

**SENATE  
STATE OF MINNESOTA  
NINETY-THIRD SESSION**

**S.F. No. 4060**

(SENATE AUTHORS: KORAN and Housley)

DATE  
02/22/2024

D-PG  
11703 Introduction and first reading  
Referred to Capital Investment

OFFICIAL STATUS

1.1 A bill for an act  
1.2 relating to capital investment; amending an earlier appropriation for flood hazard  
1.3 mitigation; amending Laws 2023, chapter 72, article 1, section 7, subdivision 8.

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

1.5 Section 1. Laws 2023, chapter 72, article 1, section 7, subdivision 8, is amended to read:

1.6 **Subd. 8. Flood Hazard Mitigation** 40,300,000

1.7 (a) For the state share of flood hazard  
1.8 mitigation grants for publicly owned capital  
1.9 improvements to prevent or alleviate flood  
1.10 damage under Minnesota Statutes, section  
1.11 103F.161. To the extent practical, levee  
1.12 projects shall meet the state standard of three  
1.13 feet above the 100-year flood elevation.

1.14 (b) Project priorities shall be determined by  
1.15 the commissioner as appropriate, based on  
1.16 need and consideration of available leveraging  
1.17 of federal, state, and local funds.

1.18 (c) Notwithstanding paragraph (b), \$3,300,000  
1.19 of this appropriation is for Phase II of the  
1.20 Toelle Coulee project in Traverse County to  
1.21 mitigate flood risks posed to the city of  
1.22 Browns Valley, including construction of an

- 2.1 East Levee, County State-Aid Highway 2  
2.2 culvert replacement, and marked Trunk  
2.3 Highway 28 culvert replacement.
- 2.4 (d) Notwithstanding paragraph (b), \$5,000,000  
2.5 of this appropriation is for grants to watershed  
2.6 districts that are members of the Red River  
2.7 Watershed Management Board for flood  
2.8 mitigation projects and is not for projects in  
2.9 the city of Moorhead.
- 2.10 (e) Notwithstanding paragraph (b),  
2.11 \$11,000,000 is for a grant to the city of  
2.12 Moorhead to design, construct, and equip  
2.13 flood mitigation infrastructure. This  
2.14 appropriation includes money for Phase 2 of  
2.15 the North Moorhead levee project, the  
2.16 relocation of sanitary lift station #2, and a  
2.17 levee project along First Avenue North.
- 2.18 (f) Notwithstanding paragraph (b), \$6,000,000  
2.19 is from the general fund for a grant to the city  
2.20 of Carver for capital improvements to restore  
2.21 the Carver levee protecting an important  
2.22 historic district in Minnesota from flood  
2.23 waters of the Minnesota River. This levee  
2.24 restoration must meet the requirements for  
2.25 FEMA certification. The project includes  
2.26 predesign, design, engineering, land  
2.27 acquisition, and construction of capital  
2.28 improvements, including raising the height of  
2.29 the Carver levee, constructing internal  
2.30 drainage, establishing maintainable setbacks  
2.31 to adjacent structures, and certification by  
2.32 FEMA.
- 2.33 (g) Notwithstanding paragraph (b), \$175,000  
2.34 is for a grant to the Chisago Lakes Lake  
2.35 Improvement District to repair the Lofton

3.1 Avenue weir and the Lake Ellen weir in the  
3.2 Chisago Lakes Lake Improvement District.

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

3.13 ~~(h)~~ (i) To the extent that the cost of a  
3.14 municipal project exceeds two percent of the  
3.15 median household income in the municipality  
3.16 multiplied by the number of households in the  
3.17 municipality, this appropriation is also for the  
3.18 local share of the project.

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