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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE No. 1483

March 1, 2007

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The bill was read for the first time and referred to the Committee on Environment and Natural Resources

March 23, 2007

Committee Recommendation and Adoption of Report:

Amended and re-referred to the Committee on Finance without further recommendation

1.1 A bill for an act
1.2 relating to natural resources; providing for the protection and restoration of water
1.3 quality in lakes and bodies of water of regional significance; appropriating
1.4 money; proposing coding for new law in Minnesota Statutes, chapter 383B.

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

1.6 Section 1. **[383B.741] REGIONAL PARK WATER QUALITY.**

1.7 (a) For the purpose of preserving or restoring the quality of lakes or other water
1.8 resources, protecting the public health and welfare, and protecting the public's interest
1.9 in natural resources, the Three Rivers Park District has, in addition to the powers set
1.10 forth in sections 398.08 and 398.09, the following powers relative to water resources
1.11 within or bordering upon parks or reserves over which the Three Rivers Park District
1.12 has supervisory authority or ownership:

1.13 (1) to enter into joint power agreements pursuant to section 471.59;

1.14 (2) to cooperate or contract with any state or subdivision of a state or federal agency,
1.15 private corporation, political subdivision, or cooperative association;

1.16 (3) to perform all acts expressly authorized, and all other acts necessary and proper
1.17 for the Three Rivers Park District to carry out and exercise the powers expressly vested
1.18 in it;

1.19 (4) to exercise the power of eminent domain without the restrictions of section
1.20 398.09, paragraph (b), clause (1), and in the cases where a significant water resource is
1.21 impaired and acquisition of the property involved is necessary to accomplish the purpose
1.22 set forth herein;

1.23 (5) to make necessary surveys or use other reliable surveys and data and develop
1.24 projects and programs to acquire data to accomplish the purposes of this section;

2.1 (6) to establish and maintain devices for acquiring and recording hydrological and
2.2 water quality data;

2.3 (7) to construct, clean, repair, alter, abandon, consolidate, reclaim, or change the
2.4 course or terminus of any public ditch drain, sewer, and, subject to permitting requirements
2.5 of the Department of Natural Resources, any river or watercourse, natural or artificial,
2.6 within the Three Rivers Park District;

2.7 (8) to acquire, operate, construct, and maintain dams, dikes, reservoirs, water supply
2.8 systems, and appurtenant works;

2.9 (9) to acquire by gift, purchase, or by the right of eminent domain, necessary real
2.10 and personal property;

2.11 (10) to make contracts or other arrangement with the federal government, persons,
2.12 railroads, or other corporations, political subdivisions, and the state or other states, with
2.13 drainage authorities, flood control, soil conservation, or other improvement districts in
2.14 this state or other states, for cooperation or assistance in constructing, maintaining, and
2.15 operating the projects of the Three Rivers Park District, or for the control of its waters, or
2.16 for making surveys and investigations or reports on them; and

2.17 (11) to build, construct, reconstruct, repair, enlarge, improve, or in any other
2.18 manner obtain storm water systems, including mains, holding areas and ponds, and other
2.19 appurtenances and related facilities for the collection and disposal of storm water, maintain
2.20 and operate the facilities, and acquire by gift, purchase, lease, condemnation, or otherwise
2.21 any and all land and easements required for that purpose.

2.22 (b) The Three Rivers Park District is exempt from fees charged by political
2.23 subdivisions for permits required for activities conducted under this section.

2.24 (c) If the powers delegated by this section constitute the exclusive source of
2.25 authority for any activity undertaken by the Three Rivers Park District, the district's action
2.26 may only be undertaken pursuant to a joint powers agreement with another entity having
2.27 water management authority relating to the lake or other water resource involved.

2.28 **Sec. 2. APPROPRIATION.**

2.29 \$5,000,000 is appropriated from the general fund in fiscal year 2008 to the Three
2.30 Rivers Park District to be used, along with an equal amount provided by the district, for
2.31 the purposes set forth in this act. Appropriated money not expended by December 31,
2.32 2012, reverts to the state. The district shall annually certify to the satisfaction of the
2.33 commissioner of revenue that appropriated money that is being spent is being matched by
2.34 the district, and that the activities undertaken are consistent with purposes established in
2.35 this act. Ninety days prior to undertaking any activities pursuant to this act, other than

- 3.1 planning or other preliminary activities, the district shall provide all affected local units
3.2 of government including organizations with responsibility over water resources and the
3.3 commissioner of natural resources with a copy of the project plan and afford interested
3.4 parties an opportunity to provide input and commentary. All money appropriated by the
3.5 state in this section and matched by the district shall be accounted for separately. This
3.6 appropriation may be used to:
- 3.7 (1) control or alleviate damage from flood waters;
 - 3.8 (2) improve stream channels for drainage, navigation, and any other public purpose;
 - 3.9 (3) improve storm water management systems;
 - 3.10 (4) create storm water best management practices;
 - 3.11 (5) regulate the flow of streams and conserve the streams' water;
 - 3.12 (6) protect and improve lake and stream water quality;
 - 3.13 (7) provide for sanitation and public health, and regulate the use of streams, ditches,
3.14 or watercourses to dispose of water;
 - 3.15 (8) repair, improve, relocate, modify, consolidate, and abandon all or part of
3.16 drainage systems;
 - 3.17 (9) control or alleviate soil erosion and siltation of watercourses or water basins;
 - 3.18 (10) make improvements of the beds, banks, and shores of lakes, streams, and
3.19 wetlands for preservation and beneficial use; and
 - 3.20 (11) protect or enhance the water quality in watercourses or water basins.