#### SENATE STATE OF MINNESOTA EIGHTY-SEVENTH LEGISLATURE

A bill for an act

S.F. No. 2264

(SENATE AU	JTHORS: CARLS	ON, Miller, Gazelka, Kruse and Skoe)
DATE	D-PG	OFFICIAL STATUS

03/05/2012 4110 Introduction and first reading
Referred to Environment and Natural Resources
03/08/2012 4247 Author added Miller
03/12/2012 4302a Comm report: To pass as amended and re-refer to Finance
4319 Authors added Gazelka; Kruse; Skoe

1.1 1.2 1.3 1.4 1.5 1.6	relating to clean water; appropriating mone appropriating money for an Aquatic Invasi Center; modifying prior appropriations; an Session chapter 2, article 3, section 2, subdisession chapter 6, article 2, section 7.	ey for cle ve Speci nending 1	es Cooperative Res Laws 2011, First Sp	earch ecial
1.7	BE IT ENACTED BY THE LEGISLATURE O	F THE S	STATE OF MINNES	SOTA:
1.8	ARTICL	E 1		
1.9	CLEAN WATER FUND			
1.10 1.11	Section 1. Laws 2011, First Special Session to read:	chapter (	6, article 2, section 7	7, is amended
1.12 1.13	Sec. 7. BOARD OF WATER AND SOIL RESOURCES	\$	27,534,000 \$	27,534,000 31,734,000
1.14	(a) \$13,750,000 the first year and			
1.15	\$13,750,000 \$15,350,000 the second year are			
1.16	for pollution reduction and restoration grants			
1.17	to local government units and joint powers			
1.18	organizations of local government units to			
1.19	protect surface water and drinking water; to			
1.20	keep water on the land; to protect, enhance,			
1.21	and restore water quality in lakes, rivers,			
1.22	and streams; and to protect groundwater			
1.23	and drinking water, including feedlot water			
1.24	quality and subsurface sewage treatment			

2.1	system (SSTS) projects and stream bank,
2.2	stream channel, and shoreline restoration
2.3	projects. The projects must be of long-lasting
2.4	public benefit, include a match, and be
2.5	consistent with TMDL implementation plans
2.6	or local water management plans.
2.7	(b) \$3,000,000 the first year and <del>\$3,000,000</del>
2.8	\$3,600,000 the second year are for targeted
2.9	local resource protection and enhancement
2.10	grants. The board shall give priority
2.11	consideration to projects and practices
2.12	that complement, supplement, or exceed
2.13	current state standards for protection,
2.14	enhancement, and restoration of water
2.15	quality in lakes, rivers, and streams or that
2.16	protect groundwater from degradation. Of
2.17	this amount, at least \$1,500,000 each year is
2.18	for county SSTS implementation.
2.19	(c) \$900,000 the first year and \$900,000
2.20	\$1,200,000 the second year are to
2.21	provide state oversight and accountability,
2.22	evaluate results, and develop an electronic
2.23	system to measure and track the value of
2.24	conservation program implementation by
2.25	local governments, including submission
2.26	to the legislature by March 1 each year
2.27	an annual report prepared by the board,
2.28	in consultation with the commissioners of
2.29	natural resources, health, agriculture, and
2.30	the Pollution Control Agency, detailing the
2.31	recipients and projects funded under this
2.32	section. The board shall require grantees to
2.33	specify the outcomes that will be achieved
2.34	by the grants prior to any grant awards.

3.1	(d) $$1,000,000$ the first year and $$1,000,000$
3.2	\$1,700,000 the second year are for technical
3.3	assistance and grants for the conservation
3.4	drainage program in consultation with
3.5	the Drainage Work Group, created under
3.6	Minnesota Statutes, section 103B.101,
3.7	subdivision 13, that consists of projects to
3.8	retrofit or supplement existing drainage
3.9	systems with water quality improvement
3.10	practices, evaluate outcomes, and provide
3.11	outreach to landowners, public drainage
3.12	authorities, drainage engineers and
3.13	contractors, and others. The board shall
3.14	coordinate practice standards with the
3.15	USDA-Natural Resources Conservation
3.16	Service and seek to leverage federal funds
3.17	as part of conservation drainage program
3.18	implementation.
3.19	(e) \$6,000,000 the first year and \$6,000,000
3.19 3.20	(e) \$6,000,000 the first year and \$6,000,000 the second year are to purchase and restore
3.20	the second year are to purchase and restore
3.20 3.21	the second year are to purchase and restore permanent conservation easements on
3.20 3.21 3.22	the second year are to purchase and restore permanent conservation easements on riparian buffers adjacent to public waters,
3.20 3.21 3.22 3.23	the second year are to purchase and restore permanent conservation easements on riparian buffers adjacent to public waters, excluding wetlands, to keep water on the
3.20 3.21 3.22 3.23 3.24	the second year are to purchase and restore permanent conservation easements on riparian buffers adjacent to public waters, excluding wetlands, to keep water on the land in order to decrease sediment, pollutant,
3.20 3.21 3.22 3.23 3.24 3.25	the second year are to purchase and restore permanent conservation easements on riparian buffers adjacent to public waters, excluding wetlands, to keep water on the land in order to decrease sediment, pollutant, and nutrient transport; reduce hydrologic
3.20 3.21 3.22 3.23 3.24 3.25 3.26	the second year are to purchase and restore permanent conservation easements on riparian buffers adjacent to public waters, excluding wetlands, to keep water on the land in order to decrease sediment, pollutant, and nutrient transport; reduce hydrologic impacts to surface waters; and increase
3.20 3.21 3.22 3.23 3.24 3.25 3.26 3.27	the second year are to purchase and restore permanent conservation easements on riparian buffers adjacent to public waters, excluding wetlands, to keep water on the land in order to decrease sediment, pollutant, and nutrient transport; reduce hydrologic impacts to surface waters; and increase infiltration for groundwater recharge. The
3.20 3.21 3.22 3.23 3.24 3.25 3.26 3.27 3.28	the second year are to purchase and restore permanent conservation easements on riparian buffers adjacent to public waters, excluding wetlands, to keep water on the land in order to decrease sediment, pollutant, and nutrient transport; reduce hydrologic impacts to surface waters; and increase infiltration for groundwater recharge. The riparian buffers must be at least 50 feet
3.20 3.21 3.22 3.23 3.24 3.25 3.26 3.27 3.28 3.29	the second year are to purchase and restore permanent conservation easements on riparian buffers adjacent to public waters, excluding wetlands, to keep water on the land in order to decrease sediment, pollutant, and nutrient transport; reduce hydrologic impacts to surface waters; and increase infiltration for groundwater recharge. The riparian buffers must be at least 50 feet unless there is a natural impediment, a road,
3.20 3.21 3.22 3.23 3.24 3.25 3.26 3.27 3.28 3.29 3.30	the second year are to purchase and restore permanent conservation easements on riparian buffers adjacent to public waters, excluding wetlands, to keep water on the land in order to decrease sediment, pollutant, and nutrient transport; reduce hydrologic impacts to surface waters; and increase infiltration for groundwater recharge. The riparian buffers must be at least 50 feet unless there is a natural impediment, a road, or other impediment beyond the control
3.20 3.21 3.22 3.23 3.24 3.25 3.26 3.27 3.28 3.29 3.30 3.31	the second year are to purchase and restore permanent conservation easements on riparian buffers adjacent to public waters, excluding wetlands, to keep water on the land in order to decrease sediment, pollutant, and nutrient transport; reduce hydrologic impacts to surface waters; and increase infiltration for groundwater recharge. The riparian buffers must be at least 50 feet unless there is a natural impediment, a road, or other impediment beyond the control of the landowner. This appropriation may
3.20 3.21 3.22 3.23 3.24 3.25 3.26 3.27 3.28 3.29 3.30 3.31 3.32	the second year are to purchase and restore permanent conservation easements on riparian buffers adjacent to public waters, excluding wetlands, to keep water on the land in order to decrease sediment, pollutant, and nutrient transport; reduce hydrologic impacts to surface waters; and increase infiltration for groundwater recharge. The riparian buffers must be at least 50 feet unless there is a natural impediment, a road, or other impediment beyond the control of the landowner. This appropriation may be used for restoration of riparian buffers
3.20 3.21 3.22 3.23 3.24 3.25 3.26 3.27 3.28 3.29 3.30 3.31 3.32 3.33	the second year are to purchase and restore permanent conservation easements on riparian buffers adjacent to public waters, excluding wetlands, to keep water on the land in order to decrease sediment, pollutant, and nutrient transport; reduce hydrologic impacts to surface waters; and increase infiltration for groundwater recharge. The riparian buffers must be at least 50 feet unless there is a natural impediment, a road, or other impediment beyond the control of the landowner. This appropriation may be used for restoration of riparian buffers protected by easements purchased with

00 the first year and $\frac{$1,300,000}{}$	4.1
the second year are for	4.2
conservation easements on	4.3
otection areas under Minnesota	4.4
etion 103F.515, subdivision 2,	4.5
d). Priority must be placed on	4.6
located where the vulnerability	4.7
ing water supply is designated	4.8
ery high by the commissioner of	4.9
board shall coordinate with the	4.10
gical Survey, the commissioners	4.11
d natural resources, and local	4.12
s contained in the Decorah	4.13
vrence Edge areas of Winona,	4.14
Imsted, and Wabasha counties,	4.15
sements in identified areas as	4.16
nost vulnerability to groundwater	4.17
on.	4.18
000 the first year and \$1,500,000	4.19
year are for community partners	4.20
cal units of government for:	4.21
al or vegetative management	4.22
at reduce storm water runoff	4.23
ped or disturbed lands to reduce	4.24
ent of sediment, nutrients, and	4.25
or restoration, protection, or	4.26
nt of water quality in lakes, rivers,	4.27
and to protect groundwater	4.28
g water; and (2) installation	4.29
nd effective water retention	4.30
cluding, but not limited to, rain	4.31
other vegetated infiltration	4.32
sediment control basins in order	4.33
er on the land. The projects	4.34
long-lasting public benefit,	4.35
cal match, and be consistent with	4.36
long-lasting public benefit,	4.35

TMDL implementation plans or local water

management plans. Local government unit

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5.3	staff and administration costs may be used
5.4	as a match.
5.5	(h) \$84,000 the first year and \$84,000 the
5.6	second year are for a technical evaluation
5.7	panel to conduct up to ten restoration
5.8	evaluations under Minnesota Statutes,
5.9	section 114D.50, subdivision 6.
5.10	(i) The board shall contract for services
5.11	with Conservation Corps Minnesota for
5.12	restoration, maintenance, and other activities
5.13	under this section for \$500,000 the first year
5.14	and \$500,000 the second year.
5.15	(j) The board may shift grant or cost-share
5.16	funds in this section and may adjust the
5.17	technical and administrative assistance
5.18	portion of the funds to leverage federal or
5.19	other nonstate funds or to address oversight
5.20	responsibilities or high-priority needs
5.21	identified in local water management plans.
5.22	(k) The appropriations in this section are
5.23	available until June 30, 2016.
5.24	Sec. 2. AQUATIC INVASIVE SPECIES COOPERATIVE RESEARCH
5.25	CENTER; APPROPRIATION.
5.26	\$1,800,000 is appropriated in fiscal year 2013 from the clean water fund to the Board
5.27	of Regents of the University of Minnesota to develop and implement an Aquatic Invasive
5.28	Species Cooperative Research Center. As a condition of receiving this appropriation, the
5.29	University of Minnesota is requested to collaborate with the commissioner of natural
5.30	resources in developing solutions to control aquatic invasive species. A portion of this
5.31	appropriation may be used for educating and engaging citizens on preventing the spread of
5.32	aquatic invasive species. Money appropriated in this section may not be spent on activities
5.33	unless they are directly related to and necessary for the purposes of this section. Money
5.34	appropriated in this section must not be spent on indirect costs or other institutional

overhead charges that are not directly related to and necessary for the purposes of this

section. This is a onetime appropriation and is available until June 30, 2014.	
ARTICLE 2	
ENVIRONMENT AND NATURAL RESOURCE TRUST FUND	
Section 1. Laws 2011, First Special Session chapter 2, article 3, section 2, sub 9, is amended to read:	division
	<del>4,213,000</del> 3,213,000
(a) Minnesota Conservation Apprentice	
Academy	
\$100,000 the first year and \$100,000 the	
second year are from the trust fund to	
the Board of Water and Soil Resources	
in cooperation with Conservation Corps	
Minnesota to train and mentor future	
conservation professionals by providing	
apprenticeship service opportunities to	
soil and water conservation districts. This	
appropriation is available until June 30,	
2014, by which time the project must be	
completed and the final products delivered.	
(b) Chronic Wasting Disease and Animal	
Health	
\$600,000 the first year and \$600,000 the	
second year are from the trust fund to the	
commissioner of natural resources to address	
chronic wasting disease and accelerate	
wildlife health programs, including activities	
directly related to and necessary for this	
appropriation.	
(c) Aquatic Invasive Species	
\$2,177,000 the first year and <del>\$3,513,000</del>	
\$2,513,000 the second year are from the	

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1.2	resources to accelerate aquatic invasive
7.3	species programs, including the development
7.4	and implementation of best management
7.5	practices for public water access facilities
7.6	to implement aquatic invasive species
7.7	prevention strategies, including activities
7.8	directly related to and necessary for this
7.9	appropriation. \$50,000 is for a grant
7.10	to develop and produce a documentary
7.11	identifying the challenges presented by
7.12	aquatic invasive species. The documentary
7.13	shall be available to the Department of
7.14	Natural Resources to distribute to watercraft
7.15	license purchasers and the general public
7.16	through online and other media.
7.17	(d) Reinvest in Minnesota Wetlands
7.18	Reserve Acquisition and Restoration
7.19	Program Partnership
7.20	Φ1 (47 000 d C d d d D d
7.20	\$1,645,000 the first year is to the Board
7.20	of Water and Soil Resources to acquire
7.21	of Water and Soil Resources to acquire
7.21 7.22	of Water and Soil Resources to acquire permanent conservation easements and
7.21 7.22 7.23	of Water and Soil Resources to acquire permanent conservation easements and restore wetlands and associated upland
7.21 7.22 7.23 7.24	of Water and Soil Resources to acquire permanent conservation easements and restore wetlands and associated upland habitat in cooperation with the United States
7.21 7.22 7.23 7.24 7.25	of Water and Soil Resources to acquire permanent conservation easements and restore wetlands and associated upland habitat in cooperation with the United States Department of Agriculture Wetlands Reserve
7.21 7.22 7.23 7.24 7.25 7.26	of Water and Soil Resources to acquire permanent conservation easements and restore wetlands and associated upland habitat in cooperation with the United States Department of Agriculture Wetlands Reserve Program. A list of proposed land acquisitions
7.21 7.22 7.23 7.24 7.25 7.26 7.27	of Water and Soil Resources to acquire permanent conservation easements and restore wetlands and associated upland habitat in cooperation with the United States Department of Agriculture Wetlands Reserve Program. A list of proposed land acquisitions must be provided as part of the required work
7.21 7.22 7.23 7.24 7.25 7.26 7.27 7.28	of Water and Soil Resources to acquire permanent conservation easements and restore wetlands and associated upland habitat in cooperation with the United States Department of Agriculture Wetlands Reserve Program. A list of proposed land acquisitions must be provided as part of the required work program.
7.21 7.22 7.23 7.24 7.25 7.26 7.27 7.28 7.29	of Water and Soil Resources to acquire permanent conservation easements and restore wetlands and associated upland habitat in cooperation with the United States Department of Agriculture Wetlands Reserve Program. A list of proposed land acquisitions must be provided as part of the required work program.  (e) Limitation
7.21 7.22 7.23 7.24 7.25 7.26 7.27 7.28 7.29 7.30	of Water and Soil Resources to acquire permanent conservation easements and restore wetlands and associated upland habitat in cooperation with the United States Department of Agriculture Wetlands Reserve Program. A list of proposed land acquisitions must be provided as part of the required work program.  (e) Limitation  Appropriations in paragraphs (b) and (c) are

trust fund to the commissioner of natural

# Sec. 2. <u>AQUATIC INVASIVE SPECIES COOPERATIVE RESEARCH</u> CENTER; APPROPRIATION.

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\$1,000,000 is appropriated in fiscal year 2013 from the environment and natural resources trust fund to the Board of Regents of the University of Minnesota to develop and implement an Aquatic Invasive Species Cooperative Research Center. As a condition of receiving this appropriation, the University of Minnesota is requested to collaborate with the commissioner of natural resources in developing solutions to control aquatic invasive species. Money appropriated in this section may not be spent on activities unless they are directly related to and necessary for the purposes of this section. Money appropriated in this section must not be spent on indirect costs or other institutional overhead charges that are not directly related to and necessary for the purposes of this section. This is a onetime appropriation and is available until June 30, 2014.

# APPENDIX Article locations in S2264-1

A DELCT E 1	
ARTICLE I	CLEAN WATER FUND Page.Ln 1.8
ARTICLE 2	ENVIRONMENT AND NATURAL RESOURCE TRUST FUND Page.Ln 6.3
	1