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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 1021

02/11/2019 Authored by Anderson, Davids, Nornes, Urdahl and Poston
The bill was read for the first time and referred to the Committee on Ways and Means

1.1 A bill for an act
1.2 relating to agriculture; establishing a dairy producer conservation incentive
1.3 program; appropriating money; proposing coding for new law in Minnesota
1.4 Statutes, chapter 17.

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

1.6 Section 1. [17.995] DAIRY PRODUCER CONSERVATION INCENTIVE
1.7 PROGRAM.

1.8 Subdivision 1. Program; eligibility. The commissioner must administer a dairy producer
1.9 conservation incentive program and award grants to participating dairy producers who adopt
1.10 or maintain eligible conservation practices that conserve the quality and condition of the
1.11 state's natural resources and environment. Eligibility is limited to dairy producers with no
1.12 more than 1,000 dairy cows.

1.13 Subd. 2. Eligible conservation activities. For purposes of this program, eligible
1.14 conservation activities only include the following:

1.15 (1) preventing the discharge of animal manure, manure-contaminated runoff, or process
1.16 wastewater into a sinkhole, fractured bedrock, well, surface tile intake, mine, quarry, or
1.17 other natural or constructed channel that conveys fluid to groundwater;

1.18 (2) locating a feedlot or manure storage area outside of a floodplain, at least 300 feet
1.19 from a sinkhole, and at least 1,000 feet from a community water supply well or a well
1.20 servicing a public or private elementary or secondary school or a licensed child care center
1.21 when the school or center is served by a well determined by the commissioner of health to
1.22 be vulnerable;

- 2.1 (3) preparing and maintaining a manure management plan;
- 2.2 (4) hauling manure on federal, state, or local highways, roads, or streets in a manner
 2.3 that prevents leaking, spilling, or otherwise depositing manure within the right-of-way;
- 2.4 (5) preventing dairy cattle from entering a lake classified by the commissioner of natural
 2.5 resources as a natural environment lake, recreational development lake, or general
 2.6 development lake;
- 2.7 (6) designing, constructing, maintaining, and operating liquid manure storage areas in
 2.8 a manner that prevents manure-contaminated runoff;
- 2.9 (7) locating and constructing manure stockpiling sites so that manure-contaminated
 2.10 runoff from a site does not discharge to waters of the state;
- 2.11 (8) not using a rock quarry, gravel or sand pit, bedrock, or mining excavation site to
 2.12 stockpile manure;
- 2.13 (9) contracting with a certified animal waste technician or directly applying manure and
 2.14 process wastewater to land in a manner that does not pollute waters of the state; and
- 2.15 (10) contracting with a certified animal waste technician or directly limiting manure and
 2.16 process wastewater application rates so that the estimated plant-available nitrogen from all
 2.17 nitrogen sources does not exceed expected crop nitrogen needs for nonlegume crops and
 2.18 expected nitrogen removal for legumes.

2.19 Subd. 3. **Payment amounts.** An eligible dairy producer may apply for a grant and must
 2.20 apply in the form required by the commissioner. On an annual basis, the commissioner must
 2.21 award a grant of:

- 2.22 (1) \$..... to a dairy producer who certifies adoption or maintenance of one to three
 2.23 eligible conservation activities;
- 2.24 (2) \$..... to a dairy producer who certifies adoption or maintenance of four to seven
 2.25 eligible conservation activities; and
- 2.26 (3) \$..... to a dairy producer who certifies adoption or maintenance of eight or more
 2.27 eligible conservation activities.

2.28 Sec. 2. **APPROPRIATION.**

2.29 \$..... in fiscal year 2020 and \$..... in fiscal year 2021 are appropriated from the general
 2.30 fund to the commissioner of agriculture for purposes of this act.