 (4) an explanation of the potential environmental effects of artificial recharge; and

2.24 (5) identification of any statutory, regulatory, or policy changes needed to facilitate and  
2.25 implement the policy in Minnesota Statutes, section 103A.204.