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State of Minnesota

HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 1277

03/05/2013 Authored by Hansen and Lillie

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

1.1 A bill for an act
1.2 relating to clean water; appropriating money for shoreland ordinance incentive
1.3 grants.

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

1.5 Section 1. **SHORELAND ORDINANCE INCENTIVE GRANTS.**

1.6 (a) \$..... in fiscal year 2014 is appropriated from the clean water fund to the
1.7 commissioner of natural resources for grants to counties and other local units of
1.8 government that have adopted advanced shoreland protection measures. The grants
1.9 awarded under this section shall be for \$100,000 and must be used to restore and enhance
1.10 riparian areas to protect, enhance, and restore water quality in lakes, rivers, and streams.
1.11 To be eligible for a grant under this section, a county or other local unit of government
1.12 must have adopted an ordinance for the subdivision, use, and development of shoreland
1.13 that has been certified by the commissioner of natural resources as having advanced
1.14 shoreland protection measures as provided under paragraph (b).

1.15 (b) Prior to awarding grants under this section, the commissioner of natural resources
1.16 must certify that a grant applicant has adopted an ordinance with advanced shoreland
1.17 protection measures. The commissioner shall only certify that advanced shoreland
1.18 protection measures have been adopted when the county or local unit of government has
1.19 adopted an ordinance that meets or exceeds the following standards:

1.20 (1) requires new sewage treatment systems to be set back at least 100 feet from the
1.21 ordinary high water level for recreational development shorelands and 75 feet for general
1.22 development lake shorelands;

1.23 (2) requires new developments on shoreland to have at least a 50-foot vegetative
1.24 buffer. An access path and recreational use area may be allowed;

2.1 (3) requires mitigation when any variance to standards designed to protect lakes,
2.2 rivers, and streams is granted;

2.3 (4) requires best management practices to be used to control storm water and
2.4 sediment when 3,000 or more square feet are disturbed as part of a land alteration;

2.5 (5) includes other criteria developed by the commissioner under paragraph (c); and

2.6 (6) has been adopted by July 1, 2015.

2.7 (c) The commissioner of natural resources may develop additional criteria for the
2.8 grants awarded under this section. In developing the criteria, the commissioner shall
2.9 consider the proposed changes to the department's shoreland rules discussed during
2.10 the rulemaking process authorized under Laws 2007, chapter 57, article 1, section 4,
2.11 subdivision 3.

2.12 (d) The appropriation in paragraph (a) is available until spent.