

**SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION**

S.F. No. 2703

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DATE	D-PG	OFFICIAL STATUS
03/08/2023	1430	Introduction and first reading Referred to Environment, Climate, and Legacy See HF2310

1.1 A bill for an act

1.2 relating to natural resources; providing for sustainable diversion limits on

1.3 groundwater appropriations; amending Minnesota Statutes 2022, sections 103G.005,

1.4 by adding subdivisions; 103G.287, subdivision 2.

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

1.6 Section 1. Minnesota Statutes 2022, section 103G.005, is amended by adding a subdivision

1.7 to read:

1.8 Subd. 9c. **Ecosystem harm.** "Ecosystem harm" means to change the biological

1.9 community and ecology in a manner that results in loss of ecological structure or function.

1.10 Sec. 2. Minnesota Statutes 2022, section 103G.005, is amended by adding a subdivision

1.11 to read:

1.12 Subd. 13b. **Negative impact to surface waters.** "Negative impact to surface waters"

1.13 means a change in hydrology sufficient to cause aquatic ecosystem harm or alter riparian

1.14 uses long term.

1.15 Sec. 3. Minnesota Statutes 2022, section 103G.005, is amended by adding a subdivision

1.16 to read:

1.17 Subd. 15i. **Sustainable diversion limit.** "Sustainable diversion limit" means a maximum

1.18 amount of water that can be removed directly or indirectly from a surface water body in a

1.19 defined geographic area on a monthly or annual basis without causing a negative impact to

1.20 the surface water body.

2.1 Sec. 4. Minnesota Statutes 2022, section 103G.287, subdivision 2, is amended to read:

2.2 Subd. 2. **Relationship to surface water resources.** Groundwater appropriations ~~that~~
 2.3 ~~will have negative impacts to surface waters are subject to applicable provisions in section~~
 2.4 ~~103G.285~~ may be authorized only if they avoid known negative impacts to surface waters.
 2.5 If the commissioner determines that groundwater appropriations are having a negative
 2.6 impact to surface waters, the commissioner may use a sustainable diversion limit or other
 2.7 relevant method, tools, or information to implement measures so that groundwater
 2.8 appropriations do not negatively impact the surface waters.

2.9 Sec. 5. **REVISOR INSTRUCTION.**

2.10 The revisor of statutes must renumber the subdivisions of Minnesota Statutes, section
 2.11 103G.005, listed in column A to the references listed in column B. The revisor must make
 2.12 necessary cross-reference changes in Minnesota Statutes and Minnesota Rules consistent
 2.13 with the renumbering:

2.14	<u>Column A</u>	<u>Column B</u>
2.15	<u>subdivision 9b</u>	<u>subdivision 9d</u>
2.16	<u>subdivision 13a</u>	<u>subdivision 13C</u>
2.17	<u>subdivision 15h</u>	<u>subdivision 15j</u>