

1.1 A bill for an act

1.2 relating to the environment; requiring a study on state and local water  
1.3 management.

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

1.5 Section 1. **STUDY REQUIRED.**

1.6 (a) The Department of Administration, in consultation with representatives from  
1.7 the Department of Natural Resources, Pollution Control Agency, Board of Water and  
1.8 Soil Resources, Environmental Quality Board, Department of Health, the Department  
1.9 of Agriculture, technical professionals with scientific expertise in water resources  
1.10 management, and other interested parties, shall conduct a study as provided in paragraph  
1.11 (b).

1.12 (b) The study must:

1.13 (1) consider scientific data, including the studies of the National Academy of  
1.14 Sciences relating to watersheds, total maximum daily loads (TMDL's), stormwater, and  
1.15 compensation for wetland loss under the Clean Water Act;

1.16 (2) identify current rules relating to water, the purpose of the rules, the statutory  
1.17 background of the rules, the outcomes the rules are intended to achieve, the costs of the  
1.18 rules to state and local government and to the private sector, and the rules' relationship  
1.19 to other state and federal laws, including requirements relating to training, development,  
1.20 public education, and recordkeeping;

1.21 (3) assess the pros and cons of a watershed approach to implementing statutory  
1.22 water management programs and regulations compared to state agency-administered  
1.23 programs and administrative rules;

2.1           (4) assess why some regulations are deemed appropriate for administration at the  
2.2 local level, for example, those relating to shorelands, floodplains, wild and scenic rivers,  
2.3 wetland conservation, feedlots, and subsurface sewage treatment systems, and others  
2.4 are not;

2.5           (5) identify redundancy between state and federal regulations;

2.6           (6) identify the current strategic decision making of the agencies individually and  
2.7 collectively to cooperate and coordinate in rulemaking and rule implementation to achieve  
2.8 more effective, efficient, and justifiable rules that result in the desired outcomes; and

2.9           (7) identify the rule assessment and evaluation process that supports the continuation  
2.10 of the various rules in whole or in part, including but not limited to:

2.11           (i) nondegradation standards;

2.12           (ii) consistent buffer requirements;

2.13           (iii) zoning setback requirements; and

2.14           (iv) water quality requirements.

2.15           (c) The commissioner must submit the study results and make recommendations  
2.16 to agencies listed under paragraph (a), and to the chairs and ranking minority party  
2.17 members of the senate and house of representatives committees and divisions having  
2.18 primary jurisdiction over environment and natural resources policy and finance no later  
2.19 than January 15, 2011.