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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. **1183**

03/04/2013 Authored by Kahn
The bill was read for the first time and referred to the Committee on Rules and Legislative Administration
03/11/2013 Adoption of Report: Pass and re-referred to the Committee on Legacy

1.1 A bill for an act
1.2 relating to appropriations; appropriating money from clean water fund and
1.3 parks and trails fund.

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

1.5 ARTICLE 1

1.6 CLEAN WATER FUND

1.7 Section 1. CLEAN WATER FUND APPROPRIATIONS.

1.8 The sums shown in the columns marked "Appropriations" are appropriated to the
1.9 agencies and for the purposes specified in this article. The appropriations are from the
1.10 clean water fund and are available for the fiscal years indicated for allowable activities
1.11 under the Minnesota Constitution, article XI, section 15. The figures "2014" and "2015"
1.12 used in this article mean that the appropriations listed under them are available for the
1.13 fiscal year ending June 30, 2014, or June 30, 2015, respectively. "The first year" is fiscal
1.14 year 2014. "The second year" is fiscal year 2015. "The biennium" is fiscal years 2014
1.15 and 2015. The appropriations in this article are onetime.

1.16		APPROPRIATIONS	
1.17		Available for the Year	
1.18		Ending June 30	
1.19		<u>2014</u>	<u>2015</u>

1.20 Sec. 2. CLEAN WATER

1.21	<u>Subdivision 1. Total Appropriation</u>	\$	<u>92,715,000</u>	\$	<u>92,449,000</u>
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2.1 The amounts that may be spent for each
 2.2 purpose are specified in the following
 2.3 sections.

2.4 **Subd. 2. Availability of Appropriation**

2.5 Money appropriated in this article may
 2.6 not be spent on activities unless they are
 2.7 directly related to and necessary for a
 2.8 specific appropriation. Money appropriated
 2.9 in this article must be spent in accordance
 2.10 with Minnesota Management and Budget's
 2.11 Guidance to Agencies on Legacy Fund
 2.12 Expenditure. Notwithstanding Minnesota
 2.13 Statutes, section 16A.28, and unless
 2.14 otherwise specified in this article, fiscal year
 2.15 2014 appropriations are available until June
 2.16 30, 2015, and fiscal year 2015 appropriations
 2.17 are available until June 30, 2016. If a project
 2.18 receives federal funds, the time period of
 2.19 the appropriation is extended to equal the
 2.20 availability of federal funding.

2.21 **Sec. 3. DEPARTMENT OF AGRICULTURE \$ 7,785,000 \$ 7,685,000**

2.22 (a) \$350,000 the first year and \$350,000 the
 2.23 second year are to increase monitoring for
 2.24 pesticides and pesticide degradates in surface
 2.25 water and groundwater and to use data
 2.26 collected to assess pesticide use practices.

2.27 (b) \$1,500,000 the first year and \$1,500,000
 2.28 the second year are to increase monitoring
 2.29 and evaluate trends in the concentration of
 2.30 nitrates in groundwater in high-risk areas
 2.31 and regionally and to promote and evaluate
 2.32 regional and crop-specific nutrient best
 2.33 management practices. This appropriation is
 2.34 available until June 30, 2018.

3.1 (c) \$1,500,000 the first year and \$1,500,000
3.2 the second year are for the agriculture best
3.3 management practices loan program. At
3.4 least \$1,300,000 each year is for transfer
3.5 to an agricultural and environmental
3.6 revolving account created under Minnesota
3.7 Statutes, section 17.117, subdivision 5a,
3.8 and is available for pass-through to local
3.9 government and lenders for low-interest
3.10 loans under Minnesota Statutes, section
3.11 17.117. Any unencumbered balance
3.12 that is not used for pass-through to local
3.13 governments does not cancel at the end of the
3.14 first year and is available for the second year.

3.15 (d) \$1,500,000 the first year and \$1,500,000
3.16 the second year are for research, pilot
3.17 projects, and technical assistance on
3.18 proper implementation of best management
3.19 practices and more precise information on
3.20 nonpoint contributions to impaired waters.
3.21 This appropriation is available until June 30,
3.22 2018.

3.23 (e) \$1,050,000 the first year and \$1,050,000
3.24 the second year are for research to quantify
3.25 agricultural contributions to impaired waters
3.26 and for development and evaluation of
3.27 best management practices to protect and
3.28 restore water resources while maintaining
3.29 productivity. This appropriation is available
3.30 until June 30, 2018.

3.31 (f) \$175,000 the first year and \$75,000 the
3.32 second year are for a research inventory
3.33 database containing water-related research
3.34 activities. Any information technology
3.35 development or support or costs necessary

4.1 for this research inventory database will be
 4.2 incorporated into the agency's service level
 4.3 agreement with and paid to the Office of
 4.4 Enterprise Technology. This appropriation is
 4.5 available until June 30, 2018.

4.6 (g) \$1,500,000 the first year and \$1,500,000
 4.7 the second year are to implement a Minnesota
 4.8 agricultural water quality certification
 4.9 program. This appropriation is available
 4.10 until June 30, 2018.

4.11 (h) \$110,000 the first year and \$110,000 the
 4.12 second year are to provide funding for a
 4.13 regional irrigation water quality specialist
 4.14 through the University of Minnesota
 4.15 Extension Service.

4.16 (i) \$100,000 the first year and \$100,000 the
 4.17 second year are to develop and implement
 4.18 a comprehensive, up-to-date instruction
 4.19 system for animal waste technicians who
 4.20 apply manure to the ground for hire.

4.21 **Sec. 4. PUBLIC FACILITIES AUTHORITY \$ 11,000,000 \$ 11,000,000**

4.22 (a) \$9,000,000 the first year and \$9,000,000
 4.23 the second year are for the total maximum
 4.24 daily load grant program under Minnesota
 4.25 Statutes, section 446A.073. This
 4.26 appropriation is available until June 30, 2018.

4.27 (b) \$2,000,000 the first year and \$2,000,000
 4.28 the second year are for small community
 4.29 wastewater treatment grants and loans under
 4.30 Minnesota Statutes, section 446A.075. This
 4.31 appropriation is available until June 30, 2018.

4.32 (c) If there are any uncommitted funds at
 4.33 the end of each fiscal year under paragraph
 4.34 (a) or (b), the Public Facilities Authority

5.1 may transfer the remaining funds to eligible
 5.2 projects under any of the programs listed
 5.3 in this section based on their priority rank
 5.4 on the Pollution Control Agency's project
 5.5 priority list.

5.6 **Sec. 5. POLLUTION CONTROL AGENCY \$ 26,315,000 \$ 26,315,000**

5.7 (a) \$7,500,000 the first year and \$7,500,000
 5.8 the second year are for completion of 20
 5.9 percent of the needed statewide assessments
 5.10 of surface water quality and trends. Of this
 5.11 amount, \$500,000 each year is to monitor
 5.12 and assess contaminants of emerging concern
 5.13 in groundwater and surface water

5.14 (b) \$9,400,000 the first year and \$9,400,000
 5.15 the second year are to develop watershed
 5.16 restoration and protection strategies
 5.17 (WRAPS), which include total maximum
 5.18 daily load (TMDL) studies and TMDL
 5.19 implementation plans for waters listed on
 5.20 the Unites States Environmental Protection
 5.21 Agency approved impaired waters list in
 5.22 accordance with Minnesota Statutes, chapter
 5.23 114D. The agency shall complete an average
 5.24 of ten percent of the TMDLs each year over
 5.25 the biennium.

5.26 (c) \$1,125,000 the first year and \$1,125,000
 5.27 the second year are for groundwater
 5.28 assessment, including enhancing the
 5.29 ambient monitoring network, modeling,
 5.30 and continuing to monitor for and assess
 5.31 contaminants of emerging concern.

5.32 (d) \$750,000 the first year and \$750,000
 5.33 the second year are for water quality
 5.34 improvements in the lower St. Louis River

6.1 and Duluth harbor. This appropriation must
6.2 be matched at a rate of 65 percent nonstate
6.3 money to 35 percent state money.

6.4 (e) \$1,000,000 the first year and \$1,000,000
6.5 the second year are for the clean water
6.6 partnership program to provide grants
6.7 to protect and improve the basins and
6.8 watersheds of the state and provide financial
6.9 and technical assistance to study waters
6.10 with nonpoint source pollution problems.
6.11 Priority shall be given to projects preventing
6.12 impairments and degradation of lakes, rivers,
6.13 streams, and groundwater in accordance
6.14 with Minnesota Statutes, section 114D.20,
6.15 subdivision 2, clause (4). Any balance
6.16 remaining in the first year does not cancel
6.17 and is available for the second year.

6.18 (f) \$275,000 the first year and \$275,000 the
6.19 second year are for storm water research and
6.20 guidance.

6.21 (g) \$1,150,000 the first year and \$1,150,000
6.22 the second year are for TMDL research and
6.23 database development.

6.24 (h) \$1,000,000 the first year and \$1,000,000
6.25 the second year are to initiate development of
6.26 a multiagency watershed database reporting
6.27 portal.

6.28 (i) \$1,000,000 the first year and \$1,000,000
6.29 the second year are for national pollutant
6.30 discharge elimination system wastewater and
6.31 storm water TMDL implementation efforts.

6.32 (j) \$375,000 the first year and \$375,000
6.33 the second year are for identification of
6.34 application options for water standards.

7.1 (k) \$2,700,000 the first year and \$2,700,000
 7.2 the second year are to protect groundwater
 7.3 or prevent groundwater degradation by
 7.4 enhancing the county-level delivery system
 7.5 for subsurface sewage treatment systems
 7.6 (SSTS) to support activities necessary to
 7.7 implement Minnesota Statutes, sections
 7.8 115.55 and 115.56. The commissioner shall
 7.9 consult with the SSTS Implementation and
 7.10 Enforcement Task Force in developing a
 7.11 distribution allocation for the county base
 7.12 grants.

7.13 (l) \$40,000 the first year and \$40,000 the
 7.14 second year are to support activities of the
 7.15 Clean Water Council according to Minnesota
 7.16 Statutes, section 114D.30, subdivision 1.

7.17 (m) Notwithstanding Minnesota Statutes,
 7.18 section 16A.28, the appropriations
 7.19 encumbered on or before June 30, 2015,
 7.20 as grants or contracts in this section are
 7.21 available until June 30, 2018.

7.22 **Sec. 6. DEPARTMENT OF NATURAL**
 7.23 **RESOURCES**

\$ 9,010,000 \$ 9,010,000

7.24 (a) \$2,000,000 the first year and \$2,000,000
 7.25 the second year are for stream flow
 7.26 monitoring.

7.27 (b) \$1,300,000 the first year and \$1,300,000
 7.28 the second year are for lake Index of
 7.29 Biological Integrity (IBI) assessments.

7.30 (c) \$135,000 the first year and \$135,000
 7.31 the second year are for assessing mercury
 7.32 contamination of fish, including monitoring
 7.33 to track the status of waters impaired by
 7.34 mercury and mercury reduction efforts over
 7.35 time.

8.1 (d) \$1,850,000 the first year and \$1,850,000
 8.2 the second year are for developing targeted,
 8.3 science-based watershed restoration and
 8.4 protection strategies.

8.5 (e) \$1,500,000 the first year and \$1,500,000
 8.6 the second year are for water supply planning,
 8.7 aquifer protection, and monitoring activities.

8.8 (f) \$1,000,000 the first year and \$1,000,000
 8.9 the second year are for technical assistance
 8.10 to support local implementation of nonpoint
 8.11 source restoration and protection activities,
 8.12 including water quality protection in forested
 8.13 watersheds.

8.14 (g) \$675,000 the first year and \$675,000 the
 8.15 second year are for applied research and tools,
 8.16 including watershed hydrologic modeling;
 8.17 maintaining and updating spatial data for
 8.18 watershed boundaries, streams, and water
 8.19 bodies and integrating high-resolution digital
 8.20 elevation data; assessing effectiveness of
 8.21 forestry best management practices for water
 8.22 quality; and developing a biomonitoring
 8.23 database.

8.24 (h) \$550,000 the first year and \$550,000
 8.25 the second year are for developing county
 8.26 geologic atlases.

8.27 **Sec. 7. BOARD OF WATER AND SOIL**
 8.28 **RESOURCES**

\$ 33,984,000 \$ 33,984,000

8.29 (a) \$18,000,000 the first year and
 8.30 \$18,000,000 the second year are for grants
 8.31 to protect and restore surface water and
 8.32 drinking water; to keep water on the land; to
 8.33 protect, enhance, and restore water quality
 8.34 in lakes, rivers, and streams; and to protect
 8.35 groundwater and drinking water, including

9.1 feedlot water quality and subsurface sewage
9.2 treatment system (SSTS) projects and
9.3 stream bank, stream channel, and shoreline
9.4 restoration projects. The projects must be of
9.5 long-lasting public benefit, include a match,
9.6 and be consistent with total maximum daily
9.7 load (TMDL) implementation plans or local
9.8 water management plans or their equivalents.

9.9 (b) \$4,000,000 the first year and \$4,000,000
9.10 the second year are for targeted local
9.11 resource protection and enhancement grants.

9.12 The board shall give priority consideration
9.13 to projects and practices that complement,
9.14 supplement, or exceed current state standards
9.15 for protection, enhancement, and restoration
9.16 of water quality in lakes, rivers, and streams
9.17 or that protect groundwater from degradation.

9.18 (c) \$900,000 the first year and \$900,000 the
9.19 second year are to provide state oversight
9.20 and accountability, evaluate results, and
9.21 measure the value of conservation program
9.22 implementation by local governments,
9.23 including submission to the legislature
9.24 by March 1 each year an annual report
9.25 prepared by the board, in consultation with
9.26 the commissioners of natural resources,
9.27 health, agriculture, and the Pollution Control
9.28 Agency, detailing the recipients and projects
9.29 funded under this section.

9.30 (d) \$1,700,000 the first year and \$1,700,000
9.31 the second year are for grants and technical
9.32 assistance for the conservation drainage
9.33 management program in consultation with
9.34 the Drainage Work Group, created under
9.35 Minnesota Statutes, section 103B.101,

10.1 subdivision 13, to facilitate planning, design,
10.2 and installation of conservation practices on
10.3 drainage systems that will result in water
10.4 quality improvements, including associated
10.5 outcomes documentation and outreach to
10.6 conservation decision makers. The board
10.7 shall coordinate conservation practice
10.8 standards with the Natural Resources
10.9 Conservation Service of the United States
10.10 Department of Agriculture.

10.11 (e) \$6,500,000 the first year and \$6,500,000
10.12 the second year are to purchase and restore
10.13 permanent conservation easements on
10.14 riparian buffers adjacent to lakes, rivers,
10.15 streams, and tributaries, to keep water on the
10.16 land in order to decrease sediment, pollutant,
10.17 and nutrient transport; reduce hydrologic
10.18 impacts to surface waters; and increase
10.19 infiltration for groundwater recharge. This
10.20 appropriation may be used for restoration
10.21 of riparian buffers protected by easements
10.22 purchased with this appropriation and for
10.23 stream bank restorations when the riparian
10.24 buffers have been restored.

10.25 (f) \$1,300,000 the first year and \$1,300,000
10.26 the second year are for permanent
10.27 conservation easements on wellhead
10.28 protection areas under Minnesota Statutes,
10.29 section 103F.515, subdivision 2, paragraph
10.30 (d). Priority must be placed on land that
10.31 is located where the vulnerability of the
10.32 drinking water supply is designated as high
10.33 or very high by the commissioner of health.

10.34 (g) \$1,500,000 the first year and \$1,500,000
10.35 the second year are for community partners

- 11.1 grants to local units of government for:
- 11.2 (1) structural or vegetative management
- 11.3 practices that reduce storm water runoff
- 11.4 from developed or disturbed lands to reduce
- 11.5 the movement of sediment, nutrients, and
- 11.6 pollutants for restoration, protection, or
- 11.7 enhancement of water quality in lakes, rivers,
- 11.8 and streams and to protect groundwater
- 11.9 and drinking water; and (2) installation
- 11.10 of proven and effective water retention
- 11.11 practices including, but not limited to, rain
- 11.12 gardens and other vegetated infiltration
- 11.13 basins and sediment control basins in order
- 11.14 to keep water on the land. The projects
- 11.15 must be of long-lasting public benefit,
- 11.16 include a local match, and be consistent
- 11.17 with TMDL implementation plans or local
- 11.18 water management plans or their equivalents.
- 11.19 Local government unit costs may be used as
- 11.20 a match.
- 11.21 (h) \$84,000 the first year and \$84,000 the
- 11.22 second year are for a technical evaluation
- 11.23 panel to conduct up to ten restoration
- 11.24 evaluations under Minnesota Statutes,
- 11.25 section 114D.50, subdivision 6.
- 11.26 (i) The board shall contract for services
- 11.27 with Conservation Corps Minnesota for
- 11.28 restoration, maintenance, and other activities
- 11.29 under this section for up to \$500,000 the first
- 11.30 year and up to \$500,000 the second year.
- 11.31 (j) The board may shift grant or cost-share
- 11.32 funds in this section and may adjust the
- 11.33 technical and administrative assistance
- 11.34 portion of the funds to leverage federal or
- 11.35 other nonstate funds or to address oversight

- 12.1 responsibilities or high-priority needs
 12.2 identified in local water management plans.
- 12.3 (k) The board shall require grantees to
 12.4 specify the outcomes that will be achieved
 12.5 by the grants prior to any grant awards.
- 12.6 (l) The appropriations in this section are
 12.7 available until June 30, 2018. Returned grant
 12.8 funds are available until expended and shall
 12.9 be regranted consistent with the purposes of
 12.10 this section.
- 12.11 **Sec. 8. DEPARTMENT OF HEALTH**
- 12.12 (a) \$1,170,000 the first year and \$1,170,000
 12.13 the second year are for addressing public
 12.14 health concerns related to contaminants found
 12.15 in Minnesota drinking water for which no
 12.16 health-based drinking water standards exist.
- 12.17 (b) \$1,615,000 the first year and \$1,615,000
 12.18 the second year are for protection of drinking
 12.19 water sources.
- 12.20 (c) \$250,000 the first year and \$250,000 the
 12.21 second year are for cost-share assistance to
 12.22 public and private well owners for up to 50
 12.23 percent of the cost of sealing unused wells.
- 12.24 (d) \$390,000 the first year and \$390,000 the
 12.25 second year are to update and expand the
 12.26 County Well Index.
- 12.27 (e) \$325,000 the first year and \$325,000 the
 12.28 second year are for studying the occurrence
 12.29 and magnitude of contaminants in private
 12.30 wells and developing guidance to ensure that
 12.31 new well placement minimizes the potential
 12.32 for risks.

\$	<u>3,855,000</u>	\$	<u>3,855,000</u>
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13.1 (f) \$105,000 the first year and \$105,000 the
 13.2 second year are for monitoring recreational
 13.3 beaches on Lake Superior for pollutants that
 13.4 may pose a public health risk.

13.5 (g) The appropriations in this section are
 13.6 available until June 30, 2016.

13.7 Sec. 9. **METROPOLITAN COUNCIL** \$ **766,000** \$ **600,000**

13.8 \$766,000 the first year and \$600,000 the
 13.9 second year are for implementation of the
 13.10 master water supply plan developed under
 13.11 Minnesota Statutes, section 473.1565.

13.12 **ARTICLE 2**

13.13 **PARKS AND TRAILS FUND**

13.14 Section 1. **PARKS AND TRAILS FUND APPROPRIATIONS.**

13.15 The sums shown in the columns marked "Appropriations" are appropriated to the
 13.16 agencies and for the purposes specified in this article. The appropriations are from the
 13.17 parks and trails fund and are available for the fiscal years indicated for each purpose. The
 13.18 figures "2014" and "2015" used in this article mean that the appropriations listed under
 13.19 them are available for the fiscal year ending June 30, 2014, or June 30, 2015, respectively.
 13.20 "The first year" is fiscal year 2014. "The second year" is fiscal year 2015. "The biennium"
 13.21 is fiscal years 2014 and 2015. All appropriations in this article are onetime.

13.22			<u>APPROPRIATIONS</u>
13.23			<u>Available for the Year</u>
13.24			<u>Ending June 30</u>
13.25			<u>2014</u> <u>2015</u>

13.26 Sec. 2. **PARKS AND TRAILS**

13.27 **Subdivision 1. Total Appropriation** \$ **39,952,000** \$ **41,440,000**

13.28 The amounts that may be spent for each
 13.29 purpose are specified in the following
 13.30 sections.

13.31 **Subd. 2. Availability of Appropriation**

14.1 Money appropriated in this article may
 14.2 not be spent on activities unless they are
 14.3 directly related to and necessary for a
 14.4 specific appropriation. Money appropriated
 14.5 in this article must be spent in accordance
 14.6 with Minnesota Management and Budget's
 14.7 Guidance to Agencies on Legacy Fund
 14.8 Expenditure. Notwithstanding Minnesota
 14.9 Statutes, section 16A.28, and unless
 14.10 otherwise specified in this article, fiscal year
 14.11 2014 appropriations are available until June
 14.12 30, 2015, and fiscal year 2015 appropriations
 14.13 are available until June 30, 2016. If a project
 14.14 receives federal funds, the time period of
 14.15 the appropriation is extended to equal the
 14.16 availability of federal funding.

14.17 **Sec. 3. DEPARTMENT OF NATURAL**
 14.18 **RESOURCES**

\$ 24,051,000 \$ 24,947,000

14.19 (a) \$15,901,000 the first year and
 14.20 \$16,493,000 the second year are for state
 14.21 parks, recreation areas, and trails to:
 14.22 (1) connect people to the outdoors;
 14.23 (2) acquire land and create opportunities;
 14.24 (3) maintain existing holdings; and
 14.25 (4) improve cooperation by coordinating
 14.26 with partners to implement the 25-year
 14.27 long-range parks and trails legacy plan.
 14.28 (b) \$7,950,000 the first year and \$8,247,000
 14.29 the second year are for grants under
 14.30 Minnesota Statutes, section 85.535, to
 14.31 acquire, develop, improve, and restore
 14.32 parks and trails of regional or statewide
 14.33 significance outside of the metropolitan area,
 14.34 as defined in Minnesota Statutes, section

15.1 473.121, subdivision 2. Up to 2.5 percent
 15.2 of the total appropriation may be used for
 15.3 administering the grants. Any unencumbered
 15.4 balance at the end of a fiscal year is available
 15.5 for the purposes in paragraph (a).

15.6 (c) \$200,000 the first year and \$207,000 the
 15.7 second year are for enhanced, integrated,
 15.8 and accessible Web-based information for
 15.9 park and trail users; joint marketing and
 15.10 promotional efforts for all parks and trails
 15.11 of regional or statewide significance; and
 15.12 support of activities of a parks and trails
 15.13 legacy advisory committee.

15.14 (d) The commissioner shall contract for
 15.15 services with Conservation Corps Minnesota
 15.16 for restoration, maintenance, and other
 15.17 activities under this section for at least
 15.18 \$500,000 the first year and \$500,000 the
 15.19 second year.

15.20 Sec. 4. **METROPOLITAN COUNCIL** **\$** **15,901,000** **\$** **16,493,000**

15.21 \$15,901,000 the first year and \$16,493,000
 15.22 the second year are to be distributed
 15.23 according to Minnesota Statutes, section
 15.24 85.53, subdivision 3.

APPENDIX
Article locations in 13-1438

ARTICLE 1 CLEAN WATER FUND Page.Ln 1.5
ARTICLE 2 PARKS AND TRAILS FUND Page.Ln 13.12