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### Overview

This bill modifies the Agricultural Best Management Practices Loan Program and public drainage law.

#### Section

- 1** **Purpose.** Modifies eligibility for the Agricultural Best Management Practices (AgBMP) loan program that is administered at the state level by the Minnesota Department of Agriculture (MDA). Removes “water quality cooperatives” and adds “approved environmental service providers” to the list of entities eligible to receive an AgBMP loan. In section 2, approved environmental service providers is defined to include water-quality cooperatives.
- 2** **Definitions.** Defines “environmental service providers” for purposes of the AgBMP loan program as drainage authorities, watershed districts, municipalities, counties, water-quality cooperatives, and private businesses that provide services or materials to implement a loan-eligible BMP for, or on behalf of, one or more eligible individuals. Provides that MDA will determine which providers are approved for purposes of the program.
- 3** **Loans issued to borrower.** Authorizes environmental service providers to request an AgBMP loan on behalf of multiple individuals; the total amount of the loan cannot exceed the limit of \$200,000/borrower, multiplied by the number of individuals served by the project.

**Section**

- 4 Incremental establishment of vegetated ditch buffers strips and side inlet controls.** Authorizes a drainage authority to make findings and order establishment of permanent buffer strips of perennial vegetation, side inlet controls, or both, adjacent to a public drainage ditch. Provides that the drainage authority’s finding that these practices are necessary is sufficient to confer jurisdiction to the authority. Under current law, a county, joint county board, or watershed district may serve as a drainage authority
- 5 County attorney.** Provides that a county without a county attorney may hire any competent attorney to represent the county in all drainage proceedings.
- 6 Conditions to redetermine benefits and damages; appointment of viewers.** Modifies the baseline for the redetermination of drainage system benefits and damages from “original” benefits and damages to benefits and damages “of record.” Modifies a threshold for requiring a drainage authority to redetermine landowners’ benefits and damages. Lowers the threshold for landowner petition from more than 50 to more than 26 percent of property owners, and adds a new threshold—owners of 26 percent of the property benefited or damaged by a drainage system.
- 7 Public drainage ditch buffer strip; planting and maintenance.** Provides that until June 30, 2019, with consent of the property owners a drainage authority may plant and maintain one-rod ditch buffer strips of perennial vegetation before acquiring and compensating for the buffer-strip land rights.

**Effective date:** This section would be effective the day following final enactment.