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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 4199

02/22/2024

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The bill was read for the first time and referred to the Committee on Capital Investment

- 1.1A bill for an act
- 1.2relating to capital investment; amending an earlier appropriation for flood hazard
- 1.3mitigation; amending Laws 2023, chapter 72, article 1, section 7, subdivision 8.
- 1.4BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.5Section 1. Laws 2023, chapter 72, article 1, section 7, subdivision 8, is amended to read:
- 1.6Subd. 8. **Flood Hazard Mitigation**40,300,000
- 1.7(a) For the state share of flood hazard
- 1.8mitigation grants for publicly owned capital
- 1.9improvements to prevent or alleviate flood
- 1.10damage under Minnesota Statutes, section
- 1.11103F.161. To the extent practical, levee
- 1.12projects shall meet the state standard of three
- 1.13feet above the 100-year flood elevation.
- 1.14(b) Project priorities shall be determined by
- 1.15the commissioner as appropriate, based on
- 1.16need and consideration of available leveraging
- 1.17of federal, state, and local funds.
- 1.18(c) Notwithstanding paragraph (b), \$3,300,000
- 1.19of this appropriation is for Phase II of the
- 1.20Toelle Coulee project in Traverse County to
- 1.21mitigate flood risks posed to the city of
- 1.22Browns Valley, including construction of an

2.1 East Levee, County State-Aid Highway 2
2.2 culvert replacement, and marked Trunk
2.3 Highway 28 culvert replacement.

2.4 (d) Notwithstanding paragraph (b), \$5,000,000
2.5 of this appropriation is for grants to watershed
2.6 districts that are members of the Red River
2.7 Watershed Management Board for flood
2.8 mitigation projects and is not for projects in
2.9 the city of Moorhead.

2.10 (e) Notwithstanding paragraph (b),
2.11 \$11,000,000 is for a grant to the city of
2.12 Moorhead to design, construct, and equip
2.13 flood mitigation infrastructure. This
2.14 appropriation includes money for Phase 2 of
2.15 the North Moorhead levee project, the
2.16 relocation of sanitary lift station #2, and a
2.17 levee project along First Avenue North.

2.18 (f) Notwithstanding paragraph (b), \$6,000,000
2.19 is from the general fund for a grant to the city
2.20 of Carver for capital improvements to restore
2.21 the Carver levee protecting an important
2.22 historic district in Minnesota from flood
2.23 waters of the Minnesota River. This levee
2.24 restoration must meet the requirements for
2.25 FEMA certification. The project includes
2.26 predesign, design, engineering, land
2.27 acquisition, and construction of capital
2.28 improvements, including raising the height of
2.29 the Carver levee, constructing internal
2.30 drainage, establishing maintainable setbacks
2.31 to adjacent structures, and certification by
2.32 FEMA.

2.33 (g) Notwithstanding paragraph (b), \$175,000
2.34 is for a grant to the Chisago Lakes Lake
2.35 Improvement District to repair the Lofton

3.1 Avenue weir and the Lake Ellen weir in the
3.2 Chisago Lakes Lake Improvement District.

3.3 ~~(g)~~ (h) To the extent practicable and consistent
3.4 with the project, recipients of appropriations
3.5 for flood control projects in this subdivision
3.6 shall create wetlands that are eligible for
3.7 wetland replacement credit to replace wetlands
3.8 drained or filled as the result of repair,
3.9 reconstruction, replacement, or rehabilitation
3.10 of an existing public road under Minnesota
3.11 Statutes, section 103G.222, subdivision 1,
3.12 paragraphs (l) and (m).

3.13 ~~(h)~~ (i) To the extent that the cost of a
3.14 municipal project exceeds two percent of the
3.15 median household income in the municipality
3.16 multiplied by the number of households in the
3.17 municipality, this appropriation is also for the
3.18 local share of the project.

3.19 **EFFECTIVE DATE.** This section is effective the day following final enactment.