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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 3389

02/12/2024 Authored by Pursell and Curran

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

1.1 A bill for an act
1.2 relating to natural resources; requiring reporting of subsurface drain tile installation
1.3 and modification; proposing coding for new law in Minnesota Statutes, chapter
1.4 103F.

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

1.6 Section 1. **[103F.49] DRAIN TILE REPORTING REQUIRED.**

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

1.9 (b) "Board" means the Board of Water and Soil Resources.

1.10 (c) "Drain tile" means a system of tile, corrugated plastic tubing, pipe, or other conduit
1.11 installed beneath the ground surface on private or public land to collect and convey water.

1.12 (d) "Modification" means an act to enlarge, extend, deepen, reline, improve, replace, or
1.13 otherwise intentionally alter existing drain tile. Modification does not mean the repair or
1.14 regular maintenance of existing drain tile.

1.15 Subd. 2. Landowner reporting required. A landowner must report to the local soil
1.16 and water conservation district any installation or modification of drain tile on the landowner's
1.17 property by December 31 of the year of installation or modification. The landowner must
1.18 report in the manner required by the district and provide all information required by the
1.19 board, including but not limited to the following for each drain tile installation or modification
1.20 project, when applicable:

1.21 (1) the project location, type, and date;

1.22 (2) tile material and type;

2.1 (3) a project map that is accurate to scale and identifies the location of drain tile, including
2.2 all outlets and control structures, and the drainage water flow path for the first mile
2.3 downstream of the project;

2.4 (4) the subsurface area drained by the project, in acres;

2.5 (5) the diameter of all drain tile lines, including mains and individual laterals;

2.6 (6) the design flow at each outlet in cubic feet per second;

2.7 (7) the drainage coefficient in inches per day;

2.8 (8) riprap or other erosion control measures employed at each outlet; and

2.9 (9) for a modification project, the project's anticipated impact on clauses (4) to (8).

2.10 Subd. 3. **District reporting.** At least annually and in the manner required by the board,
2.11 each soil and water conservation district must report to the board the information submitted
2.12 by landowners under subdivision 2.

2.13 Subd. 4. **Enforcement.** If the board or a soil and water conservation district determines
2.14 a landowner is not in compliance with this section, the district must notify the landowner
2.15 and attempt to obtain compliance. If the district's efforts are not successful, the district must
2.16 issue the landowner a written notice of warning and notify the board, and the board may
2.17 issue penalty orders under section 103B.101, subdivision 12.

2.18 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to drain tile
2.19 installation or modification projects that begin on or after that date.