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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE No. 2133

March 25, 2009

Authored by Eken and Hansen

The bill was read for the first time and referred to the Committee on Environment Policy and Oversight

April 6, 2009

Committee Recommendation and Adoption of Report:

To Pass as Amended and re-referred to the Committee on Finance

1.1 A bill for an act
1.2 relating to environment; modifying regulation of storm water discharges;
1.3 appropriating money; amending Minnesota Statutes 2008, section 115.03,
1.4 subdivision 5c.

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

1.6 Section 1. Minnesota Statutes 2008, section 115.03, subdivision 5c, is amended to read:

1.7 Subd. 5c. **Regulation of storm water discharges.** (a) The agency may issue a
1.8 general permit to any category or subcategory of point source storm water discharges
1.9 that it deems administratively reasonable and efficient without making any findings
1.10 under agency rules. Nothing in this subdivision precludes the agency from requiring an
1.11 individual permit for a point source storm water discharge if the agency finds that it is
1.12 appropriate under applicable legal or regulatory standards.

1.13 (b) Pursuant to this paragraph, the legislature authorizes the agency to adopt and
1.14 enforce rules regulating point source storm water discharges. No further legislative
1.15 approval is required under any other legal or statutory provision whether enacted before or
1.16 after May 29, 2003.

1.17 (c) The agency may develop performance standards, design standards, or other
1.18 tools to enable and promote the implementation of low impact development and other
1.19 storm water management techniques. For the purposes of this section, "low impact
1.20 development" means an approach to storm water management that mimics a site's natural
1.21 hydrology as the landscape is developed. Using the low impact development approach,
1.22 storm water is managed on site and the rate and volume of predevelopment storm water
1.23 reaching receiving waters is unchanged. The calculation of predevelopment hydrology is
1.24 based on native soil and vegetation.

2.1 Sec. 2. **APPROPRIATION; DESIGN STANDARDS FOR STORM WATER**
2.2 **RUNOFF.**

2.3 (a) \$500,000 is appropriated in fiscal year 2010 from the clean water fund to
2.4 the commissioner of the Pollution Control Agency to develop minimal impact design
2.5 standards for urban storm water runoff. The money is available until June 30, 2013.
2.6 This is a onetime appropriation.

2.7 (b) The commissioner shall report to the chairs and ranking minority members of
2.8 the legislative committees and divisions having primary jurisdiction over environment
2.9 and natural resources policy and finance no later than January 12, 2012, regarding the
2.10 expenditure of funds appropriated under this section.