

SENATE

STATE OF MINNESOTA

NINETY-SECOND SESSION

S.F. No. 4062

| (SENATE AUTHORS: INGEBRIGTSEN) |       |                                                                                         |
|--------------------------------|-------|-----------------------------------------------------------------------------------------|
| DATE                           | D-PG  | OFFICIAL STATUS                                                                         |
| 03/16/2022                     | 5365  | Introduction and first reading<br>Referred to Environment and Natural Resources Finance |
| 03/31/2022                     | 6051a | Comm report: To pass as amended and re-refer to Finance                                 |
| 04/05/2022                     | 6436a | Comm report: To pass as amended                                                         |
|                                | 6469  | Second reading                                                                          |
| 04/21/2022                     | 7383a | Special Order: Amended                                                                  |
|                                | 7435  | Third reading Passed                                                                    |

1.1

A bill for an act

1.2 relating to state government; appropriating money for environment and natural

1.3 resources and tourism; modifying previous appropriations; establishing new

1.4 programs and modifying existing programs; modifying fees; creating accounts;

1.5 authorizing sales and conveyances of certain land; modifying environmental laws;

1.6 modifying game and fish laws; modifying water laws; modifying natural resource

1.7 and environment laws; modifying mining laws; allowing expansion in West Newton

1.8 Special Use District; requiring reports; making technical corrections; amending

1.9 Minnesota Statutes 2020, sections 84.027, subdivision 14a, by adding a subdivision;

1.10 84.632; 84.788, subdivision 5; 84.82, subdivision 2, by adding a subdivision;

1.11 84.821, subdivision 2; 84.84; 84.86, subdivision 1; 84.87, subdivision 1; 84.922,

1.12 subdivision 4; 85.015, subdivision 10; 90.181, subdivision 2; 97A.015, subdivisions

1.13 29, 51; 97A.126, as amended; 97A.137, subdivisions 3, 5; 97A.405, subdivision

1.14 5; 97B.031, subdivision 1; 97B.071; 97B.311; 97B.318, subdivision 1; 97B.415;

1.15 97B.668; 97C.211, subdivision 2a; 97C.315, subdivision 1; 97C.515, subdivision

1.16 2; 103G.201; 103G.211; 103G.223; 103G.271, subdivision 7, by adding a

1.17 subdivision; 103G.285, by adding a subdivision; 103G.287, subdivisions 4, 5, by

1.18 adding subdivisions; 103G.289; 115.03, subdivision 1; 115.455; 115.55, by adding

1.19 a subdivision; 115.77, subdivision 1; 115.84, subdivisions 2, 3; 115A.03,

1.20 subdivision 35, by adding subdivisions; 115B.52, subdivision 4; 116.03, subdivision

1.21 2b; 116.07, subdivision 4d, by adding a subdivision; 116B.03, subdivision 1;

1.22 116B.10, by adding a subdivision; 116D.04, subdivision 2a; 116U.55, by adding

1.23 a subdivision; 127A.353, subdivision 2; 282.04, subdivision 1, by adding a

1.24 subdivision; 282.08; 297A.94; Minnesota Statutes 2021 Supplement, sections

1.25 84.63; 84.631; 84.92, subdivision 8; 85.052, subdivision 6; 92.502; 103G.271,

1.26 subdivision 4a; 127A.353, subdivision 4; Laws 2015, First Special Session chapter

1.27 4, article 4, section 136, as amended; Laws 2021, First Special Session chapter 6,

1.28 article 1, section 2, subdivision 2; proposing coding for new law in Minnesota

1.29 Statutes, chapters 93; 115A; repealing Minnesota Statutes 2020, section 97C.515,

1.30 subdivisions 4, 5; Laws 2012, chapter 236, section 28, subdivision 9, as amended;

1.31 Laws 2013, chapter 121, section 53; Minnesota Rules, parts 6100.5000, subparts

1.32 3, 4, 5; 6100.5700, subpart 4; 6232.0350.

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

ARTICLE 1  
APPROPRIATIONS

Section 1. ENVIRONMENT AND NATURAL RESOURCES APPROPRIATIONS.

The sums shown in the columns marked "Appropriations" are appropriated to the agencies and for the purposes specified in this article. The appropriations are from the general fund, or another named fund, and are available for the fiscal years indicated for each purpose. The figures "2022" and "2023" used in this article mean that the appropriations listed under them are available for the fiscal year ending June 30, 2022, or June 30, 2023, respectively. "The first year" is fiscal year 2022. "The second year" is fiscal year 2023. "The biennium" is fiscal years 2022 and 2023. Appropriations for the fiscal year ending June 30, 2022, are effective the day following final enactment.

| <u>APPROPRIATIONS</u>         |             |
|-------------------------------|-------------|
| <u>Available for the Year</u> |             |
| <u>Ending June 30</u>         |             |
| <u>2022</u>                   | <u>2023</u> |

Sec. 2. POLLUTION CONTROL AGENCY

|                                           |           |            |           |                  |
|-------------------------------------------|-----------|------------|-----------|------------------|
| <u>Subdivision 1. Total Appropriation</u> | <u>\$</u> | <u>-0-</u> | <u>\$</u> | <u>3,997,000</u> |
|-------------------------------------------|-----------|------------|-----------|------------------|

Appropriations by Fund

|                      | <u>2022</u> | <u>2023</u>      |
|----------------------|-------------|------------------|
| <u>Environmental</u> | <u>-0-</u>  | <u>2,497,000</u> |
| <u>Remediation</u>   | <u>-0-</u>  | <u>1,500,000</u> |

The amounts that may be spent for each purpose are specified in the following subdivisions.

Subd. 2. Agency Appropriations

(a) \$86,000 the second year is from the environmental fund for a grant to Laketown Township in Carver County to prepare preliminary system design and cost estimates for connecting wastewater systems around Pierson Lake to municipal wastewater treatment systems. This is a onetime appropriation.

3.1 (b) \$700,000 the second year is from the  
3.2 environmental fund for additional SCORE  
3.3 block grants to counties.

3.4 (c) \$671,000 the second year is from the  
3.5 environmental fund for whole effluent toxicity  
3.6 rulemaking. This is a onetime appropriation.

3.7 (d) \$50,000 the second year is from the  
3.8 environmental fund to conduct an analysis of  
3.9 how states within Environmental Protection  
3.10 Agency Region 5 fund their air permitting  
3.11 programs. By January 15, 2024, the  
3.12 commissioner must report the results of the  
3.13 analysis to the chairs and ranking minority  
3.14 members of the house of representatives and  
3.15 senate committees and divisions with  
3.16 jurisdiction over environment and natural  
3.17 resources. The report must include: (1)  
3.18 identification of all sources of funding for  
3.19 Minnesota's air permitting program and those  
3.20 of each of the other states within Region 5;  
3.21 (2) a summary of how the funding sources  
3.22 have changed during the last 20 years; (3) an  
3.23 analysis of the cost that Minnesota's air  
3.24 permitting program and those of each state  
3.25 within Region 5 imposes on permittees; (4) a  
3.26 summary of how the costs identified in clause  
3.27 (3) have changed in the last 20 years and how  
3.28 they relate to total permittee emissions; (5)  
3.29 identification of potential alternatives to  
3.30 Minnesota's current practice of increasing the  
3.31 per-ton air emission fee as emissions are  
3.32 reduced; and (6) an assessment of what policy  
3.33 changes, legal changes, and funding changes  
3.34 would be required to successfully implement  
3.35 a program that did not increase permittee cost

4.1 as air emissions are reduced. This is a onetime  
4.2 appropriation.

4.3 (e) \$1,500,000 the second year is from the  
4.4 remediation fund for a contamination cleanup  
4.5 grant to Lake of the Woods County to  
4.6 demolish the abandoned state-owned Williams  
4.7 School building in the city of Williams and to  
4.8 abate and remediate petroleum, pollutants, or  
4.9 contaminants at the school site. This is a  
4.10 onetime appropriation and is available until  
4.11 June 30, 2025.

4.12 (f) \$250,000 the second year is from the  
4.13 environmental fund for a grant to the Red  
4.14 River Basin Commission to facilitate  
4.15 development of a feasibility assessment of  
4.16 adaptive phosphorus management for the Red  
4.17 River of the North. This is a onetime  
4.18 appropriation and is available until December  
4.19 31, 2023.

4.20 **Subd. 3. Environmental Quality Board**  
4.21 **Appropriations**

4.22 \$740,000 the second year is from the  
4.23 environmental fund to develop and assemble  
4.24 the material required under Code of Federal  
4.25 Regulations, title 40, section 233.10, for the  
4.26 state to assume the section 404 permitting  
4.27 program of the federal Clean Water Act. The  
4.28 board must prepare the materials in  
4.29 cooperation with the commissioners of natural  
4.30 resources, the Board of Water and Soil  
4.31 Resources, and the Pollution Control Agency  
4.32 and may execute contracts or interagency  
4.33 agreements to facilitate developing the  
4.34 required materials. By December 31, 2024,  
4.35 the board must submit a report that includes

5.1 a detailed summary of the necessary  
5.2 programmatic changes, drafts of pertinent  
5.3 application materials, the required statute  
5.4 changes, final cost estimates, the remaining  
5.5 steps necessary for the state to secure  
5.6 assumption, and recommendations for  
5.7 implementing a state-assumed program to the  
5.8 chairs and ranking minority members of the  
5.9 legislative committees and divisions with  
5.10 jurisdiction over the environment and natural  
5.11 resources. This is a onetime appropriation, is  
5.12 available until June 30, 2025, and may be used  
5.13 to match federal funding for a similar purpose.  
5.14 The Board of Water and Soil Resources and  
5.15 the commissioner of natural resources, in  
5.16 consultation with the commissioner of the  
5.17 Pollution Control Agency, must make  
5.18 application for assumption to the United States  
5.19 Environmental Protection Agency by June 30,  
5.20 2025.

5.21 Sec. 3. **NATURAL RESOURCES**

|      |                                                  |           |            |           |                         |
|------|--------------------------------------------------|-----------|------------|-----------|-------------------------|
| 5.22 | <u>Subdivision 1. <b>Total Appropriation</b></u> | <u>\$</u> | <u>-0-</u> | <u>\$</u> | <u><b>2,520,000</b></u> |
|------|--------------------------------------------------|-----------|------------|-----------|-------------------------|

5.23 Appropriations by Fund

|      |                          |             |                  |
|------|--------------------------|-------------|------------------|
| 5.24 |                          | <u>2022</u> | <u>2023</u>      |
| 5.25 | <u>Natural Resources</u> | <u>-0-</u>  | <u>1,487,000</u> |
| 5.26 | <u>Game and Fish</u>     | <u>-0-</u>  | <u>1,033,000</u> |

5.27 The amounts that may be spent for each  
5.28 purpose are specified in the following  
5.29 subdivisions.

5.30 Subd. 2. **Appropriations**

5.31 (a) \$447,000 the second year is from the  
5.32 all-terrain vehicle account in the natural  
5.33 resources fund for a grant to the Roseau Lake  
5.34 of the Woods Sportsman's Club, in

6.1 cooperation with the Northstar Trail Alliance,  
6.2 to resurface 13 miles of the former railroad  
6.3 right-of-way between Roseau and Warroad.  
6.4 This is a onetime appropriation and is  
6.5 available until June 30, 2025.

6.6 (b) \$500,000 the second year is from the  
6.7 all-terrain vehicle account in the natural  
6.8 resources fund for a grant to St. Louis County  
6.9 to match other funding sources for design,  
6.10 right-of-way acquisition, permitting, and  
6.11 construction of trails within the Voyageur  
6.12 Country ATV trail system. This is a onetime  
6.13 appropriation and is available until June 30,  
6.14 2025. This appropriation may be used as a  
6.15 local match to a 2022 state bonding award.

6.16 (c) \$500,000 the second year is from the  
6.17 all-terrain vehicle account in the natural  
6.18 resources fund for a grant to St. Louis County  
6.19 to match other funding sources for design,  
6.20 right-of-way acquisition, permitting, and  
6.21 construction of a new trail within the  
6.22 Prospector trail system. This is a onetime  
6.23 appropriation and is available until June 30,  
6.24 2025. This appropriation may be used as a  
6.25 local match to a 2022 state bonding award.

6.26 (d) \$40,000 the second year is from the  
6.27 off-road vehicle account in the natural  
6.28 resources fund for grants to qualifying off-road  
6.29 vehicle organizations to assist in safety and  
6.30 environmental education and monitoring trails  
6.31 on public lands under Minnesota Statutes,  
6.32 section 84.9011. Grants issued under this  
6.33 paragraph must be issued through a formal  
6.34 agreement with the organization. By  
6.35 December 15 each year, an organization

7.1 receiving a grant under this paragraph must  
7.2 report to the commissioner with details on  
7.3 expenditures and outcomes from the grant. Of  
7.4 this amount, \$4,000 is for administering the  
7.5 grants.

7.6 (e) \$150,000 the second year is from the  
7.7 heritage enhancement account in the game and  
7.8 fish fund for additional shooting sports facility  
7.9 grants under Minnesota Statutes, section  
7.10 87A.10. This is a onetime appropriation and  
7.11 is available until June 30, 2024.

7.12 (f) Notwithstanding Minnesota Statutes,  
7.13 section 297A.94, \$387,000 the second year is  
7.14 from the heritage enhancement account in the  
7.15 game and fish fund for additional costs  
7.16 associated with hydrological analyses for  
7.17 proposed water appropriation permit  
7.18 applications that have been denied due to the  
7.19 effects to a calcareous fen.

7.20 (g) Notwithstanding Minnesota Statutes,  
7.21 section 297A.94, \$496,000 the second year is  
7.22 from the heritage enhancement account in the  
7.23 game and fish fund for costs associated with  
7.24 citizen engagement and water supply  
7.25 development engineering for ensuring  
7.26 sustainable groundwater levels in White Bear  
7.27 Lake. Of this amount, \$102,000 is transferred  
7.28 to the commissioner of health. This is a  
7.29 onetime appropriation and is available until  
7.30 June 30, 2024.

7.31 **Sec. 4. EXPLORE MINNESOTA TOURISM**

|      |                                           |    |     |    |                  |
|------|-------------------------------------------|----|-----|----|------------------|
| 7.32 | Subdivision 1. <b>Total Appropriation</b> | \$ | -0- | \$ | <b>1,450,000</b> |
|------|-------------------------------------------|----|-----|----|------------------|

7.33 Appropriations by Fund

|      |      |      |
|------|------|------|
| 7.34 | 2022 | 2023 |
|------|------|------|

|     |                          |            |                  |
|-----|--------------------------|------------|------------------|
| 8.1 | <u>General</u>           | <u>-0-</u> | <u>1,000,000</u> |
| 8.2 | <u>Natural Resources</u> | <u>-0-</u> | <u>450,000</u>   |

8.3 The amounts that may be spent for each  
8.4 purpose are specified in the following  
8.5 subdivisions.

8.6 Subd. 2. Appropriations

8.7 (a) \$1,000,000 the second year is from the  
8.8 general fund for a grant to Minnesota Sports  
8.9 and Events to attract and promote large-scale  
8.10 sporting and other events to the state of  
8.11 Minnesota. This is a onetime appropriation.

8.12 (b) \$450,000 the second year is from the  
8.13 events promotion account in the natural  
8.14 resources fund for a grant to Minnesota Sports  
8.15 and Events to attract and promote large-scale  
8.16 sporting and other events to the state of  
8.17 Minnesota. At least 50 percent of the money  
8.18 appropriated under this paragraph must be to  
8.19 attract and promote large-scale sporting and  
8.20 other events outside of the metropolitan area.

8.21     Sec. 5. Laws 2021, First Special Session chapter 6, article 1, section 2, subdivision 2, is  
8.22 amended to read:

|      |                                                     |            |            |
|------|-----------------------------------------------------|------------|------------|
| 8.23 | Subd. 2. <b>Environmental Analysis and Outcomes</b> | 14,962,000 | 14,140,000 |
|------|-----------------------------------------------------|------------|------------|

|      |                        |            |            |
|------|------------------------|------------|------------|
| 8.24 | Appropriations by Fund |            |            |
| 8.25 |                        | 2022       | 2023       |
| 8.26 | General                | 1,292,000  | 224,000    |
| 8.27 | Environmental          | 13,469,000 | 13,715,000 |
| 8.28 | Remediation            | 201,000    | 201,000    |

8.29 (a) \$99,000 the first year and \$109,000 the  
8.30 second year are from the general fund for:  
8.31 (1) a municipal liaison to assist municipalities  
8.32 in implementing and participating in the  
8.33 rulemaking process for water quality standards

9.1 and navigating the NPDES/SDS permitting  
9.2 process;

9.3 (2) enhanced economic analysis in the  
9.4 rulemaking process for water quality  
9.5 standards, including more-specific analysis  
9.6 and identification of cost-effective permitting;

9.7 (3) developing statewide economic analyses  
9.8 and templates to reduce the amount of  
9.9 information and time required for  
9.10 municipalities to apply for variances from  
9.11 water quality standards; and

9.12 (4) coordinating with the Public Facilities  
9.13 Authority to identify and advocate for the  
9.14 resources needed for municipalities to achieve  
9.15 permit requirements.

9.16 (b) \$205,000 the first year and \$205,000 the  
9.17 second year are from the environmental fund  
9.18 for a monitoring program under Minnesota  
9.19 Statutes, section 116.454.

9.20 (c) \$115,000 the first year and \$115,000 the  
9.21 second year are for monitoring water quality  
9.22 and operating assistance programs.

9.23 (d) \$347,000 the first year and \$347,000 the  
9.24 second year are from the environmental fund  
9.25 for monitoring ambient air for hazardous  
9.26 pollutants.

9.27 (e) \$90,000 the first year and \$90,000 the  
9.28 second year are from the environmental fund  
9.29 for duties related to harmful chemicals in  
9.30 children's products under Minnesota Statutes,  
9.31 sections 116.9401 to 116.9407. Of this  
9.32 amount, \$57,000 each year is transferred to  
9.33 the commissioner of health.

10.1 (f) \$109,000 the first year and \$109,000 the  
10.2 second year are from the environmental fund  
10.3 for registering wastewater laboratories.

10.4 (g) \$926,000 the first year and \$926,000 the  
10.5 second year are from the environmental fund  
10.6 to continue perfluorochemical biomonitoring  
10.7 in eastern metropolitan communities, as  
10.8 recommended by the Environmental Health  
10.9 Tracking and Biomonitoring Advisory Panel,  
10.10 and to address other environmental health  
10.11 risks, including air quality. The communities  
10.12 must include Hmong and other immigrant  
10.13 farming communities. Of this amount, up to  
10.14 \$689,000 the first year and \$689,000 the  
10.15 second year are for transfer to the Department  
10.16 of Health.

10.17 (h) \$51,000 the first year and \$51,000 the  
10.18 second year are from the environmental fund  
10.19 for the listing procedures for impaired waters  
10.20 required under this act.

10.21 (i) \$350,000 the first year is for completing  
10.22 the St. Louis River mercury total maximum  
10.23 daily load study. This is a onetime  
10.24 appropriation and is available until June 30,  
10.25 2023.

10.26 (j) \$141,000 the first year and \$141,000 the  
10.27 second year are from the environmental fund  
10.28 to implement and enforce Minnesota Statutes,  
10.29 section 325F.071. Of this amount, up to  
10.30 \$65,000 each year may be transferred to the  
10.31 commissioner of health.

10.32 (k) \$600,000 the first year is to develop and  
10.33 implement an initiative to reduce sources of  
10.34 perfluoroalkyl and polyfluoroalkyl substances

11.1 (PFAS) in the environment that are eventually  
11.2 conveyed to municipal wastewater treatment  
11.3 facilities. In developing and implementing the  
11.4 initiative, the commissioner must work in  
11.5 cooperation with the Department of Health  
11.6 and with an advisory group consisting of one  
11.7 representative designated by each of the  
11.8 following: the League of Minnesota Cities;  
11.9 the Coalition of Greater Minnesota Cities; the  
11.10 Minnesota Environmental Science and  
11.11 Economic Review Board; the Minnesota  
11.12 Municipal Utilities Association; Metropolitan  
11.13 Council Environmental Services; Minnesota  
11.14 Association of Small Cities; National Waste  
11.15 and Recycling Association; Minnesota Rural  
11.16 Water Association; Association of Minnesota  
11.17 Counties; Solid Waste Administrators  
11.18 Association; Partnership on Waste and Energy;  
11.19 Minnesota Resource Recovery Association;  
11.20 Minnesota InterCounty Association;  
11.21 Minnesota Manufacturer's Coalition; and the  
11.22 Association of Metropolitan Municipalities.  
11.23 In developing and implementing the municipal  
11.24 initiative, the commissioner must:

11.25 (1) identify sources of PFAS introduced into  
11.26 the environment that are eventually conveyed  
11.27 to municipal wastewater treatment facilities  
11.28 and contained in solid waste that are disposed  
11.29 at solid waste facilities;

11.30 (2) identify source reduction strategies that  
11.31 can effectively reduce the amount of PFAS  
11.32 entering the environment that are eventually  
11.33 conveyed to municipal wastewater treatment  
11.34 facilities or are disposed at solid waste  
11.35 facilities;

12.1 (3) publish and distribute throughout the state  
12.2 guidance documents for local governments  
12.3 that include education materials about  
12.4 effective strategies to reduce PFAS sources;  
12.5 (4) identify issues for future study; and  
12.6 (5) by January 31, 2023, report to the chairs  
12.7 and ranking minority members of the house  
12.8 of representatives and senate committees and  
12.9 divisions with jurisdiction over the  
12.10 environment and natural resources on the  
12.11 development and implementation of the  
12.12 initiative. This is a onetime appropriation.  
12.13 (l) \$104,000 the second year is from the  
12.14 environmental fund for the purposes of the  
12.15 perfluoroalkyl and polyfluoroalkyl substances  
12.16 food packaging provisions under Minnesota  
12.17 Statutes, section 325F.075. The base for this  
12.18 appropriation in fiscal year 2024 and later is  
12.19 \$144,000.  
12.20 (m) \$128,000 the first year is for an analysis  
12.21 of the Green Tier program. This is a onetime  
12.22 appropriation.  
12.23 (n) \$250,000 the first year and \$250,000 the  
12.24 second year are from the environmental fund  
12.25 for identifying potential sources of per- and  
12.26 poly-fluoroalkyl substances contamination.  
12.27 This is a onetime appropriation.

## 12.28 ARTICLE 2

### 12.29 ENVIRONMENT AND NATURAL RESOURCES POLICY

12.30 Section 1. Minnesota Statutes 2020, section 84.027, subdivision 14a, is amended to read:

12.31 Subd. 14a. **Permitting efficiency; public notice.** (a) It is the goal of the state that  
12.32 environmental and resource management permits be issued or denied within 90 days for  
12.33 tier 1 permits or 150 days for tier 2 permits following submission of a permit application.

13.1 The commissioner of natural resources shall establish management systems designed to  
13.2 achieve the goal.

13.3 (b) The commissioner shall prepare an annual permitting efficiency report that includes  
13.4 statistics on meeting the goal in paragraph (a) and the criteria for tier 2 by permit categories.  
13.5 The report is due ~~August~~ October 1 each year. For permit applications that have not met  
13.6 the goal, the report must state the reasons for not meeting the goal. In stating the reasons  
13.7 for not meeting the goal, the commissioner shall separately identify delays caused by the  
13.8 responsiveness of the proposer, lack of staff, scientific or technical disagreements, or the  
13.9 level of public engagement. The report must specify the number of days from initial  
13.10 submission of the application to the day of determination that the application is complete.  
13.11 The report must aggregate the data for the year and assess whether program or system  
13.12 changes are necessary to achieve the goal. The report must be posted on the department's  
13.13 website and submitted to the governor and the chairs and ranking minority members of the  
13.14 house of representatives and senate committees having jurisdiction over natural resources  
13.15 policy and finance.

13.16 (c) The commissioner shall allow electronic submission of environmental review and  
13.17 permit documents to the department.

13.18 (d) Within 30 business days of application for a permit subject to paragraph (a), the  
13.19 commissioner of natural resources shall notify the permit applicant, in writing, whether the  
13.20 application is complete or incomplete. If the commissioner determines that an application  
13.21 is incomplete, the notice to the applicant must enumerate all deficiencies, citing specific  
13.22 provisions of the applicable rules and statutes, and advise the applicant on how the  
13.23 deficiencies can be remedied. If the commissioner determines that the application is complete,  
13.24 the notice must confirm the application's tier 1 or tier 2 permit status. If the commissioner  
13.25 believes that a complete application for a tier 2 construction permit cannot be issued within  
13.26 the 150-day goal, the commissioner must provide notice to the applicant with the  
13.27 commissioner's notice that the application is complete and, upon request of the applicant,  
13.28 provide the permit applicant with a schedule estimating when the agency will begin drafting  
13.29 the permit and issue the public notice of the draft permit. This paragraph does not apply to  
13.30 an application for a permit that is subject to a grant or loan agreement under chapter 446A.

13.31 (e) When public notice of a draft individual tier 2 permit is required, the commissioner  
13.32 must provide the applicant a draft permit for review by the applicant within 30 days after  
13.33 determining the proposal conforms to all federal and state laws and rules, unless the permit  
13.34 applicant and the commissioner mutually agree to a different date. The commissioner must  
13.35 consider all comments submitted by the applicant before issuing the permit.

14.1 Sec. 2. Minnesota Statutes 2020, section 84.027, is amended by adding a subdivision to  
14.2 read:

14.3 Subd. 14c. **Unadopted rules.** The commissioner of natural resources must not enforce  
14.4 or attempt to enforce an unadopted rule. For purposes of this subdivision, "unadopted rule"  
14.5 means a guideline, bulletin, criterion, manual standard, interpretive statement, policy plan,  
14.6 or similar pronouncement if the guideline, bulletin, criterion, manual standard, interpretive  
14.7 statement, policy plan, or similar pronouncement has not been adopted according to the  
14.8 rulemaking process provided under chapter 14. If an unadopted rule is challenged under  
14.9 section 14.381, the commissioner must cease enforcement of the unadopted rule and  
14.10 overcome a presumption that the unadopted rule must be adopted according to the rulemaking  
14.11 process provided under chapter 14.

14.12 Sec. 3. Minnesota Statutes 2020, section 84.788, subdivision 5, is amended to read:

14.13 Subd. 5. **Report of ownership transfers; fee.** (a) Application for transfer of ownership  
14.14 of an off-highway motorcycle registered under this section must be made to the commissioner  
14.15 within 15 days of the date of transfer.

14.16 (b) An application for transfer must be executed by the ~~registered~~ current owner and the  
14.17 purchaser using a bill of sale that includes the vehicle serial number.

14.18 (c) The purchaser is subject to the penalties imposed by section 84.774 if the purchaser  
14.19 fails to apply for transfer of ownership as provided under this subdivision.

14.20 Sec. 4. Minnesota Statutes 2020, section 84.82, subdivision 2, is amended to read:

14.21 Subd. 2. **Application, issuance, issuing fee.** (a) Application for registration or  
14.22 reregistration shall be made to the commissioner or an authorized deputy registrar of motor  
14.23 vehicles in a format prescribed by the commissioner and shall state the legal name and  
14.24 address of every owner of the snowmobile.

14.25 (b) A person who purchases a snowmobile from a retail dealer shall make application  
14.26 for registration to the dealer at the point of sale. The dealer shall issue a dealer temporary  
14.27 21-day registration permit to each purchaser who applies to the dealer for registration. The  
14.28 temporary permit must contain the dealer's identification number and phone number. Each  
14.29 retail dealer shall submit completed registration and fees to the deputy registrar at least once  
14.30 a week. No fee may be charged by a dealer to a purchaser for providing the temporary  
14.31 permit.

(c) Upon receipt of the application and the appropriate fee, the commissioner or deputy registrar shall issue to the applicant, or provide to the dealer, an assigned registration number or a commissioner or deputy registrar temporary 21-day permit. The registration number must be printed on a registration decal issued by the commissioner or deputy registrar. Once issued, the registration ~~number~~ decal must be affixed to the snowmobile in a clearly visible and permanent manner for enforcement purposes ~~as the commissioner of natural resources shall prescribe~~ according to subdivision 3b. A dealer subject to paragraph (b) shall provide the registration materials or temporary permit to the purchaser within the temporary 21-day permit period. The registration is not valid unless signed by at least one owner.

(d) Each deputy registrar of motor vehicles acting pursuant to section 168.33 shall also be a deputy registrar of snowmobiles. The commissioner of natural resources in agreement with the commissioner of public safety may prescribe the accounting and procedural requirements necessary to ensure efficient handling of registrations and registration fees. Deputy registrars shall strictly comply with these accounting and procedural requirements.

(e) In addition to other fees prescribed by law, an issuing fee of \$4.50 is charged for each snowmobile registration renewal, duplicate or replacement registration card, and replacement decal, and an issuing fee of \$7 is charged for each snowmobile registration and registration transfer issued by:

(1) a registrar or a deputy registrar and must be deposited in the manner provided in section 168.33, subdivision 2; or

(2) the commissioner and must be deposited in the state treasury and credited to the snowmobile trails and enforcement account in the natural resources fund.

Sec. 5. Minnesota Statutes 2020, section 84.82, is amended by adding a subdivision to read:

**Subd. 3b. Display of registration decal.** (a) A person must not operate a snowmobile in the state or allow another to operate the person's snowmobile in the state unless the snowmobile has its unexpired registration decal affixed to each side of the snowmobile and the decal is legible.

(b) The registration decal must be affixed:

(1) for snowmobiles made after June 30, 1972, in the area provided by the manufacturer under section 84.821, subdivision 2; and

(2) for all other snowmobiles, on each side of the cowling on the upper half of the snowmobile.

16.1 (c) When any previously affixed registration decal is destroyed or lost, a duplicate must  
16.2 be affixed in the same manner as provided in paragraph (b).

16.3 Sec. 6. Minnesota Statutes 2020, section 84.821, subdivision 2, is amended to read:

16.4 Subd. 2. **Area for registration number.** All snowmobiles made after June 30, 1972,  
16.5 and sold in Minnesota, shall be designed and made to provide an area on which to affix the  
16.6 registration number decal. ~~This area shall be at a location and of dimensions prescribed by~~  
16.7 ~~rule of the commissioner.~~ A clear area must be provided on each side of the cowling with  
16.8 a minimum size of 3-1/2 square inches and at least 12 inches from the ground when the  
16.9 machine is resting on a hard surface.

16.10 Sec. 7. Minnesota Statutes 2020, section 84.84, is amended to read:

16.11 **84.84 TRANSFER OR TERMINATION OF SNOWMOBILE OWNERSHIP.**

16.12 (a) Within 15 days after the transfer of ownership, or any part thereof, other than a  
16.13 security interest, or the destruction or abandonment of any snowmobile, written notice of  
16.14 the transfer or destruction or abandonment shall be given to the commissioner in such form  
16.15 as the commissioner shall prescribe.

16.16 (b) An application for transfer must be executed by the ~~registered~~ current owner and the  
16.17 purchaser using a bill of sale that includes the vehicle serial number.

16.18 (c) The purchaser is subject to the penalties imposed by section 84.88 if the purchaser  
16.19 fails to apply for transfer of ownership as provided under this subdivision. Every owner or  
16.20 part owner of a snowmobile shall, upon failure to give notice of destruction or abandonment,  
16.21 be subject to the penalties imposed by section 84.88.

16.22 Sec. 8. Minnesota Statutes 2020, section 84.86, subdivision 1, is amended to read:

16.23 Subdivision 1. **Required rules, fees, and reports.** (a) With a view of achieving maximum  
16.24 use of snowmobiles consistent with protection of the environment the commissioner of  
16.25 natural resources shall adopt rules in the manner provided by chapter 14, for the following  
16.26 purposes:

16.27 (1) registration of snowmobiles and display of registration numbers;

16.28 (2) use of snowmobiles insofar as game and fish resources are affected;

16.29 (3) use of snowmobiles on public lands and waters, or on grant-in-aid trails;

17.1 (4) uniform signs to be used by the state, counties, and cities, which are necessary or  
17.2 desirable to control, direct, or regulate the operation and use of snowmobiles;

17.3 (5) specifications relating to snowmobile mufflers; and

17.4 (6) a comprehensive snowmobile information and safety education and training program;  
17.5 ~~including that includes~~ but is not limited to ~~the preparation and dissemination of preparing~~  
17.6 and disseminating snowmobile information and safety advice to the public, ~~the training of~~  
17.7 snowmobile operators, and ~~the issuance of~~ issuing snowmobile safety certificates to  
17.8 snowmobile operators who successfully complete the snowmobile safety education and  
17.9 training course.

17.10 (b) For the purpose of administering ~~such~~ the program under paragraph (a), clause (6),  
17.11 and to defray expenses of training and certifying snowmobile operators, the commissioner  
17.12 shall collect a fee from each person who receives the youth or adult training. The  
17.13 commissioner shall collect a fee, to include a \$1 issuing fee for licensing agents, for issuing  
17.14 a duplicate snowmobile safety certificate. The commissioner shall establish both fees in a  
17.15 manner that neither significantly overrecovers nor underrecovers costs, including overhead  
17.16 costs, involved in providing the services. The fees are not subject to the rulemaking provisions  
17.17 of chapter 14 and section 14.386 does not apply. The fees may be established by the  
17.18 commissioner notwithstanding section 16A.1283. The fees, except for the issuing fee for  
17.19 licensing agents under this subdivision, shall be deposited in the snowmobile trails and  
17.20 enforcement account in the natural resources fund and the amount thereof, except for the  
17.21 electronic licensing system commission established by the commissioner under section  
17.22 84.027, subdivision 15, and issuing fees collected by the commissioner, is appropriated  
17.23 annually to the Enforcement Division of the Department of Natural Resources for ~~the~~  
17.24 ~~administration of such~~ administering the programs. In addition to the fee established by the  
17.25 commissioner, instructors may charge each person any fee paid by the instructor for the  
17.26 person's online training course and up to the established fee amount for class materials and  
17.27 expenses. The commissioner shall cooperate with private organizations and associations,  
17.28 private and public corporations, and local governmental units in furtherance of the program  
17.29 established under ~~this~~ paragraph (a), clause (6). School districts may cooperate with the  
17.30 commissioner and volunteer instructors to provide space for the classroom portion of the  
17.31 training. The commissioner shall consult with the commissioner of public safety in regard  
17.32 to training program subject matter and performance testing that leads to the certification of  
17.33 snowmobile operators.

17.34 ~~(7)~~ (c) The operator of any snowmobile involved in an accident resulting in injury  
17.35 requiring medical attention or hospitalization to or death of any person or total damage to

18.1 an extent of \$500 or more, shall forward a written report of the accident to the commissioner  
18.2 on ~~such~~ a form as prescribed by the commissioner ~~shall prescribe~~. If the operator is killed  
18.3 or is unable to file a report due to incapacitation, any peace officer investigating the accident  
18.4 shall file the accident report within ten business days.

18.5 Sec. 9. Minnesota Statutes 2020, section 84.87, subdivision 1, is amended to read:

18.6 Subdivision 1. **Operation on streets and highways.** (a) No person shall operate a  
18.7 snowmobile upon the roadway, shoulder, or inside bank or slope of any trunk, county  
18.8 state-aid, or county highway in this state and, in the case of a divided trunk or county  
18.9 highway, on the right-of-way between the opposing lanes of traffic, except as provided in  
18.10 sections 84.81 to 84.90. No person shall operate a snowmobile within the right-of-way of  
18.11 any trunk, county state-aid, or county highway between the hours of one-half hour after  
18.12 sunset to one-half hour before sunrise, except on the right-hand side of such right-of-way  
18.13 and in the same direction as the highway traffic on the nearest lane of the roadway adjacent  
18.14 thereto. No snowmobile shall be operated at any time within the right-of-way of any interstate  
18.15 highway or freeway within this state.

18.16 (b) Notwithstanding any provision of paragraph (a) to the contrary:

18.17 (1) under conditions prescribed by the commissioner of transportation, the commissioner  
18.18 of transportation may allow two-way operation of snowmobiles on either side of the trunk  
18.19 highway right-of-way where the commissioner of transportation determines that two-way  
18.20 operation will not endanger users of the trunk highway or riders of the snowmobiles using  
18.21 the trail;

18.22 (2) under conditions prescribed by a local road authority as defined in section 160.02,  
18.23 subdivision 25, the road authority may allow two-way operation of snowmobiles on either  
18.24 side of the right-of-way of a street or highway under the road authority's jurisdiction, where  
18.25 the road authority determines that two-way operation will not endanger users of the street  
18.26 or highway or riders of the snowmobiles using the trail;

18.27 (3) the commissioner of transportation under clause (1) and the local road authority  
18.28 under clause (2) shall notify the commissioner of natural resources and the local law  
18.29 enforcement agencies responsible for the streets or highways of the locations of two-way  
18.30 snowmobile trails authorized under this paragraph; and

18.31 (4) two-way snowmobile trails authorized under this paragraph shall be posted for  
18.32 two-way operation at the authorized locations.

19.1 (c) A snowmobile may make a direct crossing of a street or highway at any hour of the  
19.2 day provided:

19.3 (1) the crossing is made at an angle of approximately 90 degrees to the direction of the  
19.4 highway and at a place where no obstruction prevents a quick and safe crossing; and

19.5 (2) the snowmobile is brought to a complete stop before crossing the shoulder or main  
19.6 traveled way of the highway; and

19.7 (3) the driver yields the right-of-way to all oncoming traffic which constitutes an  
19.8 immediate hazard; and

19.9 (4) in crossing a divided highway, the crossing is made only at an intersection of such  
19.10 highway with another public street or highway, or at a safe location approved by the road  
19.11 authority; and

19.12 (5) if the crossing is made between the hours of one-half hour after sunset to one-half  
19.13 hour before sunrise or in conditions of reduced visibility, only if both front and rear lights  
19.14 are on; and

19.15 (6) a snowmobile may be operated upon a bridge, other than a bridge that is part of the  
19.16 main traveled lanes of an interstate highway, when required for the purpose of avoiding  
19.17 obstructions to travel when no other method of avoidance is possible; provided the  
19.18 snowmobile is operated in the extreme right-hand lane, the entrance to the roadway is made  
19.19 within 100 feet of the bridge and the crossing is made without undue delay.

19.20 (d) No snowmobile shall be operated upon a public street or highway unless it is equipped  
19.21 with at least one headlamp, one tail lamp, each of minimum candlepower as prescribed by  
19.22 rules of the commissioner, reflector material of a minimum area of 16 square inches mounted  
19.23 on each side forward of the handle bars, and with brakes each of which shall conform to  
19.24 standards prescribed by rule of the commissioner pursuant to the authority vested in the  
19.25 commissioner by section 84.86, and each of which shall be subject to approval of the  
19.26 commissioner of public safety.

19.27 (e) A snowmobile may be operated upon a public street or highway other than as provided  
19.28 by paragraph (c) in an emergency during the period of time when and at locations where  
19.29 snow upon the roadway renders travel by automobile impractical.

19.30 (f) All provisions of chapters 169 and 169A shall apply to the operation of snowmobiles  
19.31 upon streets and highways, except for those relating to required equipment, and except those  
19.32 which by their nature have no application. Section 169.09 applies to the operation of  
19.33 snowmobiles anywhere in the state or on the ice of any boundary water of the state.

20.1 (g) Any sled, trailer, or other device being towed by a snowmobile must be equipped  
20.2 with reflective materials as required by rule of the commissioner.

20.3 Sec. 10. Minnesota Statutes 2021 Supplement, section 84.92, subdivision 8, is amended  
20.4 to read:

20.5 Subd. 8. **All-terrain vehicle or vehicle.** (a) "All-terrain vehicle" or "vehicle" means a  
20.6 motorized vehicle with: (1) not less than three, but not more than six ~~low-pressure or~~  
20.7 ~~non-pneumatic~~ tires; (2) a total dry weight of ~~2,000~~ 3,000 pounds or less; and (3) a total  
20.8 width from outside of tire rim to outside of tire rim that is 65 inches or less. All-terrain  
20.9 vehicle includes a class 1 all-terrain vehicle and class 2 all-terrain vehicle.

20.10 (b) All-terrain vehicle does not include an electric-assisted bicycle as defined in section  
20.11 169.011, subdivision 27, golf cart, mini-truck, dune buggy, or go-cart or a vehicle designed  
20.12 and used specifically for lawn maintenance, agriculture, logging, or mining purposes.

20.13 Sec. 11. Minnesota Statutes 2020, section 84.922, subdivision 4, is amended to read:

20.14 Subd. 4. **Report of transfers.** (a) Application for transfer of ownership must be made  
20.15 to the commissioner within 15 days of the date of transfer.

20.16 (b) An application for transfer must be executed by the ~~registered~~ current owner and the  
20.17 purchaser using a bill of sale that includes the vehicle serial number.

20.18 (c) The purchaser is subject to the penalties imposed by section 84.774 if the purchaser  
20.19 fails to apply for transfer of ownership as provided under this subdivision.

20.20 Sec. 12. Minnesota Statutes 2020, section 85.015, subdivision 10, is amended to read:

20.21 Subd. 10. **Luce Line Trail, Hennepin, McLeod, and Meeker Counties.** (a) The trail  
20.22 shall originate at Gleason Lake in Plymouth Village, Hennepin County, ~~and shall follow~~  
20.23 the route of the Chicago Northwestern Railroad, and include a connection to Greenleaf Lake  
20.24 State Recreation Area.

20.25 (b) The trail shall be developed for multiuse wherever feasible. The department shall  
20.26 cooperate in maintaining its integrity for modes of use consistent with local ordinances.

20.27 (c) In establishing, developing, maintaining, and operating the trail, the commissioner  
20.28 shall cooperate with local units of government and private individuals and groups. Before  
20.29 acquiring any parcel of land for the trail, the commissioner of natural resources shall develop  
20.30 a management program for the parcel and conduct a public hearing on the proposed

21.1 management program in the vicinity of the parcel to be acquired. The management program  
21.2 of the commissioner shall include but not be limited to the following:

21.3 ~~(a) (1) fencing of~~ portions of the trail where necessary to protect adjoining landowners;  
21.4 and

21.5 ~~(b) the maintenance of~~ (2) maintaining the trail in a ~~litter-free~~ litter-free condition to the  
21.6 extent practicable.

21.7 (d) The commissioner shall not acquire any of the right-of-way of the Chicago  
21.8 Northwestern Railway Company until the abandonment of the line described in this  
21.9 subdivision has been approved by the Surface Transportation Board or the former Interstate  
21.10 Commerce Commission. Compensation, in addition to the value of the land, shall include  
21.11 improvements made by the railroad, including but not limited to, bridges, trestles, public  
21.12 road crossings, or any portion thereof, it being the desire of the railroad that such  
21.13 improvements be included in the conveyance. The fair market value of the land and  
21.14 improvements shall be recommended by two independent appraisers mutually agreed upon  
21.15 by the parties. The fair market value thus recommended shall be reviewed by a review  
21.16 appraiser agreed to by the parties, and the fair market value thus determined, and supported  
21.17 by appraisals, may be the purchase price. The commissioner may exchange lands with  
21.18 landowners abutting the right-of-way described in this section to eliminate diagonally shaped  
21.19 separate fields.

21.20 Sec. 13. Minnesota Statutes 2021 Supplement, section 85.052, subdivision 6, is amended  
21.21 to read:

21.22 Subd. 6. **State park reservation system.** (a) The commissioner may, by written order,  
21.23 develop reasonable reservation policies for ~~campsites and other~~ using camping, lodging,  
21.24 and day-use facilities and for tours, educational programs, seminars, events, and rentals.  
21.25 The policies are exempt from the rulemaking provisions under chapter 14, and section  
21.26 14.386 does not apply.

21.27 (b) The revenue collected from the state park reservation fee established under subdivision  
21.28 5, including interest earned, ~~shall~~ must be deposited in the state park account in the natural  
21.29 resources fund and is annually appropriated to the commissioner for the cost of operating  
21.30 the state park reservation and point-of-sale system.

22.1 Sec. 14. Minnesota Statutes 2020, section 90.181, subdivision 2, is amended to read:

22.2 Subd. 2. **Deferred payments.** (a) If the amount of the statement is not paid or payment  
 22.3 is not postmarked within 30 days of the statement date ~~thereof, it shall bear, the amount~~  
 22.4 bears interest at the rate determined pursuant to section 16A.124, except that the purchaser  
 22.5 ~~shall not be~~ is not required to pay interest that totals \$1 or less. If the amount is not paid  
 22.6 within 60 days, the commissioner shall place the account in the hands of the commissioner  
 22.7 of revenue according to chapter 16D, who shall proceed to collect the ~~same~~ amount due.  
 22.8 When deemed in the best interests of the state, the commissioner shall take possession of  
 22.9 the timber for which an amount is due wherever it may be found and sell the ~~same~~ timber  
 22.10 informally or at public auction after giving reasonable notice.

22.11 (b) The proceeds of the sale ~~shall~~ must be applied, first, to the payment of the expenses  
 22.12 of seizure and sale; and, second, to the payment of the amount due for the timber, with  
 22.13 interest; ~~and~~. The surplus, if any, ~~shall belong~~ belongs to the state; ~~and~~. In case a sufficient  
 22.14 amount is not realized to pay these amounts in full, the balance ~~shall~~ must be collected by  
 22.15 the attorney general. ~~Neither~~ Payment of the amount, ~~nor the~~ recovery of judgment ~~therefor~~  
 22.16 for the amount, nor satisfaction of the judgment, ~~nor the~~ or seizure and sale of timber, ~~shall~~  
 22.17 does not:

22.18 (1) release the sureties on any security deposit given pursuant to this chapter; ~~or;~~

22.19 (2) preclude the state from afterwards claiming that the timber was cut or removed  
 22.20 contrary to law and recovering damages for the trespass thereby committed; ~~or~~

22.21 (3) preclude the state from prosecuting the offender criminally.

22.22 Sec. 15. [93.70] ENSURING TIMELY ENVIRONMENTAL REVIEW OF  
 22.23 METALLIC MINING PROJECTS.

22.24 Subdivision 1. **Definitions.** (a) For purposes of this section, the terms defined in this  
 22.25 subdivision have the meanings given.

22.26 (b) "Commissioner" means the commissioner of natural resources.

22.27 (c) "Covered mining project" means a proposed metallic mineral mining project or a  
 22.28 modification to an existing metallic mining project for which an environmental assessment  
 22.29 worksheet or an environmental impact statement must be or is being prepared according to  
 22.30 chapter 116D.

(d) "Submission date" means the date on which a project proposer of a covered mining project submits the completed data portion of an environmental assessment worksheet to the responsible governmental unit for environmental review under chapter 116D.

**Subd. 2. Environmental review goals.** To ensure an environmental review process that is both timely and environmentally responsible, the responsible governmental unit for a covered mining project must attempt to ensure that all environmental reviews, permits, and approvals, including those at the federal level to the extent practicable, are completed in accordance with the following timelines:

(1) when an environmental assessment worksheet is prepared for a project for which an environmental impact statement is not required, the decision on the need for an environmental impact statement must be made no later than 18 months after the environmental assessment worksheet submission date; and

(2) when an environmental impact statement is prepared for a project, the decision on the adequacy of the final environmental impact statement must be made no later than three years after the environmental assessment worksheet submission date.

**Subd. 3. Report.** If a responsible governmental unit fails to meet a goal set forth in subdivision 2, it must within five days report to the project proposer and to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over mining to explain the reason for the failure and must provide an estimate of the additional time that will be required to determine whether an environmental impact statement is required or whether the final environmental impact statement is adequate, as applicable.

Sec. 16. Minnesota Statutes 2020, section 97A.015, subdivision 29, is amended to read:

**Subd. 29. Minnows.** "Minnows" means: (1) members of the minnow family, Cyprinidae, except carp and goldfish; (2) members of the mudminnow family, Umbridae; (3) members of the sucker family, Catostomidae, ~~not over 12 inches in length~~; (4) bullheads, ciscoes, lake whitefish, goldeyes, and mooneyes, not over seven inches long; (5) leeches; and (6) tadpole madtoms (willow cats) and stonecats.

Sec. 17. Minnesota Statutes 2020, section 97A.015, subdivision 51, is amended to read:

**Subd. 51. Unloaded.** "Unloaded" means, with reference to a firearm, without ammunition in the barrels and magazine, if the magazine is in the firearm. A muzzle-loading firearm ~~with~~ is unloaded if:

24.1 (1) for a flintlock ignition is unloaded if, it does not have priming powder in a pan. A  
24.2 ~~muzzle-loading firearm with;~~

24.3 (2) for a percussion ignition is unloaded if, it does not have a percussion cap on a nipple;

24.4 (3) for an electronic ignition system, the battery is removed and is disconnected from  
24.5 the firearm; and

24.6 (4) for an encapsulated powder charge ignition system, the primer and powder charge  
24.7 are removed from the firearm.

24.8 Sec. 18. Minnesota Statutes 2020, section 97A.126, as amended by Laws 2021, First  
24.9 Special Session chapter 6, article 2, section 52, is amended to read:

24.10 **97A.126 WALK-IN ACCESS PROGRAM.**

24.11 Subdivision 1. **Establishment.** A walk-in access program is established to provide public  
24.12 access to wildlife habitat on private land for hunting, bird-watching, nature photography,  
24.13 and similar compatible uses, excluding trapping, as provided under this section. The  
24.14 commissioner may enter into agreements with other units of government and landowners  
24.15 to provide private land hunting access.

24.16 Subd. 2. **Use of enrolled lands.** (a) From September 1 to May 31, a person must have  
24.17 a walk-in access ~~hunter~~ validation in possession to hunt, photograph, and watch wildlife on  
24.18 private lands, including agricultural lands, that are posted as being enrolled in the walk-in  
24.19 access program.

24.20 (b) Hunting, bird-watching, nature photography, and similar compatible uses on private  
24.21 lands that are posted as enrolled in the walk-in access program is allowed from one-half  
24.22 hour before sunrise to one-half hour after sunset.

24.23 (c) ~~Hunter~~ Access on private lands that are posted as enrolled in the walk-in access  
24.24 program is restricted to nonmotorized use, except by ~~hunters~~ persons with disabilities  
24.25 operating motor vehicles on established trails or field roads who ~~possess a valid permit to~~  
24.26 ~~shoot from a stationary vehicle under section 97B.055, subdivision 3~~ provide credible  
24.27 assurance to the commissioner that the device or motor boat is used because of a disability.

24.28 (d) The general provisions for use of wildlife management areas adopted under sections  
24.29 86A.06 and 97A.137, relating to overnight use, alcoholic beverages, use of motorboats,  
24.30 firearms and target shooting, hunting stands, abandonment of trash and property, destruction  
24.31 or removal of property, introduction of plants or animals, and animal trespass, apply to  
24.32 ~~hunters on~~ use of lands enrolled in the walk-in access program.

25.1 (e) Any use of enrolled lands other than ~~hunting according to~~ use authorized under this  
 25.2 section is prohibited, including:

25.3 (1) harvesting bait, including minnows, leeches, and other live bait;

25.4 (2) training dogs or using dogs for activities other than hunting; and

25.5 (3) constructing or maintaining any building, dock, fence, billboard, sign, hunting blind,  
 25.6 or other structure, unless constructed or maintained by the landowner.

25.7 Subd. 3. **Walk-in-access hunter validation; fee.** The fee for a walk-in-access hunter  
 25.8 validation is \$3.

25.9 Sec. 19. Minnesota Statutes 2020, section 97A.137, subdivision 3, is amended to read:

25.10 Subd. 3. **Use of motorized vehicles by disabled hunters** people with disabilities. The  
 25.11 commissioner may ~~issue~~ provide an accommodation by issuing a special permit, without a  
 25.12 fee, authorizing a ~~hunter~~ person with a ~~permanent physical~~ disability to use a ~~snowmobile,~~  
 25.13 ~~highway-licensed vehicle, all-terrain vehicle,~~ an other power-driven mobility device, as  
 25.14 defined under Code of Federal Regulations, title 28, section 35.104, or a motor boat in  
 25.15 wildlife management areas. To qualify for a permit under this subdivision, the ~~disabled~~  
 25.16 person must ~~possess:~~

25.17 ~~(1) the required hunting licenses; and~~

25.18 ~~(2) a permit to shoot from a stationary vehicle under section 97B.055, subdivision 3.~~  
 25.19 provide credible assurance to the commissioner that the device or motor boat is used because  
 25.20 of a disability.

25.21 Sec. 20. Minnesota Statutes 2020, section 97A.137, subdivision 5, is amended to read:

25.22 Subd. 5. **Portable stands.** (a) Prior to the Saturday on or nearest September 16, a portable  
 25.23 stand may be left overnight in a wildlife management area by a person with a valid bear  
 25.24 license who is hunting within 100 yards of a bear bait site that is legally tagged and registered  
 25.25 as prescribed under section 97B.425. Any person leaving a portable stand overnight under  
 25.26 this subdivision must affix a tag with: (1) the person's name and address; (2) the licensee's  
 25.27 driver's license number; or (3) the "MDNR#" license identification number issued to the  
 25.28 licensee. The tag must be affixed to the stand in a manner that it can be read from the ground.

25.29 (b) From November 1 through December 31, a portable stand may be left overnight by  
 25.30 a person possessing a license to take deer in a wildlife management area located in whole  
 25.31 or in part north and west of a line described as follows:

State Trunk Highway 1 from the west boundary of the state to State Trunk Highway 89; then north along State Trunk Highway 89 to Fourtown; then north on County State-Aid Highway 44, Beltrami County, to County Road 704, Beltrami County; then north on County Road 704 to Dick's Parkway State Forest Road; then north on Dick's Parkway to County State-Aid Highway 5, Roseau County; then north on County State-Aid Highway 5 to Warroad; then north on State Trunk Highway 11 to State Trunk Highway 313; then north on State Trunk Highway 313 to the north boundary of the state.

A person leaving a portable stand overnight under this paragraph must affix a tag with: (1) the person's name and address; (2) the licensee's driver's license number; or (3) the "MDNR#" license identification number issued to the licensee. The tag must be affixed to the stand so that it can be read from the ground and must be made of a material sufficient to withstand weather conditions. A person leaving a portable stand overnight in a wildlife management area under this paragraph may not leave more than two portable stands in any one wildlife management area. Unoccupied portable stands left overnight under this paragraph may be used by any member of the public. ~~This paragraph expires December 31, 2019.~~

**EFFECTIVE DATE.** This section is effective retroactively from July 1, 2019, and Minnesota Statutes, section 97A.137, subdivision 5, paragraph (b), is revived and reenacted as of that date.

Sec. 21. Minnesota Statutes 2020, section 97A.405, subdivision 5, is amended to read:

Subd. 5. **Resident licenses.** (a) To obtain a resident license, ~~a resident~~ an individual 21 years of age or older must be a resident and:

(1) possess a current Minnesota driver's license or a valid application receipt for a driver's license that is at least 60 days past the issuance date;

(2) possess a current identification card issued by the commissioner of public safety or a valid application receipt for an identification card that is at least 60 days past the issuance date; ~~or~~

(3) present evidence showing proof of residency in cases when clause (1) or (2) would violate the Religious Freedom Restoration Act of 1993, Public Law 103-141; or

(4) possess a Tribal identification card as provided in paragraph (b).

(b) For purposes of this subdivision, "Tribal identification card" means an unexpired identification card as provided under section 171.072, paragraphs (b) and (c). The Tribal identification card:

27.1 (1) must contain the enrolled Tribal member's Minnesota residence address; and

27.2 (2) may be used to obtain a resident license under paragraph (a) only if the Tribal member  
27.3 does not have a current driver's license or state identification card in any state.

27.4 (c) A person must not have applied for, purchased, or accepted a resident hunting, fishing,  
27.5 or trapping license issued by another state or foreign country within 60 days before applying  
27.6 for a resident license under this section.

27.7 Sec. 22. Minnesota Statutes 2020, section 97B.031, subdivision 1, is amended to read:

27.8 Subdivision 1. **Permissible firearms and ammunition; big game and wolves.** A person  
27.9 may take big game and wolves with a firearm only if:

27.10 (1) ~~the~~ any rifle, shotgun, ~~and~~ or handgun used is a caliber of at least .22 inches and ~~with~~  
27.11 has centerfire ignition;

27.12 (2) the firearm is loaded only with single projectile ammunition;

27.13 (3) a projectile used is a caliber of at least .22 inches and has a soft point or is an  
27.14 expanding bullet type;

27.15 (4) ~~the~~ any muzzleloader used ~~is incapable of being~~ has the projectile loaded only at the  
27.16 ~~breech~~ muzzle;

27.17 (5) ~~the~~ any smooth-bore muzzleloader used is a caliber of at least .45 inches; and

27.18 (6) ~~the~~ any rifled muzzleloader used is a caliber of at least .40 inches.

27.19 Sec. 23. Minnesota Statutes 2020, section 97B.071, is amended to read:

27.20 **97B.071 CLOTHING AND GROUND BLIND REQUIREMENTS; BLAZE**  
27.21 **ORANGE OR BLAZE PINK.**

27.22 (a) Except as provided in rules adopted under paragraph ~~(e)~~ (d), a person may not hunt  
27.23 or trap during the open season where deer may be taken by firearms under applicable laws  
27.24 and ordinances, unless the visible portion of the person's cap and outer clothing above the  
27.25 waist, excluding sleeves and gloves, is blaze orange or blaze pink. Blaze orange or blaze  
27.26 pink includes a camouflage pattern of at least 50 percent blaze orange or blaze pink within  
27.27 each foot square. This section does not apply to migratory-waterfowl hunters on waters of  
27.28 this state or in a stationary shooting location or to trappers on waters of this state.

27.29 (b) Except as provided in rules adopted under paragraph (d) and in addition to the  
27.30 requirements under paragraph (a), during the open season where deer may be taken by

28.1 firearms under applicable laws and ordinances, a person in a fabric or synthetic ground  
28.2 blind on public land must have:

28.3 (1) a blaze orange or blaze pink safety covering on the top of the blind visible for 360  
28.4 degrees around the blind; or

28.5 (2) at least 144 square inches of blaze orange or blaze pink material on each side of the  
28.6 blind.

28.7 ~~(b)~~ (c) Except as provided in rules adopted under paragraph ~~(e)~~ (d), and in addition to  
28.8 the ~~requirement~~ requirements in ~~paragraph~~ paragraphs (a) and (b), a person may not take  
28.9 small game other than turkey, migratory birds, raccoons, and predators, except while trapping,  
28.10 unless a visible portion of at least one article of the person's clothing above the waist is  
28.11 blaze orange or blaze pink. This paragraph does not apply to a person when in a stationary  
28.12 location while hunting deer by archery or when hunting small game by falconry.

28.13 ~~(e)~~ (d) The commissioner may, by rule, prescribe an alternative color in cases where  
28.14 ~~paragraph (a) or (b)~~ paragraphs (a) to (c) would violate the Religious Freedom Restoration  
28.15 Act of 1993, Public Law 103-141.

28.16 ~~(d)~~ (e) A violation of paragraph ~~(b)~~ shall (c) does not result in a penalty, but is punishable  
28.17 only by a safety warning.

28.18 Sec. 24. Minnesota Statutes 2020, section 97B.311, is amended to read:

28.19 **97B.311 DEER SEASONS AND RESTRICTIONS.**

28.20 (a) Except as provided under paragraph (c), the commissioner may, by rule, prescribe  
28.21 restrictions and designate areas where deer may be taken, including hunter selection criteria  
28.22 for special hunts established under section 97A.401, subdivision 4. The commissioner may,  
28.23 by rule, prescribe the open seasons for deer within the following periods:

28.24 (1) taking with firearms, other than muzzle-loading firearms, between November 1 and  
28.25 December 15;

28.26 (2) taking with muzzle-loading firearms between September 1 and December 31; and

28.27 (3) taking by archery between September 1 and December 31.

28.28 (b) Notwithstanding paragraph (a), the commissioner may establish special seasons  
28.29 within designated areas at any time of year.

28.30 (c) The commissioner may not impose an antler point restriction other than that imposed  
28.31 under Minnesota Rules, part 6232.0200, subpart 6.

Sec. 25. Minnesota Statutes 2020, section 97B.318, subdivision 1, is amended to read:

Subdivision 1. **Shotgun use area.** During the regular firearms season in the shotgun use area, only legal shotguns loaded with single-slug shotgun shells, legal muzzle-loading long guns, and legal handguns may be used for taking deer. Legal shotguns include those with rifled barrels. The shotgun use area is that portion of the state ~~lying within the following described boundary: Beginning on the west boundary of the state at the northern boundary of Clay County; thence along the northern boundary of Clay County to State Trunk Highway (STH) 32; thence along STH 32 to STH 34; thence along STH 34 to Interstate Highway 94 (I-94); thence along I-94 to County State-Aid Highway (CSAH) 40, Douglas County; thence along CSAH 40 to CSAH 82, Douglas County; thence along CSAH 82 to CSAH 22, Douglas County; thence along CSAH 22 to CSAH 6, Douglas County; thence along CSAH 6 to CSAH 14, Douglas County; thence along CSAH 14 to STH 29; thence along STH 29 to CSAH 46, Otter Tail County; thence along CSAH 46, Otter Tail County, to CSAH 22, Todd County; thence along CSAH 22 to U.S. Highway 71; thence along U.S. Highway 71 to STH 27; thence along STH 27 to the Mississippi River; thence along the east bank of the Mississippi River to STH 23; thence along STH 23 to STH 95; thence along STH 95 to U.S. Highway 8; thence along U.S. Highway 8 to the eastern boundary of the state; thence along the east, south, and west boundaries of the state to the point of beginning consisting of Olmsted and Dodge Counties.~~

Sec. 26. Minnesota Statutes 2020, section 97B.415, is amended to read:

**97B.415 TAKING BEAR TO PROTECT PROPERTY; SPECIAL PERMIT FOR TAKING NUISANCE BEAR.**

(a) A person may take a bear at any time to protect the person's property. The person must report the bear taken to a conservation officer within 48 hours. The bear may be disposed of as prescribed by the commissioner.

(b) The commissioner must issue a bear control special permit according to section 97A.401 for wildlife control operators to take nuisance bear by live trapping and relocating the bear. When a bear is trapped and released, an enforcement officer or a wildlife manager must approve the release location. The commissioner must provide specific training to wildlife control operators who are issued a permit under this paragraph, including a refresher course every five years. The commissioner may not charge a fee for the bear control special permit or training. A wildlife control operator with a special permit issued under this paragraph may use remote surveillance equipment to monitor live traps.

30.1 Sec. 27. Minnesota Statutes 2020, section 97B.668, is amended to read:

30.2 **97B.668 ~~GAME BIRDS~~ ANIMALS CAUSING DAMAGE.**

30.3 Subdivision 1. Game birds causing damage. Notwithstanding sections 97B.091 and  
30.4 97B.805, subdivisions 1 and 2, a person or agent of that person on lands and nonpublic  
30.5 waters owned or operated by the person may nonlethally scare, haze, chase, or harass game  
30.6 birds that are causing property damage or to protect a disease risk at any time or place that  
30.7 a hunting season for the game birds is not open. This section does not apply to public waters  
30.8 as defined under section 103G.005, subdivision 15. This section does not apply to migratory  
30.9 waterfowl on nests and other federally protected game birds on nests, except ducks and  
30.10 geese on nests when a permit is obtained under section 97A.401.

30.11 Subd. 2. Deer and elk causing damage. (a) Notwithstanding section 97B.091, a property  
30.12 owner, the property owner's immediate family member, or an agent of the property owner  
30.13 may nonlethally scare, haze, chase, or harass deer or elk that are causing damage to  
30.14 agricultural crops propagated under generally accepted agricultural practices.

30.15 (b) Paragraph (a) applies only:

30.16 (1) in the immediate area of the crop damage; and

30.17 (2) during the closed season for taking deer or elk.

30.18 (c) Paragraph (a) does not allow:

30.19 (1) using poisons;

30.20 (2) using dogs;

30.21 (3) conduct that drives a deer or elk to the point of exhaustion;

30.22 (4) activities requiring a permit under section 97A.401; or

30.23 (5) causing the death of a deer or elk or actions likely to cause the death of a deer or elk.

30.24 (d) A property owner or the owner's agent must report the death of any deer or elk to  
30.25 Division of Fish and Wildlife staff within 24 hours of the death if the death resulted from  
30.26 actions taken under paragraph (a).

30.27 Sec. 28. Minnesota Statutes 2020, section 97C.211, subdivision 2a, is amended to read:

30.28 Subd. 2a. **Acquiring fish.** (a) A private fish hatchery may not obtain fish outside of the  
30.29 state unless the fish or the source of the fish are approved by the commissioner. The  
30.30 commissioner may apply more stringent requirements to fish or a source of fish from outside  
30.31 the state than are applied to fish and sources of fish from within the state. The commissioner

31.1 must either approve or deny the acquisition within 30 days after receiving a written request  
31.2 for approval. ~~Minnows acquired must be processed and not released into public waters,~~  
31.3 ~~except as provided in section 97C.515, subdivision 4.~~ A request may be for annual  
31.4 acquisition.

31.5 (b) If the commissioner denies approval, a written notice must be submitted to the  
31.6 applicant stating the reasons for the denial and the commissioner must:

31.7 (1) designate approved sources to obtain the desired fish or fish eggs; or

31.8 (2) sell the fish or fish eggs from state fish hatcheries at fair market value.

31.9 Sec. 29. Minnesota Statutes 2020, section 97C.315, subdivision 1, is amended to read:

31.10 Subdivision 1. **Lines.** An angler may not use more than one line except:

31.11 (1) two lines may be used to take fish through the ice; ~~and~~

31.12 (2) the commissioner may, by rule, authorize the use of two lines in areas designated by  
31.13 the commissioner in Lake Superior; and

31.14 (3) two lines may be used in the Minnesota River downstream of the Granite Falls dam  
31.15 and in the Mississippi River downstream of St. Anthony Falls.

31.16 Sec. 30. Minnesota Statutes 2020, section 97C.515, subdivision 2, is amended to read:

31.17 Subd. 2. **Permit for ~~transportation~~ importation.** (a) A person may ~~transport~~ import  
31.18 live minnows ~~through~~ into the state with a permit from the commissioner. ~~The permit must~~  
31.19 ~~state the name and address of the person, the number and species of minnows, the point of~~  
31.20 ~~entry into the state, the destination, and the route through the state. The permit is not valid~~  
31.21 ~~for more than 12 hours after it is issued. A person must not import minnows into the state~~  
31.22 except as provided in this section.

31.23 ~~(b) Minnows transported under this subdivision must be in a tagged container. The tag~~  
31.24 ~~number must correspond with tag numbers listed on the minnow transportation permit.~~

31.25 ~~(c) The commissioner may require the person transporting minnow species found on~~  
31.26 ~~the official list of viral hemorrhagic septicemia susceptible species published by the United~~  
31.27 ~~States Department of Agriculture, Animal and Plant Health Inspection Services, to provide~~  
31.28 ~~health certification for viral hemorrhagic septicemia. The certification must disclose any~~  
31.29 ~~incidentally isolated replicating viruses, and must be dated within the 12 months preceding~~  
31.30 ~~transport.~~

- 32.1 (b) Minnows must be certified as healthy according to standards of the World  
32.2 Organisation for Animal Health or the Fish Health Section Blue Book of the American  
32.3 Fisheries Society.
- 32.4 (c) Minnows must be certified free of viral hemorrhagic septicemia, infectious  
32.5 hematopoietic necrosis, infectious pancreatic necrosis, spring viremia of carp virus, fathead  
32.6 minnow nidovirus, and Heterosporis within the past 12 months.
- 32.7 (d) Minnows must originate from a biosecure facility that has tested negative for invasive  
32.8 species in the past 12 months.
- 32.9 (e) Only a person that holds a minnow dealer's license issued under section 97C.501,  
32.10 subdivision 2, may obtain a permit to import minnows.
- 32.11 (f) The following information must be available to the commissioner upon request for  
32.12 each load of imported minnows:
- 32.13 (1) the date minnows were imported;  
32.14 (2) the number of pounds or gallons imported;  
32.15 (3) the facility name from which the minnows originated; and  
32.16 (4) a fish health certificate for the minnows.
- 32.17 (g) Minnows may be imported to feed hatchery fish if the requirements in paragraphs  
32.18 (a) to (f) are met.

32.19 Sec. 31. Minnesota Statutes 2020, section 103G.201, is amended to read:

32.20 **103G.201 PUBLIC WATERS INVENTORY.**

- 32.21 (a) The commissioner ~~shall~~ must maintain a public waters inventory map of each county  
32.22 that shows the waters of this state that are designated as public waters under the public  
32.23 waters inventory and classification procedures prescribed under Laws 1979, chapter 199,  
32.24 and ~~shall~~ must provide access to a copy of the maps. As county public waters inventory  
32.25 maps are revised according to this section, the commissioner ~~shall~~ must send a notification  
32.26 or a copy of the maps to the auditor of each affected county.
- 32.27 (b) The commissioner is authorized to revise the map of public waters established under  
32.28 Laws 1979, chapter 199, to reclassify those types 3, 4, and 5 wetlands previously identified  
32.29 as public waters wetlands under Laws 1979, chapter 199, as public waters or as wetlands  
32.30 under section 103G.005, subdivision 19. The commissioner may only reclassify public  
32.31 waters wetlands as public waters if:

33.1 (1) they are assigned a shoreland management classification by the commissioner under  
33.2 sections 103F.201 to 103F.221;

33.3 (2) they are classified as lacustrine wetlands or deepwater habitats according to  
33.4 Classification of Wetlands and Deepwater Habitats of the United States (Cowardin, et al.,  
33.5 1979 edition); or

33.6 (3) the state or federal government has become titleholder to any of the beds or shores  
33.7 of the public waters wetlands, subsequent to the preparation of the public waters inventory  
33.8 map filed with the auditor of the county, pursuant to paragraph (a), and the responsible state  
33.9 or federal agency declares that the water is necessary for the purposes of the public  
33.10 ownership.

33.11 (c) The commissioner must provide notice of ~~the~~ a reclassification under paragraph (b)  
33.12 or a revision under paragraph (e) to the local government unit, the county board, the  
33.13 watershed district, if one exists for the area, and the soil and water conservation district.  
33.14 Within 60 days of receiving notice from the commissioner, a party required to receive the  
33.15 notice may provide a resolution stating objections to the reclassification or revision. If the  
33.16 commissioner receives an objection from a party required to receive the notice, the  
33.17 reclassification or revision is not effective. If the commissioner does not receive an objection  
33.18 from a party required to receive the notice, the reclassification of a wetland under paragraph  
33.19 (b) or revision under paragraph (e) is effective 60 days after the notice is received by all of  
33.20 the parties.

33.21 (d) The commissioner ~~shall~~ must give priority to the reclassification of public waters  
33.22 wetlands that are or have the potential to be affected by public works projects.

33.23 (e) The commissioner may revise the public waters inventory map of each county:

33.24 (1) to reflect the changes authorized in paragraph (b); and

33.25 (2) as needed, to:

33.26 (i) correct errors in the original inventory;

33.27 (ii) add or subtract trout stream tributaries within sections that contain a designated trout  
33.28 stream following written notice to the landowner;

33.29 (iii) add depleted quarries, and sand and gravel pits, when the body of water exceeds 50  
33.30 acres and the shoreland has been zoned for residential development; and

33.31 (iv) add or subtract public waters that have been created or eliminated as a requirement  
33.32 of a permit authorized by the commissioner under section 103G.245.

34.1 Sec. 32. Minnesota Statutes 2020, section 103G.211, is amended to read:

34.2 **103G.211 DRAINING PUBLIC WATERS PROHIBITED WITHOUT**  
34.3 **REPLACEMENT.**

34.4 (a) Except as provided in sections 103G.221 to 103G.235, public waters may not be  
34.5 drained, and a permit authorizing drainage of public waters may not be issued, unless the  
34.6 public waters to be drained are replaced by public waters that will have equal or greater  
34.7 public value.

34.8 (b) Nothing in this section shall be construed to prevent the commissioner from issuing  
34.9 or amending a water-use permit for appropriation from groundwater where:

34.10 (1) the application is for a new groundwater well or to increase appropriation amounts  
34.11 under an existing permit;

34.12 (2) the applicant is a municipality wholly or partially located within a five-mile radius  
34.13 of White Bear Lake; and

34.14 (3) the amount of water to be appropriated under the proposal is consistent with the  
34.15 amount anticipated to be needed by the applicant each year according to a water supply  
34.16 plan approved by the commissioner under section 103G.291 before 2021.

34.17 (c) Paragraph (b) and this paragraph expire January 1, 2041.

34.18 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
34.19 applies to applications for new or modified permits filed on or after that date.

34.20 Sec. 33. Minnesota Statutes 2020, section 103G.223, is amended to read:

34.21 **103G.223 CALCAREOUS FENS.**

34.22 (a) Calcareous fens, as identified by the commissioner by written order published in the  
34.23 State Register, may not be filled, drained, or otherwise degraded, wholly or partially, by  
34.24 any activity, unless the commissioner, under an approved management plan, decides some  
34.25 alteration is necessary or as provided in paragraph (b). Identifications made by the  
34.26 commissioner are not subject to the rulemaking provisions of chapter 14 and section 14.386  
34.27 does not apply.

34.28 (b) The commissioner may allow water appropriations that result in temporary reductions  
34.29 in groundwater resources on a seasonal basis under an approved calcareous fen management  
34.30 plan.

(c) If the commissioner determines that a water appropriation permit cannot be issued or renewed because of this section, the commissioner must, within one year of the date of denial and at no cost to the applicant, provide the applicant with a groundwater and surface water hydrologic evaluation that demonstrates by a preponderance of the evidence the basis for that conclusion.

(d) An applicant whose permit is denied under this section may file a written request with the commissioner to designate a mutually agreed upon third-party expert to review the evaluation provided under paragraph (c) at no cost to the applicant and to make recommendations to the commissioner about whether the permit should be issued. The third party expert must agree to provide the commissioner and applicant with the expert's recommendations within 90 days of agreeing to review the evaluation.

(e) A permit applicant may file for a contested case hearing under chapter 14 within 30 days of the later of the following:

(1) the date by which the hydrologic evaluation was required to have been provided to the applicant under paragraph (c);

(2) receiving the recommendations of the third party who is reviewing the evaluation under paragraph (d); or

(3) determining that no mutually agreed upon third-party expert can be found.

(f) Any permit applicant who has had a water appropriation permit previously denied under this section may resubmit a permit application under this section and is entitled to all rights and reviews available under this section.

Sec. 34. Minnesota Statutes 2021 Supplement, section 103G.271, subdivision 4a, is amended to read:

Subd. 4a. **Mt. Simon-Hinckley aquifer.** The commissioner may not issue new water-use permits that will appropriate water from the Mt. Simon-Hinckley aquifer unless:

(1) the appropriation is for potable water use, there are no feasible or practical alternatives to this source, and a water conservation plan is incorporated with the permit; or

(2) the appropriation is for less than 4,000,000 gallons per year and is to facilitate the growth of trees.

Sec. 35. Minnesota Statutes 2020, section 103G.271, subdivision 7, is amended to read:

Subd. 7. **Transferring permit.** (a) A water-use permit may be transferred to a successive owner of real property if the permittee conveys the real property where the source of water is located. The new owner must notify the commissioner immediately after the conveyance and request transfer of the permit. The commissioner must not deny the transfer of a permit if the permittee is in compliance with all permit conditions and the permit meets the requirements of sections 103G.255 to 103G.301.

(b) When transferring a permit, the commissioner must not require additional conditions on the permit, reduce the appropriation, reduce the term, or require any testing.

Sec. 36. Minnesota Statutes 2020, section 103G.271, is amended by adding a subdivision to read:

Subd. 8. **Management plans; effect on land values.** Before a management plan for appropriating water is prepared, the commissioner must provide estimates of the impact of any new restriction or policy on land values in the affected area. Strategies to address adverse impacts to land values must be included in the plan.

Sec. 37. Minnesota Statutes 2020, section 103G.285, is amended by adding a subdivision to read:

Subd. 7. **Application.** (a) Nothing in this section shall be construed to prevent the commissioner from issuing or amending a water-use permit for appropriation from groundwater where:

(1) the application is for a new groundwater well or to increase appropriation amounts under an existing permit;

(2) the applicant is a municipality wholly or partially located within a five-mile radius of White Bear Lake; and

(3) the amount of water to be appropriated under the proposal is consistent with the amount anticipated to be needed by the applicant each year according to a water supply plan approved by the commissioner under section 103G.291 before 2021.

(b) This subdivision expires January 1, 2041.

**EFFECTIVE DATE.** This section is effective the day following final enactment and applies to applications for new or modified permits filed on or after that date.

37.1 Sec. 38. Minnesota Statutes 2020, section 103G.287, subdivision 4, is amended to read:

37.2 Subd. 4. **Groundwater management areas.** (a) The commissioner may designate  
37.3 groundwater management areas and limit total annual water appropriations and uses within  
37.4 a designated area to ensure sustainable use of groundwater that protects ecosystems, water  
37.5 quality, and the ability of future generations to meet their own needs. Water appropriations  
37.6 and uses within a designated management area must be consistent with a groundwater  
37.7 management area plan approved by the commissioner that addresses water conservation  
37.8 requirements and water allocation priorities established in section 103G.261. During  
37.9 development of a groundwater management area plan, the commissioner and employees  
37.10 and agents of the department may disseminate information related to the timing, location,  
37.11 and agendas of meetings related to the plan, but must otherwise limit public information  
37.12 related to the groundwater management area plan to direct factual responses to public and  
37.13 media inquiries. At least 30 days prior to implementing or modifying a groundwater  
37.14 management area plan under this subdivision, the commissioner shall consult with the  
37.15 advisory team established in paragraph (c).

37.16 (b) Notwithstanding section 103G.271, subdivision 1, paragraph (b), and Minnesota  
37.17 Rules, within designated groundwater management areas, the commissioner may require  
37.18 general permits as specified in section 103G.271, subdivision 1, paragraph (c), for water  
37.19 users using less than 10,000 gallons per day or 1,000,000 gallons per year and water suppliers  
37.20 serving less than 25 persons for domestic purposes. The commissioner may waive the  
37.21 requirements under section 103G.281 for general permits issued under this paragraph, and  
37.22 the fee specified in section 103G.301, subdivision 2, paragraph (c), does not apply to general  
37.23 permits issued under this paragraph.

37.24 (c) When designating a groundwater management area, the commissioner shall assemble  
37.25 an advisory team to assist in developing a groundwater management area plan for the area.  
37.26 The advisory team members shall be selected from public and private entities that have an  
37.27 interest in the water resources affected by the groundwater management area. A majority  
37.28 of the advisory team members shall be public and private entities that currently hold water-use  
37.29 permits for water appropriations from the affected water resources. The commissioner shall  
37.30 consult with the League of Minnesota Cities, the Association of Minnesota Counties, the  
37.31 Minnesota Association of Watershed Districts, and the Minnesota Association of Townships  
37.32 in appointing the local government representatives to the advisory team. The advisory team  
37.33 may also include representatives from the University of Minnesota, the Minnesota State  
37.34 Colleges and Universities, other institutions of higher learning in Minnesota, political

38.1 subdivisions with jurisdiction over water issues, nonprofits with expertise in water, and  
38.2 federal agencies.

38.3 (d) Before designating a groundwater management area, the commissioner must provide  
38.4 estimates of the impact of any new restriction or policy on land values in the affected area.  
38.5 Strategies to address adverse impacts to land values must be included in any plan.

38.6 Sec. 39. Minnesota Statutes 2020, section 103G.287, subdivision 5, is amended to read:

38.7 Subd. 5. **Sustainability standard.** (a) The commissioner may issue water-use permits  
38.8 for appropriation from groundwater only if the commissioner determines that the groundwater  
38.9 use is sustainable to supply the needs of future generations and the proposed use will not  
38.10 harm ecosystems, degrade water, or reduce water levels beyond the reach of public water  
38.11 supply and private domestic wells constructed according to Minnesota Rules, chapter 4725.

38.12 (b) For the purposes of this subdivision and subdivision 4, "sustainable" means a change  
38.13 in hydrologic regime of 20 percent or less relative to the August median stream flow.

38.14 Sec. 40. Minnesota Statutes 2020, section 103G.287, is amended by adding a subdivision  
38.15 to read:

38.16 Subd. 6. **Application.** (a) Nothing in this section shall be construed to prevent the  
38.17 commissioner from issuing or amending a water-use permit for appropriation from  
38.18 groundwater where:

38.19 (1) the application is for a new groundwater well or to increase appropriation amounts  
38.20 under an existing permit;

38.21 (2) the applicant is a municipality wholly or partially located within a five-mile radius  
38.22 of White Bear Lake; and

38.23 (3) the amount of water to be appropriated under the proposal is consistent with the  
38.24 amount anticipated to be needed by the applicant each year according to a water supply  
38.25 plan approved by the commissioner under section 103G.291 before 2021.

38.26 (b) This subdivision expires January 1, 2041.

38.27 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
38.28 applies to applications for new or modified permits filed on or after that date.

39.1 Sec. 41. Minnesota Statutes 2020, section 103G.287, is amended by adding a subdivision  
39.2 to read:

39.3 Subd. 7. **Issuance of certain permits.** (a) Notwithstanding any other provision of law,  
39.4 the commissioner must issue a water-use permit for appropriation from groundwater that  
39.5 meets the criteria of subdivision 6. Nothing in this subdivision shall be construed to prohibit  
39.6 the commissioner from imposing conditions on the permit so long as the conditions do not  
39.7 prevent the applicant from appropriating the amount of groundwater applied for.

39.8 (b) This subdivision expires January 1, 2041.

39.9 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
39.10 applies to applications for new or modified permits filed on or after that date.

39.11 Sec. 42. Minnesota Statutes 2020, section 103G.289, is amended to read:

39.12 **103G.289 WELL INTERFERENCE; ~~WELL SEALING~~ VALIDATION;**  
39.13 **CONTESTED CASE.**

39.14 (a) The commissioner shall not validate a claim for well interference ~~claim~~ if the affected  
39.15 well has been sealed prior to the completion of the commissioner's investigation of the  
39.16 complaint. If the well is sealed prior to completion of the investigation, the commissioner  
39.17 must dismiss the complaint.

39.18 (b) When validating a claim for well interference, the commissioner must take into  
39.19 account the condition of the affected well.

39.20 (c) Within 30 days after the commissioner's decision on a claim for well interference, a  
39.21 party ordered by the commissioner to contribute to an affected well owner may petition for  
39.22 a contested case hearing under sections 14.57 to 14.62. The commissioner must grant the  
39.23 petitioner a contested case hearing on the commissioner's decision.

39.24 Sec. 43. Minnesota Statutes 2020, section 115.03, subdivision 1, is amended to read:

39.25 Subdivision 1. **Generally.** (a) The agency is hereby given and charged with the following  
39.26 powers and duties:

39.27 ~~(a)~~ (1) to administer and enforce all laws relating to the pollution of any of the waters  
39.28 of the state;

39.29 ~~(b)~~ (2) to investigate the extent, character, and effect of the pollution of the waters of  
39.30 this state and to gather data and information necessary or desirable in the administration or

40.1 enforcement of pollution laws, and to make such classification of the waters of the state as  
40.2 it may deem advisable;

40.3 ~~(e)~~ (3) to establish and alter such reasonable pollution standards for any waters of the  
40.4 state in relation to the public use to which they are or may be put as it ~~shall~~ must deem  
40.5 necessary for the purposes of this chapter and, with respect to the pollution of waters of the  
40.6 state, chapter 116;

40.7 ~~(d)~~ (4) to encourage waste treatment, including advanced waste treatment, instead of  
40.8 stream low-flow augmentation for dilution purposes to control and prevent pollution;

40.9 ~~(e)~~ (5) to adopt, issue, reissue, modify, deny, or revoke, enter into or enforce reasonable  
40.10 orders, permits, variances, standards, rules, schedules of compliance, and stipulation  
40.11 agreements, under such conditions as it may prescribe, in order to prevent, control or abate  
40.12 water pollution, or for the installation or operation of disposal systems or parts thereof, or  
40.13 for other equipment and facilities:

40.14 ~~(1)~~ (i) requiring the discontinuance of the discharge of sewage, industrial waste or other  
40.15 wastes into any waters of the state resulting in pollution in excess of the applicable pollution  
40.16 standard established under this chapter;

40.17 ~~(2)~~ (ii) prohibiting or directing the abatement of any discharge of sewage, industrial  
40.18 waste, or other wastes, into any waters of the state or the deposit thereof or the discharge  
40.19 into any municipal disposal system where the same is likely to get into any waters of the  
40.20 state in violation of this chapter and, with respect to the pollution of waters of the state,  
40.21 chapter 116, or standards or rules promulgated or permits issued pursuant thereto, and  
40.22 specifying the schedule of compliance within which such prohibition or abatement must be  
40.23 accomplished;

40.24 ~~(3)~~ (iii) prohibiting the storage of any liquid or solid substance or other pollutant in a  
40.25 manner which does not reasonably assure proper retention against entry into any waters of  
40.26 the state that would be likely to pollute any waters of the state;

40.27 ~~(4)~~ (iv) requiring the construction, installation, maintenance, and operation by any person  
40.28 of any disposal system or any part thereof, or other equipment and facilities, or the  
40.29 reconstruction, alteration, or enlargement of its existing disposal system or any part thereof,  
40.30 or the adoption of other remedial measures to prevent, control or abate any discharge or  
40.31 deposit of sewage, industrial waste or other wastes by any person;

40.32 ~~(5)~~ (v) establishing, and from time to time revising, standards of performance for new  
40.33 sources taking into consideration, among other things, classes, types, sizes, and categories

41.1 of sources, processes, pollution control technology, cost of achieving such effluent reduction,  
41.2 and any nonwater quality environmental impact and energy requirements. Said standards  
41.3 of performance for new sources ~~shall~~ must encompass those standards for the control of the  
41.4 discharge of pollutants which reflect the greatest degree of effluent reduction which the  
41.5 agency determines to be achievable through application of the best available demonstrated  
41.6 control technology, processes, operating methods, or other alternatives, including, where  
41.7 practicable, a standard permitting no discharge of pollutants. New sources ~~shall~~ must  
41.8 encompass buildings, structures, facilities, or installations from which there is or may be  
41.9 the discharge of pollutants, the construction of which is commenced after the publication  
41.10 by the agency of proposed rules prescribing a standard of performance which will be  
41.11 applicable to such source. Notwithstanding any other provision of the law of this state, any  
41.12 point source the construction of which is commenced after May 20, 1973, and which is so  
41.13 constructed as to meet all applicable standards of performance for new sources ~~shall~~ must,  
41.14 consistent with and subject to the provisions of section 306(d) of the Amendments of 1972  
41.15 to the Federal Water Pollution Control Act, not be subject to any more stringent standard  
41.16 of performance for new sources during a ten-year period beginning on the date of completion  
41.17 of such construction or during the period of depreciation or amortization of such facility  
41.18 for the purposes of section 167 or 169, or both, of the Federal Internal Revenue Code of  
41.19 1954, whichever period ends first. Construction ~~shall~~ must encompass any placement,  
41.20 assembly, or installation of facilities or equipment, including contractual obligations to  
41.21 purchase such facilities or equipment, at the premises where such equipment will be used,  
41.22 including preparation work at such premises;

41.23 ~~(6)~~ (vi) establishing and revising pretreatment standards to prevent or abate the discharge  
41.24 of any pollutant into any publicly owned disposal system, which pollutant interferes with,  
41.25 passes through, or otherwise is incompatible with such disposal system;

41.26 ~~(7)~~ (vii) requiring the owner or operator of any disposal system or any point source to  
41.27 establish and maintain such records, make such reports, install, use, and maintain such  
41.28 monitoring equipment or methods, including where appropriate biological monitoring  
41.29 methods, sample such effluents in accordance with such methods, at such locations, at such  
41.30 intervals, and in such a manner as the agency ~~shall~~ must prescribe, and providing such other  
41.31 information as the agency may reasonably require;

41.32 ~~(8)~~ (viii) notwithstanding any other provision of this chapter, and with respect to the  
41.33 pollution of waters of the state, chapter 116, requiring the achievement of more stringent  
41.34 limitations than otherwise imposed by effluent limitations in order to meet any applicable  
41.35 water quality standard by establishing new effluent limitations, based upon section 115.01,

subdivision 13, clause (b), including alternative effluent control strategies for any point source or group of point sources to insure the integrity of water quality classifications, whenever the agency determines that discharges of pollutants from such point source or sources, with the application of effluent limitations required to comply with any standard of best available technology, would interfere with the attainment or maintenance of the water quality classification in a specific portion of the waters of the state. Prior to establishment of any such effluent limitation, the agency ~~shall~~ must hold a public hearing to determine the relationship of the economic and social costs of achieving such limitation or limitations, including any economic or social dislocation in the affected community or communities, to the social and economic benefits to be obtained and to determine whether or not such effluent limitation can be implemented with available technology or other alternative control strategies. If a person affected by such limitation demonstrates at such hearing that, whether or not such technology or other alternative control strategies are available, there is no reasonable relationship between the economic and social costs and the benefits to be obtained, such limitation ~~shall~~ must not become effective and ~~shall~~ must be adjusted as it applies to such person;

~~(9)~~ (ix) modifying, in its discretion, any requirement or limitation based upon best available technology with respect to any point source for which a permit application is filed after July 1, 1977, upon a showing by the owner or operator of such point source satisfactory to the agency that such modified requirements will represent the maximum use of technology within the economic capability of the owner or operator and will result in reasonable further progress toward the elimination of the discharge of pollutants; and

~~(10)~~ (x) requiring that applicants for wastewater discharge permits evaluate in their applications the potential reuses of the discharged wastewater;

~~(f)~~ (6) to require to be submitted and to approve plans and specifications for disposal systems or point sources, or any part thereof and to inspect the construction thereof for compliance with the approved plans and specifications thereof;

~~(g)~~ (7) to prescribe and alter rules, not inconsistent with law, for the conduct of the agency and other matters within the scope of the powers granted to and imposed upon it by this chapter and, with respect to pollution of waters of the state, in chapter 116, provided that every rule affecting any other department or agency of the state or any person other than a member or employee of the agency ~~shall~~ must be filed with the secretary of state;

~~(h)~~ (8) to conduct such investigations, issue such notices, public and otherwise, and hold such hearings as are necessary or which it may deem advisable for the discharge of its duties

under this chapter and, with respect to the pollution of waters of the state, under chapter 116, including, but not limited to, the issuance of permits, and to authorize any member, employee, or agent appointed by it to conduct such investigations or, issue such notices and hold such hearings;

~~(9)~~ (9) for the purpose of water pollution control planning by the state and pursuant to the Federal Water Pollution Control Act, as amended, to establish and revise planning areas, adopt plans and programs and continuing planning processes, including, but not limited to, basin plans and areawide waste treatment management plans, and to provide for the implementation of any such plans by means of, including, but not limited to, standards, plan elements, procedures for revision, intergovernmental cooperation, residual treatment process waste controls, and needs inventory and ranking for construction of disposal systems;

~~(10)~~ (10) to train water pollution control personnel; and charge such fees ~~therefor as are~~ for the training as necessary to cover the agency's costs. The fees under this clause are subject to legislative approval under section 16A.1283. All such fees received shall must be paid into the state treasury and credited to the Pollution Control Agency training account;

~~(11)~~ (11) to impose as additional conditions in permits to publicly owned disposal systems appropriate measures to insure compliance by industrial and other users with any pretreatment standard, including, but not limited to, those related to toxic pollutants, and any system of user charges ratably as is hereby required under state law or said Federal Water Pollution Control Act, as amended, or any regulations or guidelines promulgated thereunder;

~~(12)~~ (12) to set a period not to exceed five years for the duration of any national pollutant discharge elimination system permit or not to exceed ten years for any permit issued as a state disposal system permit only;

~~(13)~~ (13) to require each governmental subdivision identified as a permittee for a wastewater treatment works to evaluate in every odd-numbered year the condition of its existing system and identify future capital improvements that will be needed to attain or maintain compliance with a national pollutant discharge elimination system or state disposal system permit; and

~~(14)~~ (14) to train subsurface sewage treatment system personnel, including persons who design, construct, install, inspect, service, and operate subsurface sewage treatment systems, and charge fees for the training as necessary to pay the agency's costs. The fees under this clause are subject to legislative approval under section 16A.1283. All fees received must be paid into the state treasury and credited to the agency's training account. Money in the account is appropriated to the agency to pay expenses related to training.

(b) The information required in paragraph (a), clause (m) (13), must be submitted in every odd-numbered year to the commissioner on a form provided by the commissioner. The commissioner ~~shall~~ must provide technical assistance if requested by the governmental subdivision.

(c) The powers and duties given the agency in this subdivision also apply to permits issued under chapter 114C.

Sec. 44. Minnesota Statutes 2020, section 115.455, is amended to read:

**115.455 EFFLUENT LIMITATIONS; COMPLIANCE.**

To the extent allowable under federal law, for a municipality that constructs a publicly owned treatment works or for an industrial national pollutant discharge elimination system and state disposal system permit holder that constructs a treatment works to comply with a new or modified effluent limitation, compliance with any new or modified effluent limitation adopted after construction begins that would require additional capital investment is required no sooner than 16 years after the date the facility begins operating.

Sec. 45. Minnesota Statutes 2020, section 115.55, is amended by adding a subdivision to read:

Subd. 3a. **Repaired drainage holes.** A precast reinforced concrete tank that has one or more openings in the exterior walls or tank bottom below the tank liquid level meets minimum standards and criteria for subsurface sewage treatment systems if:

(1) the openings have been repaired or sealed; and

(2) all other requirements of the rules adopted under subdivision 3 are met.

Sec. 46. Minnesota Statutes 2020, section 115.77, subdivision 1, is amended to read:

Subdivision 1. **Fees.** The agency ~~shall~~ must collect fees in amounts necessary, but no greater than the amounts necessary, to cover the reasonable costs of reviewing applications and issuing certifications. The fees under this subdivision are subject to legislative approval under section 16A.1283.

Sec. 47. Minnesota Statutes 2020, section 115.84, subdivision 2, is amended to read:

Subd. 2. **Rules.** The agency may adopt rules to govern certification of laboratories according to this section. ~~Notwithstanding section 16A.1283, the agency may adopt rules establishing fees.~~

Sec. 48. Minnesota Statutes 2020, section 115.84, subdivision 3, is amended to read:

Subd. 3. **Fees.** (a) Until the agency adopts a rule establishing fees for certification, the agency ~~shall~~ must collect fees from laboratories registering with the agency, but not accredited by the commissioner of health under sections 144.97 to 144.99, in amounts necessary to cover the reasonable costs of the certification program, including reviewing applications, issuing certifications, and conducting audits and compliance assistance. The fees under this paragraph are subject to legislative approval under section 16A.1283.

(b) Fees under this section must be based on the number, type, and complexity of analytical methods that laboratories are certified to perform.

(c) Revenue from fees charged by the agency for certification ~~shall~~ must be credited to the environmental fund.

Sec. 49. Minnesota Statutes 2020, section 115A.03, is amended by adding a subdivision to read:

Subd. 3b. **Chemical plastic recycling.** "Chemical plastic recycling" means a manufacturing process for converting post-use polymers into products, such as monomers, oligomers, plastics, basic and unfinished chemicals, and other raw materials. Chemical plastic recycling is not processing, treatment, incineration, disposal, or waste management, as those terms are defined or used pursuant to chapters 115, 115A, and 116.

Sec. 50. Minnesota Statutes 2020, section 115A.03, is amended by adding a subdivision to read:

Subd. 3c. **Chemical plastic recycling facility.** "Chemical plastic recycling facility" means a manufacturing facility that receives, stores, and converts post-use polymers it receives using chemical plastic recycling. A chemical plastic recycling facility is not a disposal facility, resource recovery facility, solid waste facility, or waste facility as those terms are defined and regulated pursuant to chapters 115, 115A, and 116.

Sec. 51. Minnesota Statutes 2020, section 115A.03, is amended by adding a subdivision to read:

Subd. 24c. **Post-use polymers.** "Post-use polymers" means plastic that:

(1) is derived from any industrial, commercial, agricultural, or domestic activities;

(2) is used as feedstock for chemical plastic recycling;

(3) is processed at a chemical plastic recycling facility or held at a chemical plastic recycling facility before processing;

(4) is not stored at any one location for more than three years without being utilized for chemical plastic recycling; and

(5) has been sorted from solid waste and regulated waste but may contain residual amounts of solid waste such as organic materials and individual contaminants or impurities, such as paper labels and metal rings.

Sec. 52. Minnesota Statutes 2020, section 115A.03, subdivision 35, is amended to read:

Subd. 35. **Waste facility.** "Waste facility" means all property, real or personal, including negative and positive easements and water and air rights, which is or may be needed or useful for the processing or disposal of waste, except property for the collection of the waste and property used primarily for the manufacture of scrap metal ~~or~~, paper, or post-use polymers. Waste facility includes but is not limited to transfer stations, processing facilities, and disposal sites and facilities.

Sec. 53. **[115A.571] CHEMICAL PLASTIC RECYCLING.**

Subdivision 1. **Chemical plastic recycling facility.** A chemical plastic recycling facility and chemical plastic recycling are subject to all applicable federal, state, and local laws, except chapters 115, 115A, and 116, and the rules adopted pursuant to those chapters.

Subd. 2. **Solid waste management exemption requirements.** (a) The solid waste management exemption in subdivision 1 does not apply:

(1) if any solid waste other than or in addition to a post-use polymer or residual amounts of organic material and incidental contaminants are treated, stored, processed, transferred, or disposed of at a chemical plastic recycling facility; or

(2) to management of post-use polymers at any location other than a chemical plastic recycling facility.

(b) To qualify for the solid waste management facility permit exemption in subdivision 1, a chemical plastic recycling facility must only treat, store, or process post-use polymers in a fully enclosed building.

(c) The commissioner may enter and inspect any chemical plastic recycling facility to determine whether the storage of materials prior to chemical plastic recycling is a nuisance or poses a threat to human health or the environment. The commissioner may use the

47.1 enforcement authority under section 116.072 and Minnesota Rules, chapter 7035, to require  
 47.2 abatement of the nuisance or threat if found.

47.3 Subd. 3. **Duty to report.** The owner or operator of a chemical plastic recycling facility  
 47.4 must submit an annual report to the commissioner in a form and manner prescribed by the  
 47.5 commissioner that must include:

47.6 (1) the amount of post-use polymers accepted, stored, and managed at the facility;

47.7 (2) annual chemical plastic recycling throughput at the facility, including beginning and  
 47.8 ending volumes stored in a calendar year;

47.9 (3) to the extent known, the source and county of origin of the post-use polymers and  
 47.10 the amount and type of material collected from each source; and

47.11 (4) the amount, type, and destination of products and by-products produced through the  
 47.12 chemical plastic recycling, such as what weight of post-use polymers received went to an  
 47.13 end market, a broker, a processor, or a manufacturer or was managed as a waste.

47.14 Subd. 4. **Duty to provide information.** Any person must furnish to the commissioner  
 47.15 any information that the person may have or may reasonably obtain that the commissioner  
 47.16 requests for the purposes of determining compliance with statutes or rules pertaining to  
 47.17 chemical plastic recycling.

47.18 Sec. 54. Minnesota Statutes 2020, section 115B.52, subdivision 4, is amended to read:

47.19 Subd. 4. **Reporting.** The commissioner of the Pollution Control Agency and the  
 47.20 commissioner of natural resources must jointly submit:

47.21 (1) by April 1, 2019, an implementation plan detailing how the commissioners will:

47.22 (i) determine how the priorities in the settlement will be met and how the spending will  
 47.23 move from the first priority to the second priority and the second priority to the third priority  
 47.24 outlined in the settlement; and

47.25 (ii) evaluate and determine what projects receive funding;

47.26 (2) by ~~February 1 and August~~ October 1 each year, a ~~biannual~~ report to the chairs and  
 47.27 ranking minority members of the legislative policy and finance committees with jurisdiction  
 47.28 over environment and natural resources on expenditures from the water quality and  
 47.29 sustainability account during the previous ~~six months~~ fiscal year; and

47.30 (3) by ~~August 1, 2019, and~~ October 1 each year ~~thereafter~~, a report to the legislature on  
 47.31 expenditures from the water quality and sustainability account during the previous fiscal

48.1 year and a spending plan for anticipated expenditures from the account during the current  
48.2 fiscal year.

48.3 Sec. 55. Minnesota Statutes 2020, section 116.03, subdivision 2b, is amended to read:

48.4 Subd. 2b. **Permitting efficiency.** (a) It is the goal of the state that environmental and  
48.5 resource management permits be issued or denied within 90 days for tier 1 permits or 150  
48.6 days for tier 2 permits following submission of a permit application. The commissioner of  
48.7 the Pollution Control Agency ~~shall~~ must establish management systems designed to achieve  
48.8 the goal. For the purposes of this section, "tier 1 permits" are permits that do not require  
48.9 individualized actions or public comment periods, and "tier 2 permits" are permits that  
48.10 require individualized actions or public comment periods.

48.11 (b) The commissioner ~~shall~~ must prepare ~~an annual~~ semiannual permitting efficiency  
48.12 ~~report~~ reports that ~~includes~~ include statistics on meeting the tier 2 goal in paragraph (a) and  
48.13 the criteria for tier 2 by permit categories. The ~~report is~~ reports are due on February 1 and  
48.14 August 1 each year. For permit applications that have not met the goal, ~~the~~ each report must  
48.15 state the reasons for not meeting the goal. In stating the reasons for not meeting the goal,  
48.16 the commissioner ~~shall~~ must separately identify delays caused by the responsiveness of the  
48.17 proposer, ~~lack of staff~~, scientific or technical disagreements, or the level of public  
48.18 engagement. ~~The~~ Each report must specify the number of days from initial submission of  
48.19 the application to the day of determination that the application is complete. ~~The~~ Each report  
48.20 must aggregate the data for the year reporting period and assess whether program or system  
48.21 changes are necessary to achieve the goal. Whenever a report required by this subdivision  
48.22 states the number of permits completed within a particular period, the report must,  
48.23 immediately after the number and in parentheses, state the percentage of total applications  
48.24 received for that permit category that the number represents. Whenever a report required  
48.25 by this subdivision states the number of permits completed within a particular period, the  
48.26 report must separately state completion data for industrial and municipal permits. The ~~report~~  
48.27 reports must be posted on the agency's website and submitted to the governor and the chairs  
48.28 and ranking minority members of the house of representatives and senate committees having  
48.29 jurisdiction over environment policy and finance.

48.30 (c) The commissioner ~~shall~~ must allow electronic submission of environmental review  
48.31 and permit documents to the agency.

48.32 (d) Within 30 business days of application for a permit subject to paragraph (a), the  
48.33 commissioner of the Pollution Control Agency ~~shall~~ must notify the permit applicant, in  
48.34 writing, whether the application is complete or incomplete. If the commissioner determines

that an application is incomplete, the notice to the applicant must enumerate all deficiencies, citing specific provisions of the applicable rules and statutes, and advise the applicant on how the deficiencies can be remedied. If the commissioner determines that the application is complete, the notice must confirm the application's tier 1 or tier 2 permit status. If the commissioner believes that a complete application for a tier 2 construction permit cannot be issued within the 150-day goal, the commissioner must provide notice to the applicant with the commissioner's notice that the application is complete and, upon request of the applicant, provide the permit applicant with a schedule estimating when the agency will begin drafting the permit and issue the public notice of the draft permit. This paragraph does not apply to an application for a permit that is subject to a grant or loan agreement under chapter 446A.

(e) For purposes of this subdivision, "permit professional" means an individual not employed by the Pollution Control Agency who:

(1) has a professional license issued by the state of Minnesota in the subject area of the permit;

(2) has at least ten years of experience in the subject area of the permit; and

(3) abides by the duty of candor applicable to employees of the Pollution Control Agency under agency rules and complies with all applicable requirements under chapter 326.

(f) Upon the agency's request, an applicant relying on a permit professional must participate in a meeting with the agency before submitting an application:

(1) at least two weeks prior to the preapplication meeting, the applicant must submit at least the following:

(i) project description, including, but not limited to, scope of work, primary emissions points, discharge outfalls, and water intake points;

(ii) location of the project, including county, municipality, and location on the site;

(iii) business schedule for project completion; and

(iv) other information requested by the agency at least four weeks prior to the scheduled meeting; and

(2) during the preapplication meeting, the agency ~~shall~~ must provide for the applicant at least the following:

(i) an overview of the permit review program;

50.1 (ii) a determination of which specific application or applications will be necessary to  
50.2 complete the project;

50.3 (iii) a statement notifying the applicant if the specific permit being sought requires a  
50.4 mandatory public hearing or comment period;

50.5 (iv) a review of the timetable established in the permit review program for the specific  
50.6 permit being sought; and

50.7 (v) a determination of what information must be included in the application, including  
50.8 a description of any required modeling or testing.

50.9 (g) The applicant may select a permit professional to undertake the preparation of the  
50.10 permit application and draft permit.

50.11 (h) If a preapplication meeting was held, the agency ~~shall~~ must, within seven business  
50.12 days of receipt of an application, notify the applicant and submitting permit professional  
50.13 that the application is complete or is denied, specifying the deficiencies of the application.

50.14 (i) Upon receipt of notice that the application is complete, the permit professional ~~shall~~  
50.15 must submit to the agency a timetable for submitting a draft permit. The permit professional  
50.16 ~~shall~~ must submit a draft permit on or before the date provided in the timetable. Within 60  
50.17 days after the close of the public comment period, the commissioner ~~shall~~ must notify the  
50.18 applicant whether the permit can be issued.

50.19 (j) Nothing in this section ~~shall~~ must be construed to modify:

50.20 (1) any requirement of law that is necessary to retain federal delegation to or assumption  
50.21 by the state; or

50.22 (2) the authority to implement a federal law or program.

50.23 (k) The permit application and draft permit ~~shall~~ must identify or include as an appendix  
50.24 all studies and other sources of information used to substantiate the analysis contained in  
50.25 the permit application and draft permit. The commissioner ~~shall~~ must request additional  
50.26 studies, if needed, and the permit applicant ~~shall~~ must submit all additional studies and  
50.27 information necessary for the commissioner to perform the commissioner's responsibility  
50.28 to review, modify, and determine the completeness of the application and approve the draft  
50.29 permit.

50.30 Sec. 56. Minnesota Statutes 2020, section 116.07, subdivision 4d, is amended to read:

50.31 Subd. 4d. **Permit fees.** (a) The agency may collect permit fees in amounts not greater  
50.32 than those necessary to cover the reasonable costs of developing, reviewing, and acting

51.1 upon applications for agency permits and implementing and enforcing the conditions of the  
51.2 permits pursuant to agency rules. Permit fees ~~shall~~ must not include the costs of litigation.  
51.3 The fee schedule must reflect reasonable and routine direct and indirect costs associated  
51.4 with permitting, implementation, and enforcement. The agency may impose an additional  
51.5 enforcement fee to be collected for ~~a period of~~ up to two years to cover the reasonable costs  
51.6 of implementing and enforcing the conditions of a permit under the rules of the agency.  
51.7 Water fees under this paragraph are subject to legislative approval under section 16A.1283.  
51.8 Any money collected under this paragraph ~~shall~~ must be deposited in the environmental  
51.9 fund.

51.10 (b) Notwithstanding paragraph (a), the agency ~~shall~~ must collect an annual fee from the  
51.11 owner or operator of all stationary sources, emission facilities, emissions units, air  
51.12 contaminant treatment facilities, treatment facilities, potential air contaminant storage  
51.13 facilities, or storage facilities subject to a notification, permit, or license requirement under  
51.14 this chapter, subchapters I and V of the federal Clean Air Act, United States Code, title 42,  
51.15 section 7401 et seq., or rules adopted thereunder. The annual fee ~~shall~~ must be used to pay  
51.16 for all direct and indirect reasonable costs, including legal costs, required to develop and  
51.17 administer the notification, permit, or license program requirements of this chapter,  
51.18 subchapters I and V of the federal Clean Air Act, United States Code, title 42, section 7401  
51.19 et seq., or rules adopted thereunder. Those costs include the reasonable costs of reviewing  
51.20 and acting upon an application for a permit; implementing and enforcing statutes, rules, and  
51.21 the terms and conditions of a permit; emissions, ambient, and deposition monitoring;  
51.22 preparing generally applicable regulations; responding to federal guidance; modeling,  
51.23 analyses, and demonstrations; preparing inventories and tracking emissions; and providing  
51.24 information to the public about these activities.

51.25 (c) The agency ~~shall~~ must set fees that:

51.26 (1) will result in the collection, in the aggregate, from the sources listed in paragraph  
51.27 (b), of an amount not less than \$25 per ton of each volatile organic compound; pollutant  
51.28 regulated under United States Code, title 42, section 7411 or 7412 (section 111 or 112 of  
51.29 the federal Clean Air Act); and each pollutant, except carbon monoxide, for which a national  
51.30 primary ambient air quality standard has been promulgated;

51.31 (2) may result in the collection, in the aggregate, from the sources listed in paragraph  
51.32 (b), of an amount not less than \$25 per ton of each pollutant not listed in clause (1) that is  
51.33 regulated under this chapter or air quality rules adopted under this chapter; and

52.1 (3) ~~shall~~ must collect, in the aggregate, from the sources listed in paragraph (b), the  
52.2 amount needed to match grant funds received by the state under United States Code, title  
52.3 42, section 7405 (section 105 of the federal Clean Air Act).

52.4 The agency must not include in the calculation of the aggregate amount to be collected  
52.5 under clauses (1) and (2) any amount in excess of 4,000 tons per year of each air pollutant  
52.6 from a source. The increase in air permit fees to match federal grant funds ~~shall be~~ is a  
52.7 surcharge on existing fees. The commissioner may not collect the surcharge after the grant  
52.8 funds become unavailable. In addition, the commissioner ~~shall~~ must use nonfee funds to  
52.9 the extent practical to match the grant funds so that the fee surcharge is minimized.

52.10 (d) To cover the reasonable costs described in paragraph (b), the agency ~~shall~~ must  
52.11 provide in the rules promulgated under paragraph (c) for an increase in the fee collected in  
52.12 each year by the percentage, if any, by which the Consumer Price Index for the most recent  
52.13 calendar year ending before the beginning of the year the fee is collected exceeds the  
52.14 Consumer Price Index for the calendar year 1989. For purposes of this paragraph, the  
52.15 Consumer Price Index for any calendar year is the average of the Consumer Price Index for  
52.16 all-urban consumers published by the United States Department of Labor, as of the close  
52.17 of the 12-month period ending on August 31 of each calendar year. The revision of the  
52.18 Consumer Price Index that is most consistent with the Consumer Price Index for calendar  
52.19 year 1989 ~~shall~~ must be used.

52.20 (e) Any money collected under paragraphs (b) to (d) must be deposited in the  
52.21 environmental fund and must be used solely for the activities listed in paragraph (b).

52.22 (f) Permit applicants who wish to construct, reconstruct, or modify a project may offer  
52.23 to reimburse the agency for the costs of staff time or consultant services needed to expedite  
52.24 the preapplication process and permit development process through the final decision on  
52.25 the permit, including the analysis of environmental review documents. The reimbursement  
52.26 ~~shall be~~ is in addition to permit application fees imposed by law. When the agency determines  
52.27 that it needs additional resources to develop the permit application in an expedited manner,  
52.28 and that expediting the development is consistent with permitting program priorities, the  
52.29 agency may accept the reimbursement. The commissioner must give the applicant an estimate  
52.30 of costs to be incurred by the commissioner. The estimate must include a brief description  
52.31 of the tasks to be performed, a schedule for completing the tasks, and the estimated cost for  
52.32 each task. The applicant and the commissioner must enter into a written agreement detailing  
52.33 the estimated costs for the expedited permit decision-making process to be incurred by the  
52.34 agency. The agreement must also identify staff anticipated to be assigned to the project.  
52.35 The commissioner must not issue a permit until the applicant has paid all fees in full. The

commissioner must refund any unobligated balance of fees paid. Reimbursements accepted by the agency are appropriated to the agency for the purpose of developing the permit or analyzing environmental review documents. Reimbursement by a permit applicant ~~shall~~ must precede and not be contingent upon issuance of a permit; ~~shall~~ must not affect the agency's decision on whether to issue or deny a permit, what conditions are included in a permit, or the application of state and federal statutes and rules governing permit determinations; and ~~shall~~ must not affect final decisions regarding environmental review.

(g) The fees under this subdivision are exempt from section 16A.1285.

Sec. 57. Minnesota Statutes 2020, section 116.07, is amended by adding a subdivision to read:

Subd. 13. **Unadopted rules.** The commissioner of the Pollution Control Agency must not enforce or attempt to enforce an unadopted rule. For purposes of this subdivision, "unadopted rule" means a guideline, bulletin, criterion, manual standard, interpretive statement, policy plan, or similar pronouncement if the guideline, bulletin, criterion, manual standard, interpretive statement, policy plan, or similar pronouncement has not been adopted according to the rulemaking process provided under chapter 14. If an unadopted rule is challenged under section 14.381, the commissioner must cease enforcement of the unadopted rule and overcome a presumption that the unadopted rule must be adopted according to the rulemaking process provided under chapter 14.

Sec. 58. Minnesota Statutes 2020, section 116B.03, subdivision 1, is amended to read:

Subdivision 1. **Parties.** Any person residing within the state; the attorney general; any political subdivision of the state; any instrumentality or agency of the state or of a political subdivision thereof; or any partnership, corporation, association, organization, or other entity having shareholders, members, partners or employees residing within the state may maintain a civil action in the district court for declaratory or equitable relief in the name of the state of Minnesota against any person, for the protection of the air, water, land, or other natural resources located within the state, whether publicly or privately owned, from pollution, impairment, or destruction; provided, however, that no action ~~shall be~~ is allowable ~~hereunder~~ under this section for:

(1) acts taken by a person on land leased or owned by said person pursuant to a permit or license issued by the owner of the land to said person which do not and can not reasonably be expected to pollute, impair, or destroy any other air, water, land, or other natural resources

54.1 located within the state; ~~provided further that no action shall be allowable under this section~~  
 54.2 ~~for~~

54.3 (2) conduct taken by a person pursuant to any environmental quality standard, limitation,  
 54.4 rule, order, license, stipulation agreement or permit issued by the Pollution Control Agency,  
 54.5 Department of Natural Resources, Department of Health or Department of Agriculture; or

54.6 (3) issuance of a groundwater appropriation permit that meets the criteria under section  
 54.7 103G.287, subdivision 6, by the Department of Natural Resources. This clause expires  
 54.8 January 1, 2041.

54.9 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
 54.10 applies to applications for new or modified permits filed on or after that date.

54.11 Sec. 59. Minnesota Statutes 2020, section 116B.10, is amended by adding a subdivision  
 54.12 to read:

54.13 Subd. 6. **Application.** No action is allowable under this section for issuance of a  
 54.14 groundwater appropriation permit that meets the criteria under section 103G.287, subdivision  
 54.15 6, by the Department of Natural Resources. This subdivision expires January 1, 2041.

54.16 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
 54.17 applies to applications for new or modified permits filed on or after that date.

54.18 Sec. 60. Minnesota Statutes 2020, section 116D.04, subdivision 2a, is amended to read:

54.19 Subd. 2a. **When prepared.** (a) Where there is potential for significant environmental  
 54.20 effects resulting from any major governmental action, the action must be preceded by a  
 54.21 detailed environmental impact statement prepared by the responsible governmental unit.  
 54.22 The environmental impact statement must be an analytical rather than an encyclopedic  
 54.23 document that describes the proposed action in detail, analyzes its significant environmental  
 54.24 impacts, discusses appropriate alternatives to the proposed action and their impacts, and  
 54.25 explores methods by which adverse environmental impacts of an action could be mitigated.  
 54.26 The environmental impact statement must also analyze those economic, employment, and  
 54.27 sociological effects that cannot be avoided should the action be implemented. To ensure its  
 54.28 use in the decision-making process, the environmental impact statement must be prepared  
 54.29 as early as practical in the formulation of an action.

54.30 (b) The board ~~shall~~ must by rule establish categories of actions for which environmental  
 54.31 impact statements and for which environmental assessment worksheets must be prepared  
 54.32 as well as categories of actions for which no environmental review is required under this

section. A mandatory environmental assessment worksheet is not required for the expansion of an ethanol plant, as defined in section 41A.09, subdivision 2a, paragraph (b), or the conversion of an ethanol plant to a biobutanol facility or the expansion of a biobutanol facility as defined in section 41A.15, subdivision 2d, based on the capacity of the expanded or converted facility to produce alcohol fuel, but must be required if the ethanol plant or biobutanol facility meets or exceeds thresholds of other categories of actions for which environmental assessment worksheets must be prepared. The responsible governmental unit for an ethanol plant or biobutanol facility project for which an environmental assessment worksheet is prepared is the state agency with the greatest responsibility for supervising or approving the project as a whole.

(c) A mandatory environmental impact statement is not required for a facility or plant located outside the seven-county metropolitan area that produces less than 125,000,000 gallons of ethanol, biobutanol, or cellulosic biofuel annually, or produces less than 400,000 tons of chemicals annually, if the facility or plant is: an ethanol plant, as defined in section 41A.09, subdivision 2a, paragraph (b); a biobutanol facility, as defined in section 41A.15, subdivision 2d; or a cellulosic biofuel facility. A facility or plant that only uses a cellulosic feedstock to produce chemical products for use by another facility as a feedstock is not considered a fuel conversion facility as used in rules adopted under this chapter.

(d) The responsible governmental unit ~~shall~~ must promptly publish notice of the completion of an environmental assessment worksheet by publishing the notice in at least one newspaper of general circulation in the geographic area where the project is proposed, by posting the notice on a website that has been designated as the official publication site for publication of proceedings, public notices, and summaries of a political subdivision in which the project is proposed, or in any other manner determined by the board and ~~shall~~ must provide copies of the environmental assessment worksheet to the board and its member agencies. Comments on the need for an environmental impact statement may be submitted to the responsible governmental unit during a 30-day period following publication of the notice that an environmental assessment worksheet has been completed. The responsible governmental unit may extend the 30-day comment period for an additional 30 days one time. Further extensions of the comment period may not be made unless approved by the project's proposer. The responsible governmental unit's decision on the need for an environmental impact statement must be based on the environmental assessment worksheet and the comments received during the comment period, and must be made within 15 days after the close of the comment period. The board's chair may extend the 15-day period by not more than 15 additional days upon the request of the responsible governmental unit.

(e) An environmental assessment worksheet must also be prepared for a proposed action whenever material evidence accompanying a petition by not less than 100 individuals who reside or own property in ~~the state~~ a county where the proposed action will be undertaken or in one or more adjoining counties, submitted before the proposed project has received final approval by the appropriate governmental units, demonstrates that, because of the nature or location of a proposed action, there may be potential for significant environmental effects. Petitions requesting the preparation of an environmental assessment worksheet must be submitted to the board. The chair of the board ~~shall~~ must determine the appropriate responsible governmental unit and forward the petition to it. A decision on the need for an environmental assessment worksheet must be made by the responsible governmental unit within 15 days after the petition is received by the responsible governmental unit. The board's chair may extend the 15-day period by not more than 15 additional days upon request of the responsible governmental unit.

(f) Except in an environmentally sensitive location where Minnesota Rules, part 4410.4300, subpart 29, item B, applies, the proposed action is exempt from environmental review under this chapter and rules of the board, if:

(1) the proposed action is:

(i) an animal feedlot facility with a capacity of less than 1,000 animal units; or

(ii) an expansion of an existing animal feedlot facility with a total cumulative capacity of less than 1,000 animal units;

(2) the application for the animal feedlot facility includes a written commitment by the proposer to design, construct, and operate the facility in full compliance with Pollution Control Agency feedlot rules; and

(3) the county board holds a public meeting for citizen input at least ten business days before the Pollution Control Agency or county issuing a feedlot permit for the animal feedlot facility unless another public meeting for citizen input has been held with regard to the feedlot facility to be permitted. The exemption in this paragraph is in addition to other exemptions provided under other law and rules of the board.

(g) The board may, before final approval of a proposed project, require preparation of an environmental assessment worksheet by a responsible governmental unit selected by the board for any action where environmental review under this section has not been specifically provided for by rule or otherwise initiated.

57.1 (h) An early and open process must be used to limit the scope of the environmental  
57.2 impact statement to a discussion of those impacts that, because of the nature or location of  
57.3 the project, have the potential for significant environmental effects. The same process must  
57.4 be used to determine the form, content, and level of detail of the statement as well as the  
57.5 alternatives that are appropriate for consideration in the statement. In addition, the permits  
57.6 that will be required for the proposed action must be identified during the scoping process.  
57.7 Further, the process must identify those permits for which information will be developed  
57.8 concurrently with the environmental impact statement. The board ~~shall~~ must provide in its  
57.9 rules for the expeditious completion of the scoping process. The determinations reached in  
57.10 the process must be incorporated into the order requiring the preparation of an environmental  
57.11 impact statement.

57.12 (i) The responsible governmental unit ~~shall~~ must, to the extent practicable, avoid  
57.13 duplication and ensure coordination between state and federal environmental review and  
57.14 between environmental review and environmental permitting. Whenever practical,  
57.15 information needed by a governmental unit for making final decisions on permits or other  
57.16 actions required for a proposed project must be developed in conjunction with the preparation  
57.17 of an environmental impact statement. When an environmental impact statement is prepared  
57.18 for a project requiring multiple permits for which two or more agencies' decision processes  
57.19 include either mandatory or discretionary hearings before a hearing officer before the  
57.20 agencies' decision on the permit, the agencies may, notwithstanding any law or rule to the  
57.21 contrary, conduct the hearings in a single consolidated hearing process if requested by the  
57.22 proposer. All agencies having jurisdiction over a permit that is included in the consolidated  
57.23 hearing ~~shall~~ must participate. The responsible governmental unit ~~shall~~ must establish  
57.24 appropriate procedures for the consolidated hearing process, including procedures to ensure  
57.25 that the consolidated hearing process is consistent with the applicable requirements for each  
57.26 permit regarding the rights and duties of parties to the hearing, and ~~shall~~ must use the earliest  
57.27 applicable hearing procedure to initiate the hearing. All agencies having jurisdiction over  
57.28 a permit identified in the draft environmental assessment worksheet scoping document must  
57.29 begin reviewing any permit application upon publication of the notice of preparation of the  
57.30 environmental impact statement.

57.31 (j) An environmental impact statement must be prepared and its adequacy determined  
57.32 within 280 days after notice of its preparation unless the time is extended by consent of the  
57.33 parties or by the governor for good cause. The responsible governmental unit ~~shall~~ must  
57.34 determine the adequacy of an environmental impact statement, unless within 60 days after  
57.35 notice is published that an environmental impact statement will be prepared, the board

58.1 chooses to determine the adequacy of an environmental impact statement. If an environmental  
58.2 impact statement is found to be inadequate, the responsible governmental unit has 60 days  
58.3 to prepare an adequate environmental impact statement.

58.4 (k) The proposer of a specific action may include in the information submitted to the  
58.5 responsible governmental unit a preliminary draft environmental impact statement under  
58.6 this section on that action for review, modification, and determination of completeness and  
58.7 adequacy by the responsible governmental unit. A preliminary draft environmental impact  
58.8 statement prepared by the project proposer and submitted to the responsible governmental  
58.9 unit must identify or include as an appendix all studies and other sources of information  
58.10 used to substantiate the analysis contained in the preliminary draft environmental impact  
58.11 statement. The responsible governmental unit ~~shall~~ must require additional studies, if needed,  
58.12 and obtain from the project proposer all additional studies and information necessary for  
58.13 the responsible governmental unit to perform its responsibility to review, modify, and  
58.14 determine the completeness and adequacy of the environmental impact statement.

58.15 (l) A mandatory environmental assessment worksheet is not required for a project that  
58.16 will diminish the course, current, or cross-section of one acre or more of any water unless  
58.17 the affected water is on the public waters inventory described in section 103G.201.

58.18 Sec. 61. Minnesota Statutes 2020, section 116U.55, is amended by adding a subdivision  
58.19 to read:

58.20 Subd. 3. **Events promotion account.** The events promotion account is established as a  
58.21 separate account in the natural resources fund. Money received under section 297A.94,  
58.22 paragraph (l), must be deposited into the events promotion account for promoting special  
58.23 events in the state. At least 50 percent of the money appropriated under this subdivision  
58.24 must be for promoting special events outside of the metropolitan area.

58.25 Sec. 62. Minnesota Statutes 2020, section 127A.353, subdivision 2, is amended to read:

58.26 Subd. 2. **Qualifications.** The governor shall select the school trust lands director on the  
58.27 basis of outstanding professional qualifications and knowledge of finance, business practices,  
58.28 minerals, forest and real estate management, and the fiduciary responsibilities of a trustee  
58.29 to the beneficiaries of a trust. The school trust lands director serves in the unclassified service  
58.30 for a term of four years. ~~The first term shall end on December 31, 2020.~~ The governor may  
58.31 remove the school trust lands director for cause. If a director resigns or is removed for cause,  
58.32 the governor shall appoint a director for the remainder of the term.

59.1 Sec. 63. Minnesota Statutes 2021 Supplement, section 127A.353, subdivision 4, is amended  
59.2 to read:

59.3 Subd. 4. **Duties; powers.** (a) The school trust lands director shall:

59.4 (1) ~~take an oath of office before assuming any duties as the director~~ act in a fiduciary  
59.5 capacity for trust beneficiaries in accordance with the principles under section 127A.351;

59.6 (2) evaluate the school trust land asset position;

59.7 (3) determine the estimated current and potential market value of school trust lands;

59.8 (4) advise and provide recommendations to the governor, Executive Council,  
59.9 commissioner of natural resources, and the Legislative Permanent School Fund Commission  
59.10 on the management of school trust lands, including: on school trust land management policies  
59.11 and other policies that may affect the goal of the permanent school fund under section  
59.12 127A.31;

59.13 (5) advise and provide recommendations to the Executive Council and Land Exchange  
59.14 Board on all matters regarding school trust lands presented to either body;

59.15 (6) advise and provide recommendations to the commissioner of natural resources on  
59.16 managing school trust lands, including but not limited to advice and recommendations on:

59.17 (i) Department of Natural Resources school trust land management plans;

59.18 (ii) leases of school trust lands;

59.19 (iii) royalty agreements on school trust lands;

59.20 (iv) land sales and exchanges;

59.21 (v) cost certification; and

59.22 (vi) revenue generating options;

59.23 (7) serve as temporary trustee of school trust lands for school trust lands subject to  
59.24 proposed or active eminent domain proceedings;

59.25 (8) serve as temporary trustee of school trust lands pursuant to section 94.342, subdivision  
59.26 5;

59.27 ~~(5) propose~~ (9) submit to the Legislative Permanent School Fund Commission for review  
59.28 an annual budget and management plan for the director that includes proposed legislative  
59.29 changes that will improve the asset allocation of the school trust lands;

60.1 ~~(6)~~ (10) develop and implement a ten-year strategic plan and a 25-year framework for  
60.2 management of school trust lands, in conjunction with the commissioner of natural resources,  
60.3 that is updated every five years ~~and implemented by the commissioner~~, with goals to:

60.4 (i) retain core real estate assets;

60.5 (ii) increase the value of the real estate assets and the cash flow from those assets;

60.6 (iii) rebalance the portfolio in assets with high performance potential and the strategic  
60.7 disposal of selected assets;

60.8 (iv) establish priorities for management actions;

60.9 (v) balance revenue enhancement and resource stewardship; and

60.10 (vi) advance strategies on school trust lands to capitalize on ecosystem services markets;  
60.11 and

60.12 ~~(7) submit to the Legislative Permanent School Fund Commission for review an annual~~  
60.13 ~~budget and management plan for the director; and~~

60.14 ~~(8)~~ (11) keep the beneficiaries, governor, legislature, and the public informed about the  
60.15 work of the director by reporting to the Legislative Permanent School Fund Commission  
60.16 in a public meeting at least once during each calendar quarter.

60.17 (b) In carrying out the duties under paragraph (a), the school trust lands director ~~shall~~  
60.18 ~~have the authority to~~ may:

60.19 (1) direct and control money appropriated to the director;

60.20 (2) establish job descriptions and employ ~~up to five employees in the unclassified service,~~  
60.21 staff within the limitations of money appropriated to the director;

60.22 (3) enter into interdepartmental agreements with any other state agency;

60.23 (4) enter into joint powers agreements under chapter 471;

60.24 (5) evaluate and initiate real estate development projects on school trust lands in  
60.25 conjunction with the commissioner of natural resources and with the advice of the Legislative  
60.26 Permanent School Fund Commission ~~in order~~ to generate long-term economic return to the  
60.27 permanent school fund; and

60.28 ~~(6) serve as temporary trustee of school trust land for school trust lands subject to~~  
60.29 ~~proposed or active eminent domain proceedings; and~~

61.1 ~~(7)~~ (6) submit recommendations on strategies for school trust land leases, sales, or  
61.2 exchanges to the commissioner of natural resources and the Legislative Permanent School  
61.3 Fund Commission.

61.4 Sec. 64. Minnesota Statutes 2020, section 282.08, is amended to read:

61.5 **282.08 APPORTIONMENT OF PROCEEDS TO TAXING DISTRICTS.**

61.6 The net proceeds from the sale or rental of any parcel of forfeited land, or from the sale  
61.7 of products from the forfeited land, must be apportioned by the county auditor to the taxing  
61.8 districts interested in the land, as follows:

61.9 (1) the portion required to pay any amounts included in the appraised value under section  
61.10 282.01, subdivision 3, as representing increased value due to any public improvement made  
61.11 after forfeiture of the parcel to the state, but not exceeding the amount certified by the  
61.12 appropriate governmental authority must be apportioned to the governmental subdivision  
61.13 entitled to it;

61.14 (2) the portion required to pay any amount included in the appraised value under section  
61.15 282.019, subdivision 5, representing increased value due to response actions taken after  
61.16 forfeiture of the parcel to the state, but not exceeding the amount of expenses certified by  
61.17 the Pollution Control Agency or the commissioner of agriculture, must be apportioned to  
61.18 the agency or the commissioner of agriculture and deposited in the fund from which the  
61.19 expenses were paid;

61.20 (3) the portion of the remainder required to discharge any special assessment chargeable  
61.21 against the parcel for drainage or other purpose whether due or deferred at the time of  
61.22 forfeiture, must be apportioned to the governmental subdivision entitled to it; and

61.23 (4) any balance must be apportioned as follows:

61.24 (i) The county board may annually by resolution set aside no more than 30 percent of  
61.25 the receipts remaining to be used for forest development on tax-forfeited land and dedicated  
61.26 memorial forests, to be expended under the supervision of the county board. It must be  
61.27 expended only on projects improving the health and management of the forest resource.

61.28 (ii) The county board may annually by resolution set aside no more than 20 percent of  
61.29 the receipts remaining to be used for the acquisition and maintenance of county parks or  
61.30 recreational areas as defined in sections 398.31 to 398.36, to be expended under the  
61.31 supervision of the county board.

62.1 (iii) The county board may by resolution set aside up to 100 percent of the receipts  
62.2 remaining to be used:

62.3 (A) according to section 282.09, subdivision 2;

62.4 (B) for remediating contamination at tax-forfeited properties; or

62.5 (C) for correcting blighted conditions at tax-forfeited properties.

62.6 An election made under this item is effective for a minimum of five years, unless the county  
62.7 board specifies a shorter duration.

62.8 (iv) Any balance remaining must be apportioned as follows: county, 40 percent; town  
62.9 or city, 20 percent; and school district, 40 percent, provided, however, that in unorganized  
62.10 territory that portion which would have accrued to the township must be administered by  
62.11 the county board of commissioners.

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

62.13 Sec. 65. Minnesota Statutes 2020, section 297A.94, is amended to read:

62.14 **297A.94 DEPOSIT OF REVENUES.**

62.15 (a) Except as provided in this section, the commissioner shall deposit the revenues,  
62.16 including interest and penalties, derived from the taxes imposed by this chapter in the state  
62.17 treasury and credit them to the general fund.

62.18 (b) The commissioner shall deposit taxes in the Minnesota agricultural and economic  
62.19 account in the special revenue fund if:

62.20 (1) the taxes are derived from sales and use of property and services purchased for the  
62.21 construction and operation of an agricultural resource project; and

62.22 (2) the purchase was made on or after the date on which a conditional commitment was  
62.23 made for a loan guaranty for the project under section 41A.04, subdivision 3.

62.24 The commissioner of management and budget shall certify to the commissioner the date on  
62.25 which the project received the conditional commitment. The amount deposited in the loan  
62.26 guaranty account must be reduced by any refunds and by the costs incurred by the Department  
62.27 of Revenue to administer and enforce the assessment and collection of the taxes.

62.28 (c) The commissioner shall deposit the revenues, including interest and penalties, derived  
62.29 from the taxes imposed on sales and purchases included in section 297A.61, subdivision 3,  
62.30 paragraph (g), clauses (1) and (4), in the state treasury, and credit them as follows:

(1) first to the general obligation special tax bond debt service account in each fiscal year the amount required by section 16A.661, subdivision 3, paragraph (b); and

(2) after the requirements of clause (1) have been met, the balance to the general fund.

(d) Beginning with sales taxes remitted after July 1, 2017, the commissioner shall deposit in the state treasury the revenues collected under section 297A.64, subdivision 1, including interest and penalties and minus refunds, and credit them to the highway user tax distribution fund.

(e) The commissioner shall deposit the revenues, including interest and penalties, collected under section 297A.64, subdivision 5, in the state treasury and credit them to the general fund. By July 15 of each year the commissioner shall transfer to the highway user tax distribution fund an amount equal to the excess fees collected under section 297A.64, subdivision 5, for the previous calendar year.

(f) Beginning with sales taxes remitted after July 1, 2017, in conjunction with the deposit of revenues under paragraph (d), the commissioner shall deposit into the state treasury and credit to the highway user tax distribution fund an amount equal to the estimated revenues derived from the tax rate imposed under section 297A.62, subdivision 1, on the lease or rental for not more than 28 days of rental motor vehicles subject to section 297A.64. The commissioner shall estimate the amount of sales tax revenue deposited under this paragraph based on the amount of revenue deposited under paragraph (d).

(g) Starting after July 1, 2017, the commissioner shall deposit an amount of the remittances monthly into the state treasury and credit them to the highway user tax distribution fund as a portion of the estimated amount of taxes collected from the sale and purchase of motor vehicle repair parts in that month. For the remittances between July 1, 2017, and June 30, 2019, the monthly deposit amount is \$2,628,000. For remittances in each subsequent fiscal year, the monthly deposit amount is \$12,137,000. For purposes of this paragraph, "motor vehicle" has the meaning given in section 297B.01, subdivision 11, and "motor vehicle repair and replacement parts" includes (i) all parts, tires, accessories, and equipment incorporated into or affixed to the motor vehicle as part of the motor vehicle maintenance and repair, and (ii) paint, oil, and other fluids that remain on or in the motor vehicle as part of the motor vehicle maintenance or repair. For purposes of this paragraph, "tire" means any tire of the type used on highway vehicles, if wholly or partially made of rubber and if marked according to federal regulations for highway use.

(h) 72.43 percent of the revenues, including interest and penalties, transmitted to the commissioner under section 297A.65, must be deposited by the commissioner in the state treasury as follows:

(1) 50 percent of the receipts must be deposited in the heritage enhancement account in the game and fish fund, and may be spent only on activities that improve, enhance, or protect fish and wildlife resources, including conservation, restoration, and enhancement of land, water, and other natural resources of the state;

(2) 22.5 percent of the receipts must be deposited in the natural resources fund, and may be spent only for state parks and trails;

(3) 22.5 percent of the receipts must be deposited in the natural resources fund, and may be spent only on metropolitan park and trail grants;

(4) three percent of the receipts must be deposited in the natural resources fund, and may be spent only on local trail grants; and

(5) two percent of the receipts must be deposited in the natural resources fund, and may be spent only for the Minnesota Zoological Garden, the Como Park Zoo and Conservatory, and the Duluth Zoo.

(i) The revenue dedicated under paragraph (h) may not be used as a substitute for traditional sources of funding for the purposes specified, but the dedicated revenue shall supplement traditional sources of funding for those purposes. Land acquired with money deposited in the game and fish fund under paragraph (h) must be open to public hunting and fishing during the open season, except that in aquatic management areas or on lands where angling easements have been acquired, fishing may be prohibited during certain times of the year and hunting may be prohibited. At least 87 percent of the money deposited in the game and fish fund for improvement, enhancement, or protection of fish and wildlife resources under paragraph (h) must be allocated for field operations.

(j) The commissioner must deposit the revenues, including interest and penalties minus any refunds, derived from the sale of items regulated under section 624.20, subdivision 1, that may be sold to persons 18 years old or older and that are not prohibited from use by the general public under section 624.21, in the state treasury and credit:

(1) 25 percent to the volunteer fire assistance grant account established under section 88.068;

(2) 25 percent to the fire safety account established under section 297I.06, subdivision 3; and

(3) the remainder to the general fund.

For purposes of this paragraph, the percentage of total sales and use tax revenue derived from the sale of items regulated under section 624.20, subdivision 1, that are allowed to be sold to persons 18 years old or older and are not prohibited from use by the general public under section 624.21, is a set percentage of the total sales and use tax revenues collected in the state, with the percentage determined under Laws 2017, First Special Session chapter 1, article 3, section 39.

(k) The revenues deposited under paragraphs (a) to (j) do not include the revenues, including interest and penalties, generated by the sales tax imposed under section 297A.62, subdivision 1a, which must be deposited as provided under the Minnesota Constitution, article XI, section 15.

(l) One percent of the revenues, including interest and penalties, transmitted to the commissioner under section 297A.65, must be deposited in the state treasury and credited to the events promotion account under section 116U.55, subdivision 3.

Sec. 66. Laws 2015, First Special Session chapter 4, article 4, section 136, as amended by Laws 2017, chapter 93, article 2, section 149, is amended to read:

**Sec. 136. WILD RICE WATER QUALITY STANDARDS.**

(a) Until the commissioner of the Pollution Control Agency amends rules refining the wild rice water quality standard in Minnesota Rules, part 7050.0224, subpart 2, to consider all independent research and publicly funded research and to include criteria for identifying waters and a list of waters subject to the standard, implementation of the wild rice water quality standard in Minnesota Rules, part 7050.0224, subpart 2, shall be limited to the following, unless the permittee requests additional conditions:

(1) when issuing, modifying, or renewing national pollutant discharge elimination system (NPDES) or state disposal system (SDS) permits, the agency shall endeavor to protect wild rice, and in doing so shall be limited by the following conditions:

(i) the agency shall not require permittees to expend money for design or implementation of sulfate treatment technologies or other forms of sulfate mitigation; and

(ii) the agency may require sulfate minimization plans in permits; and

(2) the agency shall not list waters containing natural beds of wild rice as impaired for sulfate under section 303(d) of the federal Clean Water Act, United States Code, title 33, section 1313, until the rulemaking described in this paragraph takes effect.

(b) Upon the rule described in paragraph (a) taking effect, the agency may reopen permits issued or reissued after the effective date of this section as needed to include numeric permit limits based on the wild rice water quality standard.

(c) The commissioner shall complete the rulemaking described in paragraph (a) by January 15, ~~2019~~ 2025.

Sec. 67. **CONTINUATION OF OTHER WATER APPROPRIATION PERMITS.**

Prior to additional rulemaking or legislative action in response to the findings and recommendations submitted pursuant to section 69, the commissioner of natural resources shall not reduce appropriations under a groundwater appropriations permit, terminate groundwater appropriations authorized by a permit, or decline to renew a groundwater appropriations permit where:

(1) the permit was in effect as of December 31, 2021;

(2) the permit authorized appropriation of groundwater from a site located wholly or partially within a five-mile radius of White Bear Lake;

(3) the permittee is in compliance with applicable permit terms; and

(4) the permittee is not a municipality.

Sec. 68. **DEPARTMENT OF NATURAL RESOURCES REGISTRATION SYSTEM.**

Subdivision 1. Definitions. (a) For purposes of this section, the following terms have the meanings given.

(b) "Commissioner" means the commissioner of natural resources.

(c) "DNR" means the Department of Natural Resources.

(d) "DNR registration system" means the current Department of Natural Resources system for boat, all-terrain vehicle, and snowmobile registrations.

Subd. 2. Request for proposals; scoring preference. When the commissioner issues a request for proposals to replace the DNR registration system and scores the responses to the request for proposals, the commissioner may give a preference to a software vendor that currently provides vehicle registration software to the state in an amount commensurate with the commissioner's assessments of the benefits of using an existing software vendor.

Subd. 3. Report to legislature. Within 45 days after a vendor has been selected to provide software to replace the DNR registration system, the commissioner must report to

67.1 the chairs and ranking minority members of the legislative committees with jurisdiction  
67.2 over transportation policy and finance and natural resources policy and finance. At a  
67.3 minimum, the commissioner must include in the report:

67.4 (1) the names of all vendors who submitted a proposal;

67.5 (2) which vendor was selected;

67.6 (3) the estimated timeline for implementing the new registration system;

67.7 (4) if a preference was given as described in subdivision 2, what the preference was and  
67.8 how the commissioner arrived at that number; and

67.9 (5) if a software vendor that currently provides vehicle registration software to the state  
67.10 submitted a proposal and that vendor was not selected, an explanation of why that vendor  
67.11 was not selected.

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

67.13 Sec. 69. **ENSURING SUSTAINABLE GROUNDWATER LEVELS IN WHITE**  
67.14 **BEAR LAKE AND RELATED AQUIFERS.**

67.15 The commissioner of natural resources, in cooperation with the Minnesota Department  
67.16 of Health, the Metropolitan Council, and representatives of east metropolitan area  
67.17 municipalities, must explore available options for supplying east metropolitan area  
67.18 communities with safe drinking water in a manner that allows municipal growth while  
67.19 simultaneously ensuring the sustainability and quality of the state's water resources in and  
67.20 around White Bear Lake and neighboring aquifers. By October 1, 2023, the commissioner  
67.21 must report findings and recommendations to the chairs and ranking minority members of  
67.22 the legislative committees and divisions with jurisdiction over environment and natural  
67.23 resources.

67.24 Sec. 70. **FACILITATING SAFE TRAVEL ON COUNTY STATE-AID HIGHWAY**  
67.25 **13 IN MURRAY COUNTY.**

67.26 Subdivision 1. **Requirements.** Notwithstanding any other provision of law, the  
67.27 commissioner of natural resources must do all of the following to ensure that the portion  
67.28 of County State-Aid Highway 13 in Murray County that extends over Lake Shetek between  
67.29 170th Avenue and Lakeview Drive can be widened to a sufficient width to ensure traveler  
67.30 safety:

68.1 (1) issue any permits applied for by the county as part of a project to widen the highway;  
68.2 and

68.3 (2) convey to the county any right-of-way, easement, or other interest in real property  
68.4 administered by the Department of Natural Resources that is necessary to facilitate the  
68.5 widening.

68.6 Subd. 2. **Sufficient width.** For purposes of subdivision 1, "sufficient width to ensure  
68.7 traveler safety" means a width of at least 70 feet, including room for two lanes of vehicular  
68.8 traffic, a shoulder on each side, and a shared-use path on each side to safely accommodate  
68.9 bicycle and pedestrian transportation. Any riprap needed to ensure the structural integrity  
68.10 of the widened highway must be in addition to the 70-foot width required by this subdivision.

68.11 Subd. 3. **Reporting.** The commissioner of natural resources must immediately report  
68.12 to the chairs and ranking minority members of the house of representatives and senate  
68.13 committees and divisions with jurisdiction over environment and natural resources if the  
68.14 commissioner denies any permit or other request made by Murray County in connection  
68.15 with the widening described in this section. A report under this subdivision must explain  
68.16 the reason for the denial, including the statute or rule that prohibits the commissioner from  
68.17 granting the permit or other request. A policy decision by the Department of Natural  
68.18 Resources that the lake is more important than protecting the lives of travelers on the highway  
68.19 does not constitute a sufficient explanation for a decision to deny a permit under this  
68.20 subdivision.

68.21 **EFFECTIVE DATE.** This section is effective the day after the governing body of  
68.22 Murray County and its chief clerical officer comply with the requirements of Minnesota  
68.23 Statutes, section 645.021, subdivisions 2 and 3.

68.24 Sec. 71. **FILLING OF CERTAIN POLLUTION CONTROL AGENCY AIR PERMIT**  
68.25 **PROGRAM VACANCIES.**

68.26 Subdivision 1. **Duty to fill certain positions.** The commissioner of the Pollution Control  
68.27 Agency must do the following for each position in the agency's air permit program that has  
68.28 been open for at least one year as of the effective date of this section:

68.29 (1) within 60 days of the effective date of this section, post job opening information for  
68.30 each position in the manner normally used by the commissioner to post job openings;

68.31 (2) within 90 days of the effective date of this section, conduct interviews to fill each  
68.32 position; and

(3) within 120 days of the effective date of this section, complete hiring to fill each position.

Subd. 2. **Report.** By January 15, 2024, the commissioner must submit a report to the chairs and ranking minority members of the house of representatives and senate committees and divisions with jurisdiction over environment and natural resources on efforts to comply with this section. The report must include the following:

(1) a summary of the commissioner's efforts to comply with each clause in subdivision 1; and

(2) for any position that receives less than five applicants, an explanation of the need for each of the job requirements included in the job posting.

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

Sec. 72. **INTERIM PROVISIONS.**

(a) From the effective date of this section until the rules under section 77 are adopted, to the extent allowable under the federal Clean Water Act or other federal laws, this section applies to discharges from facilities that process sugar beets outside the Lake Superior basin.

(b) If a whole effluent toxicity test, as defined under Minnesota Rules, part 7050.0218, subpart 3, item AAA, is performed on the effluent of a point source discharger that is a facility that processes sugar beets and results in less than 50 percent mortality of the test organisms or if a demonstration is provided under Minnesota Rules, part 7052.0210, subpart 1, that 0.3 acute toxic units can be met at the edge of an approved acute mixing zone, the effluent must not be considered acutely toxic or lethal to aquatic organisms unless the commissioner of the Pollution Control Agency finds that the test species do not represent sensitive organisms in the affected surface water body or the whole effluent toxicity test was performed on a sample not representative of the effluent quality.

(c) The commissioner of the Pollution Control Agency must establish whole effluent toxicity mixing zones and whole effluent toxicity water-quality-based effluent limitations and permit conditions for facilities that process sugar beets according to Minnesota Rules, parts 7052.0210, subparts 1 and 2, and 7052.0240.

(d) The antibacksliding provisions of Minnesota Rules, part 7001.1080, subpart 9, do not apply to new or revised permit conditions established under paragraph (c).

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

70.1      **Sec. 73. REGISTRATION DECAL FORMAT TRANSITION.**

70.2          Separately displaying registration numbers is not required when a larger-format  
70.3 registration decal as provided under Minnesota Statutes, section 84.82, subdivision 2, is  
70.4 displayed according to Minnesota Statutes, section 84.82, subdivision 3b. Snowmobiles  
70.5 displaying valid but older smaller-format registration decals must display the separate  
70.6 registration numbers. Persons may obtain duplicate registration decals in the new, larger  
70.7 format, when available, without being required to display the separate registration numbers.

70.8      **Sec. 74. REQUIRED RULEMAKING.**

70.9          (a) The commissioner of natural resources must amend Minnesota Rules as follows:

70.10          (1) part 6100.5000, subpart 1, by striking the last sentence and inserting "The registration  
70.11 number remains the same if renewed by July 1 following the expiration date.";

70.12          (2) part 6100.5700, subpart 1, item C, by striking the reference to registration numbers;  
70.13 and

70.14          (3) part 6230.0250, subpart 10, item A, subitem (2), by changing the word "hunter" to  
70.15 "person".

70.16          (b) The commissioner may use the good-cause exemption under Minnesota Statutes,  
70.17 section 14.388, subdivision 1, clause (3), to adopt rules under this section, and Minnesota  
70.18 Statutes, section 14.386, does not apply except as provided under Minnesota Statutes, section  
70.19 14.388.

70.20      **Sec. 75. STATE IMPLEMENTATION PLAN REVISIONS.**

70.21          (a) The commissioner of the Pollution Control Agency must seek approval from the  
70.22 federal Environmental Protection Agency for revisions to the state's federal Clean Air Act  
70.23 state implementation plan so that under the revised plan, the Pollution Control Agency is  
70.24 prohibited from applying a national or state ambient air quality standard in a permit issued  
70.25 solely to authorize operations to continue at an existing facility with unmodified emissions  
70.26 levels. Nothing in this section must be construed to require the commissioner to apply for  
70.27 a revision that would prohibit the agency from applying a national or state ambient air  
70.28 quality standard in a permit that authorizes an increase in emissions due to construction of  
70.29 a new facility or in a permit that authorizes changes to existing facilities that result in a  
70.30 significant net emissions increase of a regulated NSR pollutant, as defined in Code of Federal  
70.31 Regulations, title 40, section 52.21(b)(50).

(b) The commissioner of the Pollution Control Agency must report quarterly to the chairs and ranking minority members of the house of representatives and senate committees and divisions with jurisdiction over environment and natural resources policy on the status of efforts to implement paragraph (a) until the revisions required by paragraph (a) have been either approved or denied.

Sec. 76. **WHOLE EFFLUENT TOXICITY RULEMAKING FOR FACILITIES THAT PROCESS SUGAR BEETS.**

(a) By January 31, 2023, the commissioner of the Pollution Control Agency must adopt rules on:

(1) evaluating and applying whole effluent toxicity (WET) as water-quality-based effluent limitations and permit conditions for discharges from facilities that process sugar beets that are located outside the Lake Superior basin; and

(2) the applicability and standards for acute and chronic mixing zones at those facilities.

(b) Rules adopted under this section must be substantially identical to Minnesota Rules, parts 7052.0210, subparts 1 and 2, and 7052.0240, so that, to the greatest extent possible, facilities that process sugar beets in all parts of the state are subject to the same mixing zones requirements and acute and chronic WET requirements for establishing permit conditions.

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

Sec. 77. **PFAS MONITORING PLAN EXPENSES.**

Notwithstanding any other provision of law, the commissioner of the Pollution Control Agency shall not require a person, facility, or other entity to monitor PFAS as part of its March 2022 PFAS monitoring plan unless the monitoring can be done at no cost to the person, facility, or other entity or unless the commissioner agrees to reimburse the person, facility, or other entity for all costs of the monitoring. Nothing in this section shall be construed to prohibit:

(1) voluntary compliance with an agency request to monitor PFAS;

(2) compliance with a PFAS monitoring requirement that is not part of the March 2022 PFAS monitoring plan; or

(3) a PFAS monitoring requirement imposed as a result of a known release or threatened release of PFAS from a facility.

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

72.2 Sec. 78. **RED RIVER OF THE NORTH; ADAPTIVE PHOSPHORUS**  
 72.3 **MANAGEMENT FEASIBILITY ASSESSMENT.**

72.4 Subdivision 1. **Assessment contents.** The Red River Basin Commission must facilitate  
 72.5 the development of a feasibility assessment of adaptive phosphorus management for the  
 72.6 Red River of the North. The commission may contract with outside experts or academic  
 72.7 institutions in developing the assessment. The assessment:

- 72.8 (1) must address applicable water quality targets for phosphorous loading;  
 72.9 (2) must include an allocation of phosphorus between point and nonpoint sources;  
 72.10 (3) must identify cost-effective nutrient reduction implementation strategies; and  
 72.11 (4) may include other state water quality goals and objectives.

72.12 Subd. 2. **Advisory group.** In developing the assessment, the Red River Basin Commission  
 72.13 shall work in cooperation with an advisory group consisting of representatives from the  
 72.14 Minnesota Agricultural Water Resource Center, the Red River Watershed Management  
 72.15 Board, other agricultural groups, soil and water conservation districts, watershed districts,  
 72.16 cities, and other Minnesota organizations represented on the board of directors of the Red  
 72.17 River Basin Commission. The Red River Basin Commission may also work with  
 72.18 representatives from similar organizations from North Dakota, South Dakota, and Manitoba.

72.19 Subd. 3. **Reporting.** By June 30, 2024, the Red River Basin Commission must submit  
 72.20 the final assessment to the chairs and ranking minority members of the house of  
 72.21 representatives and senate committees with jurisdiction over agriculture policy and finance.  
 72.22 By December 31 of each year prior to the submission of the final assessment, the commission  
 72.23 must submit a progress report on the assessment's development to these same recipients.

72.24 Sec. 79. **WEST NEWTON SPECIAL USE DISTRICT; WABASHA COUNTY.**

72.25 Notwithstanding Minnesota Statutes, section 394.36, subdivision 4; Minnesota Rules,  
 72.26 part 6120.5800, subpart 3; or any other law to the contrary, an existing structure in the West  
 72.27 Newton Special Use District may be expanded. The expansion must follow the requirements  
 72.28 for expansions of structures in the West Newton Special Use District as provided in the  
 72.29 Wabasha County floodplain management ordinance in effect on January 1, 2022.

73.1 **EFFECTIVE DATE.** This section is effective the day after the governing body of  
73.2 Wabasha County and its chief clerical officer timely complete their compliance with  
73.3 Minnesota Statutes, section 645.021, subdivisions 2 and 3.

73.4 Sec. 80. **REPEALER.**

73.5 (a) Minnesota Statutes 2020, section 97C.515, subdivisions 4 and 5, are repealed.

73.6 (b) Minnesota Rules, parts 6100.5000, subparts 3, 4, and 5; 6100.5700, subpart 4; and  
73.7 6232.0350, are repealed.

73.8 (c) Laws 2013, chapter 121, section 53, is repealed.

73.9 **ARTICLE 3**  
73.10 **STATE LANDS**

73.11 Section 1. Minnesota Statutes 2021 Supplement, section 84.63, is amended to read:

73.12 **84.63 CONVEYING INTERESTS IN LANDS TO STATE, FEDERAL, AND**  
73.13 **TRIBAL GOVERNMENTS.**

73.14 (a) Notwithstanding any existing law to the contrary, the commissioner of natural  
73.15 resources is hereby authorized on behalf of the state to convey to the United States, to a  
73.16 federally recognized Indian Tribe, or to the state of Minnesota or any of its subdivisions,  
73.17 upon state-owned lands under the administration of the commissioner of natural resources,  
73.18 permanent or temporary easements for specified periods or otherwise for trails, highways,  
73.19 roads including limitation of right of access from the lands to adjacent highways and roads,  
73.20 flowage for development of fish and game resources, stream protection, flood control, and  
73.21 necessary appurtenances thereto, such conveyances to be made upon such terms and  
73.22 conditions including provision for reversion in the event of non-user as the commissioner  
73.23 of natural resources may determine.

73.24 (b) In addition to the fee for the market value of the easement, the commissioner of  
73.25 natural resources shall assess the applicant the following fees:

73.26 (1) an application fee of \$2,000 to cover reasonable costs for reviewing the application  
73.27 and preparing the easement; and

73.28 (2) a monitoring fee to cover the projected reasonable costs for monitoring the  
73.29 construction of the improvement for which the easement was conveyed and preparing special  
73.30 terms and conditions for the easement. The commissioner must give the applicant an estimate  
73.31 of the monitoring fee before the applicant submits the fee.

(c) The applicant shall pay these fees to the commissioner of natural resources. The commissioner shall not issue the easement until the applicant has paid in full the application fee, the monitoring fee, and the market value payment for the easement.

(d) Upon completion of construction of the improvement for which the easement was conveyed, the commissioner shall refund the unobligated balance from the monitoring fee revenue. The commissioner shall not return the application fee, even if the application is withdrawn or denied.

(e) Money received under paragraph (b) must be deposited in the land management account in the natural resources fund and is appropriated to the commissioner of natural resources to cover the reasonable costs incurred for issuing and monitoring easements.

(f) A county or joint county regional railroad authority is exempt from all fees specified under this section for trail easements on state-owned land.

(g) In addition to fees specified in this section, the applicant must reimburse the state for costs incurred for cultural resources review, monitoring, or other services provided by the Minnesota Historical Society under contract with the commissioner of natural resources or the State Historic Preservation Office of the Department of Administration in connection with the easement application, preparing the easement terms, or constructing the trail, highway, road, or other improvements.

(h) Notwithstanding paragraphs (a) to (g), the commissioner of natural resources may elect to assume the application fee under paragraph (b), clause (1), and waive or assume some or all of the remaining fees and costs imposed under this section if the commissioner determines that issuing the easement will benefit the state's land management interests.

Sec. 2. Minnesota Statutes 2021 Supplement, section 84.631, is amended to read:

**84.631 ROAD EASEMENTS ACROSS STATE LANDS.**

(a) Except as provided in section 85.015, subdivision 1b, the commissioner of natural resources, on behalf of the state, may convey a road easement across state land under the commissioner's jurisdiction to a private person requesting an easement for access to property owned by the person only if the following requirements are met: (1) there are no reasonable alternatives to obtain access to the property; and (2) the exercise of the easement will not cause significant adverse environmental or natural resource management impacts.

(b) The commissioner shall:

(1) require the applicant to pay the market value of the easement;

75.1 (2) limit the easement term to 50 years if the road easement is across school trust land;  
75.2 (3) provide that the easement reverts to the state in the event of nonuse; and  
75.3 (4) impose other terms and conditions of use as necessary and appropriate under the  
75.4 circumstances.

75.5 (c) An applicant shall submit an application fee of \$2,000 with each application for a  
75.6 road easement across state land. The application fee is nonrefundable, even if the application  
75.7 is withdrawn or denied.

75.8 (d) In addition to the payment for the market value of the easement and the application  
75.9 fee, the commissioner of natural resources shall assess the applicant a monitoring fee to  
75.10 cover the projected reasonable costs for monitoring the construction of the road and preparing  
75.11 special terms and conditions for the easement. The commissioner must give the applicant  
75.12 an estimate of the monitoring fee before the applicant submits the fee. The applicant shall  
75.13 pay the application and monitoring fees to the commissioner of natural resources. The  
75.14 commissioner shall not issue the easement until the applicant has paid in full the application  
75.15 fee, the monitoring fee, and the market value payment for the easement.

75.16 (e) Upon completion of construction of the road, the commissioner shall refund the  
75.17 unobligated balance from the monitoring fee revenue.

75.18 (f) Fees collected under paragraphs (c) and (d) must be credited to the land management  
75.19 account in the natural resources fund and are appropriated to the commissioner of natural  
75.20 resources to cover the reasonable costs incurred under this section.

75.21 (g) In addition to fees specified in this section, the applicant must reimburse the state  
75.22 for costs incurred for cultural resources review, monitoring, or other services provided by  
75.23 the Minnesota Historical Society under contract with the commissioner of natural resources  
75.24 or the State Historic Preservation Office of the Department of Administration in connection  
75.25 with the easement application, preparing the easement terms, or constructing the road.

75.26 (h) Notwithstanding paragraphs (a) to (g), the commissioner of natural resources may  
75.27 elect to assume the application fee under paragraph (c) and waive or assume some or all of  
75.28 the remaining fees and costs imposed under this section if the commissioner determines  
75.29 that issuing the easement will benefit the state's land management interests.

76.1 Sec. 3. Minnesota Statutes 2020, section 84.632, is amended to read:

76.2 **84.632 CONVEYANCE OF UNNEEDED STATE EASEMENTS.**

76.3 (a) Notwithstanding section 92.45, the commissioner of natural resources may, in the  
76.4 name of the state, release all or part of an easement acquired by the state upon application  
76.5 of a landowner whose property is burdened with the easement if the easement is not needed  
76.6 for state purposes.

76.7 (b) All or part of an easement may be released by payment of the market value of the  
76.8 easement. The release must be in a form approved by the attorney general.

76.9 (c) Money received under paragraph (b) must be credited to the account from which  
76.10 money was expended for purchase of the easement. If there is no specific account, the money  
76.11 must be credited to the land acquisition account established in section 94.165.

76.12 (d) In addition to payment under paragraph (b), the commissioner of natural resources  
76.13 shall assess a landowner who applies for a release under this section an application fee of  
76.14 \$2,000 for reviewing the application and preparing the release of easement. The applicant  
76.15 shall pay the application fee to the commissioner of natural resources. The commissioner  
76.16 shall not issue the release of easement until the applicant has paid the application fee in full.  
76.17 The commissioner shall not return the application fee, even if the application is withdrawn  
76.18 or denied.

76.19 (e) Money received under paragraph (d) must be credited to the land management account  
76.20 in the natural resources fund and is appropriated to the commissioner of natural resources  
76.21 to cover the reasonable costs incurred under this section.

76.22 (f) Notwithstanding paragraphs (a) to (e), the commissioner of natural resources may  
76.23 elect to assume the application fee under paragraph (d) and waive or assume some or all of  
76.24 the remaining fees and costs imposed under this section if the commissioner determines  
76.25 that issuing the easement release will benefit the state's land management interests.

76.26 Sec. 4. Minnesota Statutes 2021 Supplement, section 92.502, is amended to read:

76.27 **92.502 LEASING TAX-FORFEITED AND STATE LANDS.**

76.28 (a) Notwithstanding section 282.04 or other law to the contrary, St. Louis County may  
76.29 enter a 30-year lease of tax-forfeited land for a wind energy project.

76.30 (b) The commissioner of natural resources may enter a 30-year lease of land administered  
76.31 by the commissioner for a wind energy project.

77.1 (c) The commissioner of natural resources may enter a 30-year lease of land administered  
77.2 by the commissioner for recreational trails ~~and~~ or facilities. The commissioner may assess  
77.3 the lease applicant a monitoring fee to cover the projected reasonable costs of monitoring  
77.4 construction of the recreational trail or facility and preparing special terms and conditions  
77.5 of the license to ensure proper construction. The commissioner must give the applicant an  
77.6 estimate of the monitoring fee before the applicant is required to submit the fee. Upon  
77.7 completion of construction of the trail or facility, the commissioner must refund the  
77.8 unobligated balance from the monitoring fee revenue.

77.9 (d) Notwithstanding section 282.04 or other law to the contrary, Lake and St. Louis  
77.10 Counties may enter into 30-year leases of tax-forfeited land for recreational trails and  
77.11 facilities.

77.12 Sec. 5. Minnesota Statutes 2020, section 282.04, subdivision 1, is amended to read:

77.13 Subdivision 1. **Timber sales; land leases and uses.** (a) The county auditor, with terms  
77.14 and conditions set by the county board, may sell timber upon any tract that may be approved  
77.15 by the natural resources commissioner. The sale of timber shall be made for cash at not less  
77.16 than the appraised value determined by the county board to the highest bidder after not less  
77.17 than one week's published notice in an official paper within the county. Any timber offered  
77.18 at the public sale and not sold may thereafter be sold at private sale by the county auditor  
77.19 at not less than the appraised value thereof, until the time as the county board may withdraw  
77.20 the timber from sale. The appraised value of the timber and the forestry practices to be  
77.21 followed in the cutting of said timber shall be approved by the commissioner of natural  
77.22 resources.

77.23 (b) Payment of the full sale price of all timber sold on tax-forfeited lands shall be made  
77.24 in cash at the time of the timber sale, except in the case of oral or sealed bid auction sales,  
77.25 the down payment shall be no less than 15 percent of the appraised value, and the balance  
77.26 shall be paid prior to entry. In the case of auction sales that are partitioned and sold as a  
77.27 single sale with predetermined cutting blocks, the down payment shall be no less than 15  
77.28 percent of the appraised price of the entire timber sale which may be held until the satisfactory  
77.29 completion of the sale or applied in whole or in part to the final cutting block. The value of  
77.30 each separate block must be paid in full before any cutting may begin in that block. With  
77.31 the permission of the county contract administrator the purchaser may enter unpaid blocks  
77.32 and cut necessary timber incidental to developing logging roads as may be needed to log  
77.33 other blocks provided that no timber may be removed from an unpaid block until separately  
77.34 scaled and paid for. If payment is provided as specified in this paragraph as security under

paragraph (a) and no cutting has taken place on the contract, the county auditor may credit the security provided, less any down payment required for an auction sale under this paragraph, to any other contract issued to the contract holder by the county under this chapter to which the contract holder requests in writing that it be credited, provided the request and transfer is made within the same calendar year as the security was received.

(c) The county board may sell any timber, including biomass, as appraised or scaled. Any parcels of land from which timber is to be sold by scale of cut products shall be so designated in the published notice of sale under paragraph (a), in which case the notice shall contain a description of the parcels, a statement of the estimated quantity of each species of timber, and the appraised price of each species of timber for 1,000 feet, per cord or per piece, as the case may be. In those cases any bids offered over and above the appraised prices shall be by percentage, the percent bid to be added to the appraised price of each of the different species of timber advertised on the land. The purchaser of timber from the parcels shall pay in cash at the time of sale at the rate bid for all of the timber shown in the notice of sale as estimated to be standing on the land, and in addition shall pay at the same rate for any additional amounts which the final scale shows to have been cut or was available for cutting on the land at the time of sale under the terms of the sale. Where the final scale of cut products shows that less timber was cut or was available for cutting under terms of the sale than was originally paid for, the excess payment shall be refunded from the forfeited tax sale fund upon the claim of the purchaser, to be audited and allowed by the county board as in case of other claims against the county. No timber, except hardwood pulpwood, may be removed from the parcels of land or other designated landings until scaled by a person or persons designated by the county board and approved by the commissioner of natural resources. Landings other than the parcel of land from which timber is cut may be designated for scaling by the county board by written agreement with the purchaser of the timber. The county board may, by written agreement with the purchaser and with a consumer designated by the purchaser when the timber is sold by the county auditor, and with the approval of the commissioner of natural resources, accept the consumer's scale of cut products delivered at the consumer's landing. No timber shall be removed until fully paid for in cash. Small amounts of timber not exceeding 500 cords in appraised volume may be sold for not less than the full appraised value at private sale to individual persons without first publishing notice of sale or calling for bids, provided that in case of a sale involving a total appraised value of more than \$200 the sale shall be made subject to final settlement on the basis of a scale of cut products in the manner above provided and not more than two of the sales, directly or indirectly to any individual shall be in effect at one time.

79.1 (d) As directed by the county board, the county auditor may lease tax-forfeited land to  
79.2 individuals, corporations or organized subdivisions of the state at public or private sale, and  
79.3 at the prices and under the terms as the county board may prescribe, for use as cottage and  
79.4 camp sites and for agricultural purposes and for the purpose of taking and removing of hay,  
79.5 stumpage, sand, gravel, clay, rock, marl, and black dirt from the land, and for garden sites  
79.6 and other temporary uses provided that no leases shall be for a period to exceed ~~ten~~ 25 years;  
79.7 provided, further that any leases involving a consideration of more than ~~\$12,000~~ \$50,000  
79.8 per year, except to an organized subdivision of the state shall first be offered at public sale  
79.9 in the manner provided herein for sale of timber. Upon the sale of any leased land, it shall  
79.10 remain subject to the lease for not to exceed one year from the beginning of the term of the  
79.11 lease. Any rent paid by the lessee for the portion of the term cut off by the cancellation shall  
79.12 be refunded from the forfeited tax sale fund upon the claim of the lessee, to be audited and  
79.13 allowed by the county board as in case of other claims against the county.

79.14 (e) As directed by the county board, the county auditor may lease tax-forfeited land to  
79.15 individuals, corporations, or organized subdivisions of the state at public or private sale, at  
79.16 the prices and under the terms as the county board may prescribe, for the purpose of taking  
79.17 and removing for use for road construction and other purposes tax-forfeited stockpiled  
79.18 iron-bearing material. The county auditor must determine that the material is needed and  
79.19 suitable for use in the construction or maintenance of a road, tailings basin, settling basin,  
79.20 dike, dam, bank fill, or other works on public or private property, and that the use would  
79.21 be in the best interests of the public. No lease shall exceed ten years. The use of a stockpile  
79.22 for these purposes must first be approved by the commissioner of natural resources. The  
79.23 request shall be deemed approved unless the requesting county is notified to the contrary  
79.24 by the commissioner of natural resources within six months after receipt of a request for  
79.25 approval for use of a stockpile. Once use of a stockpile has been approved, the county may  
79.26 continue to lease it for these purposes until approval is withdrawn by the commissioner of  
79.27 natural resources.

79.28 (f) The county auditor, with the approval of the county board is authorized to grant  
79.29 permits, licenses, and leases to tax-forfeited lands for the depositing of stripping, lean ores,  
79.30 tailings, or waste products from mines or ore milling plants, or to use for facilities needed  
79.31 to recover iron-bearing oxides from tailings basins or stockpiles, or for a buffer area needed  
79.32 for a mining operation, upon the conditions and for the consideration and for the period of  
79.33 time, not exceeding 25 years, as the county board may determine. The permits, licenses, or  
79.34 leases are subject to approval by the commissioner of natural resources.

(g) Any person who removes any timber from tax-forfeited land before said timber has been scaled and fully paid for as provided in this subdivision is guilty of a misdemeanor.

(h) The county auditor may, with the approval of the county board, and without first offering at public sale, grant leases, for a term not exceeding 25 years, for the removal of peat and for the production or removal of farm-grown closed-loop biomass as defined in section 216B.2424, subdivision 1, or short-rotation woody crops from tax-forfeited lands upon the terms and conditions as the county board may prescribe. Any lease for the removal of peat, farm-grown closed-loop biomass, or short-rotation woody crops from tax-forfeited lands must first be reviewed and approved by the commissioner of natural resources if the lease covers 320 or more acres. No lease for the removal of peat, farm-grown closed-loop biomass, or short-rotation woody crops shall be made by the county auditor pursuant to this section without first holding a public hearing on the auditor's intention to lease. One printed notice in a legal newspaper in the county at least ten days before the hearing, and posted notice in the courthouse at least 20 days before the hearing shall be given of the hearing.

(i) Notwithstanding any provision of paragraph (c) to the contrary, the St. Louis County auditor may, at the discretion of the county board, sell timber to the party who bids the highest price for all the several kinds of timber, as provided for sales by the commissioner of natural resources under section 90.14. Bids offered over and above the appraised price need not be applied proportionately to the appraised price of each of the different species of timber.

(j) In lieu of any payment or deposit required in paragraph (b), as directed by the county board and under terms set by the county board, the county auditor may accept an irrevocable bank letter of credit in the amount equal to the amount otherwise determined in paragraph (b). If an irrevocable bank letter of credit is provided under this paragraph, at the written request of the purchaser, the county may periodically allow the bank letter of credit to be reduced by an amount proportionate to the value of timber that has been harvested and for which the county has received payment. The remaining amount of the bank letter of credit after a reduction under this paragraph must not be less than 20 percent of the value of the timber purchased. If an irrevocable bank letter of credit or cash deposit is provided for the down payment required in paragraph (b), and no cutting of timber has taken place on the contract for which a letter of credit has been provided, the county may allow the transfer of the letter of credit to any other contract issued to the contract holder by the county under this chapter to which the contract holder requests in writing that it be credited.

(k) As directed by the county board, the county auditor may lease tax-forfeited land under the terms and conditions prescribed by the county board for the purposes of

81.1 investigating, analyzing, and developing conservation easements that provide ecosystem  
81.2 services.

81.3 Sec. 6. Minnesota Statutes 2020, section 282.04, is amended by adding a subdivision to  
81.4 read:

81.5 Subd. 4b. **Conservation easements.** The county auditor, with prior review and  
81.6 consultation with the commissioner of natural resources and under the terms and conditions  
81.7 prescribed by the county board, including reversion in the event of nonuse, may convey  
81.8 conservation easements as defined in section 84C.01 on tax-forfeited land.

81.9 Sec. 7. **ADDITION TO STATE PARK.**

81.10 **[85.012] [Subd. 27.] Myre-Big Island State Park, Freeborn County.** The following  
81.11 area is added to Myre-Big Island State Park, Freeborn County: all that part of the Northeast  
81.12 Quarter of the Southeast Quarter of Section 11, Township 102 North, Range 21 West of the  
81.13 5th principal meridian, lying South of the Chicago, Milwaukee, St. Paul and Pacific Railway,  
81.14 and subject to road easement on the easterly side thereof.

81.15 Sec. 8. **DELETION FROM STATE FOREST.**

81.16 **[89.021] [Subd. 13.] Cloquet Valley State Forest.** The following areas are deleted from  
81.17 Cloquet Valley State Forest:

81.18 (1) those parts of St. Louis County in Township 52 North, Range 16 West, described as  
81.19 follows:

81.20 (i) Government Lots 1, 2, 3, 4, and 5 and the Southeast Quarter of the Southeast Quarter,  
81.21 Northeast Quarter of the Southwest Quarter, and Southwest Quarter of the Southwest Quarter,  
81.22 Section 21;

81.23 (ii) Government Lots 2, 3, 4, 5, 6, 7, 8, 9, and 10 and the Northeast Quarter of the  
81.24 Northwest Quarter and Northwest Quarter of the Northwest Quarter, Section 22;

81.25 (iii) Government Lot 3, Section 23;

81.26 (iv) Government Lot 2, Section 24;

81.27 (v) Government Lots 1, 4, 5, 6, 7, 8, 9, and 10, Section 25;

81.28 (vi) Government Lot 1, Section 26;

81.29 (vii) Government Lots 2 and 7, Section 26;

82.1 (viii) Government Lots 3 and 4, Section 27, reserving unto grantor and grantor's  
82.2 successors and assigns a 66-foot-wide access road easement across said Government Lot 3  
82.3 for the purpose of access to grantor's or grantor's successor's or assign's land and grantor's  
82.4 presently owned land that may be sold, assigned, or transferred in Government Lot 1, Section  
82.5 27, said access road being measured 33 feet from each side of the centerline of that road  
82.6 that is presently existing at various widths and running in a generally  
82.7 southwesterly-northeasterly direction;

82.8 (ix) Government Lots 1 and 2, Section 28;

82.9 (x) Government Lots 1, 2, 3, and 5 and the Northeast Quarter of the Northeast Quarter  
82.10 and Southwest Quarter of the Northeast Quarter, Section 29;

82.11 (xi) Government Lots 1, 2, 3, and 4, Section 31, reserving unto grantor and grantor's  
82.12 successors and assigns a 66-foot-wide access road easement across said Government Lots  
82.13 1, 2, and 3 for the purpose of access to grantor's or grantor's successor's or assign's land and  
82.14 grantor's presently owned lands that may be sold, assigned, or transferred in Government  
82.15 Lot 4, Section 29, said access road being measured 33 feet from each side of the centerline  
82.16 of that road that is presently existing at various widths and running in a generally East-West  
82.17 direction and any future extensions thereof as may be reasonably necessary to provide the  
82.18 access contemplated herein;

82.19 (xii) Government Lots 5, 7, 8, and 9, Section 31;

82.20 (xiii) Government Lots 1 and 2, an undivided two-thirds interest in the Northeast Quarter  
82.21 of the Northwest Quarter, an undivided two-thirds interest in the Southeast Quarter of the  
82.22 Northwest Quarter, and an undivided two-thirds interest in the Southwest Quarter of the  
82.23 Northwest Quarter, Section 32, reserving unto grantor and grantor's successors and assigns  
82.24 an access road easement across the West 66 feet of the North 66 feet of said Government  
82.25 Lot 1 for the purpose of access to grantor's or grantor's successor's or assign's land and  
82.26 grantor's presently owned land that may be sold, assigned, or transferred in Government  
82.27 Lot 4, Section 29; and

82.28 (xiv) the Northeast Quarter of the Northeast Quarter, Section 35;

82.29 (2) those parts of St. Louis County in Township 53 North, Range 13 West, described as  
82.30 follows:

82.31 (i) all that part of the Northwest Quarter of the Northwest Quarter lying North and West  
82.32 of the Little Cloquet River, Section 4;

83.1 (ii) Government Lots 1, 2, 3, 4, and 5 and the Northeast Quarter of the Northeast Quarter,  
83.2 Northwest Quarter of the Northeast Quarter, Southwest Quarter of the Northeast Quarter,  
83.3 Northeast Quarter of the Northwest Quarter, Southeast Quarter of the Northwest Quarter,  
83.4 Northeast Quarter of the Southwest Quarter, and Southwest Quarter of the Northwest Quarter,  
83.5 Section 5;

83.6 (iii) Government Lots 1, 2, and 4 and the Northwest Quarter of the Southeast Quarter,  
83.7 Southeast Quarter of the Southeast Quarter, Southwest Quarter of the Southeast Quarter,  
83.8 Southeast Quarter of the Southwest Quarter, and Southwest Quarter of the Southwest Quarter,  
83.9 Section 6;

83.10 (iv) Government Lots 1, 2, 3, 4, 5, 6, and 7 and the Northwest Quarter of the Northeast  
83.11 Quarter, Northeast Quarter of the Northwest Quarter, Northwest Quarter of the Northwest  
83.12 Quarter, Southeast Quarter of the Northwest Quarter, Southwest Quarter of the Northwest  
83.13 Quarter, Southeast Quarter of the Southeast Quarter, and Northeast Quarter of the Southwest  
83.14 Quarter, Section 7;

83.15 (v) Government Lots 1 and 2 and the Northeast Quarter of the Northeast Quarter,  
83.16 Northwest Quarter of the Northeast Quarter, Southeast Quarter of the Northeast Quarter,  
83.17 Southwest Quarter of the Northeast Quarter, Northeast Quarter of the Southwest Quarter,  
83.18 Northwest Quarter of the Southwest Quarter, and Southwest Quarter of the Southwest  
83.19 Quarter, Section 8; and

83.20 (vi) the Northeast Quarter of the Northwest Quarter, Northwest Quarter of the Northwest  
83.21 Quarter, Southeast Quarter of the Northwest Quarter, and Southwest Quarter of the Northwest  
83.22 Quarter, Section 17;

83.23 (3) those parts of St. Louis County in Township 54 North, Range 13 West, described as  
83.24 follows:

83.25 (i) Government Lots 1, 4, 5, 6, and 7, Section 20;

83.26 (ii) Government Lots 3, 4, 6, 7, and 8 and the Southeast Quarter of the Southwest Quarter,  
83.27 Section 21;

83.28 (iii) Government Lots 1, 2, 3, 4, 5, and 7, Section 29;

83.29 (iv) Government Lots 1, 2, 3, 4, 9, and 10, Section 30; and

83.30 (v) Government Lots 5, 6, and 7 and the Northeast Quarter of the Northeast Quarter,  
83.31 Northwest Quarter of the Northeast Quarter, Southwest Quarter of the Northeast Quarter,  
83.32 Southeast Quarter of the Northwest Quarter, and Northwest Quarter of the Southeast Quarter,  
83.33 Section 31;

84.1 (4) those parts of St. Louis County in Township 54 North, Range 16 West, described as  
84.2 follows:

84.3 (i) Government Lots 2, 3, and 4 and the Northwest Quarter of the Southwest Quarter,  
84.4 Southeast Quarter of the Northwest Quarter, Southeast Quarter of the Northeast Quarter,  
84.5 and Southwest Quarter of the Northeast Quarter, Section 1;

84.6 (ii) Government Lots 1, 2, 3, 4, 6, 7, and 8 and the Northwest Quarter of the Southeast  
84.7 Quarter, Northeast Quarter of the Southeast Quarter, Southwest Quarter of the Southeast  
84.8 Quarter, Southeast Quarter of the Southeast Quarter, Southeast Quarter of the Southwest  
84.9 Quarter, and Southeast Quarter of the Northeast Quarter, Section 2;

84.10 (iii) all that part of Government Lot 9 lying South of the Whiteface River and West of  
84.11 County Road 547, also known as Comstock Lake Road, Section 3; and

84.12 (iv) Government Lots 3 and 4 and the Southeast Quarter of the Northeast Quarter and  
84.13 Southwest Quarter of the Northeast Quarter, Section 10;

84.14 (5) those parts of St. Louis County in Township 55 North, Range 15 West, described as  
84.15 follows:

84.16 (i) Government Lots 1 and 2, Section 11;

84.17 (ii) Government Lot 9, except the Highway 4 right-of-way, Section 11;

84.18 (iii) Government Lot 10, except the Highway 4 right-of-way, Section 11;

84.19 (iv) Government Lots 2, 3, 4, 5, 6, and 7, Section 15;

84.20 (v) Government Lots 2, 3, 5, 6, 7, and 8 and the Northeast Quarter of the Southwest  
84.21 Quarter, Section 21;

84.22 (vi) the Southwest Quarter of the Northeast Quarter, reserving unto grantor and grantor's  
84.23 successors and assigns a 66-foot-wide access easement across said Southwest Quarter of  
84.24 the Northeast Quarter for the purpose of access to grantor's or grantor's successor's or assign's  
84.25 land and grantor's presently owned land that may be sold, assigned, or transferred in  
84.26 Government Lot 4, Section 21, Township 55 North, Range 15 West, said access road being  
84.27 measured 33 feet on each side of the centerline of that road that is presently existing and  
84.28 known as the Whiteface Truck Trail, Section 21;

84.29 (vii) Government Lots 1, 2, and 3, Section 22;

84.30 (viii) Government Lots 1 and 2 and the Northeast Quarter of the Northwest Quarter,  
84.31 Section 28;

85.1 (ix) Government Lots 1, 4, 6, 8, and 9 and the Northeast Quarter of the Northeast Quarter,  
85.2 Northeast Quarter of the Southeast Quarter, and Northwest Quarter of the Southwest Quarter,  
85.3 Section 29;

85.4 (x) Government Lots 3 and 4 and the Northeast Quarter of the Southeast Quarter,  
85.5 Northeast Quarter of the Southwest Quarter, and Southeast Quarter of the Southwest Quarter,  
85.6 Section 30;

85.7 (xi) Government Lots 2, 3, 4, 5, 6, 8, 9, 10, and 11 and the Northeast Quarter of the  
85.8 Southwest Quarter, Section 31; and

85.9 (xii) Government Lot 1, Section 32; and

85.10 (6) those parts of St. Louis County in Township 55 North, Range 16 West, described as  
85.11 follows:

85.12 (i) the Southwest Quarter of the Southeast Quarter, reserving unto grantor and grantor's  
85.13 successors and assigns a 66-foot-wide access road easement across said Southwest Quarter  
85.14 of the Southeast Quarter for the purpose of access to grantor's or grantor's successor's or  
85.15 assign's land and grantor's presently owned land that may be sold, assigned, or transferred  
85.16 in Government Lot 5, Section 1, Township 54 North, Range 16 West, Section 35; and

85.17 (ii) the Southeast Quarter of the Southeast Quarter, reserving unto grantor and grantor's  
85.18 successors and assigns a 66-foot-wide access road easement across said Southeast Quarter  
85.19 of the Southeast Quarter for the purpose of access to grantor's or grantor's successor's or  
85.20 assign's land and grantor's presently owned land that may be sold, assigned, or transferred  
85.21 in Government Lot 5, Section 1, Township 54 North, Range 16 West, Section 35.

85.22 Sec. 9. **ADDITION TO STATE FOREST.**

85.23 **[89.021] [Subd. 42a.] Riverlands State Forest.** The following areas are added to  
85.24 Riverlands State Forest, those parts of St. Louis County, described as follows:

85.25 (1) the Northwest Quarter of the Northwest Quarter, Section 16, Township 50 North,  
85.26 Range 17 West;

85.27 (2) Government Lot 9, Section 26, Township 50 North, Range 17 West;

85.28 (3) the Northeast Quarter of the Southeast Quarter, Section 30, Township 51 North,  
85.29 Range 19 West;

85.30 (4) Government Lot 6, Section 22, Township 51 North, Range 20 West; and

85.31 (5) Government Lot 9, Section 24, Township 52 North, Range 20 West.

86.1      **Sec. 10. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**  
86.2 **WATER; CASS COUNTY.**

86.3      (a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural  
86.4 resources may sell by public sale the surplus land bordering public water that is described  
86.5 in paragraph (c).

86.6      (b) The commissioner may make necessary changes to the legal description to correct  
86.7 errors and ensure accuracy.

86.8      (c) The land that may be sold is located in Cass County and is described as:

86.9      (1) the West 970 feet of the Northeast Quarter of the Southwest Quarter of Section 32,  
86.10 Township 135 North, Range 29 West, Cass County, Minnesota, EXCEPT therefrom a  
86.11 rectangular piece in the southeast corner thereof 370 feet North and South by 420 feet East  
86.12 and West; and

86.13      (2) that part of Government Lot 6 of said Section 32, described as follows: beginning  
86.14 at the northwest corner of said Government Lot 6; thence East along the north line of said  
86.15 Government Lot 6 550 feet; thence South 30 degrees West 528 feet, more or less, to shoreline  
86.16 of Agate Lake; thence northwest along said shoreline of Agate Lake to the west line of said  
86.17 Government Lot 6; thence northerly along said west line 260 feet, more or less, to the point  
86.18 of beginning.

86.19      (d) The land borders Agate Lake and is not contiguous to other state lands. The  
86.20 Department of Natural Resources has determined that the land is not needed for natural  
86.21 resource purposes and that the state's land management interests would best be served if  
86.22 the land was returned to private ownership.

86.23      **Sec. 11. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**  
86.24 **WATER; FILLMORE COUNTY.**

86.25      (a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural  
86.26 resources may sell by public sale the surplus land bordering public water that is described  
86.27 in paragraph (c), subject to the state's reservation of trout stream easements.

86.28      (b) The commissioner may make necessary changes to the legal description to correct  
86.29 errors and ensure accuracy.

86.30      (c) The land that may be sold is located in Fillmore County and is described as: the South  
86.31 13 acres, except the East 2 acres thereof, of the Northwest Quarter of the Southeast Quarter,  
86.32 Section 21, Township 103, Range 10 West, Fillmore County, Minnesota, excepting therefrom

87.1 the Harmony-Preston Valley State Trail corridor, formerly the Chicago, Milwaukee, St.  
87.2 Paul and Pacific Railroad Company right-of-way.

87.3 (d) The land borders the Root River and Watson Creek and is not contiguous to other  
87.4 state lands. The Department of Natural Resources has determined that the land is not needed  
87.5 for natural resource purposes, provided that trout stream easements are reserved on the Root  
87.6 River and Watson Creek, and that the state's land management interests would best be served  
87.7 if the land was returned to private ownership.

87.8 **Sec. 12. CONVEYANCE OF TAX-FORFEITED LAND BORDERING PUBLIC**  
87.9 **WATER; GOODHUE COUNTY.**

87.10 (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and  
87.11 the public sale provisions of Minnesota Statutes, chapter 282, Goodhue County may convey  
87.12 to the city of Wanamingo for no consideration the tax-forfeited land bordering public water  
87.13 that is described in paragraph (c).

87.14 (b) The conveyance must be in a form approved by the attorney general and provide  
87.15 that the land reverts to the state if the city of Wanamingo stops using the land for the public  
87.16 purpose described in paragraph (d). The attorney general may make changes to the land  
87.17 description to correct errors and ensure accuracy.

87.18 (c) The land to be conveyed is located in Goodhue County and is described as: That part  
87.19 of the Southeast Quarter of Section 30, Township 110 North, Range 16 West, Goodhue  
87.20 County, Minnesota, described as follows: Commencing at the northeast corner of Lot 7,  
87.21 Block 2, Axelson's Hillcrest Addition, according to the recorded plat thereof; thence South  
87.22 89 degrees 48 minutes 15 seconds East (assuming that the east line of Axelson's Hillcrest  
87.23 Addition also being the west line of the Southeast Quarter of said Section 30, has a bearing  
87.24 of North 00 degrees 11 minutes 45 seconds East), a distance of 30.00 feet; thence North 00  
87.25 degrees 11 minutes 45 seconds East, a distance of 342.00 feet to the point of beginning;  
87.26 thence South 89 degrees 48 minutes 15 seconds East, a distance of 60.00 feet; thence North  
87.27 00 degrees 11 minutes 45 seconds East, a distance of 280.00 feet; thence South 89 degrees  
87.28 48 minutes 15 seconds East, a distance of 60.00 feet; thence North 00 degrees 11 minutes  
87.29 45 seconds East, a distance of 394 feet, more or less to the north line of the Southeast Quarter  
87.30 of said Section 30; thence westerly, along said north line, a distance of 150.00 feet, more  
87.31 or less, to the northwest corner of said Southeast Quarter; thence South 00 degrees 11  
87.32 minutes 45 seconds West, along the west line of said Southeast Quarter, a distance of 674  
87.33 feet, more or less, to an intersection with a line bearing North 89 degrees 48 minutes 15  
87.34 seconds West from said point of beginning; thence South 89 degrees 48 minutes 15 seconds

88.1 East, a distance of 30.00 feet to the point of beginning. EXCEPT that part of the above  
88.2 description now platted as Emerald Valley (parcel number 70.380.0710).

88.3 (d) The county has determined that the land is needed for a park trail extension.

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

88.5 Sec. 13. **PRIVATE SALE OF SURPLUS LAND BORDERING PUBLIC WATER;**  
88.6 **HENNEPIN COUNTY.**

88.7 (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the  
88.8 commissioner of natural resources may sell by private sale the surplus land bordering public  
88.9 water that is described in paragraph (c) to a local unit of government for less than market  
88.10 value.

88.11 (b) The commissioner may make necessary changes to the legal description to correct  
88.12 errors and ensure accuracy.

88.13 (c) The land that may be conveyed is located in Hennepin County and is described as:  
88.14 all those parts of Government Lot 5, Section 35, Township 118, Range 23, lying northerly  
88.15 and northwesterly of East Long Lake Road, as it existed in 2021, easterly of a line drawn  
88.16 parallel with and distant 924.88 feet westerly of the east line of said Government Lot 5, and  
88.17 southerly of a line drawn westerly at a right angle to the east line of said Government Lot  
88.18 5 from a point distant 620 feet South of the northeast corner of said Government Lot 5.

88.19 (d) The land borders Long Lake. The Department of Natural Resources has determined  
88.20 that the land is not needed for natural resource purposes and that the state's land management  
88.21 interests would best be served if the land were conveyed to a local unit of government.

88.22 Sec. 14. **PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**  
88.23 **WATER; ITASCA COUNTY.**

88.24 (a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural  
88.25 resources may sell by public sale the surplus land bordering public water that is described  
88.26 in paragraph (c).

88.27 (b) The commissioner may make necessary changes to the legal description to correct  
88.28 errors and ensure accuracy.

88.29 (c) The land that may be sold is located in Itasca County and is described as:

88.30 (1) the North 1,050.00 feet of Government Lot 1, Section 16, Township 55 North, Range  
88.31 24 West of the fourth principal meridian, except that part described as follows: commencing

at the southeast corner of said Government Lot 1; thence North 0 degrees 46 minutes 09 seconds East, bearing assumed, along the east line thereof, a distance of 280.00 feet to the point of beginning; thence North 89 degrees 13 minutes 51 seconds West, a distance of 345.00 feet; thence South 0 degrees 46 minutes 09 seconds West, a distance of 21.60 feet to its intersection with the south line of the North 1,050.00 feet of said Government Lot 1; thence South 89 degrees 08 minutes 51 seconds East along the south line of the North 1,050.00 feet of said Government Lot 1, a distance of 345.00 feet to the east line of said Government Lot 1; thence North 0 degrees 46 minutes 09 seconds East, along the east line of said Government Lot 1, a distance of 22.10 feet to the point of beginning. Subject to an easement for ingress and egress over 66.00 feet in width, over, under, and across part of Government Lot 1, Section 16, Township 55, Range 24. The centerline of said easement is described as follows: commencing at the northeast corner of said Government Lot 1; thence South 0 degrees 46 minutes 09 seconds West, bearing assumed, along the east line thereof, a distance of 750.00 feet to the point of beginning of the centerline to be described; thence North 89 degrees 08 minutes 51 seconds West, a distance of 845.00 feet; thence South 7 degrees 18 minutes 51 seconds East, a distance of 302.89 feet, and there terminating; and

(2) Lots 1 through 4 of Block 2 and Outlot "B," Loons Landing, according to the plat thereof on file and of record in the Office of the Itasca County Recorder.

(d) The land borders Trout Lake. The Department of Natural Resources has determined that the land is not needed for natural resource purposes and that the state's land management interests would best be served if the land was returned to private ownership.

**Sec. 15. CONVEYANCE OF SURPLUS STATE LAND BORDERING PUBLIC WATER; LAKE COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, or any other state law to the contrary and unless prohibited by federal law, the commissioner of natural resources may convey to the city of Two Harbors for no consideration the surplus land that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general and must provide that the proceeds of the sale of any portion of the land described in paragraph (c) by the city be paid to the state. The attorney general may make changes to the land description to correct errors and ensure accuracy.

(c) The land to be sold is located in Lake County and is described as:

(1) that part of Government Lot 1, Section 1, Township 52 North, Range 11 West of the 4th Principal Meridian, Lake County, Minnesota, lying southerly and easterly of the following described lines: commencing at the center east 1/16 corner; thence along the North-South 1/16 line on an assumed bearing of North 00 degrees 46 minutes 07 seconds East 144.23 feet; thence North 67 degrees 30 minutes 43 seconds West 385.00 feet; thence North 22 degrees 29 minutes 17 seconds East 24.00 feet; thence South 67 degrees 30 minutes 43 seconds East 385.00 feet; thence easterly a distance of 232.90 feet along a tangential curve concave to the North having a radius of 611.85 feet and central angle of 21 degrees 48 minutes 36 seconds; thence South 89 degrees 19 minutes 19 seconds East 1,015.67 feet; thence South 00 degrees 40 minutes 41 seconds West 35.00 feet; thence South 89 degrees 19 minutes 19 seconds East 73.08 feet to the east line of said Government Lot 1 and the point of beginning of said line; thence North 89 degrees 19 minutes 19 seconds West 877.08 feet; thence North 00 degrees 40 minutes 41 seconds East 11.00 feet; thence North 89 degrees 19 minutes 19 seconds West 28.86 feet; thence South 0 degrees 51 minutes 25 seconds West 19.82 feet to a 3/4-inch by 24-inch rebar marked "MN DNR LS 16098" (DNR monument); thence continuing South 00 degrees 51 minutes 25 seconds West 484.06 feet to a DNR monument; thence continuing South 00 degrees 51 minutes 25 seconds West 78 feet, more or less to the shore of Lake Superior and there terminating; containing 14.5 acres, more or less (parcel identification number 23-7600-01415);

(2) that part of Government Lot 3, Section 6, Township 52 North, Range 10 West of the Fourth Principal Meridian, described as follows: commencing at the West Quarter corner of said Section 6 (northwest corner of said Government Lot 3); thence North 88 degrees 43 minutes 09 seconds East along the north line of said Government Lot 3 a distance of 485.19 feet; thence South 00 degrees 20 minutes 34 seconds East a distance of 16 feet, more or less, to the south line of the northerly 16 feet of said Government Lot 3, being the point of beginning of the parcel described herein; thence continuing South 00 degrees 20 minutes 34 seconds East a distance of 584 feet, more or less, to a line lying within 600 feet and South of the North boundary of said Government 3; thence westerly, along said line, to the west line of said Government Lot 3; thence northerly, along the west line of the said Government Lot 3 to the south line of the northerly 16 feet of said Government Lot 3; thence easterly along the south line of the northerly 16 feet of said Government Lot 3 to the point of beginning; except minerals (parcel identification number 23-7600-06605);

(3) together with that part of Government Lot 3, Section 6, Township 52 North, Range 10 West of the 4th Principal Meridian, Lake County, Minnesota lying West of the following described line: commencing at the West Quarter corner of said Section 6 (northwest corner

91.1 of said Government Lot 3); thence North 88 degrees 43 minutes 09 seconds East along the  
91.2 north line of said Government Lot 3 a distance of 485.19 feet to the point of beginning of  
91.3 said line; thence South 00 degrees 20 minutes 34 seconds East a distance of 766.64 feet;  
91.4 thence South 54 degrees 38 minutes 48 seconds West a distance of 235 feet, more or less,  
91.5 to the shore of Lake Superior, and there terminating, except that part lying within 600 feet  
91.6 and South of the North boundary of said Government Lot 3; containing 2.4 acres, more or  
91.7 less (parcel identification number 23-7600-06607); and

91.8 (4) that part of Government Lot 3, Section 6, Township 52 North, Range 10 West, of  
91.9 the Fourth Principal Meridian, described as follows: commencing at the West Quarter corner  
91.10 of said Section 6 (northwest corner of said Government Lot 3); thence North 88 degrees 43  
91.11 minutes 09 seconds East along the north line of said Government Lot 3 a distance of 485.19  
91.12 feet; thence South 00 degrees 20 minutes 34 seconds East a distance of 766.64 feet, to a  
91.13 5/8-foot rebar marked "RLS No. 16089," also being the point of beginning; thence South  
91.14 25 degrees 10 minutes 17 seconds East a distance of 51.74 feet to a 3/4-inch by 12-inch  
91.15 rebar marked "MN DNR LS 16098" (DNR monument); thence South 30 degrees 09 minutes  
91.16 12 seconds East a distance of 583.16 feet to a DNR monument; thence South 88 degrees  
91.17 01 minute 03 seconds West a distance of 124.04 feet to a DNR monument; thence South  
91.18 07 degrees 58 minutes 29 seconds East a distance of 517.23 feet to a DNR monument;  
91.19 thence continuing South 07 degrees 58 minutes 29 seconds East a distance of 76 feet, more  
91.20 or less, to the shoreline of Lake Superior; thence northwesterly, northerly, northeasterly,  
91.21 and northwesterly a distance of 1,390 feet, more or less, along said shoreline to point which  
91.22 bears South 54 degrees 38 minutes 48 seconds West from the point of beginning; thence  
91.23 North 54 degrees 38 minutes 48 seconds East a distance of 25 feet, more or less, to a DNR  
91.24 monument; thence continuing North 54 degrees 38 minutes 48 seconds East a distance of  
91.25 210.00 feet to the point of beginning and there terminating (parcel identification number  
91.26 23-7600-06611).

91.27 (d) The commissioner has determined that the land is no longer needed for any state  
91.28 purpose and that the state's land management interests would best be served if the land was  
91.29 conveyed to the city of Two Harbors.

91.30 **Sec. 16. PRIVATE SALE OF SURPLUS STATE LAND; PINE COUNTY.**

91.31 (a) Notwithstanding Minnesota Statutes, sections 94.09 and 94.10, the commissioner of  
91.32 natural resources may sell by private sale the surplus land that is described in paragraph (c),  
91.33 subject to the state's reservation of a perpetual flowage easement.

92.1 (b) The commissioner may make necessary changes to the legal description to correct  
92.2 errors and ensure accuracy.

92.3 (c) The land that may be sold is located in Pine County and is described as: the north 2  
92.4 rods of the Southeast Quarter of Section 10, Township 38 North, Range 22 West, Pine  
92.5 County, Minnesota.

92.6 (d) The Department of Natural Resources has determined that the land is not needed for  
92.7 natural resource purposes and that the state's land management interests would best be  
92.8 served if the land was returned to private ownership.

92.9 **Sec. 17. LAND EXCHANGE; ST. LOUIS COUNTY.**

92.10 (a) Notwithstanding Minnesota Statutes, section 92.461, and the riparian restrictions in  
92.11 Minnesota Statutes, section 94.342, subdivision 3, St. Louis County may, with the approval  
92.12 of the Land Exchange Board as required under the Minnesota Constitution, article XI,  
92.13 section 10, and according to the remaining provisions of Minnesota Statutes, sections 94.342  
92.14 to 94.347, exchange the land described in paragraph (c).

92.15 (b) The conveyance must be in the form approved by the attorney general. The attorney  
92.16 general may make necessary changes to the legal description to correct errors and ensure  
92.17 accuracy.

92.18 (c) The lands that may be conveyed are located in St. Louis County and are described  
92.19 as:

92.20 (1) Sections 1 and 2, Township 53 North, Range 18 West;

92.21 (2) Sections 19, 20, 29, 30, 31, and 32, Township 54 North, Range 17 West;

92.22 (3) Sections 24, 25, 26, and 35, Township 54 North, Range 18 West;

92.23 (4) Sections 22, 23, 26, and 27, Township 54 North, Range 19 West; and

92.24 (5) Sections 8, 9, 17, and 18, Township 55 North, Range 18 West.

92.25 **Sec. 18. LAND ACQUISITION TRUST FUND; ST. LOUIS COUNTY.**

92.26 Notwithstanding Minnesota Statutes, chapter 282, and any other law relating to the  
92.27 apportionment of proceeds from the sale of tax-forfeited land, St. Louis County may deposit  
92.28 proceeds from the sale of tax-forfeited lands into a tax-forfeited land acquisition trust fund  
92.29 established by St. Louis County under this section. The principal and interest from the fund  
92.30 may be spent on the purchase of lands better suited for retention and management by St.  
92.31 Louis County. Lands purchased with money from the land acquisition trust fund must:

93.1 (1) become subject to a trust in favor of the governmental subdivision wherein the lands  
93.2 lie and all laws related to tax-forfeited lands; and  
93.3 (2) be used for forestry, mineral management, or environmental services.

93.4 Sec. 19. **PRIVATE SALE OF TAX-FORFEITED LANDS; ST. LOUIS COUNTY.**

93.5 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or  
93.6 other law to the contrary, St. Louis County may sell by private sale the tax-forfeited lands  
93.7 described in paragraph (c).

93.8 (b) The conveyances must be in a form approved by the attorney general. The attorney  
93.9 general may make changes to the land descriptions to correct errors and ensure accuracy.

93.10 (c) The lands to be sold are located in St. Louis County and are described as:

93.11 (1) Lots 23 through 30, including part of adjacent vacant alley, Block 54, Bay View  
93.12 Addition to Duluth No. 2, Township 49, Range 15, Section 11 (parcel identification number  
93.13 010-0230-03300); and

93.14 (2) Lot 2, except the South 760 feet, Township 62, Range 20, Section 18 (part of parcel  
93.15 identification number 430-0010-02916).

93.16 (d) The county has determined that the county's land management interests would best  
93.17 be served if the lands were returned to private ownership.

93.18 Sec. 20. **PRIVATE SALE OF SURPLUS LAND BORDERING PUBLIC WATER;**  
93.19 **SHERBURNE COUNTY.**

93.20 (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the  
93.21 commissioner of natural resources may sell by private sale the surplus land bordering public  
93.22 water that is described in paragraph (c) for less than market value.

93.23 (b) The commissioner may make necessary changes to the legal description to correct  
93.24 errors and ensure accuracy.

93.25 (c) The land that may be conveyed is located in Sherburne County and is described as:  
93.26 that part of the North 595.50 feet of Government Lot 6, Section 31, Township 34 North,  
93.27 Range 27 West, Sherburne County, Minnesota, lying southerly of the following described  
93.28 line: commencing at a Minnesota Department of Conservation monument on the south line  
93.29 of the said North 595.50 feet; thence North 89 degrees 38 minutes 17 seconds West, bearing  
93.30 per plat of Eagle Lake Estates Boundary Registration, along said south line 71.28 feet to a  
93.31 Judicial Land Mark; thence North 21 degrees 51 minutes 43 seconds West, along the easterly

94.1 line of Outlot A of said Eagle Lake Estates Boundary Registration 27.5 feet to the point of  
94.2 beginning; thence North 80 degrees East 72 feet, more or less, to the shoreline of Eagle  
94.3 Lake and there terminating.

94.4 (d) The Department of Natural Resources has determined that the land is not needed for  
94.5 natural resource purposes and that the state's land management interests would best be  
94.6 served if the land were returned to private ownership.

94.7 Sec. 21. **REPEALER.**

94.8 Laws 2012, chapter 236, section 28, subdivision 9, as amended by Laws 2016, chapter  
94.9 154, section 11, Laws 2019, First Special Session chapter 4, article 4, section 7, is repealed.

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

**97C.515 IMPORTED MINNOWS.**

Subd. 4. **Private fish hatchery or aquatic farm.** Live minnows used for feeding fish at a licensed private fish hatchery or aquatic farm must be obtained within the state. Dead minnows may be imported for feeding hatchery or aquatic farm fish according to section 97C.341, paragraph (d).

Subd. 5. **Special permits.** (a) The commissioner may issue a special permit, without a fee, to allow a person with a private fish hatchery license, which private fish hatchery has been designated as a containment facility under section 17.4982, subdivision 8, to import live minnows from other states for export. A containment facility for the purposes of this section applies to live minnows imported for later export and does not need to comply with section 17.4982, subdivision 8, clause (4). The permit shall include conditions necessary to avoid spreading aquatic invasive species and fish pathogens. Permits shall not be issued to containment facilities located within a 25-year floodplain.

(b) An applicant for a permit under this subdivision shall submit to the commissioner sufficient information to identify potential threats to native plant and animal species and an evaluation of the feasibility of the proposal. The permit may include reasonable restrictions on importation, transportation, possession, containment, disease certification, and disposal of minnows to ensure that native species are protected. The permit may have a term of up to two years and may be modified, suspended, or revoked by the commissioner for cause, including violation of a condition of the permit.

(c) The premises, property, vehicles, private aquatic life, and equipment that are part of a containment facility permitted under this subdivision are subject to reasonable and necessary inspections at reasonable times by a fish health specialist delegated by the commissioner. The owner, operator, or designee may be present when inspections are conducted. During the inspection, a representative sample of imported minnows may be collected for the purpose of fish pathogen or invasive species screening.

(d) The commissioner may require the applicant to furnish evidence of financial responsibility at the time of application for a permit under this section, as prescribed by the commissioner.

APPENDIX  
Repealed Minnesota Session Laws: S4062-3

*Laws 2012, chapter 236, section 28, subdivision 9, as amended by Laws 2019, First Special Session chapter 4, article 4, section 7;*

Sec. 28. SALE OF TAX-FORFEITED LEASED LANDS; ST. LOUIS COUNTY.

Subd. 9. **Sunset.** This section expires ~~seven~~ ten years after the effective date.  
*Laws 2013, chapter 121, section 53*

Sec. 53. ANTLER POINT RESTRICTIONS.

The commissioner of natural resources may not impose an antler point restriction in areas outside the Series 300 deer permit areas, other than that imposed under Minnesota Rules, part 6232.0200, subpart 6, unless the legislature approves the antler point restriction.

**6100.5000 SNOWMOBILE REGISTRATION AND DISPLAY OF NUMBERS.**

Subp. 3. **Affixation of number.** The registration number of the snowmobile, shown on the registration certificate, shall be affixed to the snowmobile and maintained in a clear, legible manner. On all machines made after June 30, 1972, and sold in Minnesota, such registration number shall be affixed in the space provided therefor in accordance with part 6100.5700, subpart 4. On all other machines it shall be affixed on each side of the cowling on the upper half of the machine, as follows.

[ Image Not Shown ]

Subp. 4. **Description of decal or number; lost or destroyed number or decal.** All letters and numbers shall be of a color which will contrast with the surface to which applied, and shall be at least three inches high and three-eighths inch stroke. When any previously affixed registration number or decal is destroyed or lost, a duplicate shall be affixed in the manner shown above. The registration number shall remain the same if renewed by July 1 following the expiration date.

Subp. 5. **General prohibition.** No person shall operate or transport, and no person shall permit the operation of, a snowmobile within this state which does not have its registration number and unexpired decal affixed in the form and manner required by this part, unless the owner is exempted from the registration requirements of this state by Minnesota Statutes, section 84.82.

**6100.5700 REQUIRED EQUIPMENT.**

Subp. 4. **Snowmobile registration number affixation.** All snowmobiles made after June 30, 1972, and sold in Minnesota, shall be designed and made to provide an area on which to affix the snowmobile registration number at the following location and of the following dimensions:

A. A clear area shall be provided on each side of the cowling or pan with the minimum size of 3-1/2 inches vertical by 11 inches horizontal.

B. It shall be a minimum of 12 inches from the ground when the machine is resting on a hard surface.

**6232.0350 RESTRICTIONS FOR TAKING DEER; 300 SERIES DEER PERMIT AREAS.**

Notwithstanding part 6232.0200, subpart 6, in all 300 series deer permit areas, a legal buck is defined as a deer with a minimum of four antler points on at least one antler. Bucks with fewer antler points than the minimum defined points are protected and not legal for harvest. Youth hunters, age 10 to 17, are exempt from this part.