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State of Minnesota HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. **518**

01/28/2021 Authored by Lippert and Fischer

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 waters; providing for watershed management; establishing program for
1.3 water quality and storage in Minnesota River basin; amending Minnesota Statutes
1.4 2020, section 103A.212; proposing coding for new law in Minnesota Statutes,
1.5 chapter 103F.

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

1.7 Section 1. Minnesota Statutes 2020, section 103A.212, is amended to read:

1.8 **103A.212 WATERSHED MANAGEMENT POLICY.**

1.9 Subdivision 1. Purpose. The quality of life of every Minnesotan depends on water.

1.10 Minnesota's rivers, lakes, streams, wetlands, and groundwater provide a foundation for
1.11 drinking water and the state's recreational, municipal, commercial, industrial, agricultural,
1.12 environmental, aesthetic, and economic well-being. The legislature finds that it is in the
1.13 public interest to manage groundwater and surface water resources from the perspective of
1.14 aquifers, watersheds, and river basins to achieve protection, preservation, enhancement,
1.15 and restoration of the state's valuable groundwater and surface water resources.

1.16 Subd. 2. Coordination and cooperation. In implementing the policy under this section,
1.17 state agencies and local and regional governments with authority over local water
1.18 management, conservation, land use, land management, and development plans must take
1.19 into consideration the manner in which their plans are consistent with the policy. To the
1.20 extent practicable, state agencies and local and regional governments must endeavor to enter
1.21 into formal and informal agreements and arrangements to jointly use staff and educational,
1.22 technical, and financial resources to deliver programs or conduct activities to achieve the
1.23 purposes of the policy.

2.1 Sec. 2. **[103F.05] MINNESOTA RIVER BASIN WATER QUALITY AND STORAGE**
2.2 **PROGRAM.**

2.3 Subdivision 1. **Definitions.** For the purposes of this section:

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

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

2.7 Subd. 2. **Establishment.** The board may establish a program to provide financial
2.8 assistance to local units of government located in the Minnesota River basin to control water
2.9 volume and rates for the purpose of protecting infrastructure and improving water quality
2.10 and related public benefits.

2.11 Subd. 3. **Financial assistance.** (a) The board may provide financial assistance to local
2.12 units of government to cover the costs of water storage projects and other water quality
2.13 practices consistent with a plan approved according to chapter 103B, 103C, or 103D. Eligible
2.14 costs include costs for site acquisition, design, engineering, and construction. The board
2.15 may acquire conservation easements under sections 103F.501 to 103F.531 as necessary to
2.16 implement a project or practice under this section.

2.17 (b) The board must enter into agreements with local units of government receiving
2.18 financial assistance under this section. The agreements must specify the terms of state and
2.19 local cooperation, including the financial arrangement for constructing any structures and
2.20 assuring maintenance of the structures after completion.

2.21 (c) The board may adopt procedures based on section 103C.501 for cost-sharing contracts
2.22 needed to implement this subdivision.

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

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

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

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

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

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

3.1 (c) The board may enter into cooperative agreements with the commissioner of natural
3.2 resources, the Natural Resources Conservation Service of the United States Department of
3.3 Agriculture, and other agencies as needed to analyze hydrological and engineering
3.4 information on proposed sites.

3.5 Subd. 6. **Requirements.** (a) A local unit of government applying for financial assistance
3.6 under this section must provide a copy of a resolution or other documentation of the local
3.7 unit of government's support for the project. The documentation must include provisions
3.8 for local funding and management, the proposed method of obtaining necessary land rights
3.9 for the proposed project, and an assignment of responsibility for maintaining any structures
3.10 or practices upon completion of the project.

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

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

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