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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 3595

02/20/2020 Authored by Torkelson, Fischer, Heintzeman, Poston, Brand and others
The bill was read for the first time and referred to the Water Division

1.1 A bill for an act
1.2 relating to waters; establishing Minnesota River basin water quality and storage
1.3 program; appropriating money; proposing coding for new law in Minnesota
1.4 Statutes, chapter 103F.

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

1.6 Section 1. 103F.05 MINNESOTA RIVER BASIN WATER QUALITY AND
1.7 STORAGE PROGRAM.

1.8 Subdivision 1. Definitions. For the purposes of this section:

1.9 (1) "board" means the Board of Water and Soil Resources; and

1.10 (2) "local units of government" has the meaning given under section 103B.305,
1.11 subdivision 5.

1.12 Subd. 2. Establishment. The board must establish a program to provide financial
1.13 assistance to local units of government located in the Minnesota River basin to control water
1.14 volume and rates for the purpose of protecting infrastructure and improving water quality
1.15 and related public benefits.

1.16 Subd. 3. Financial assistance. (a) The board may provide financial assistance to local
1.17 units of government to cover the costs of water storage projects and other water quality
1.18 practices consistent with a plan approved according to chapter 103B, 103C, or 103D. Costs
1.19 may include site acquisition, design, engineering, and construction. The board may acquire
1.20 conservation easements under sections 103F.501 to 103F.531 as necessary to implement a
1.21 project or practice under this section.

2.1 (b) The board must enter into agreements with local units of government receiving
2.2 financial assistance under this section. The agreements must specify the terms of state and
2.3 local cooperation, including financing arrangements for construction and assurances for
2.4 maintenance of any structures after completion.

2.5 Subd. 4. **Local match.** The board must require a local match and may adjust match
2.6 requirements if federal funds are available for the project.

2.7 Subd. 5. **Technical assistance.** (a) The board may employ or contract with an engineer
2.8 or hydrologist to work on the technical implementation of the program established under
2.9 this section.

2.10 (b) When implementing the program, the board must:

2.11 (1) assist local units of government in achieving the purposes of the program;

2.12 (2) review and analyze projects and project sites; and

2.13 (3) evaluate the effectiveness of completed projects constructed under the program.

2.14 (c) The board must cooperate with the commissioner of natural resources, the Natural
2.15 Resources Conservation Service of the United States Department of Agriculture, and other
2.16 agencies as needed to analyze hydrological and engineering information on proposed sites.

2.17 Subd. 6. **Requirements.** (a) A local unit of government applying for financial assistance
2.18 under this section must provide a copy of a resolution or other documentation of the local
2.19 unit of government's support for the project. The documentation must include provisions
2.20 for local funding and management, the proposed method of obtaining necessary land rights
2.21 for the proposed project, and an assignment of responsibility for maintenance of any
2.22 structures or practices upon completion of the project.

2.23 (b) A local unit of government, with the assistance of the board, must evaluate the
2.24 environmental and other benefits that are reasonably expected upon completion of the
2.25 proposed project. The evaluation must be submitted to the board before the final design.

2.26 Subd. 7. **Interstate cooperation.** The board may enter into or approve working
2.27 agreements with neighboring states or their political subdivisions to accomplish projects
2.28 consistent with the program established in this section.

2.29 Subd. 8. **Federal aid availability.** The board must regularly complete an analysis of the
2.30 availability of federal funds and programs to supplement or complement state and local
2.31 efforts consistent with the purposes of this section.

3.1 Subd. 9. **Report.** By January 15, 2023, and every two years thereafter, the board must
3.2 evaluate the effectiveness of the program under this section and submit a report with the
3.3 results and recommendations to the chairs and ranking minority members of the house of
3.4 representatives and senate committees and divisions with jurisdiction over environment and
3.5 natural resources.

3.6 Sec. 2. **APPROPRIATION.**

3.7 \$..... in fiscal year 2021 is appropriated from the general fund to the Board of Water
3.8 and Soil Resources for the Minnesota River basin water quality and storage program under
3.9 Minnesota Statutes, section 103F.05. This is a onetime appropriation and is available until
3.10 June 30, 2023.