

A bill for an act  
relating to capital improvements; authorizing spending to acquire public lands  
and buildings and for other improvements of a capital nature; appropriating  
money for environmental and natural resources capital projects; establishing new  
programs and modifying existing programs; authorizing the sale and issuance of  
state bonds; amending Minnesota Statutes 2006, section 103G.271, subdivision  
6; Minnesota Statutes 2007 Supplement, section 103G.222, subdivision 1;  
proposing coding for new law in Minnesota Statutes, chapter 116.

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

Section 1. **CAPITAL IMPROVEMENT APPROPRIATIONS.**

The sums shown in the column under "Appropriations" are appropriated from the  
bond proceeds fund, or another named fund, to the state agencies or officials indicated,  
to be spent for public purposes. Appropriations of bond proceeds must be spent as  
authorized by the Minnesota Constitution, article XI, section 5, paragraph (a), to acquire  
and better public land and buildings and other public improvements of a capital nature, or  
as authorized by the Minnesota Constitution, article XI, section 5, paragraphs (b) to (j), or  
article XIV. Unless otherwise specified, the appropriations in this act are available until  
the project is completed or abandoned subject to Minnesota Statutes, section 16A.642.

Sec. 2. **NATURAL RESOURCES**

|                                                  |                              |
|--------------------------------------------------|------------------------------|
| <b><u>Subdivision 1. Total Appropriation</u></b> | <b><u>\$ 153,587,000</u></b> |
|--------------------------------------------------|------------------------------|

To the commissioner of natural resources for  
the purposes specified in this section.

The appropriations in this section are subject  
to the requirements of the natural resources  
capital improvement program set forth in

2.1 Minnesota Statutes, section 86A.12, unless  
2.2 this section or the statutes referred to in this  
2.3 section provide more specific standards,  
2.4 criteria, or priorities for projects than  
2.5 Minnesota Statutes, section 86A.12.

2.6 To the extent possible, prairie restorations  
2.7 funded in whole or in part with funds from  
2.8 this appropriation must be made using best  
2.9 management practices for native prairie  
2.10 restoration as defined under Minnesota  
2.11 Statutes, section 84.02, subdivision 2.

2.12 The commissioner must record in a central  
2.13 location each project funded in whole or in  
2.14 part with funds from this appropriation, that  
2.15 is expected to have carbon sequestration  
2.16 value in anticipation of guidelines written by  
2.17 an interagency committee in conjunction with  
2.18 the University of Minnesota for assessing  
2.19 changes in carbon budgets resulting from  
2.20 bonded restoration projects including  
2.21 identification of relevant carbon pools, time  
2.22 frames, and measurement protocols.

2.23 Subd. 2. **Statewide Asset Preservation** 1,000,000

2.24 For the renovation of state-owned facilities  
2.25 operated by the commissioner of natural  
2.26 resources, to be spent in accordance with  
2.27 Minnesota Statutes, section 16B.307. The  
2.28 commissioner may use this appropriation  
2.29 to replace buildings if, considering the  
2.30 embedded energy in the building, that is the  
2.31 most energy efficient and carbon reducing  
2.32 method of renovation.

2.33 Subd. 3. **Flood Hazard Mitigation Grants** 16,000,000

2.34 For the state share of flood hazard  
2.35 mitigation grants for publicly owned capital

3.1 improvements to prevent or alleviate flood  
3.2 damage under Minnesota Statutes, section  
3.3 103F.161.

3.4 \$3,500,000 is for a grant to the Western  
3.5 Mesabi Mine Planning Board to construct a  
3.6 conveyance system, and other improvements  
3.7 to accommodate water level and outflow  
3.8 control of the water level in the Canisteo  
3.9 mine pit in Itasca County. This appropriation  
3.10 does not require a local match. The  
3.11 commissioner of natural resources shall be  
3.12 responsible to maintain the improvements  
3.13 after completion of the project.

3.14 \$3,500,000 is for a grant to the Minneapolis  
3.15 Park and Recreation Board to be used in  
3.16 conjunction with the Minnehaha Creek  
3.17 Watershed District's plan to repair and  
3.18 renovate Works Projects Administration  
3.19 projects in the glen area of Minnehaha  
3.20 Creek to repair, restore, and stabilize the  
3.21 shoreline and cavernous banks of Minnehaha  
3.22 Creek as it flows past Minnehaha Falls, to  
3.23 restore fish and other natural habitat, and  
3.24 to provide storm water retention and creek  
3.25 bank management at or below the Minnesota  
3.26 Veterans Home. This appropriation is  
3.27 not available until the commissioner of  
3.28 finance determines that \$2,000,000 has been  
3.29 committed to the project from nonstate  
3.30 sources.

3.31 This appropriation also includes money for  
3.32 the following projects, based on need as  
3.33 determined by the commissioner, except that  
3.34 one-third of the unallocated appropriation  
3.35 shall be used to create and restore wetlands

4.1 to protect areas from flooding, with emphasis  
4.2 on areas that have recently flooded:  
4.3 (a) Austin  
4.4 (b) Breckenridge  
4.5 (c) Browns Valley  
4.6 (d) Crookston  
4.7 (e) Granite Falls  
4.8 (f) Inver Grove Heights Heritage Park  
4.9 (g) Moorhead  
4.10 (h) Montevideo  
4.11 (i) North Ottawa Impoundment  
4.12 (j) Roseau  
4.13 For any project listed in this subdivision  
4.14 that the commissioner determines is not  
4.15 ready to proceed or does not expend all the  
4.16 money allocated to it, the commissioner may  
4.17 allocate that project's money to a project on  
4.18 the commissioner's priority list.  
4.19 To the extent that the cost of a project  
4.20 in Austin, Breckenridge, Browns Valley,  
4.21 Crookston, Granite Falls, Montevideo, North  
4.22 Ottawa Impoundment, or Roseau exceeds  
4.23 two percent of the median household income  
4.24 in the municipality multiplied by the number  
4.25 of households in the municipality, this  
4.26 appropriation is also for the local share of the  
4.27 project.  
4.28 The Roseau project includes the state share  
4.29 of land acquisition, engineering and design,  
4.30 and bridge construction costs for the U. S.  
4.31 Army Corps of Engineers East Diversion  
4.32 Flood Control Project, which will protect the  
4.33 city of Roseau from recurring flooding.

|      |                                                           |                          |
|------|-----------------------------------------------------------|--------------------------|
| 5.1  | <b><u>Subd. 4. Flood Control Project Relocation</u></b>   | <b><u>12,000,000</u></b> |
| 5.2  | <u>For a grant to the city of Crookston to design,</u>    |                          |
| 5.3  | <u>construct, furnish, and equip an ice arena</u>         |                          |
| 5.4  | <u>complex to replace an existing facility that is</u>    |                          |
| 5.5  | <u>being relocated to accommodate a planned</u>           |                          |
| 5.6  | <u>flood control project. This appropriation is</u>       |                          |
| 5.7  | <u>not available until the commissioner has</u>           |                          |
| 5.8  | <u>determined that the city of Crookston has</u>          |                          |
| 5.9  | <u>committed at least \$1,720,825 to the project.</u>     |                          |
| 5.10 | <b><u>Subd. 5. Stillwater Flood Control Phase III</u></b> | <b><u>200,000</u></b>    |
| 5.11 | <u>For a grant under Minnesota Statutes,</u>              |                          |
| 5.12 | <u>section 103F.161, to the city of Stillwater to</u>     |                          |
| 5.13 | <u>predesign, design, and begin construction</u>          |                          |
| 5.14 | <u>of Phase III of the Stillwater flood control</u>       |                          |
| 5.15 | <u>project, including flood control structures and</u>    |                          |
| 5.16 | <u>pumping stations. The appropriation is not</u>         |                          |
| 5.17 | <u>available until the commissioner determines</u>        |                          |
| 5.18 | <u>that \$2,000,000 has been committed to the</u>         |                          |
| 5.19 | <u>project from nonstate sources.</u>                     |                          |
| 5.20 | <b><u>Subd. 6. Dam Renovation and Removal</u></b>         | <b><u>2,500,000</u></b>  |
| 5.21 | <u>To renovate or remove publicly owned dams.</u>         |                          |
| 5.22 | <u>The commissioner shall determine project</u>           |                          |
| 5.23 | <u>priorities as appropriate under Minnesota</u>          |                          |
| 5.24 | <u>Statutes, sections 103G.511 and 103G.515.</u>          |                          |
| 5.25 | <u>This appropriation includes money for the</u>          |                          |
| 5.26 | <u>following projects:</u>                                |                          |
| 5.27 | <u>(a) Clayton Lake, Pine County</u>                      |                          |
| 5.28 | <u>(b) Cross Lake, Pine County</u>                        |                          |
| 5.29 | <u>(c) Hartley, Saint Louis County</u>                    |                          |
| 5.30 | <u>(d) King's Mill, Rice County</u>                       |                          |
| 5.31 | <u>(e) Lake Bronson, Kittson County</u>                   |                          |
| 5.32 | <u>(f) Luverne, Rock County</u>                           |                          |

6.1 (g) Windom, Cottonwood County

6.2 Notwithstanding Minnesota Statutes, section  
6.3 16A.69, subdivision 2, upon the award of  
6.4 final contracts for the completion of a project  
6.5 listed in this subdivision, the commissioner  
6.6 may transfer the unencumbered balance  
6.7 in the project account to any other dam  
6.8 renovation or removal project on the  
6.9 commissioner's priority list.

6.10 Subd. 7. **Water Control Structures** 1,000,000

6.11 To rehabilitate or replace water control  
6.12 structures used to manage shallow lakes and  
6.13 wetlands for waterfowl habitat on wildlife  
6.14 management areas under Minnesota Statutes,  
6.15 section 86A.05, subdivision 8.

6.16 Subd. 8. **Groundwater Monitoring Wells** 750,000

6.17 To install new groundwater level monitoring  
6.18 wells to monitor and assess groundwater for  
6.19 water supply planning, including ten to 15  
6.20 wells in the metropolitan and adjoining areas  
6.21 and several new monitoring wells in the  
6.22 south central regions of the state to monitor  
6.23 the Mt. Simon aquifer. This appropriation  
6.24 may also be used to seal existing monitoring  
6.25 wells that are no longer functional. Of this  
6.26 appropriation, \$250,000 is from the natural  
6.27 resources fund in fiscal year 2009.

6.28 Subd. 9. **Mississippi River Aquatic Invasive**  
6.29 **Species Barrier** 500,000

6.30 To predesign and design an adequate barrier  
6.31 in the Mississippi River in order to prevent  
6.32 aquatic invasive species from migrating  
6.33 upriver. This money may be used by the  
6.34 commissioner to match available federal  
6.35 dollars and dollars from other states. The

|      |                                                           |                         |
|------|-----------------------------------------------------------|-------------------------|
| 7.1  | <u>commissioner must inform and work with</u>             |                         |
| 7.2  | <u>affected federal and state agencies and local</u>      |                         |
| 7.3  | <u>communities along the Mississippi River</u>            |                         |
| 7.4  | <u>before construction of a river barrier.</u>            |                         |
| 7.5  | <b><u>Subd. 10. Stream Protection and Restoration</u></b> | <b><u>2,000,000</u></b> |
| 7.6  | <u>For the design and construction of stream</u>          |                         |
| 7.7  | <u>protection and restoration projects that</u>           |                         |
| 7.8  | <u>concentrate on downstream flooding</u>                 |                         |
| 7.9  | <u>protection. One-half of this appropriation</u>         |                         |
| 7.10 | <u>is for projects within the seven-county</u>            |                         |
| 7.11 | <u>metropolitan area and one-half is for projects</u>     |                         |
| 7.12 | <u>outside of the seven-county metropolitan</u>           |                         |
| 7.13 | <u>area.</u>                                              |                         |
| 7.14 | <b><u>Subd. 11. Shoreline and Critical Aquatic</u></b>    |                         |
| 7.15 | <b><u>Habitat Acquisition</u></b>                         | <b><u>1,000,000</u></b> |
| 7.16 | <u>To acquire land that is critical for fish</u>          |                         |
| 7.17 | <u>and other aquatic life under Minnesota</u>             |                         |
| 7.18 | <u>Statutes, section 86A.05, and to make</u>              |                         |
| 7.19 | <u>public improvements and betterments of a</u>           |                         |
| 7.20 | <u>capital nature to aquatic management areas</u>         |                         |
| 7.21 | <u>established under Minnesota Statutes, section</u>      |                         |
| 7.22 | <u>86A.05, subdivision 14.</u>                            |                         |
| 7.23 | <b><u>Subd. 12. Fish Hatchery Improvements</u></b>        | <b><u>2,000,000</u></b> |
| 7.24 | <u>For improvements of a capital nature to</u>            |                         |
| 7.25 | <u>create ponds and renovate fish culture</u>             |                         |
| 7.26 | <u>facilities at hatcheries owned by the state</u>        |                         |
| 7.27 | <u>and operated by the commissioner of</u>                |                         |
| 7.28 | <u>natural resources under Minnesota Statutes,</u>        |                         |
| 7.29 | <u>section 97A.045, subdivision 1, except those</u>       |                         |
| 7.30 | <u>operated in wetlands.</u>                              |                         |
| 7.31 | <b><u>Subd. 13. Water Access Acquisition</u></b>          | <b><u>650,000</u></b>   |
| 7.32 | <u>For public water access acquisition,</u>               |                         |
| 7.33 | <u>construction, and renovation projects of a</u>         |                         |
| 7.34 | <u>capital nature on lakes and rivers, including</u>      |                         |

|      |                                                             |                  |
|------|-------------------------------------------------------------|------------------|
| 8.1  | <u>water access through the provision of fishing</u>        |                  |
| 8.2  | <u>piers and shoreline access under Minnesota</u>           |                  |
| 8.3  | <u>Statutes, section 86A.05, subdivision 9.</u>             |                  |
| 8.4  | <b><u>Subd. 14. State Fair Fish Habitat Educational</u></b> |                  |
| 8.5  | <b><u>Display</u></b>                                       | <u>800,000</u>   |
| 8.6  | <u>To design, construct, furnish, and equip the</u>         |                  |
| 8.7  | <u>renovation of the fish habitat educational</u>           |                  |
| 8.8  | <u>display at the Minnesota State Fair.</u>                 |                  |
| 8.9  | <b><u>Subd. 15. Native Prairie Bank Acquisition and</u></b> |                  |
| 8.10 | <b><u>Development</u></b>                                   | <u>5,000,000</u> |
| 8.11 | <u>To acquire tracts of native prairie bank lands</u>       |                  |
| 8.12 | <u>under Minnesota Statutes, section 84.96, and</u>         |                  |
| 8.13 | <u>to develop and restore certain tracts of prairie</u>     |                  |
| 8.14 | <u>bank lands. Prairie restorations, funded</u>             |                  |
| 8.15 | <u>in whole or in part with funds from this</u>             |                  |
| 8.16 | <u>appropriation, must use native prairie species</u>       |                  |
| 8.17 | <u>of a local ecotype as defined in Minnesota</u>           |                  |
| 8.18 | <u>Statutes, section 84.02, subdivision 6.</u>              |                  |
| 8.19 | <b><u>Subd. 16. Scientific and Natural Area</u></b>         |                  |
| 8.20 | <b><u>Acquisition and Development</u></b>                   | <u>1,000,000</u> |
| 8.21 | <u>To acquire land for scientific and natural</u>           |                  |
| 8.22 | <u>areas and for protection and improvements of</u>         |                  |
| 8.23 | <u>a capital nature to scientific and natural areas</u>     |                  |
| 8.24 | <u>under Minnesota Statutes, sections 84.033</u>            |                  |
| 8.25 | <u>and 86A.05, subdivision 5.</u>                           |                  |
| 8.26 | <u>This appropriation includes money for the</u>            |                  |
| 8.27 | <u>following projects:</u>                                  |                  |
| 8.28 | <u>(a) Avon Hills Forest SNA additions in</u>               |                  |
| 8.29 | <u>Stearns County</u>                                       |                  |
| 8.30 | <u>(b) Big Woods of Cottonwood River in Lyon</u>            |                  |
| 8.31 | <u>County</u>                                               |                  |
| 8.32 | <u>(c) Clinton Falls Dwarf Trout Lily site in</u>           |                  |
| 8.33 | <u>Steele County</u>                                        |                  |



9.1 (d) Cooks Lake Forest in Otter Tail and  
9.2 Becker Counties

9.3 (e) Des Moines R forest-prairie complex in  
9.4 Jackson County

9.5 (f) Franconia Bluffs in Chisago County

9.6 (g) Hovland Woods SNA addition in Cook  
9.7 County

9.8 (h) Lester Lake Forest in Hubbard County

9.9 (i) Morton Outcrops in Renville County

9.10 (j) Nopeming Unconformity in Saint Louis  
9.11 County

9.12 (k) Pine Bend Bluffs SNA addition in Dakota  
9.13 County

9.14 (l) Wycoff Balsam Fir SNA addition in  
9.15 Fillmore County

9.16 Subd. 17. **Wildlife Area Acquisition and**  
9.17 **Improvement**

14,000,000

9.18 To acquire land in fee for wildlife  
9.19 management area purposes and for  
9.20 improvements of a capital nature to develop,  
9.21 protect, or improve habitat and facilities on  
9.22 wildlife management areas under Minnesota  
9.23 Statutes, section 86A.05, subdivision 8. At  
9.24 least five percent of this appropriation must  
9.25 be used for restoration of existing wildlife  
9.26 management areas. Twenty percent of this  
9.27 appropriation is for restoration on land  
9.28 acquired with this appropriation. Twenty  
9.29 percent of this appropriation is for acquisition  
9.30 of land in the seven-county metro area.  
9.31 Prairie restorations, funded in whole or in  
9.32 part with funds from this appropriation, must  
9.33 use native prairie species of a local ecotype  
9.34 as defined in Minnesota Statutes, section

|       |                                                         |                         |
|-------|---------------------------------------------------------|-------------------------|
| 10.1  | <u>84.02, subdivision 6. The commissioner</u>           |                         |
| 10.2  | <u>shall submit a plan to the legislature and the</u>   |                         |
| 10.3  | <u>chairs of the house and senate committees</u>        |                         |
| 10.4  | <u>with jurisdiction over the environment</u>           |                         |
| 10.5  | <u>and natural resources on the management</u>          |                         |
| 10.6  | <u>of native prairie lands and harvesting of</u>        |                         |
| 10.7  | <u>native prairie vegetation for use for energy</u>     |                         |
| 10.8  | <u>production in a manner that does not devalue</u>     |                         |
| 10.9  | <u>the natural habitat, water quality benefits, or</u>  |                         |
| 10.10 | <u>carbon sequestration functions.</u>                  |                         |
| 10.11 | <b><u>Subd. 18. RIM Critical Habitat Match</u></b>      | <b><u>3,000,000</u></b> |
| 10.12 | <u>To provide the state match for the critical</u>      |                         |
| 10.13 | <u>habitat private sector matching account under</u>    |                         |
| 10.14 | <u>Minnesota Statutes, section 84.943.</u>              |                         |
| 10.15 | <b><u>Subd. 19. Forest Roads and Bridges</u></b>        | <b><u>1,000,000</u></b> |
| 10.16 | <u>For reconstruction, resurfacing, replacement,</u>    |                         |
| 10.17 | <u>and construction of state forest roads and</u>       |                         |
| 10.18 | <u>bridges under Minnesota Statutes, section</u>        |                         |
| 10.19 | <u>89.002.</u>                                          |                         |
| 10.20 | <b><u>Subd. 20. State Forest Land Reforestation</u></b> | <b><u>6,000,000</u></b> |
| 10.21 | <u>To increase reforestation activities to meet</u>     |                         |
| 10.22 | <u>the reforestation requirements of Minnesota</u>      |                         |
| 10.23 | <u>Statutes, section 89.002, subdivision 2,</u>         |                         |
| 10.24 | <u>including planting, seeding, site preparation,</u>   |                         |
| 10.25 | <u>and purchasing native seeds and native</u>           |                         |
| 10.26 | <u>seedlings.</u>                                       |                         |
| 10.27 | <b><u>Subd. 21. Big Bog State Recreation Area</u></b>   | <b><u>1,600,000</u></b> |
| 10.28 | <u>For improvements at the Big Bog State</u>            |                         |
| 10.29 | <u>Recreation Area, including upgrades to the</u>       |                         |
| 10.30 | <u>contact station and forest restoration.</u>          |                         |
| 10.31 | <b><u>Subd. 22. Cuyuna Country State Recreation</u></b> |                         |
| 10.32 | <b><u>Area</u></b>                                      | <b><u>125,000</u></b>   |
| 10.33 | <u>To construct a new access road, rustic</u>           |                         |
| 10.34 | <u>campground, and support facilities for</u>           |                         |

|       |                                                        |                   |
|-------|--------------------------------------------------------|-------------------|
| 11.1  | <u>biking and scuba activities and for other</u>       |                   |
| 11.2  | <u>improvements of a capital nature at the</u>         |                   |
| 11.3  | <u>Cuyuna Country State Recreation Area.</u>           |                   |
| 11.4  | <b><u>Subd. 23. State Park and Recreation Area</u></b> |                   |
| 11.5  | <b><u>Facility Improvements</u></b>                    | <u>8,000,000</u>  |
| 11.6  | <u>For projects within state parks established</u>     |                   |
| 11.7  | <u>under Minnesota Statutes, section 85.012,</u>       |                   |
| 11.8  | <u>and state recreation areas established under</u>    |                   |
| 11.9  | <u>Minnesota Statutes, section 85.013, contained</u>   |                   |
| 11.10 | <u>in the Department of Natural Resources,</u>         |                   |
| 11.11 | <u>Division of Parks and Recreation's ten-year</u>     |                   |
| 11.12 | <u>project list for the first biennium "New and</u>    |                   |
| 11.13 | <u>Deferred Maintenance Bondable Projects"</u>         |                   |
| 11.14 | <u>dated January 24, 2008. This appropriation</u>      |                   |
| 11.15 | <u>includes money for Afton, Bear Head Lake,</u>       |                   |
| 11.16 | <u>Beaver Creek Valley, Big Stone Lake, Blue</u>       |                   |
| 11.17 | <u>Mounds, Buffalo River, Camden, Cascade</u>          |                   |
| 11.18 | <u>River, Cuyuna Country State Recreation</u>          |                   |
| 11.19 | <u>Area, Flandrau, Forestville Mystery Cave,</u>       |                   |
| 11.20 | <u>Fort Ridgely, Frontenac, George Crosby</u>          |                   |
| 11.21 | <u>Manitou, Glendalough, Great River Bluffs,</u>       |                   |
| 11.22 | <u>Itasca, Judge Magney, Kilen Woods,</u>              |                   |
| 11.23 | <u>Lake Bemidji, Lake Carlos, Lake Louise,</u>         |                   |
| 11.24 | <u>Maplewood, Mille Lacs Kathio, Sakatah,</u>          |                   |
| 11.25 | <u>Savanna Portage, Sibley, Soudan Mine,</u>           |                   |
| 11.26 | <u>Split Rock Creek, Split Rock Lighthouse,</u>        |                   |
| 11.27 | <u>Temperance River, Tettegouche, Upper Sioux</u>      |                   |
| 11.28 | <u>Agency, Whitewater, and William O'Brien</u>         |                   |
| 11.29 | <u>State Parks and deciduous forest restoration</u>    |                   |
| 11.30 | <u>in region 3. The commissioner shall</u>             |                   |
| 11.31 | <u>determine project priorities as appropriate,</u>    |                   |
| 11.32 | <u>based on need.</u>                                  |                   |
| 11.33 | <b><u>Subd. 24. State Park Rehabilitation and</u></b>  |                   |
| 11.34 | <b><u>Development</u></b>                              | <u>12,000,000</u> |
| 11.35 | <u>For deferred maintenance including</u>              |                   |
| 11.36 | <u>infrastructure rehabilitation and the</u>           |                   |

|       |                                                          |                   |
|-------|----------------------------------------------------------|-------------------|
| 12.1  | <u>renovation and development of facilities</u>          |                   |
| 12.2  | <u>within state parks established under</u>              |                   |
| 12.3  | <u>Minnesota Statutes, section 85.012,</u>               |                   |
| 12.4  | <u>contained in the Department of Natural</u>            |                   |
| 12.5  | <u>Resources, Division of Parks and Recreation's</u>     |                   |
| 12.6  | <u>ten-year project list for the first biennium</u>      |                   |
| 12.7  | <u>"New and Deferred Maintenance Bondable</u>            |                   |
| 12.8  | <u>Projects" dated January 24, 2008. This</u>            |                   |
| 12.9  | <u>appropriation includes money for Afton,</u>           |                   |
| 12.10 | <u>Banning, Bear Head Lake, Beaver Creek</u>             |                   |
| 12.11 | <u>Valley, Big Stone Lake, Blue Mounds,</u>              |                   |
| 12.12 | <u>Camden, Crow Wing, Flandrau, Forestville</u>          |                   |
| 12.13 | <u>Mystery Cave, Fort Ridgely, Fort Snelling,</u>        |                   |
| 12.14 | <u>Frontenac, Glacial Lakes, Glendalough,</u>            |                   |
| 12.15 | <u>Gooseberry Falls, Hayes Lake, Hill Annex,</u>         |                   |
| 12.16 | <u>Itasca, Jay Cooke, Judge Magney, Lake</u>             |                   |
| 12.17 | <u>Bemidji, Lake Bronson, Lake Carlos,</u>               |                   |
| 12.18 | <u>Lake Louise, Lake Maria, Lake Shetek,</u>             |                   |
| 12.19 | <u>Maplewood, McCarthy Beach, Minneopa,</u>              |                   |
| 12.20 | <u>Moose Lake, Myre-Big Island, Nerstrand,</u>           |                   |
| 12.21 | <u>Old Mill, Rice Lake, Sakatah, Savanna</u>             |                   |
| 12.22 | <u>Portage, Scenic, Sibley, Soudan Mine, Split</u>       |                   |
| 12.23 | <u>Rock Lighthouse, St. Croix, Temperance</u>            |                   |
| 12.24 | <u>River, Tettegouche, Upper Sioux Agency,</u>           |                   |
| 12.25 | <u>Wild River, and William O'Brien State Parks.</u>      |                   |
| 12.26 | <u>The commissioner shall determine project</u>          |                   |
| 12.27 | <u>priorities as appropriate, based on need.</u>         |                   |
| 12.28 | <b>Subd. 25. <u>Lake Vermilion State Park</u></b>        |                   |
| 12.29 | <b><u>Acquisition and Development</u></b>                | <u>17,500,000</u> |
| 12.30 | <u>To acquire land for Lake Vermilion State</u>          |                   |
| 12.31 | <u>Park and to predesign, design, construct, and</u>     |                   |
| 12.32 | <u>furnish park facilities for the development</u>       |                   |
| 12.33 | <u>of the park.</u>                                      |                   |
| 12.34 | <b>Subd. 26. <u>Green Leaf State Recreation Area</u></b> | <u>1,000,000</u>  |

|       |                                                           |                   |
|-------|-----------------------------------------------------------|-------------------|
| 13.1  | <u>To acquire land for Green Leaf State</u>               |                   |
| 13.2  | <u>Recreation Area authorized under Minnesota</u>         |                   |
| 13.3  | <u>Statutes, section 85.013, subdivision 11b.</u>         |                   |
| 13.4  | <b><u>Subd. 27. State Park Prairie Reconstruction</u></b> |                   |
| 13.5  | <b><u>and Forest Restoration Projects</u></b>             | <u>545,000</u>    |
| 13.6  | <u>\$290,000 is for prairie and savanna</u>               |                   |
| 13.7  | <u>reconstruction projects at the following state</u>     |                   |
| 13.8  | <u>parks: Big Stone, Blue Mounds, Camden,</u>             |                   |
| 13.9  | <u>Crow Wing, Frontenac, Glacial Lakes,</u>               |                   |
| 13.10 | <u>Maplewood, Split Rock Creek, Upper Sioux,</u>          |                   |
| 13.11 | <u>and William O'Brien.</u>                               |                   |
| 13.12 | <u>\$255,000 is for forest restoration projects</u>       |                   |
| 13.13 | <u>at the following state parks: Itasca, Lake</u>         |                   |
| 13.14 | <u>Bemidji, Nerstrand, and St. Croix.</u>                 |                   |
| 13.15 | <u>Prairie restorations, funded in whole or in</u>        |                   |
| 13.16 | <u>part with funds from this appropriation,</u>           |                   |
| 13.17 | <u>must include planting native prairie species</u>       |                   |
| 13.18 | <u>of a local ecotype as defined in Minnesota</u>         |                   |
| 13.19 | <u>Statutes, section 84.02, subdivision 6.</u>            |                   |
| 13.20 | <b><u>Subd. 28. Regional and Local Park Grants</u></b>    | <u>14,642,000</u> |
| 13.21 | <u>\$492,000 is for a grant to the Central</u>            |                   |
| 13.22 | <u>Minnesota Regional Parks and Trails</u>                |                   |
| 13.23 | <u>Coordination Board to acquire 23 acres of</u>          |                   |
| 13.24 | <u>land adjacent to Warner Lake Park in Stearns</u>       |                   |
| 13.25 | <u>County.</u>                                            |                   |
| 13.26 | <u>\$1,400,000 is for a grant to Chisago City</u>         |                   |
| 13.27 | <u>to acquire land for the creation of Ojiketa</u>        |                   |
| 13.28 | <u>Regional Park in Chisago County.</u>                   |                   |
| 13.29 | <u>\$4,000,000 is for a grant to the city of Sartell</u>  |                   |
| 13.30 | <u>to acquire 68 acres of land located along</u>          |                   |
| 13.31 | <u>the Sauk River near the confluence of the</u>          |                   |
| 13.32 | <u>Mississippi to serve as part of the Central</u>        |                   |
| 13.33 | <u>Minnesota Regional Parks and Trails.</u>               |                   |

- 14.1 \$750,000 is for a grant to Stearns County  
14.2 to purchase land for Kraemer Lake Park  
14.3 under Minnesota Statutes, section 85.019,  
14.4 subdivision 2.
- 14.5 \$8,000,000 is for a grant to Wright County  
14.6 to acquire land for Bertram Chain of  
14.7 Lakes Regional Park, under Minnesota  
14.8 Statutes, section 85.019, subdivision 2. This  
14.9 appropriation is not available unless an  
14.10 easement is placed on the land keeping the  
14.11 land as a park in perpetuity.
- 14.12 Subd. 29. State Trail Acquisition and  
14.13 Development 13,520,000
- 14.14 To acquire land for and to construct and  
14.15 renovate state trails under Minnesota  
14.16 Statutes, section 85.015.
- 14.17 \$970,000 is for the Chester Woods Trail from  
14.18 Rochester to Dover.
- 14.19 \$750,000 is for the Gateway Trail bridge.
- 14.20 \$1,600,000 is for the Gitchi-Gami Trail.
- 14.21 \$1,200,000 is for the Great River Ridge Trail.
- 14.22 \$500,000 is for the Heartland Trail.
- 14.23 \$150,000 is for the Mill Towns Trail in  
14.24 Faribault.
- 14.25 \$500,000 is for the Mill Towns Trail from  
14.26 Lake Byllesby Park to Cannon Falls.
- 14.27 \$1,500,000 is for the Minnesota River Trail  
14.28 from Appleton to Milan.
- 14.29 \$2,000,000 is for the Paul Bunyan Trail from  
14.30 Walker to Guthrie.
- 14.31 \$100,000 is for the Root River Trail, the  
14.32 eastern extension.

15.1 \$250,000 is for the Root River Trail, the  
15.2 eastern extension Wagon Wheel.

15.3 \$4,000,000 is for the rehabilitation of state  
15.4 trails.

15.5 For any project listed in this subdivision that  
15.6 the commissioner determines is not ready  
15.7 to proceed, the commissioner may allocate  
15.8 that project's money to another state trail  
15.9 project identified in this subdivision. The  
15.10 chairs of the house and senate committees  
15.11 with jurisdiction over the environment and  
15.12 natural resources and legislators from the  
15.13 affected legislative districts must be notified  
15.14 of any changes.

15.15 **Subd. 30. Regional and Local Trails Grants** 5,480,000

15.16 \$2,183,000 is for a grant to Anoka County as  
15.17 the local share to match federal funds for the  
15.18 Rice Creek North Regional Trail from Rice  
15.19 Creek Chain of Lakes Park Reserve in Lino  
15.20 Lakes to the Ramsey County trail system in  
15.21 Shoreview.

15.22 \$225,000 is for a grant to Clara City to design  
15.23 and construct a walking path in Clara City.

15.24 \$500,000 is for a grant to the city of Coon  
15.25 Rapids to predesign, design, and construct  
15.26 a bicycle and pedestrian trail connecting  
15.27 the city of Fridley bicycle and pedestrian  
15.28 trail along 85th Avenue to the Mississippi  
15.29 Regional Trail Corridor in the city of Coon  
15.30 Rapids.

15.31 \$2,000,000 is for a grant to the city of  
15.32 Minneapolis to purchase, install, and  
15.33 replace lighting fixtures along the Grand  
15.34 Rounds. This appropriation may also

16.1 be used to improve the roadway of the  
16.2 Grand Rounds. Any outdoor lighting  
16.3 fixtures installed, replaced, maintained, or  
16.4 operated with these funds must be a full  
16.5 cutoff luminaire, as defined in Minnesota  
16.6 Statutes, section 16B.328, subdivision 1,  
16.7 if the rated output of the outdoor lighting  
16.8 fixture is greater than 1,800 lumens, and  
16.9 be the minimum illuminance adequate for  
16.10 the intended purpose with consideration  
16.11 given to nationally recognized standards.  
16.12 Full consideration must be given to energy  
16.13 conservation and savings, reduction of  
16.14 glare, minimization of light pollution, and  
16.15 preservation of the natural night environment.

16.16 \$100,000 is for a grant to the city of Inver  
16.17 Grove Heights for the Mississippi River  
16.18 Bridge 5600 between Inver Grove Heights  
16.19 and St. Paul Park.

16.20 \$100,000 is for a grant to the city of Mora  
16.21 for construction of pedestrian and bicycle  
16.22 trails, bridge restoration and renovation, and  
16.23 other improvements of a capital nature for  
16.24 the Spring Lake Trail, located in the city of  
16.25 Mora.

16.26 \$372,000 is for a grant to the city of Rockville  
16.27 to design and construct the Rocori Trail from  
16.28 Richmond through Cold Spring to Rockville,  
16.29 connecting with the Glacial Lakes Trail, the  
16.30 Beaver Island Trail, and the Lake Wobegon  
16.31 Trail.

16.32 For any project listed in this subdivision that  
16.33 the commissioner determines is not ready  
16.34 to proceed, the commissioner may allocate  
16.35 that project's money to another state trail



|       |                                                             |                         |
|-------|-------------------------------------------------------------|-------------------------|
| 17.1  | <u>project identified in this subdivision. The</u>          |                         |
| 17.2  | <u>chairs of the house and senate committees</u>            |                         |
| 17.3  | <u>with jurisdiction over the environment and</u>           |                         |
| 17.4  | <u>natural resources and legislators from the</u>           |                         |
| 17.5  | <u>affected legislative districts must be notified</u>      |                         |
| 17.6  | <u>of any changes.</u>                                      |                         |
| 17.7  | <b><u>Subd. 31. Old Cedar Avenue Bridge</u></b>             | <b><u>2,000,000</u></b> |
| 17.8  | <u>For a grant to the city of Bloomington</u>               |                         |
| 17.9  | <u>to renovate the old Cedar Avenue bridge</u>              |                         |
| 17.10 | <u>to serve as a hiking and bicycling trail</u>             |                         |
| 17.11 | <u>connection.</u>                                          |                         |
| 17.12 | <b><u>Subd. 32. Fort Snelling Upper Bluff Emergency</u></b> |                         |
| 17.13 | <b><u>Building Stabilization</u></b>                        | <b><u>500,000</u></b>   |
| 17.14 | <u>For a grant to Hennepin County to conduct</u>            |                         |
| 17.15 | <u>emergency building stabilization at Fort</u>             |                         |
| 17.16 | <u>Snelling Upper Bluff. This appropriation</u>             |                         |
| 17.17 | <u>is not available until the commissioner of</u>           |                         |
| 17.18 | <u>finance has determined that Hennepin County</u>          |                         |
| 17.19 | <u>has entered into appropriate agreements to</u>           |                         |
| 17.20 | <u>use Sentence to Serve labor for the project</u>          |                         |
| 17.21 | <u>that will train the Sentence to Serve laborers</u>       |                         |
| 17.22 | <u>in the skills needed for the work.</u>                   |                         |
| 17.23 | <b><u>Subd. 33. Bell Museum Landscaping</u></b>             | <b><u>4,000,000</u></b> |
| 17.24 | <u>To design and construct an environmental</u>             |                         |
| 17.25 | <u>landscape at the new Bell Museum of Natural</u>          |                         |
| 17.26 | <u>History.</u>                                             |                         |
| 17.27 | <b><u>Subd. 34. Diseased Shade Tree Removal and</u></b>     |                         |
| 17.28 | <b><u>Replacement</u></b>                                   | <b><u>1,500,000</u></b> |
| 17.29 | <u>For grants to cities, counties, townships, and</u>       |                         |
| 17.30 | <u>park and recreation boards in cities of the</u>          |                         |
| 17.31 | <u>first class for the identification, removal,</u>         |                         |
| 17.32 | <u>disposal, and replacement of dead or dying</u>           |                         |
| 17.33 | <u>shade trees lost to forest pests or disease.</u>         |                         |
| 17.34 | <u>For purposes of this appropriation, "shade</u>           |                         |
| 17.35 | <u>tree" means a woody perennial grown</u>                  |                         |

|       |                                                       |           |                   |
|-------|-------------------------------------------------------|-----------|-------------------|
| 18.1  | <u>primarily for aesthetic or environmental</u>       |           |                   |
| 18.2  | <u>purposes with minimal to residual timber</u>       |           |                   |
| 18.3  | <u>value. The commissioner shall consult</u>          |           |                   |
| 18.4  | <u>with municipalities, park and recreation</u>       |           |                   |
| 18.5  | <u>boards in cities of the first class, nonprofit</u> |           |                   |
| 18.6  | <u>organizations, and other interested parties in</u> |           |                   |
| 18.7  | <u>developing eligibility criteria.</u>               |           |                   |
| 18.8  | <u>Subd. 35. Lake Zumbro</u>                          |           | <u>175,000</u>    |
| 18.9  | <u>For a grant to Olmsted and Wabasha Counties</u>    |           |                   |
| 18.10 | <u>to design and engineer the restoration of</u>      |           |                   |
| 18.11 | <u>Lake Zumbro. The design must include</u>           |           |                   |
| 18.12 | <u>public access.</u>                                 |           |                   |
| 18.13 | <u>Subd. 36. Red River Basin Digital Elevation</u>    |           |                   |
| 18.14 | <u>Model</u>                                          |           | <u>600,000</u>    |
| 18.15 | <u>To develop and implement a high-resolution</u>     |           |                   |
| 18.16 | <u>digital elevation model for the Red River</u>      |           |                   |
| 18.17 | <u>basin. This appropriation is from the general</u>  |           |                   |
| 18.18 | <u>fund.</u>                                          |           |                   |
| 18.19 | <u>Sec. 3. POLLUTION CONTROL AGENCY</u>               |           |                   |
| 18.20 | <u>Subdivision 1. Total Appropriation</u>             | <u>\$</u> | <u>16,500,000</u> |
| 18.21 | <u>To the Pollution Control Agency for the</u>        |           |                   |
| 18.22 | <u>purposes specified in this section.</u>            |           |                   |
| 18.23 | <u>Subd. 2. Closed Landfill Program</u>               |           | <u>9,000,000</u>  |
| 18.24 | <u>To design and construct remedial systems</u>       |           |                   |
| 18.25 | <u>and acquire land at landfills throughout the</u>   |           |                   |
| 18.26 | <u>state in accordance with the closed landfill</u>   |           |                   |
| 18.27 | <u>program under Minnesota Statutes, sections</u>     |           |                   |
| 18.28 | <u>115B.39 to 115B.42. \$600,000 is for the</u>       |           |                   |
| 18.29 | <u>Mille Lacs Landfill. None of these funds</u>       |           |                   |
| 18.30 | <u>may be spent on the Washington County</u>          |           |                   |
| 18.31 | <u>landfill until a mutual agreement regarding</u>    |           |                   |
| 18.32 | <u>the cleanup is made between the agency and</u>     |           |                   |
| 18.33 | <u>the city of Lake Elmo.</u>                         |           |                   |

|       |                                                      |                      |
|-------|------------------------------------------------------|----------------------|
| 19.1  | <u>Subd. 3. Remedial Systems; Albert Lea</u>         | <u>2,500,000</u>     |
| 19.2  | <u>To design and construct remedial systems at</u>   |                      |
| 19.3  | <u>the Albert Lea Landfill, including relocating</u> |                      |
| 19.4  | <u>and incorporating waste from the former</u>       |                      |
| 19.5  | <u>Albert Lea Dump owned by the city of Albert</u>   |                      |
| 19.6  | <u>Lea pursuant to Minnesota Statutes, section</u>   |                      |
| 19.7  | <u>115B.403, which action may be taken by the</u>    |                      |
| 19.8  | <u>Pollution Control Agency notwithstanding</u>      |                      |
| 19.9  | <u>the provisions of Minnesota Statutes, section</u> |                      |
| 19.10 | <u>115B.403, paragraphs (a) and (b).</u>             |                      |
| 19.11 | <u>Subd. 4. Beneficial Reuse of Wastewater Grant</u> |                      |
| 19.12 | <u>Program</u>                                       | <u>5,000,000</u>     |
| 19.13 | <u>For grants to political subdivisions for up</u>   |                      |
| 19.14 | <u>to 50 percent of the costs to predesign and</u>   |                      |
| 19.15 | <u>design capital projects that demonstrate the</u>  |                      |
| 19.16 | <u>beneficial use of wastewater under Minnesota</u>  |                      |
| 19.17 | <u>Statutes, section 116.195.</u>                    |                      |
| 19.18 | <u>Sec. 4. BOARD OF WATER AND SOIL</u>               |                      |
| 19.19 | <u>RESOURCES</u>                                     |                      |
| 19.20 | <u>Subdivision 1. Total Appropriation</u>            | <u>\$ 48,000,000</u> |
| 19.21 | <u>To the Board of Water and Soil Resources</u>      |                      |
| 19.22 | <u>for the purposes specified in this section.</u>   |                      |
| 19.23 | <u>The board must record in a central location</u>   |                      |
| 19.24 | <u>each project, funded in whole or in part</u>      |                      |
| 19.25 | <u>with funds from this appropriation, that is</u>   |                      |
| 19.26 | <u>expected to have carbon sequestration value</u>   |                      |
| 19.27 | <u>in anticipation of guidelines written by an</u>   |                      |
| 19.28 | <u>interagency committee in conjunction with</u>     |                      |
| 19.29 | <u>the University of Minnesota for assessing</u>     |                      |
| 19.30 | <u>changes in carbon budgets resulting from</u>      |                      |
| 19.31 | <u>bonded restoration projects, including</u>        |                      |
| 19.32 | <u>identification of relevant carbon pools, time</u> |                      |
| 19.33 | <u>frames, and measurement protocols.</u>            |                      |

20.1 To the extent possible, prairie restorations,  
20.2 funded in whole or in part with funds from  
20.3 this appropriation, must be made using best  
20.4 management practices for native prairie  
20.5 restoration as defined under Minnesota  
20.6 Statutes, section 84.02, subdivision 2.

20.7 Subd. 2. **RIM Reserve Program** 42,000,000

20.8 To acquire conservation easements from  
20.9 landowners to preserve, restore, and enhance  
20.10 wetlands, riparian lands, and associated  
20.11 uplands in order to protect soil and water  
20.12 quality, support fish and wildlife habitat,  
20.13 and other public benefits. The provisions of  
20.14 Minnesota Statutes, section 103F.515, apply  
20.15 to this appropriation, except that the board  
20.16 may establish alternative payment rates for  
20.17 easements and practices to establish restored  
20.18 native prairies, as defined in Minnesota  
20.19 Statutes, section 84.02, subdivision 7, and  
20.20 to protect uplands. Of this appropriation, up  
20.21 to ten percent may be used to administer the  
20.22 program.

20.23 \$2,400,000 of this amount is to be available  
20.24 for use in the area designated for relief and  
20.25 recovery from the flooding that occurred  
20.26 on or after August 18, 2007, in the area  
20.27 of Southeast Minnesota designated under  
20.28 Presidential Declaration of Major Disaster,  
20.29 DR-1717. Funds previously appropriated and  
20.30 waivers previously authorized to the Board  
20.31 of Water and Soil Resources for DR-1717  
20.32 flood relief and recovery in Minnesota Laws  
20.33 2007, First Special Session chapter 2, are  
20.34 available and applicable until June 30, 2010.

21.1 The board is authorized to enter into and  
21.2 amend past agreements with landowners  
21.3 as required by Minnesota Statutes, section  
21.4 103F.515, subdivision 5, to allow for  
21.5 restoration, including overseeding and  
21.6 harvesting, of native prairie vegetation for  
21.7 use for energy production in a manner that  
21.8 does not devalue the natural habitat, water  
21.9 quality benefits, or carbon sequestration  
21.10 functions of the area enrolled in the easement.  
21.11 This shall occur after seed production and  
21.12 minimize impacts on wildlife. Of this  
21.13 appropriation, up to five percent may be used  
21.14 for restoration, including overseeding.

21.15 **Subd. 3. Wetland Replacement Due to Public**  
21.16 **Road Projects**

4,575,000

21.17 To acquire land for wetland restoration or  
21.18 preservation to replace wetlands drained or  
21.19 filled as a result of the repair or rehabilitation,  
21.20 reconstruction, or replacement of existing  
21.21 public roads as required by Minnesota  
21.22 Statutes, section 103G.222, subdivision 1,  
21.23 paragraphs (l) and (m). The provisions of  
21.24 Minnesota Statutes, section 103F.515, apply  
21.25 to this appropriation, except that the board  
21.26 may establish alternative payment rates for  
21.27 easements and practices to establish restored  
21.28 native prairies, as defined in Minnesota  
21.29 Statutes, section 84.02, subdivision 7, and to  
21.30 protect uplands. Up to ten percent may be  
21.31 used to administer the program.  
21.32 The purchase price paid for acquisition of  
21.33 land, in fee or perpetual easement, must  
21.34 be the fair market value as determined  
21.35 by the board. The board may enter into  
21.36 agreements with the federal government,

22.1 other state agencies, political subdivisions,  
22.2 and nonprofit organizations or fee owners to  
22.3 acquire land and restore and create wetlands  
22.4 or to acquire wetland banking credits.  
22.5 Acquisition of or the conveyance of land may  
22.6 be in the name of the political subdivision.

22.7 Subd. 4. **Clean Water Legacy** 1,425,000

22.8 \$1,425,000 is for improving water quality.

22.9 The board may expend this amount for the  
22.10 following purposes:

22.11 (1) \$800,000 for a grant to Kandiyohi  
22.12 County to acquire conservation easements,  
22.13 design and construct water control structures  
22.14 and pumping infrastructure, and plant  
22.15 native prairie species of a local ecotype as  
22.16 defined in Minnesota Statutes, section 84.02,  
22.17 subdivision 6, in order to restore the Grass  
22.18 Lake prairie wetland basins adjacent to the  
22.19 city of Willmar in Kandiyohi County. This  
22.20 amount must be matched one-to-one by  
22.21 funding from other sources;

22.22 (2) \$475,000 for a grant to the city of  
22.23 Gaylord to improve water quality in the Lake  
22.24 Titlow watershed. The funds may be used to  
22.25 predesign and design holding ponds upstream  
22.26 from Lake Titlow. The design must include  
22.27 the best location for the ponds, an estimate  
22.28 of the cost of land acquisition or easements,  
22.29 construction costs of the holding ponds, and  
22.30 the estimated expense of maintaining the  
22.31 structures and who will be responsible for  
22.32 the expense. The funds may also be used  
22.33 to construct and reconstruct storm water  
22.34 sewer drains and related facilities to divert  
22.35 water that currently drains into Lake Titlow

23.1 into holding ponds south of the city. The  
23.2 cost of reconstructing city streets as part of  
23.3 this diversion, and as outlined in the city of  
23.4 Gaylord's street improvement plan, is the  
23.5 responsibility of the city. This diversion  
23.6 will keep phosphorus and other chemicals  
23.7 from entering the lake, and will improve  
23.8 the water quality of Lake Titlow. The city  
23.9 must also coordinate with state and county  
23.10 conservation officials to ensure correct  
23.11 conservation practices and improvements in  
23.12 the watershed district. For the purposes of  
23.13 this appropriation, the criteria, limitations,  
23.14 and assessment requirements in Minnesota  
23.15 Statutes, sections 103D.701, 103D.705, and  
23.16 103D.901, are waived. The information  
23.17 gained from this project must be made  
23.18 available for public use. This appropriation  
23.19 is not available until the commissioner of  
23.20 finance determines that \$200,000 has been  
23.21 committed to the project from other sources;  
23.22 and  
23.23 (3) \$150,000 for a grant to the Lower  
23.24 Minnesota Watershed District to acquire land  
23.25 for and to design and construct improvements  
23.26 for dredge material site projects located  
23.27 within the district.

23.28 Sec. 5. **METROPOLITAN COUNCIL**

23.29 **Subdivision 1. Total Appropriation** **\$ 23,700,000**

23.30 To the Metropolitan Council for the purposes  
23.31 specified in this section.

23.32 The commissioner must record in a central  
23.33 location each project, funded in whole or  
23.34 in part with funds from this appropriation,  
23.35 that is expected to have carbon sequestration

|       |                                                            |                   |
|-------|------------------------------------------------------------|-------------------|
| 24.1  | <u>value in anticipation of guidelines written by</u>      |                   |
| 24.2  | <u>an interagency committee in conjunction with</u>        |                   |
| 24.3  | <u>the University of Minnesota for assessing</u>           |                   |
| 24.4  | <u>changes in carbon budgets resulting from</u>            |                   |
| 24.5  | <u>bonded restoration projects, including</u>              |                   |
| 24.6  | <u>identification of relevant carbon pools, time</u>       |                   |
| 24.7  | <u>frames, and measurement protocols.</u>                  |                   |
| 24.8  | <b><u>Subd. 2. Metropolitan Regional Parks Capital</u></b> |                   |
| 24.9  | <b><u>Improvements</u></b>                                 | <u>10,500,000</u> |
| 24.10 | <u>For the cost of improvements and betterments</u>        |                   |
| 24.11 | <u>of a capital nature and acquisition by the</u>          |                   |
| 24.12 | <u>council and local government units of</u>               |                   |
| 24.13 | <u>regional recreational open-space lands in</u>           |                   |
| 24.14 | <u>accordance with the council's policy plan</u>           |                   |
| 24.15 | <u>as provided in Minnesota Statutes, section</u>          |                   |
| 24.16 | <u>473.147. Priority must be given to park</u>             |                   |
| 24.17 | <u>rehabilitation and land acquisition projects.</u>       |                   |
| 24.18 | <u>These funds shall not be used for the</u>               |                   |
| 24.19 | <u>purchase of easements.</u>                              |                   |
| 24.20 | <b><u>Subd. 3. St. Paul National Great River Park</u></b>  | <u>6,000,000</u>  |
| 24.21 | <u>For a grant to the city of St. Paul to acquire</u>      |                   |
| 24.22 | <u>land for and to predesign, design, construct,</u>       |                   |
| 24.23 | <u>furnish, and equip river park development</u>           |                   |
| 24.24 | <u>and redevelopment infrastructure in National</u>        |                   |
| 24.25 | <u>Great River Park along the Mississippi River</u>        |                   |
| 24.26 | <u>in St. Paul. This appropriation is for the</u>          |                   |
| 24.27 | <u>first phase and future bond funds must be</u>           |                   |
| 24.28 | <u>matched.</u>                                            |                   |
| 24.29 | <b><u>Subd. 4. St. Paul National Great River Park</u></b>  |                   |
| 24.30 | <b><u>Upper Landing</u></b>                                | <u>3,800,000</u>  |
| 24.31 | <u>For a grant to the city of St. Paul to acquire</u>      |                   |
| 24.32 | <u>land for and to predesign, design, construct,</u>       |                   |
| 24.33 | <u>furnish, and equip river park development</u>           |                   |
| 24.34 | <u>and redevelopment infrastructure for the</u>            |                   |



|       |                                                          |                  |
|-------|----------------------------------------------------------|------------------|
| 25.1  | <u>National Great River Park in St. Paul,</u>            |                  |
| 25.2  | <u>including the Bruce Vento Nature Sanctuary.</u>       |                  |
| 25.3  | <b><u>Subd. 5. Springbrook Nature Center</u></b>         | <u>2,500,000</u> |
| 25.4  | <u>For a grant to the city of Fridley to predesign,</u>  |                  |
| 25.5  | <u>design, construct, furnish, and equip</u>             |                  |
| 25.6  | <u>the redevelopment and expansion of the</u>            |                  |
| 25.7  | <u>Springbrook Nature Center. No nonstate</u>            |                  |
| 25.8  | <u>match is required.</u>                                |                  |
| 25.9  | <b><u>Subd. 6. South St. Paul Span Arch Bridge</u></b>   | <u>500,000</u>   |
| 25.10 | <u>For a grant to the city of South St. Paul to</u>      |                  |
| 25.11 | <u>design and construct a span arch bridge under</u>     |                  |
| 25.12 | <u>19th Avenue to connect with the Dakota</u>            |                  |
| 25.13 | <u>County North Urban Regional Trail.</u>                |                  |
| 25.14 | <b><u>Subd. 7. Father Hennepin Regional Park</u></b>     | <u>400,000</u>   |
| 25.15 | <u>For a grant to the Minneapolis Park and</u>           |                  |
| 25.16 | <u>Recreation Board for repair, restoration, and</u>     |                  |
| 25.17 | <u>rehabilitation of trails, picnic areas, lighting,</u> |                  |
| 25.18 | <u>signage, and stairs and for bluff and slope</u>       |                  |
| 25.19 | <u>stabilization at Father Hennepin Regional</u>         |                  |
| 25.20 | <u>Park.</u>                                             |                  |

25.21       Sec. 6. Minnesota Statutes 2007 Supplement, section 103G.222, subdivision 1, is  
25.22 amended to read:

25.23           Subdivision 1. **Requirements.** (a) Wetlands must not be drained or filled, wholly  
25.24 or partially, unless replaced by restoring or creating wetland areas of at least equal  
25.25 public value under a replacement plan approved as provided in section 103G.2242, a  
25.26 replacement plan under a local governmental unit's comprehensive wetland protection  
25.27 and management plan approved by the board under section 103G.2243, or, if a permit to  
25.28 mine is required under section 93.481, under a mining reclamation plan approved by the  
25.29 commissioner under the permit to mine. Mining reclamation plans shall apply the same  
25.30 principles and standards for replacing wetlands by restoration or creation of wetland areas  
25.31 that are applicable to mitigation plans approved as provided in section 103G.2242. Public  
25.32 value must be determined in accordance with section 103B.3355 or a comprehensive  
25.33 wetland protection and management plan established under section 103G.2243. Sections

26.1 103G.221 to 103G.2372 also apply to excavation in permanently and semipermanently  
26.2 flooded areas of types 3, 4, and 5 wetlands.

26.3 (b) Replacement must be guided by the following principles in descending order  
26.4 of priority:

26.5 (1) avoiding the direct or indirect impact of the activity that may destroy or diminish  
26.6 the wetland;

26.7 (2) minimizing the impact by limiting the degree or magnitude of the wetland  
26.8 activity and its implementation;

26.9 (3) rectifying the impact by repairing, rehabilitating, or restoring the affected  
26.10 wetland environment;

26.11 (4) reducing or eliminating the impact over time by preservation and maintenance  
26.12 operations during the life of the activity;

26.13 (5) compensating for the impact by restoring a wetland; and

26.14 (6) compensating for the impact by replacing or providing substitute wetland  
26.15 resources or environments.

26.16 For a project involving the draining or filling of wetlands in an amount not exceeding  
26.17 10,000 square feet more than the applicable amount in section 103G.2241, subdivision 9,  
26.18 paragraph (a), the local government unit may make an on-site sequencing determination  
26.19 without a written alternatives analysis from the applicant.

26.20 (c) If a wetland is located in a cultivated field, then replacement must be  
26.21 accomplished through restoration only without regard to the priority order in paragraph  
26.22 (b), provided that a deed restriction is placed on the altered wetland prohibiting  
26.23 nonagricultural use for at least ten years.

26.24 (d) If a wetland is drained under section 103G.2241, subdivision 2, paragraphs  
26.25 (b) and (e), the local government unit may require a deed restriction that prohibits  
26.26 nonagricultural use for at least ten years unless the drained wetland is replaced as provided  
26.27 under this section. The local government unit may require the deed restriction if it  
26.28 determines the wetland area drained is at risk of conversion to a nonagricultural use within  
26.29 ten years based on the zoning classification, proximity to a municipality or full service  
26.30 road, or other criteria as determined by the local government unit.

26.31 (e) Restoration and replacement of wetlands must be accomplished in accordance  
26.32 with the ecology of the landscape area affected and ponds that are created primarily to  
26.33 fulfill stormwater management, and water quality treatment requirements may not be  
26.34 used to satisfy replacement requirements under this chapter unless the design includes  
26.35 pretreatment of runoff and the pond is functioning as a wetland.

(f) Except as provided in paragraph (g), for a wetland or public waters wetland located on nonagricultural land, replacement must be in the ratio of two acres of replaced wetland for each acre of drained or filled wetland.

(g) For a wetland or public waters wetland located on agricultural land or in a greater than 80 percent area, replacement must be in the ratio of one acre of replaced wetland for each acre of drained or filled wetland.

(h) Wetlands that are restored or created as a result of an approved replacement plan are subject to the provisions of this section for any subsequent drainage or filling.

(i) Except in a greater than 80 percent area, only wetlands that have been restored from previously drained or filled wetlands, wetlands created by excavation in nonwetlands, wetlands created by dikes or dams along public or private drainage ditches, or wetlands created by dikes or dams associated with the restoration of previously drained or filled wetlands may be used in a statewide banking program established in rules adopted under section 103G.2242, subdivision 1. Modification or conversion of nondegraded naturally occurring wetlands from one type to another are not eligible for enrollment in a statewide wetlands bank.

(j) The Technical Evaluation Panel established under section 103G.2242, subdivision 2, shall ensure that sufficient time has occurred for the wetland to develop wetland characteristics of soils, vegetation, and hydrology before recommending that the wetland be deposited in the statewide wetland bank. If the Technical Evaluation Panel has reason to believe that the wetland characteristics may change substantially, the panel shall postpone its recommendation until the wetland has stabilized.

(k) This section and sections 103G.223 to 103G.2242, 103G.2364, and 103G.2365 apply to the state and its departments and agencies.

(l) For projects involving draining or filling of wetlands associated with a new public transportation road project, and for public road projects expanded solely for additional traffic capacity, public transportation road authorities may purchase credits from the board at the cost to the board to establish credits. Proceeds from the sale of credits provided under this paragraph are appropriated to the board for the purposes of this paragraph. For purposes of this paragraph, public road authorities include: the state of Minnesota, counties, cities, and townships.

(m) A replacement plan for wetlands is not required for individual projects that result in the filling or draining of wetlands for the repair, rehabilitation, reconstruction, or replacement of a currently serviceable existing state, city, county, or town public road necessary, as determined by the public transportation authority, to meet state or federal design or safety standards or requirements, excluding new roads or roads expanded solely

for additional traffic capacity lanes. This paragraph only applies to authorities for public transportation projects that:

(1) minimize the amount of wetland filling or draining associated with the project and consider mitigating important site-specific wetland functions on-site;

(2) except as provided in clause (3), submit project-specific reports to the board, the Technical Evaluation Panel, the commissioner of natural resources, and members of the public requesting a copy at least 30 days prior to construction that indicate the location, amount, and type of wetlands to be filled or drained by the project or, alternatively, convene an annual meeting of the parties required to receive notice to review projects to be commenced during the upcoming year; and

(3) for minor and emergency maintenance work impacting less than 10,000 square feet, submit project-specific reports, within 30 days of commencing the activity, to the board that indicate the location, amount, and type of wetlands that have been filled or drained.

Those required to receive notice of public transportation projects may appeal minimization, delineation, and on-site mitigation decisions made by the public transportation authority to the board according to the provisions of section 103G.2242, subdivision 9. The Technical Evaluation Panel shall review minimization and delineation decisions made by the public transportation authority and provide recommendations regarding on-site mitigation if requested to do so by the local government unit, a contiguous landowner, or a member of the Technical Evaluation Panel.

Except for state public transportation projects, for which the state Department of Transportation is responsible, the board must replace the wetlands, and wetland areas of public waters if authorized by the commissioner or a delegated authority, drained or filled by public transportation projects on existing roads.

Public transportation authorities at their discretion may deviate from federal and state design standards on existing road projects when practical and reasonable to avoid wetland filling or draining, provided that public safety is not unreasonably compromised. The local road authority and its officers and employees are exempt from liability for any tort claim for injury to persons or property arising from travel on the highway and related to the deviation from the design standards for construction or reconstruction under this paragraph. This paragraph does not preclude an action for damages arising from negligence in construction or maintenance on a highway.

(n) If a landowner seeks approval of a replacement plan after the proposed project has already affected the wetland, the local government unit may require the landowner to

29.1 replace the affected wetland at a ratio not to exceed twice the replacement ratio otherwise  
29.2 required.

29.3 (o) A local government unit may request the board to reclassify a county or  
29.4 watershed on the basis of its percentage of presettlement wetlands remaining. After  
29.5 receipt of satisfactory documentation from the local government, the board shall change  
29.6 the classification of a county or watershed. If requested by the local government unit,  
29.7 the board must assist in developing the documentation. Within 30 days of its action to  
29.8 approve a change of wetland classifications, the board shall publish a notice of the change  
29.9 in the Environmental Quality Board Monitor.

29.10 (p) One hundred citizens who reside within the jurisdiction of the local government  
29.11 unit may request the local government unit to reclassify a county or watershed on the basis  
29.12 of its percentage of presettlement wetlands remaining. In support of their petition, the  
29.13 citizens shall provide satisfactory documentation to the local government unit. The local  
29.14 government unit shall consider the petition and forward the request to the board under  
29.15 paragraph (o) or provide a reason why the petition is denied.

29.16 Sec. 7. Minnesota Statutes 2006, section 103G.271, subdivision 6, is amended to read:

29.17 Subd. 6. **Water use permit processing fee.** (a) Except as described in paragraphs  
29.18 (b) to (f), a water use permit processing fee must be prescribed by the commissioner in  
29.19 accordance with the schedule of fees in this subdivision for each water use permit in force  
29.20 at any time during the year. The schedule is as follows, with the stated fee in each clause  
29.21 applied to the total amount appropriated:

29.22 (1) \$101 for amounts not exceeding 50,000,000 gallons per year;

29.23 (2) \$3 per 1,000,000 gallons for amounts greater than 50,000,000 gallons but less  
29.24 than 100,000,000 gallons per year;

29.25 (3) \$3.50 per 1,000,000 gallons for amounts greater than 100,000,000 gallons but  
29.26 less than 150,000,000 gallons per year;

29.27 (4) \$4 per 1,000,000 gallons for amounts greater than 150,000,000 gallons but less  
29.28 than 200,000,000 gallons per year;

29.29 (5) \$4.50 per 1,000,000 gallons for amounts greater than 200,000,000 gallons but  
29.30 less than 250,000,000 gallons per year;

29.31 (6) \$5 per 1,000,000 gallons for amounts greater than 250,000,000 gallons but less  
29.32 than 300,000,000 gallons per year;

29.33 (7) \$5.50 per 1,000,000 gallons for amounts greater than 300,000,000 gallons but  
29.34 less than 350,000,000 gallons per year;

30.1 (8) \$6 per 1,000,000 gallons for amounts greater than 350,000,000 gallons but less  
30.2 than 400,000,000 gallons per year;

30.3 (9) \$6.50 per 1,000,000 gallons for amounts greater than 400,000,000 gallons but  
30.4 less than 450,000,000 gallons per year;

30.5 (10) \$7 per 1,000,000 gallons for amounts greater than 450,000,000 gallons but  
30.6 less than 500,000,000 gallons per year; and

30.7 (11) \$7.50 per 1,000,000 gallons for amounts greater than 500,000,000 gallons  
30.8 per year.

30.9 (b) For once-through cooling systems, a water use processing fee must be prescribed  
30.10 by the commissioner in accordance with the following schedule of fees for each water use  
30.11 permit in force at any time during the year:

30.12 (1) for nonprofit corporations and school districts, \$150 per 1,000,000 gallons; and

30.13 (2) for all other users, \$300 per 1,000,000 gallons.

30.14 (c) The fee is payable based on the amount of water appropriated during the year  
30.15 and, except as provided in paragraph (f), the minimum fee is \$100.

30.16 (d) For water use processing fees other than once-through cooling systems:

30.17 (1) the fee for a city of the first class may not exceed \$250,000 per year;

30.18 (2) the fee for other entities for any permitted use may not exceed:

30.19 (i) \$50,000 per year for an entity holding three or fewer permits;

30.20 (ii) \$75,000 per year for an entity holding four or five permits;

30.21 (iii) \$250,000 per year for an entity holding more than five permits;

30.22 (3) the fee for agricultural irrigation may not exceed \$750 per year;

30.23 (4) the fee for a municipality that furnishes electric service and cogenerates steam  
30.24 for home heating may not exceed \$10,000 for its permit for water use related to the  
30.25 cogeneration of electricity and steam; and

30.26 (5) no fee is required for a project involving the appropriation of surface water to  
30.27 prevent flood damage or to remove flood waters during a period of flooding, as determined  
30.28 by the commissioner.

30.29 (e) Failure to pay the fee is sufficient cause for revoking a permit. A penalty of two  
30.30 percent per month calculated from the original due date must be imposed on the unpaid  
30.31 balance of fees remaining 30 days after the sending of a second notice of fees due. A fee  
30.32 may not be imposed on an agency, as defined in section 16B.01, subdivision 2, or federal  
30.33 governmental agency holding a water appropriation permit.

30.34 (f) The minimum water use processing fee for a permit issued for irrigation of  
30.35 agricultural land is \$20 for years in which:

30.36 (1) there is no appropriation of water under the permit; or

(2) the permit is suspended for more than seven consecutive days between May 1 and October 1.

(g) A surcharge of \$20 per million gallons in addition to the fee prescribed in paragraph (a) shall be applied to the volume of water used in each of the months of June, July, and August that exceeds the volume of water used in January for municipal water use, irrigation of golf courses, and landscape irrigation. The surcharge for municipalities with more than one permit shall be determined based on the total appropriations from all permits that supply a common distribution system.

(h) A water monitoring charge of .0002 cents per gallon shall be applied to the volume of groundwater used in the counties of Anoka, Carver, Chisago, Dakota, Hennepin, Isanti, Ramsey, Scott, Sherburne, Washington, and Wright. The revenue collected under this paragraph must be credited to an account in the natural resources fund and is available for appropriation to be used for installation and rehabilitation of groundwater level monitoring equipment in new or existing wells. The intent of the monitoring wells is to collect long-term water level data and to manage and interpret the data in order to determine potential depletion rates and sustainable water withdrawal rates for aquifers in the state.

Sec. 8. **[116.195] BENEFICIAL USE OF WASTEWATER; CAPITAL GRANTS FOR DEMONSTRATION PROJECTS.**

Subdivision 1. Definitions. (a) For the purposes of this section, the following terms have the meanings given them.

(b) "Agency" means the Pollution Control Agency.

(c) "Beneficial use of wastewater" means use of the effluent from a wastewater treatment plant that replaces use of groundwater.

(d) "Capital project" means the acquisition or betterment of public land, buildings, and other public improvements of a capital nature for the treatment of wastewater intended for beneficial use. Capital project includes projects to retrofit, expand, or construct new treatment facilities.

Subd. 2. Grants for capital project design. The agency shall make grant awards to political subdivisions for up to 50 percent of the costs to predesign and design capital projects that demonstrate the beneficial use of wastewater. The maximum amount for a grant under this subdivision is \$500,000. The grant agreement must provide that the predesign and design work being funded is public information and available to anyone without charge. The agency must make the predesign and design work available on its Web site.

32.1        Subd. 3. **Grants for capital project implementation.** The agency shall make  
32.2 grant awards to political subdivisions for up to 50 percent of the costs to acquire,  
32.3 construct, install, furnish, and equip capital projects that demonstrate the beneficial use  
32.4 of wastewater. The political subdivision must submit design plans and specifications  
32.5 to the agency as part of the application.

32.6        The agency must consult with the Public Facilities Authority and the commissioner  
32.7 of natural resources in reviewing and ranking applications for grants under this section.

32.8        The application must identify the uses of the treated wastewater and greater weight  
32.9 will be given to applications that include a binding commitment to participate by the  
32.10 user or users.

32.11       The agency must give preference to projects that will reduce use of the greatest  
32.12 volume of groundwater from aquifers with the slowest rate of recharge.

32.13       Subd. 4. **Application form; procedures.** The agency shall develop an application  
32.14 form and procedures.

32.15       Subd. 5. **Reports.** The agency shall report by February 1 of each year to the chairs  
32.16 of the house and senate committees with jurisdiction over environment policy and finance  
32.17 and capital investment on the grants made and projects funded under this section. For each  
32.18 demonstration project funded, the report must include information on the scale of water  
32.19 constraints for the area, the volume of treated wastewater supply, the quality of treated  
32.20 wastewater supplied and treatment implications for the industrial user, impacts to stream  
32.21 flow and downstream users, and any considerations related to water appropriation and  
32.22 discharge permits.

32.23       Sec. 9. **BOND SALE AUTHORIZATION.**

32.24       To provide the money appropriated in this act from the bond proceeds fund, the  
32.25 commissioner of finance shall sell and issue bonds of the state in an amount up to  
32.26 \$240,937,000 in the manner, upon the terms, and with the effect prescribed by Minnesota  
32.27 Statutes, sections 16A.631 to 16A.675, and by the Minnesota Constitution, article XI,  
32.28 sections 4 to 7.

32.29       Sec. 10. **EFFECTIVE DATE.**

32.30       Except as otherwise provided, this act is effective the day following final enactment.