

1.1 A bill for an act
 1.2 relating to capital investment; amending an appropriation for flood hazard
 1.3 mitigation for the Toelle Coulee in Traverse County; amending Laws 2020, Fifth
 1.4 Special Session chapter 3, article 1, section 7, subdivision 3.

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

1.6 Section 1. Laws 2020, Fifth Special Session chapter 3, article 1, section 7, subdivision 3,
 1.7 is amended to read:

1.8 **Subd. 3. Flood Hazard Mitigation** 17,000,000

1.9 (a) For the state share of flood hazard
 1.10 mitigation grants for publicly owned capital
 1.11 improvements to prevent or alleviate flood
 1.12 damage under Minnesota Statutes, section
 1.13 103F.161.

1.14 (b) To the extent practical, levee projects shall
 1.15 meet the state standard of three feet above the
 1.16 100-year flood elevation.

1.17 (c) Project priorities shall be determined by
 1.18 the commissioner as appropriate, based on
 1.19 need and consideration of available leveraging
 1.20 of federal, state, and local funds.

1.21 (d) This appropriation may be used for projects
 1.22 in the following municipalities: Afton, Austin,

2.1 Breckenridge, Browns Valley, Carver, Delano,
2.2 Faribault, Golden Valley, Halstad, Hawley,
2.3 Hendrum, Inver Grove Heights, Jordan,
2.4 Montevideo, Moorhead, Newfolden,
2.5 Nielsville, Owatonna, Round Lake Township
2.6 in Jackson County, Sioux Valley Township
2.7 in Jackson County, and Waseca.

2.8 (e) This appropriation also may be used for
2.9 projects in the following watershed districts:
2.10 Bois de Sioux Watershed District, Buffalo-Red
2.11 River Watershed District, Cedar River
2.12 Watershed District; Lower Minnesota River
2.13 Watershed District, Middle Snake Tamarac
2.14 Rivers Watershed District, Prior Lake-Spring
2.15 Lake Watershed District, Red Lake Watershed
2.16 District, Roseau River Watershed District,
2.17 Shell Rock River Watershed District, Two
2.18 Rivers Watershed District, Upper Minnesota
2.19 River Watershed District, and Wild Rice River
2.20 Watershed District.

2.21 (f) This appropriation may also be used for a
2.22 project in the Southern Minnesota Rivers
2.23 Basin Area II.

2.24 (g) For any project listed in this subdivision
2.25 that the commissioner determines is not ready
2.26 to proceed, does not have the nonstate match
2.27 committed, or does not expend all the money
2.28 granted to it, the commissioner may allocate
2.29 that project's unexpended money to a priority
2.30 project on the commissioner's list.

2.31 (h) Notwithstanding paragraph (c), \$2,000,000
2.32 of this appropriation is for flood hazard
2.33 mitigation for the Toelle Coulee in ~~the city of~~
2.34 ~~Browns Valley~~ Traverse County.

3.1 (i) To the extent practicable and consistent
3.2 with the project, recipients of appropriations
3.3 for flood control projects in this subdivision
3.4 shall create wetlands that are eligible for
3.5 wetland replacement credit to replace wetlands
3.6 drained or filled as the result of repair,
3.7 reconstruction, replacement, or rehabilitation
3.8 of an existing public road under Minnesota
3.9 Statutes, section 103G.222, subdivision 1,
3.10 paragraphs (l) and (m).

3.11 (j) To the extent that the cost of a project
3.12 exceeds two percent of the median household
3.13 income in a municipality or township
3.14 multiplied by the number of households in the
3.15 municipality or township, this appropriation
3.16 is also for the local share of the project.

3.17 **EFFECTIVE DATE.** This section is effective the day following final enactment.