

This Document can be made available  
in alternative formats upon request

State of Minnesota  
**HOUSE OF REPRESENTATIVES**

EIGHTY-EIGHTH SESSION

**H. F. No. 436**

02/11/2013 Authored by Wagenius, Mahoney, Fischer, Bly and Dean, M.,  
The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy

1.1 A bill for an act  
1.2 relating to water; requiring priority to be given to projects that use wastewater;  
1.3 amending Minnesota Statutes 2012, section 116.182, subdivision 5.

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

1.5 Section 1. Minnesota Statutes 2012, section 116.182, subdivision 5, is amended to read:

1.6 Subd. 5. **Rules.** (a) The agency shall adopt rules for the administration of the  
1.7 financial assistance program. For wastewater treatment projects, the rules must include:

1.8 (1) application requirements;

1.9 (2) criteria for the ranking of projects in order of priority based on factors including  
1.10 the type of project and the degree of environmental impact, and scenic and wild river  
1.11 standards; and

1.12 (3) criteria for determining essential project components.

1.13 (b) Notwithstanding Minnesota Rules, chapter 7077, the agency shall apply the  
1.14 following criteria to Minnesota Rules, part 7077.0119:

1.15 (1) ten points shall be assigned if the municipality proposing the project holds a  
1.16 NPDES permit for a municipal separate storm sewer system and is implementing a  
1.17 storm water pollution prevention plan pursuant to Code of Federal Regulations, title 40,  
1.18 section 122.34, that addresses requirements resulting from a USEPA-approved TMDL  
1.19 for an impaired water listed under United States Code, title 33, section 303(d), of the  
1.20 Clean Water Act; and

1.21 (2) up to ten points shall be assigned to a municipal storm water project by multiplying  
1.22 20 times the ratio of the project area's impervious surface area to the total project area to  
1.23 be served by the proposed best management practices. A maximum of ten points shall be  
1.24 awarded and any fraction of a point shall be rounded up to the nearest whole number.

2.1 (c) Paragraph (b) expires on June 30, 2012.

2.2 (d) The agency shall apply the following criteria to wastewater treatment system  
2.3 projects:

2.4 (1) 15 points shall be assigned to projects that will treat wastewater for reuse in cases  
2.5 where a user has committed, in writing, to using the wastewater; and

2.6 (2) ten points shall be assigned to projects that will treat wastewater for reuse in  
2.7 cases where a user for the wastewater has not been established.