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State of Minnesota  
HOUSE OF REPRESENTATIVES  
NINETIETH SESSION  
H. F. No. 2028

03/02/2017 Authored by Fischer; Torkelson; Dean, M.; Ward; Fenton and others  
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 water; exempting certain storm water use from water-use permit  
1.3 requirements; amending Minnesota Statutes 2016, sections 103G.005, by adding  
1.4 a subdivision; 103G.271, subdivision 1.

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

1.6 Section 1. Minnesota Statutes 2016, section 103G.005, is amended by adding a subdivision  
1.7 to read:

1.8 Subd. 8a. **Constructed management facilities for storm water.** "Constructed  
1.9 management facilities for storm water" means ponds, basins, holding tanks, cisterns, trenches,  
1.10 swales, or other best management practices that have been designed, constructed, and  
1.11 operated to store or treat storm water.

1.12 Sec. 2. Minnesota Statutes 2016, section 103G.271, subdivision 1, is amended to read:

1.13 Subdivision 1. **Permit required.** (a) Except as provided in paragraph (b), the state, a  
1.14 person, partnership, or association, private or public corporation, county, municipality, or  
1.15 other political subdivision of the state may not appropriate or use waters of the state without  
1.16 a water-use permit from the commissioner.

1.17 (b) This section does not apply to use for a water supply by less than 25 persons for  
1.18 domestic purposes, except as required by the commissioner under section 103G.287,  
1.19 subdivision 4, paragraph (b).

1.20 (c) The commissioner may issue a state general permit for appropriation of water to a  
1.21 governmental subdivision or to the general public. The general permit may authorize more  
1.22 than one project and the appropriation or use of more than one source of water. Water-use

2.1 permit processing fees and reports required under subdivision 6 and section 103G.281,  
2.2 subdivision 3, are required for each project or water source that is included under a general  
2.3 permit, except that no fee is required for uses totaling less than 15,000,000 gallons annually.

2.4 (d) This section does not apply to appropriation or use of storm water collected and used  
2.5 to reduce storm-water runoff volume, treat storm water, or sustain groundwater supplies  
2.6 when water is extracted from constructed management facilities for storm water.

2.7 **Sec. 3. CANCELLATION OF PERMITS.**

2.8 Water-use permits issued before July 1, 2017, for water use exempted under Minnesota  
2.9 Statutes, section 103G.271, subdivision 1, paragraph (d), are canceled effective July 1, 2017.

2.10 **Sec. 4. EFFECTIVE DATE.**

2.11 Sections 1 to 3 are effective July 1, 2017.