

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

**S.F. No. 2314**

(SENATE AUTHORS: INGEBRIGTSEN, Ruud and Tomassoni)

DATE	D-PG	OFFICIAL STATUS
03/11/2019	775	Introduction and first reading
		Referred to Environment and Natural Resources Finance
04/10/2019	2394a	Comm report: To pass as amended and re-refer to Finance
04/11/2019		Comm report: To pass as amended

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 programs; creating accounts and providing for

1.4 disposition of certain receipts; modifying certain natural resources fee and permit

1.5 conditions; authorizing sales of certain state land; establishing the Wild Rice

1.6 Stewardship Council; creating the Reinvest in Fish Hatcheries Citizen-Legislative

1.7 Advisory Group; providing appointments; requiring reports; making technical

1.8 corrections; amending Minnesota Statutes 2018, sections 17.035, subdivision 1;

1.9 35.153, by adding subdivisions; 35.155, subdivisions 4, 6, 7, 9, 10, 11; 84.026, by

1.10 adding a subdivision; 84.027, subdivision 18, by adding a subdivision; 84.0273;

1.11 84.0895, subdivision 2; 84.775, subdivision 1; 84.788, subdivision 2; 84.794,

1.12 subdivision 2; 84.83, subdivision 3; 84.86, subdivision 1; 84.925, subdivision 1;

1.13 84.9256, subdivision 1; 84.928, subdivision 2; 84D.03, subdivisions 3, 4; 84D.108,

1.14 subdivisions 2b, 2c; 85.054, subdivision 1; 85.44; 85.47; 85A.02, subdivision 17;

1.15 86B.005, subdivision 18; 86B.415, subdivision 1a; 89.71, by adding a subdivision;

1.16 92.115, subdivision 1; 92.50, subdivision 1; 93.25; 94.09, subdivision 3; 94.10;

1.17 97A.015, subdivisions 25, 43; 97A.051, subdivision 2; 97A.055, subdivision 4b;

1.18 97A.075, subdivision 1; 97A.126; 97A.433, subdivisions 4, 5; 97A.475, subdivision

1.19 4; 97A.505, subdivision 8; 97B.086; 97B.106, subdivision 2; 97B.426; 97B.516;

1.20 97B.722; 97B.731, subdivision 3; 97C.315, subdivision 1; 97C.345, by adding a

1.21 subdivision; 97C.391, subdivision 1; 97C.395, subdivision 2; 97C.605, subdivision

1.22 2; 97C.815, subdivision 2; 103B.3369, subdivisions 5, 9; 103B.611, subdivision

1.23 3; 103B.801, subdivisions 2, 5; 103D.315, subdivision 8; 103F.361, subdivision

1.24 2; 103F.363, subdivision 1; 103F.365, by adding a subdivision; 103F.371;

1.25 103F.373, subdivisions 1, 3, 4; 103G.2242, subdivision 14; 103G.241, subdivisions

1.26 1, 3; 103G.271, subdivision 7, by adding a subdivision; 103G.287, subdivisions

1.27 1, 4, 5; 103G.289; 103G.311, subdivisions 2, 5; 103G.315, subdivision 8; 103G.408;

1.28 103G.615, subdivision 3a; 114D.15, subdivisions 7, 11, 13, by adding subdivisions;

1.29 114D.20, subdivisions 2, 3, 5, 7, by adding subdivisions; 114D.26; 114D.35,

1.30 subdivisions 1, 3; 115.03, subdivisions 1, 5, by adding a subdivision; 115.035;

1.31 115.44, subdivision 6; 115.455; 115.77, subdivision 1; 115.84, subdivisions 2, 3;

1.32 115A.51; 115B.421; 116.03, subdivision 1, by adding a subdivision; 116.07,

1.33 subdivisions 2, 4d, by adding a subdivision; 116.0714; 116.993, subdivisions 2,

1.34 6; 116D.04, subdivision 2a; 216G.01, subdivision 3; 282.01, subdivision 4; Laws

1.35 2012, chapter 236, section 28, subdivisions 2, as amended, 9, as amended; Laws

1.36 2013, chapter 114, article 4, section 105, as amended; Laws 2015, chapter 76,

1.37 section 2, subdivision 9, as amended; Laws 2016, chapter 189, article 3, sections

1.38 2, subdivision 2; 6, as amended; Laws 2017, chapter 93, article 1, section 9; article



3.1 The commissioner must present the agency's  
 3.2 biennial budget for fiscal years 2022 and 2023  
 3.3 to the legislature in a transparent way by  
 3.4 agency division, including the proposed  
 3.5 budget bill and presentations of the budget to  
 3.6 committees and divisions with jurisdiction  
 3.7 over the agency's budget.

3.8 **Subd. 2. Environmental Analysis and Outcomes**                      12,961,000                      13,051,000

3.9                                      Appropriations by Fund

	<u>2020</u>	<u>2021</u>
3.10		
3.11	<u>12,760,000</u>	<u>12,850,000</u>
3.12	<u>201,000</u>	<u>201,000</u>

3.13 (a) \$89,000 the first year and \$89,000 the  
 3.14 second year are from the environmental fund  
 3.15 for:

3.16 (1) a municipal liaison to assist municipalities  
 3.17 in implementing and participating in the  
 3.18 water-quality standards rulemaking process  
 3.19 and navigating the NPDES/SDS permitting  
 3.20 process;

3.21 (2) enhanced economic analysis in the  
 3.22 water-quality standards rulemaking process,  
 3.23 including more-specific analysis and  
 3.24 identification of cost-effective permitting;

3.25 (3) developing statewide economic analyses  
 3.26 and templates to reduce the amount of  
 3.27 information and time required for  
 3.28 municipalities to apply for variances from  
 3.29 water-quality standards; and

3.30 (4) coordinating with the Public Facilities  
 3.31 Authority to identify and advocate for the  
 3.32 resources needed for municipalities to achieve  
 3.33 permit requirements.

4.1 (b) \$205,000 the first year and \$205,000 the  
4.2 second year are from the environmental fund  
4.3 for a monitoring program under Minnesota  
4.4 Statutes, section 116.454.

4.5 (c) \$347,000 the first year and \$347,000 the  
4.6 second year are from the environmental fund  
4.7 for monitoring ambient air for hazardous  
4.8 pollutants.

4.9 (d) \$90,000 the first year and \$90,000 the  
4.10 second year are from the environmental fund  
4.11 for duties related to harmful chemicals in  
4.12 children's products under Minnesota Statutes,  
4.13 sections 116.9401 to 116.9407. Of this  
4.14 amount, \$57,000 each year is transferred to  
4.15 the commissioner of health.

4.16 (e) \$109,000 the first year and \$109,000 the  
4.17 second year are from the environmental fund  
4.18 for registration of wastewater laboratories.

4.19 (f) \$926,000 the first year and \$926,000 the  
4.20 second year are from the environmental fund  
4.21 to continue perfluorochemical biomonitoring  
4.22 in eastern-metropolitan communities, as  
4.23 recommended by the Environmental Health  
4.24 Tracking and Biomonitoring Advisory Panel,  
4.25 and address other environmental health risks,  
4.26 including air quality. The communities must  
4.27 include Hmong and other immigrant farming  
4.28 communities. Of this amount, up to \$689,000  
4.29 the first year and \$689,000 the second year  
4.30 are for transfer to the Department of Health.

4.31 (g) \$51,000 the first year and \$51,000 the  
4.32 second year are from the environmental fund  
4.33 for impaired waters listing procedures required  
4.34 under this act.

5.1	<u>Subd. 3. <b>Industrial</b></u>		<u>15,473,000</u>	<u>15,213,000</u>
5.2	<u>Appropriations by Fund</u>			
5.3		<u>2020</u>	<u>2021</u>	
5.4	<u>Environmental</u>	<u>14,472,000</u>	<u>14,212,000</u>	
5.5	<u>Remediation</u>	<u>1,001,000</u>	<u>1,001,000</u>	
5.6	<u>(a) \$1,001,000 the first year and \$1,001,000</u>			
5.7	<u>the second year are from the remediation fund</u>			
5.8	<u>for the leaking underground storage tank</u>			
5.9	<u>program to investigate, clean up, and prevent</u>			
5.10	<u>future releases from underground petroleum</u>			
5.11	<u>storage tanks and to the petroleum remediation</u>			
5.12	<u>program for vapor assessment and</u>			
5.13	<u>remediation. These same annual amounts are</u>			
5.14	<u>transferred from the petroleum tank fund to</u>			
5.15	<u>the remediation fund.</u>			
5.16	<u>(b) \$393,000 the first year is from the TCE</u>			
5.17	<u>emission response account in the</u>			
5.18	<u>environmental fund to further evaluate the use</u>			
5.19	<u>and reduction of trichloroethylene around</u>			
5.20	<u>Minnesota and identify its potential health</u>			
5.21	<u>effects on communities. Of this amount, up to</u>			
5.22	<u>\$121,000 may be transferred to the</u>			
5.23	<u>commissioner of health. This is a onetime</u>			
5.24	<u>appropriation.</u>			
5.25	<u>Subd. 4. <b>Municipal</b></u>		<u>7,859,000</u>	<u>7,859,000</u>
5.26	<u>(a) \$164,000 the first year and \$164,000 the</u>			
5.27	<u>second year are from the environmental fund</u>			
5.28	<u>for:</u>			
5.29	<u>(1) a municipal liaison to assist municipalities</u>			
5.30	<u>in implementing and participating in the</u>			
5.31	<u>water-quality standards rulemaking process</u>			
5.32	<u>and navigating the NPDES/SDS permitting</u>			
5.33	<u>process;</u>			

6.1 (2) enhanced economic analysis in the  
6.2 water-quality standards rulemaking process,  
6.3 including more specific analysis and  
6.4 identification of cost-effective permitting;  
6.5 (3) development of statewide economic  
6.6 analyses and templates to reduce the amount  
6.7 of information and time required for  
6.8 municipalities to apply for variances from  
6.9 water quality standards; and  
6.10 (4) coordinating with the Public Facilities  
6.11 Authority to identify and advocate for the  
6.12 resources needed for municipalities to achieve  
6.13 permit requirements.  
6.14 (b) \$50,000 the first year and \$50,000 the  
6.15 second year are from the environmental fund  
6.16 for transfer to the Office of Administrative  
6.17 Hearings to establish sanitary districts.  
6.18 (c) \$671,000 the first year and \$671,000 the  
6.19 second year are from the environmental fund  
6.20 for subsurface sewage treatment system  
6.21 (SSTS) program administration and  
6.22 community technical assistance and education,  
6.23 including grants and technical assistance to  
6.24 communities for water-quality protection. Of  
6.25 this amount, \$129,000 each year is for  
6.26 assistance to counties through grants for SSTS  
6.27 program administration. A county receiving  
6.28 a grant from this appropriation must submit  
6.29 the results achieved with the grant to the  
6.30 commissioner as part of its annual SSTS  
6.31 report. Any unexpended balance in the first  
6.32 year does not cancel but is available in the  
6.33 second year.

7.1 (d) \$784,000 the first year and \$784,000 the  
 7.2 second year are from the environmental fund  
 7.3 to address the need for continued increased  
 7.4 activity in the areas of new technology review,  
 7.5 technical assistance for local governments,  
 7.6 and enforcement under Minnesota Statutes,  
 7.7 sections 115.55 to 115.58, and to complete the  
 7.8 requirements of Laws 2003, chapter 128,  
 7.9 article 1, section 165.

7.10 (e) Notwithstanding Minnesota Statutes,  
 7.11 section 16A.28, the appropriations  
 7.12 encumbered on or before June 30, 2021, as  
 7.13 grants or contracts for subsurface sewage  
 7.14 treatment systems, surface water and  
 7.15 groundwater assessments, storm water, and  
 7.16 water-quality protection in this subdivision  
 7.17 are available until June 30, 2024.

7.18 **Subd. 5. Operations** 5,036,000 5,047,000

	<u>Appropriations by Fund</u>	
	<u>2020</u>	<u>2021</u>
7.19		
7.20		
7.21	<u>4,208,000</u>	<u>4,219,000</u>
7.22	<u>828,000</u>	<u>828,000</u>

7.23 \$180,000 the first year and \$180,000 the  
 7.24 second year are from the remediation fund for  
 7.25 purposes of the leaking underground storage  
 7.26 tank program to investigate, clean up, and  
 7.27 prevent future releases from underground  
 7.28 petroleum storage tanks, and to the petroleum  
 7.29 remediation program for vapor assessment  
 7.30 and remediation. These same annual amounts  
 7.31 are transferred from the petroleum tank fund  
 7.32 to the remediation fund.

7.33 **Subd. 6. Remediation** 12,289,000 11,856,000

8.1	<u>Appropriations by Fund</u>	
8.2	<u>2020</u>	<u>2021</u>
8.3	<u>1,048,000</u>	<u>615,000</u>
8.4	<u>11,241,000</u>	<u>11,241,000</u>

8.5 (a) All money for environmental response,  
 8.6 compensation, and compliance in the  
 8.7 remediation fund not otherwise appropriated  
 8.8 is appropriated to the commissioners of the  
 8.9 Pollution Control Agency and agriculture for  
 8.10 purposes of Minnesota Statutes, section  
 8.11 115B.20, subdivision 2, clauses (1), (2), (3),  
 8.12 (6), and (7). At the beginning of each fiscal  
 8.13 year, the two commissioners shall jointly  
 8.14 submit an annual spending plan to the  
 8.15 commissioner of management and budget that  
 8.16 maximizes the use of resources and  
 8.17 appropriately allocates the money between the  
 8.18 two departments. This appropriation is  
 8.19 available until June 30, 2021.

8.20 (b) \$433,000 the first year is from the  
 8.21 environmental fund to manage contaminated  
 8.22 sediment projects at multiple sites identified  
 8.23 in the St. Louis River remedial action plan to  
 8.24 restore water quality in the St. Louis River  
 8.25 area of concern. This is a onetime  
 8.26 appropriation.

8.27 (c) \$3,961,000 the first year and \$3,961,000  
 8.28 the second year are from the remediation fund  
 8.29 for purposes of the leaking underground  
 8.30 storage tank program to investigate, clean up,  
 8.31 and prevent future releases from underground  
 8.32 petroleum storage tanks, and to the petroleum  
 8.33 remediation program for purposes of vapor  
 8.34 assessment and remediation. These same

9.1 annual amounts are transferred from the  
 9.2 petroleum tank fund to the remediation fund.

9.3 (d) \$257,000 the first year and \$257,000 the  
 9.4 second year are from the remediation fund for  
 9.5 transfer to the commissioner of health for  
 9.6 private water-supply monitoring and health  
 9.7 assessment costs in areas contaminated by  
 9.8 unpermitted mixed municipal solid waste  
 9.9 disposal facilities and drinking water  
 9.10 advisories and public information activities  
 9.11 for areas contaminated by hazardous releases.

9.12 **Subd. 7. Resource Management and Assistance**                      33,325,000                      33,349,000

9.13                                      Appropriations by Fund

9.14		<u>2020</u>	<u>2021</u>
9.15	<u>State Government</u>		
9.16	<u>Special Revenue</u>	<u>75,000</u>	<u>75,000</u>
9.17	<u>Environmental</u>	<u>33,250,000</u>	<u>33,274,000</u>

9.18 (a) Up to \$150,000 the first year and \$150,000  
 9.19 the second year may be transferred from the  
 9.20 environmental fund to the small business  
 9.21 environmental improvement loan account  
 9.22 established in Minnesota Statutes, section  
 9.23 116.993.

9.24 (b) \$694,000 the first year and \$694,000 the  
 9.25 second year are from the environmental fund  
 9.26 for emission reduction activities and grants to  
 9.27 small businesses and other nonpoint emission  
 9.28 reduction efforts. Of this amount, \$100,000  
 9.29 the first year and \$100,000 the second year  
 9.30 are to continue work with Clean Air  
 9.31 Minnesota, and the commissioner may enter  
 9.32 into an agreement with Environmental  
 9.33 Initiative to support this effort. Any  
 9.34 unencumbered grant and loan balances in the

- 10.1 first year do not cancel but are available for  
10.2 grants and loans in the second year.
- 10.3 (c) \$17,550,000 the first year and \$17,550,000  
10.4 the second year are from the environmental  
10.5 fund for SCORE block grants to counties  
10.6 under Minnesota Statutes, section 115A.557.
- 10.7 (d) \$119,000 the first year and \$119,000 the  
10.8 second year are from the environmental fund  
10.9 for environmental assistance grants or loans  
10.10 under Minnesota Statutes, section 115A.0716.
- 10.11 Any unencumbered grant and loan balances  
10.12 in the first year do not cancel but are available  
10.13 for grants and loans in the second year.
- 10.14 (e) \$112,000 the first year and \$112,000 the  
10.15 second year are from the environmental fund  
10.16 for subsurface sewage treatment system  
10.17 (SSTS) program administration and  
10.18 community technical assistance and education,  
10.19 including grants and technical assistance to  
10.20 communities for water-quality protection.
- 10.21 (f) \$169,000 the first year and \$169,000 the  
10.22 second year are from the environmental fund  
10.23 to address the need for continued increased  
10.24 activity in the areas of new technology review,  
10.25 technical assistance for local governments,  
10.26 and enforcement under Minnesota Statutes,  
10.27 sections 115.55 to 115.58, and to complete the  
10.28 requirements of Laws 2003, chapter 128,  
10.29 article 1, section 165.
- 10.30 (g) All money deposited in the environmental  
10.31 fund for the metropolitan solid waste landfill  
10.32 fee in accordance with Minnesota Statutes,  
10.33 section 473.843, and not otherwise

11.1 appropriated, is appropriated for the purposes  
 11.2 of Minnesota Statutes, section 473.844.

11.3 (h) Notwithstanding Minnesota Statutes,  
 11.4 section 16A.28, the appropriations  
 11.5 encumbered on or before June 30, 2021, as  
 11.6 contracts or grants for environmental  
 11.7 assistance awarded under Minnesota Statutes,  
 11.8 section 115A.0716; technical and research  
 11.9 assistance under Minnesota Statutes, section  
 11.10 115A.152; technical assistance under  
 11.11 Minnesota Statutes, section 115A.52; and  
 11.12 pollution prevention assistance under  
 11.13 Minnesota Statutes, section 115D.04, are  
 11.14 available until June 30, 2023.

11.15 **Subd. 8. Watershed** 9,635,000 9,335,000

11.16	<u>Appropriations by Fund</u>	
11.17	<u>2020</u>	<u>2021</u>
11.18 <u>Environmental</u>	<u>8,401,000</u>	<u>8,101,000</u>
11.19 <u>Remediation</u>	<u>234,000</u>	<u>234,000</u>
11.20 <u>General</u>	<u>1,000,000</u>	<u>1,000,000</u>

11.21 (a) \$1,000,000 the first year and \$1,000,000  
 11.22 the second year are from the general fund and  
 11.23 \$959,000 the first year and \$959,000 the  
 11.24 second year are from the environmental fund  
 11.25 for grants to delegated counties to administer  
 11.26 the county feedlot program under Minnesota  
 11.27 Statutes, section 116.0711, subdivisions 2 and  
 11.28 3. Money remaining after the first year is  
 11.29 available for the second year.

11.30 (b) \$208,000 the first year and \$208,000 the  
 11.31 second year are from the environmental fund  
 11.32 for the costs of implementing general  
 11.33 operating permits for feedlots over 1,000  
 11.34 animal units.

12.1 (c) \$122,000 the first year and \$122,000 the  
 12.2 second year are from the remediation fund for  
 12.3 purposes of the leaking underground storage  
 12.4 tank program to investigate, clean up, and  
 12.5 prevent future releases from underground  
 12.6 petroleum storage tanks, and to the petroleum  
 12.7 remediation program for vapor assessment  
 12.8 and remediation. These same annual amounts  
 12.9 are transferred from the petroleum tank fund  
 12.10 to the remediation fund.

12.11 (d) \$300,000 the first year is from the  
 12.12 environmental fund for a grant to the  
 12.13 Minnesota Association of County Feedlot  
 12.14 Officers to develop, in coordination with the  
 12.15 Pollution Control Agency and the University  
 12.16 of Minnesota Extension program, an online  
 12.17 training curriculum related to animal feedlot  
 12.18 requirements under Minnesota Rules, chapter  
 12.19 7020. This is a onetime appropriation. The  
 12.20 curriculum must be developed to:

12.21 (1) provide base-level knowledge to new and  
 12.22 existing county feedlot pollution control  
 12.23 officers on feedlot registration, permitting,  
 12.24 compliance, enforcement, and program  
 12.25 administration;

12.26 (2) provide assistance to new and existing  
 12.27 county feedlot pollution control officers for  
 12.28 working efficiently and effectively with  
 12.29 producers; and

12.30 (3) reduce the incidence of manure or nutrients  
 12.31 entering surface water or groundwater.

12.32 **Subd. 9. Environmental Quality Board**

1,774,000

1,274,000

12.33 Appropriations by Fund

12.34 2020

2021

13.1	<u>Environmental</u>	<u>1,474,000</u>	<u>1,274,000</u>
13.2	<u>Closed Landfill</u>		
13.3	<u>Investment Fund</u>	<u>300,000</u>	<u>-0-</u>

13.4 (a) \$200,000 the first year is from the  
 13.5 environmental fund to begin to develop and  
 13.6 assemble the material required under Code of  
 13.7 Federal Regulations, title 40, section 233.10,  
 13.8 to have the state of Minnesota assume the  
 13.9 section 404 permitting program of the Federal  
 13.10 Clean Water Act. The Board may execute  
 13.11 contracts or interagency agreements to  
 13.12 facilitate developing the required agreements  
 13.13 and materials. By February 1, 2021, the board  
 13.14 must submit a report on the additional funding  
 13.15 necessary to secure section 404 assumption  
 13.16 and the additional funding needed to fully  
 13.17 implement the state-assumed program to the  
 13.18 chairs and ranking minority members of the  
 13.19 legislative committees and divisions with  
 13.20 jurisdiction over the environment and natural  
 13.21 resources. This is a onetime appropriation.

13.22 (b) Notwithstanding Minnesota Statutes,  
 13.23 section 115B.421, \$300,000 the first year is  
 13.24 from the closed landfill investment fund to  
 13.25 conduct the study on deploying solar  
 13.26 photovoltaic devices on closed landfill  
 13.27 program sites. This is a onetime appropriation.

13.28 **Subd. 10. Transfers**

13.29 (a) The commissioner shall transfer up to  
 13.30 \$40,000,000 from the environmental fund to  
 13.31 the remediation fund for the purposes of the  
 13.32 remediation fund under Minnesota Statutes,  
 13.33 section 116.155, subdivision 2.

13.34 (b) \$1,500,000 the first year is transferred  
 13.35 from the remediation fund to the dry cleaner



- 15.1 management account for environmental  
 15.2 research relating to mine permitting.
- 15.3 (b) \$2,978,000 the first year and \$2,978,000  
 15.4 the second year are from the minerals  
 15.5 management account in the natural resources  
 15.6 fund for use as provided in Minnesota Statutes,  
 15.7 section 93.2236, paragraph (c), for mineral  
 15.8 resource management, projects to enhance  
 15.9 future mineral income, and projects to promote  
 15.10 new mineral resource opportunities.
- 15.11 (c) \$212,000 the first year and \$212,000 the  
 15.12 second year are from the state forest suspense  
 15.13 account in the permanent school fund to secure  
 15.14 maximum long-term economic return from  
 15.15 the school trust lands consistent with fiduciary  
 15.16 responsibilities and sound natural resources  
 15.17 conservation and management principles.
- 15.18 (d) \$325,000 the first year and \$325,000 the  
 15.19 second year are from the water management  
 15.20 account in the natural resources fund for  
 15.21 mining hydrology.

15.22 **Subd. 3. Ecological and Water Resources** 27,695,000 27,495,000

15.23	<u>Appropriations by Fund</u>	
15.24	<u>2020</u>	<u>2021</u>
15.25	<u>General</u>	<u>11,654,000</u> <u>11,454,000</u>
15.26	<u>Natural Resources</u>	<u>10,672,000</u> <u>10,672,000</u>
15.27	<u>Game and Fish</u>	<u>5,369,000</u> <u>5,369,000</u>

- 15.28 (a) \$3,242,000 the first year and \$3,242,000  
 15.29 the second year are from the invasive species  
 15.30 account in the natural resources fund and  
 15.31 \$2,206,000 the first year and \$2,206,000 the  
 15.32 second year are from the general fund for  
 15.33 management, public awareness, assessment  
 15.34 and monitoring research, and water access

- 16.1 inspection to prevent the spread of invasive  
16.2 species; management of invasive plants in  
16.3 public waters; and management of terrestrial  
16.4 invasive species on state-administered lands.
- 16.5 (b) \$5,031,000 the first year and \$5,031,000  
16.6 the second year are from the water  
16.7 management account in the natural resources  
16.8 fund for only the purposes specified in  
16.9 Minnesota Statutes, section 103G.27,  
16.10 subdivision 2.
- 16.11 (c) \$124,000 the first year and \$124,000 the  
16.12 second year are for a grant to the Mississippi  
16.13 Headwaters Board for up to 50 percent of the  
16.14 cost of implementing the comprehensive plan  
16.15 for the upper Mississippi within areas under  
16.16 the board's jurisdiction.
- 16.17 (d) \$10,000 the first year and \$10,000 the  
16.18 second year are for payment to the Leech Lake  
16.19 Band of Chippewa Indians to implement the  
16.20 band's portion of the comprehensive plan for  
16.21 the upper Mississippi.
- 16.22 (e) \$264,000 the first year and \$264,000 the  
16.23 second year are for grants for up to 50 percent  
16.24 of the cost of implementation of the Red River  
16.25 mediation agreement.
- 16.26 (f) \$2,224,000 the first year and \$2,224,000  
16.27 the second year are from the heritage  
16.28 enhancement account in the game and fish  
16.29 fund for only the purposes specified in  
16.30 Minnesota Statutes, section 297A.94,  
16.31 paragraph (h), clause (1).
- 16.32 (g) \$956,000 the first year and \$956,000 the  
16.33 second year are from the nongame wildlife  
16.34 management account in the natural resources

- 17.1 fund for the purpose of nongame wildlife  
17.2 management. Notwithstanding Minnesota  
17.3 Statutes, section 290.431, \$100,000 the first  
17.4 year and \$100,000 the second year may be  
17.5 used for nongame wildlife information,  
17.6 education, and promotion.
- 17.7 (h) Notwithstanding Minnesota Statutes,  
17.8 section 84.943, \$13,000 the first year and  
17.9 \$13,000 the second year from the critical  
17.10 habitat private sector matching account may  
17.11 be used to publicize the critical habitat license  
17.12 plate match program.
- 17.13 (i) \$3,800,000 the first year and \$3,800,000  
17.14 the second year are from the general fund for  
17.15 the following activities:
- 17.16 (1) financial reimbursement and technical  
17.17 support to soil and water conservation districts  
17.18 or other local units of government for  
17.19 groundwater level monitoring;
- 17.20 (2) surface water monitoring and analysis,  
17.21 including installation of monitoring gauges;
- 17.22 (3) groundwater analysis to assist with water  
17.23 appropriation permitting decisions;
- 17.24 (4) permit application review incorporating  
17.25 surface water and groundwater technical  
17.26 analysis;
- 17.27 (5) precipitation data and analysis to improve  
17.28 the use of irrigation;
- 17.29 (6) information technology, including  
17.30 electronic permitting and integrated data  
17.31 systems; and
- 17.32 (7) compliance and monitoring.

18.1 (j) \$510,000 the first year and \$510,000 the  
18.2 second year are from the heritage enhancement  
18.3 account in the game and fish fund for grants  
18.4 to the Minnesota Aquatic Invasive Species  
18.5 Research Center at the University of  
18.6 Minnesota to prioritize, support, and develop  
18.7 research-based solutions that can reduce the  
18.8 effects of aquatic invasive species in  
18.9 Minnesota by preventing spread, controlling  
18.10 populations, and managing ecosystems and to  
18.11 advance knowledge to inspire action by others.  
18.12 Of the first year amount, \$100,000 is to  
18.13 develop, in conjunction with the commissioner  
18.14 of natural resources, the commissioner of the  
18.15 Pollution Control Agency, counties, and other  
18.16 stakeholders, recommendations for  
18.17 establishing a statewide surveillance and early  
18.18 detection system for aquatic invasive species.  
18.19 By March 1, 2020, the Minnesota Aquatic  
18.20 Invasive Species Research Center must submit  
18.21 a report and recommendations to the chairs  
18.22 and ranking minority members of the  
18.23 legislative committees and divisions with  
18.24 jurisdiction over environment and natural  
18.25 resources policy and finance. The report must  
18.26 include recommendations on all of the  
18.27 following:  
18.28 (1) the most effective structure for a statewide  
18.29 surveillance and early detection system for  
18.30 aquatic invasive species;  
18.31 (2) whether to employ eco-epidemiological  
18.32 models, optimized decision models, or related  
18.33 tools as a mechanism for determining how  
18.34 best to deploy limited resources;

19.1 (3) how the statewide system should be funded  
 19.2 and at what levels; and

19.3 (4) regulatory, policy, and statutory changes  
 19.4 that would be needed to fully implement the  
 19.5 statewide system.

19.6 (k) \$50,000 the first year is for dredging and  
 19.7 removing sediment from the boat launch area  
 19.8 of the Minneiska boat landing. This is a  
 19.9 onetime appropriation and is available until  
 19.10 June 30, 2021.

19.11 (l) \$100,000 the first year is from the general  
 19.12 fund for a grant to Rice County for the  
 19.13 removal of storm debris from Roberds Lake.  
 19.14 This is a onetime appropriation and is  
 19.15 available until June 30, 2021.

19.16 (m) \$50,000 the first year is from the general  
 19.17 fund for a grant to Waseca County for the  
 19.18 removal of debris and trees from land adjacent  
 19.19 to Lake Elysian and Iosco Creek. This is a  
 19.20 onetime appropriation and is available until  
 19.21 June 30, 2021.

19.22 **Subd. 4. Forest Management** 45,022,000 45,286,000

19.23	<u>Appropriations by Fund</u>	
19.24	<u>2020</u>	<u>2021</u>
19.25 <u>General</u>	<u>27,820,000</u>	<u>28,084,000</u>
19.26 <u>Natural Resources</u>	<u>15,832,000</u>	<u>15,832,000</u>
19.27 <u>Game and Fish</u>	<u>1,370,000</u>	<u>1,370,000</u>

19.28 (a) \$7,521,000 the first year and \$7,521,000  
 19.29 the second year are for prevention,  
 19.30 presuppression, and suppression costs of  
 19.31 emergency firefighting and other costs  
 19.32 incurred under Minnesota Statutes, section  
 19.33 88.12. The amount necessary to pay for  
 19.34 presuppression and suppression costs during

20.1 the biennium is appropriated from the general  
20.2 fund. By January 15 of each year, the  
20.3 commissioner of natural resources shall submit  
20.4 a report to the chairs and ranking minority  
20.5 members of the house and senate committees  
20.6 and divisions having jurisdiction over  
20.7 environment and natural resources finance,  
20.8 identifying all firefighting costs incurred and  
20.9 reimbursements received in the prior fiscal  
20.10 year. These appropriations may not be  
20.11 transferred. Any reimbursement of firefighting  
20.12 expenditures made to the commissioner from  
20.13 any source other than federal mobilizations  
20.14 must be deposited into the general fund.

20.15 (b) \$13,082,000 the first year and \$13,082,000  
20.16 the second year are from the forest  
20.17 management investment account in the natural  
20.18 resources fund for only the purposes specified  
20.19 in Minnesota Statutes, section 89.039,  
20.20 subdivision 2.

20.21 (c) \$1,370,000 the first year and \$1,370,000  
20.22 the second year are from the heritage  
20.23 enhancement account in the game and fish  
20.24 fund to advance ecological classification  
20.25 systems (ECS) scientific management tools  
20.26 for forest and invasive species management.

20.27 (d) \$750,000 the first year and \$750,000 the  
20.28 second year are for the Forest Resources  
20.29 Council to implement the Sustainable Forest  
20.30 Resources Act.

20.31 (e) \$1,250,000 the first year and \$1,250,000  
20.32 the second year are from the forest  
20.33 management investment account in the natural  
20.34 resources fund for state forest reforestation.

21.1 (f) \$1,000,000 the first year and \$1,000,000  
 21.2 the second year are from the forest  
 21.3 management investment account in the natural  
 21.4 resources fund for the Next Generation Core  
 21.5 Forestry data system. The appropriation is  
 21.6 available until June 30, 2023.

21.7 (g) \$500,000 the first year and \$500,000 the  
 21.8 second year are from the forest management  
 21.9 investment account in the natural resources  
 21.10 fund for forest road maintenance on state  
 21.11 forest roads.

21.12 (h) \$250,000 the first year and \$250,000 the  
 21.13 second year are from the general fund for  
 21.14 additional private forest management.

21.15 (i) \$312,000 the first year and \$312,000 the  
 21.16 second year are from the general fund for  
 21.17 administering the Sustainable Forest Incentive  
 21.18 Act.

21.19 **Subd. 5. Parks and Trails Management** 81,196,000 80,371,000

21.20	<u>Appropriations by Fund</u>	
21.21	<u>2020</u>	<u>2021</u>
21.22	<u>21,235,000</u>	<u>21,235,000</u>
21.23	<u>57,684,000</u>	<u>56,859,000</u>
21.24	<u>2,277,000</u>	<u>2,277,000</u>

21.25 (a) \$1,075,000 the first year and \$1,075,000  
 21.26 the second year are from the water recreation  
 21.27 account in the natural resources fund for  
 21.28 enhancing and maintaining public  
 21.29 water-access facilities.

21.30 (b) \$6,396,000 the first year and \$6,396,000  
 21.31 the second year are from the natural resources  
 21.32 fund for state trail, park, and recreation area  
 21.33 operations. This appropriation is from the  
 21.34 revenue deposited in the natural resources fund

- 22.1 under Minnesota Statutes, section 297A.94,  
22.2 paragraph (h), clause (2).
- 22.3 (c) \$18,251,000 the first year and \$18,251,000  
22.4 the second year are from the state parks  
22.5 account in the natural resources fund for state  
22.6 park and state recreation area operation and  
22.7 maintenance.
- 22.8 (d) \$1,005,000 the first year and \$1,005,000  
22.9 the second year are from the natural resources  
22.10 fund for park and trail grants to local units of  
22.11 government on land to be maintained for at  
22.12 least 20 years for the purposes of the grants.
- 22.13 This appropriation is from the revenue  
22.14 deposited in the natural resources fund under  
22.15 Minnesota Statutes, section 297A.94,  
22.16 paragraph (e), clause (4). Any unencumbered  
22.17 balance does not cancel at the end of the first  
22.18 year and is available for the second year.
- 22.19 (e) \$9,624,000 the first year and \$9,624,000  
22.20 the second year are from the snowmobile trails  
22.21 and enforcement account in the natural  
22.22 resources fund for the snowmobile  
22.23 grants-in-aid program. Any unencumbered  
22.24 balance does not cancel at the end of the first  
22.25 year and is available for the second year.
- 22.26 (f) \$1,835,000 the first year and \$1,835,000  
22.27 the second year are from the natural resources  
22.28 fund for the off-highway vehicle grants-in-aid  
22.29 program. Of this amount, \$1,360,000 each  
22.30 year is from the all-terrain vehicle account;  
22.31 \$150,000 each year is from the off-highway  
22.32 motorcycle account; and \$325,000 each year  
22.33 is from the off-road vehicle account. Any  
22.34 unencumbered balance does not cancel at the

- 23.1 end of the first year and is available for the  
23.2 second year.
- 23.3 (g) \$80,000 the first year and \$80,000 the  
23.4 second year are from the cross-country ski  
23.5 account in the natural resources fund for  
23.6 grooming and maintaining cross-country ski  
23.7 trails in state parks, trails, and recreation areas.
- 23.8 (h) \$262,000 the first year and \$262,000 the  
23.9 second year are from the state land and water  
23.10 conservation account in the natural resources  
23.11 fund for priorities established by the  
23.12 commissioner for eligible state projects and  
23.13 administrative and planning activities  
23.14 consistent with Minnesota Statutes, section  
23.15 84.0264, and the federal Land and Water  
23.16 Conservation Fund Act. Any unencumbered  
23.17 balance does not cancel at the end of the first  
23.18 year and is available for the second year.
- 23.19 (i) \$250,000 the first year and \$250,000 the  
23.20 second year are from the general fund for  
23.21 matching grants for local parks and outdoor  
23.22 recreation areas under Minnesota Statutes,  
23.23 section 85.019, subdivision 2.
- 23.24 (j) \$250,000 the first year and \$250,000 the  
23.25 second year are from the general fund for  
23.26 matching grants for local trail connections  
23.27 under Minnesota Statutes, section 85.019,  
23.28 subdivision 4c.
- 23.29 (k) \$600,000 the first year is from the off-road  
23.30 vehicle account for off-road vehicle touring  
23.31 routes and trails. Of this amount:
- 23.32 (1) \$200,000 is for a contract with a project  
23.33 administrator to assist the commissioner in  
23.34 planning, designing, and providing a system

24.1 of state touring routes and trails for off-road  
24.2 vehicles by identifying sustainable, legal  
24.3 routes suitable for licensed four-wheel drive  
24.4 vehicles and a system of recreational trails for  
24.5 registered off-road vehicles. Any portion of  
24.6 this appropriation not used for the project  
24.7 administrator is available for signage or  
24.8 promotion and implementation of the system.  
24.9 This is a onetime appropriation.

24.10 (2) \$200,000 is for a contract and related work  
24.11 to prepare a comprehensive, statewide,  
24.12 strategic master plan for off-road vehicle  
24.13 touring routes and trails. This is a onetime  
24.14 appropriation and is available until June 30,  
24.15 2022. Any portion of this appropriation not  
24.16 used for the master plan is returned to the  
24.17 off-road vehicle account. At a minimum, the  
24.18 plan must: identify opportunities to develop  
24.19 or enhance new, high-quality, comprehensive  
24.20 touring routes and trails for off-road vehicles  
24.21 in a system that serves regional and tourist  
24.22 destinations; enhance connectivity with  
24.23 touring routes and trails for off-road vehicles;  
24.24 provide opportunities for promoting economic  
24.25 development in greater Minnesota; help people  
24.26 connect with the outdoors in a safe and  
24.27 environmentally sustainable manner; create  
24.28 new and support existing opportunities for  
24.29 social, economic, and cultural benefits and  
24.30 meaningful and mutually beneficial  
24.31 relationships for users of off-road vehicles and  
24.32 the communities that host trails for off-road  
24.33 vehicles; and promote cooperation with local,  
24.34 state, tribal, and federal governments;  
24.35 organizations; and other interested partners.

25.1 (3) \$200,000 is to share the cost by  
25.2 reimbursing federal, tribal, state, county, and  
25.3 township entities for additional needs on roads  
25.4 under their jurisdiction when the needs are a  
25.5 result of increased use by off-road vehicles  
25.6 and are attributable to a border-to-border  
25.7 touring route established by the commissioner.  
25.8 This paragraph applies to roads that are  
25.9 operated by a public road authority as defined  
25.10 in Minnesota Statutes, section 160.02,  
25.11 subdivision 25. This is a onetime appropriation  
25.12 and is available until June 30, 2023. To be  
25.13 eligible for reimbursement under this  
25.14 paragraph, the claimant must demonstrate that:  
25.15 the needs result from additional traffic  
25.16 generated by the border-to-border touring  
25.17 route; and increased use attributable to a  
25.18 border-to-border touring route has caused at  
25.19 least a 50 percent increase in maintenance  
25.20 costs for roads under the claimant's  
25.21 jurisdiction, based on a ten-year maintenance  
25.22 average. The commissioner may accept an  
25.23 alternative to the ten-year maintenance average  
25.24 if a jurisdiction does not have sufficient  
25.25 maintenance records. The commissioner has  
25.26 discretion to accept an alternative based on a  
25.27 good-faith effort by the jurisdiction. Any  
25.28 alternative should include baseline  
25.29 maintenance costs for at least two years before  
25.30 the year the route begins operating. The  
25.31 ten-year maintenance average or any  
25.32 alternative must be calculated from the years  
25.33 immediately preceding the year the route  
25.34 begins operating. Before reimbursing a claim  
25.35 under this paragraph, the commissioner must  
25.36 consider whether the claim is consistent with

26.1 claims made by other entities that administer  
 26.2 roads on the touring route, in terms of the  
 26.3 amount requested for reimbursement and the  
 26.4 frequency of claims made.

26.5 (l) \$950,000 the first year and \$950,000 the  
 26.6 second year are from the all-terrain vehicle  
 26.7 account in the natural resources fund for grants  
 26.8 to St. Louis County for the Quad Cities ATV  
 26.9 Club trail construction program for planning,  
 26.10 design, environmental permitting, right-of-way  
 26.11 acquisition, and construction of up to 24 miles  
 26.12 of trail connecting the cities of Mountain Iron,  
 26.13 Virginia, Eveleth, and Gilbert to the  
 26.14 Laurentian Divide, County Road 303, the  
 26.15 Taconite State Trail, and Biwabik and from  
 26.16 Pfeiffer Lake Forest Road to County Road  
 26.17 361. This is a onetime appropriation.

26.18 (m) \$150,000 the first year is from the  
 26.19 all-terrain vehicle account in the natural  
 26.20 resources fund for a grant to Crow Wing  
 26.21 County to plan and design a multipurpose  
 26.22 bridge on the Mississippi River Northwoods  
 26.23 Trail across Sand Creek located five miles  
 26.24 northeast of Brainerd along the Mississippi  
 26.25 River.

26.26 (n) \$75,000 the first year is from the  
 26.27 off-highway motorcycle account in the natural  
 26.28 resources fund to complete a master plan for  
 26.29 off-highway motorcycle trail planning and  
 26.30 development.

26.31 **Subd. 6. Fish and Wildlife Management**

74,761,000

74,511,000

26.32 Appropriations by Fund

	<u>2020</u>	<u>2021</u>
26.33		
26.34 <u>Natural Resources</u>	<u>1,924,000</u>	<u>1,924,000</u>
26.35 <u>Game and Fish</u>	<u>72,837,000</u>	<u>72,587,000</u>

27.1 (a) \$8,411,000 the first year and \$8,411,000  
27.2 the second year are from the heritage  
27.3 enhancement account in the game and fish  
27.4 fund only for activities specified in Minnesota  
27.5 Statutes, section 297A.94, paragraph (h),  
27.6 clause (1). Notwithstanding Minnesota  
27.7 Statutes, section 297A.94, five percent of this  
27.8 appropriation may be used for expanding  
27.9 hunter and angler recruitment and retention.

27.10 (b) \$50,000 in the first year is from the wild  
27.11 cervidae health management account in the  
27.12 game and fish fund to establish a chronic  
27.13 wasting disease adopt-a-dumpster program to  
27.14 provide dumpsters dedicated to disposing of  
27.15 deer carcasses in areas where chronic wasting  
27.16 disease has been detected. The commissioner  
27.17 must work with solid waste haulers and other  
27.18 interested parties and encourage volunteer  
27.19 support to ensure the dumpsters are located at  
27.20 convenient locations with appropriate signage,  
27.21 lined, and maintained. The commissioner must  
27.22 ensure the carcasses collected are properly  
27.23 disposed of to minimize the spread of chronic  
27.24 wasting disease. The commissioner of natural  
27.25 resources, in consultation with the  
27.26 commissioners of health and the Pollution  
27.27 Control Agency, to develop guidelines:

27.28 (1) for hunters for handling deer in the field  
27.29 and transporting and disposing of carcasses to  
27.30 prevent the spread of chronic wasting disease  
27.31 and protect public health; and

27.32 (2) for solid waste facilities and solid waste  
27.33 haulers for proper handling, transportation,  
27.34 and disposal of deer carcasses to prevent the

28.1 spread of chronic wasting disease and protect  
 28.2 public health.

28.3 By January 15, 2020, the commissioner of  
 28.4 natural resources must submit a report to the  
 28.5 chairs and ranking minority members of the  
 28.6 house of representatives and senate  
 28.7 committees and divisions with jurisdiction  
 28.8 over environment and natural resources with  
 28.9 the results of the program developed under  
 28.10 paragraph (a) and the guidelines developed  
 28.11 under paragraph (b).

28.12 (c) \$500,000 the first year and \$500,000 the  
 28.13 second year are from the game and fish fund  
 28.14 to implement the Firearms Safety, Archery,  
 28.15 Hunting, Trapshooting, and Angling in School  
 28.16 Physical Education Courses program. This is  
 28.17 a onetime appropriation.

28.18 (d) \$200,000 the first year is from the heritage  
 28.19 enhancement account in the game and fish  
 28.20 fund to establish and administer a program for  
 28.21 awarding grants for high school fishing  
 28.22 leagues and basic angling curriculum. This is  
 28.23 a onetime appropriation.

28.24 (e) \$8,546,000 the first year and \$8,546,000  
 28.25 the second year are from the deer habitat  
 28.26 improvement account in the game and fish  
 28.27 fund for deer management programs and deer  
 28.28 habitat improvement.

28.29 Subd. 7. Enforcement 42,845,000 43,180,000

28.30 Appropriations by Fund

	<u>2020</u>	<u>2021</u>
28.31 <u>General</u>	<u>6,142,000</u>	<u>6,185,000</u>
28.32 <u>Natural Resources</u>	<u>10,747,000</u>	<u>10,777,000</u>

29.1	<u>Game and Fish</u>	<u>25,851,000</u>	<u>26,112,000</u>
29.2	<u>Remediation</u>	<u>105,000</u>	<u>106,000</u>

29.3 (a) \$1,218,000 the first year and \$1,218,000  
29.4 the second year are from the general fund for  
29.5 enforcement efforts to prevent the spread of  
29.6 aquatic invasive species.

29.7 (b) \$1,580,000 the first year and \$1,580,000  
29.8 the second year are from the heritage  
29.9 enhancement account in the game and fish  
29.10 fund for only the purposes specified in  
29.11 Minnesota Statutes, section 297A.94,  
29.12 paragraph (h), clause (1).

29.13 (c) \$1,082,000 the first year and \$1,082,000  
29.14 the second year are from the water recreation  
29.15 account in the natural resources fund for grants  
29.16 to counties for boat and water safety. Any  
29.17 unencumbered balance does not cancel at the  
29.18 end of the first year and is available for the  
29.19 second year.

29.20 (d) \$315,000 the first year and \$315,000 the  
29.21 second year are from the snowmobile trails  
29.22 and enforcement account in the natural  
29.23 resources fund for grants to local law  
29.24 enforcement agencies for snowmobile  
29.25 enforcement activities. Any unencumbered  
29.26 balance does not cancel at the end of the first  
29.27 year and is available for the second year.

29.28 (e) \$250,000 the first year and \$250,000 the  
29.29 second year are from the all-terrain vehicle  
29.30 account for grants to qualifying organizations  
29.31 to assist in safety and environmental education  
29.32 and monitoring trails on public lands under  
29.33 Minnesota Statutes, section 84.9011. Grants  
29.34 issued under this paragraph must be issued

30.1 through a formal agreement with the  
30.2 organization. By December 15 each year, an  
30.3 organization receiving a grant under this  
30.4 paragraph shall report to the commissioner  
30.5 with details on expenditures and outcomes  
30.6 from the grant. Of this appropriation, \$25,000  
30.7 each year is for administration of these grants.  
30.8 Any unencumbered balance does not cancel  
30.9 at the end of the first year and is available for  
30.10 the second year.

30.11 (f) \$510,000 the first year and \$510,000 the  
30.12 second year are from the natural resources  
30.13 fund for grants to county law enforcement  
30.14 agencies for off-highway vehicle enforcement  
30.15 and public education activities based on  
30.16 off-highway vehicle use in the county. Of this  
30.17 amount, \$498,000 each year is from the  
30.18 all-terrain vehicle account; \$11,000 each year  
30.19 is from the off-highway motorcycle account;  
30.20 and \$1,000 each year is from the off-road  
30.21 vehicle account. The county enforcement  
30.22 agencies may use money received under this  
30.23 appropriation to make grants to other local  
30.24 enforcement agencies within the county that  
30.25 have a high concentration of off-highway  
30.26 vehicle use. Of this appropriation, \$25,000  
30.27 each year is for administration of these grants.  
30.28 Any unencumbered balance does not cancel  
30.29 at the end of the first year and is available for  
30.30 the second year.

30.31 (g) \$600,000 each year is for recruiting,  
30.32 training, and maintaining additional  
30.33 conservation officers.

31.1 (h) \$176,000 the first year and \$176,000 the  
 31.2 second year are from the game and fish fund  
 31.3 for an ice safety program.

31.4 (i) The base budget for the enforcement  
 31.5 division for fiscal year 2022 and thereafter is:  
 31.6 \$6,227,000 from the general fund;  
 31.7 \$26,369,000 from the game and fish fund;  
 31.8 \$10,809,000 from the natural resources fund;  
 31.9 and \$107,000 from the remediation fund.

31.10 These base level adjustments include pension  
 31.11 costs as provided in Laws 2018, chapter 211,  
 31.12 article 21, section 1, paragraph (a).

31.13 **Subd. 8. Operations Support** 111,000 106,000

31.14 Appropriations by Fund

	<u>2020</u>	<u>2021</u>
31.15		
31.16 <u>General Fund</u>	<u>8,000</u>	<u>24,000</u>
31.17 <u>Game and Fish Fund</u>	<u>103,000</u>	<u>102,000</u>

31.18 (a) \$8,000 the first year and \$24,000 the  
 31.19 second year are from the general fund and  
 31.20 \$3,000 the first year and \$2,000 the second  
 31.21 year are from the game and fish fund for the  
 31.22 costs associated with the Reinvest in Fish  
 31.23 Hatcheries Citizen-Legislative Advisory  
 31.24 Group. This is a onetime appropriation.

31.25 (b) \$100,000 the first year and \$100,000 the  
 31.26 second year are from the heritage enhancement  
 31.27 account in the game and fish fund for costs  
 31.28 associated with the Wild Rice Stewardship  
 31.29 Council.

31.30 **Subd. 9. Pass Through Funds** 807,000 807,000

31.31 Appropriations by Fund

	<u>2020</u>	<u>2021</u>
31.32		
31.33 <u>General</u>	<u>487,000</u>	<u>487,000</u>
31.34 <u>Natural Resources</u>	<u>320,000</u>	<u>320,000</u>

32.1 (a) \$320,000 the first year and \$320,000 the  
 32.2 second year are from the natural resources  
 32.3 fund for grants to be divided equally between  
 32.4 the city of St. Paul for the Como Park Zoo and  
 32.5 Conservatory and the city of Duluth for the  
 32.6 Duluth Zoo. This appropriation is from the  
 32.7 revenue deposited to the natural resources fund  
 32.8 under Minnesota Statutes, section 297A.94,  
 32.9 paragraph (h), clause (5).

32.10 (b) \$487,000 the first year and \$487,000 the  
 32.11 second year are for the Office of School Trust  
 32.12 Lands. Notwithstanding the timing of transfers  
 32.13 as provided in Minnesota Statutes, section  
 32.14 16A.125, subdivision 5, paragraph (d), the  
 32.15 transfers to the general fund from the forest  
 32.16 suspense account must be completed within  
 32.17 the fiscal year of the appropriations in this  
 32.18 paragraph.

32.19 **Sec. 4. BOARD OF WATER AND SOIL**  
 32.20 **RESOURCES**

**\$ 9,874,000 \$ 9,874,000**

32.21 (a) \$3,023,000 the first year and \$3,023,000  
 32.22 the second year are for natural resources block  
 32.23 grants to local governments. Grants must be  
 32.24 matched with a combination of local cash or  
 32.25 in-kind contributions. The base grant portion  
 32.26 related to water planning must be matched by  
 32.27 an amount as specified by Minnesota Statutes,  
 32.28 section 103B.3369. The board may reduce the  
 32.29 amount of the natural resources block grant  
 32.30 to a county by an amount equal to any  
 32.31 reduction in the county's general services  
 32.32 allocation to a soil and water conservation  
 32.33 district from the county's previous year  
 32.34 allocation when the board determines that the  
 32.35 reduction was disproportionate.

33.1 (b) \$2,116,000 the first year and \$2,116,000  
33.2 the second year are for grants to soil and water  
33.3 conservation districts for the purposes of  
33.4 Minnesota Statutes, sections 103C.321 and  
33.5 103C.331, and for general purposes, nonpoint  
33.6 engineering, and implementation and  
33.7 stewardship of the reinvest in Minnesota  
33.8 reserve program. Expenditures may be made  
33.9 from these appropriations for supplies and  
33.10 services benefiting soil and water conservation  
33.11 districts. Any district receiving a payment  
33.12 under this paragraph shall maintain a Web  
33.13 page that publishes, at a minimum, its annual  
33.14 report, annual audit, annual budget, and  
33.15 meeting notices.

33.16 (c) \$260,000 the first year and \$260,000 the  
33.17 second year are for feedlot water quality cost  
33.18 share grants for feedlots under 300 animal  
33.19 units and nutrient and manure management  
33.20 projects in watersheds where there are  
33.21 impaired waters.

33.22 (d) \$1,000,000 the first year and \$1,000,000  
33.23 the second year are for soil and water  
33.24 conservation district cost-sharing contracts for  
33.25 perennially vegetated riparian buffers, erosion  
33.26 control, water retention and treatment, and  
33.27 other high-priority conservation practices.

33.28 (e) \$100,000 the first year and \$100,000 the  
33.29 second year are for a grant to the Red River  
33.30 Basin Commission for water quality and  
33.31 floodplain management, including  
33.32 administration of programs. This appropriation  
33.33 must be matched by nonstate funds. If the  
33.34 appropriation in either year is insufficient, the

34.1 appropriation in the other year is available for  
34.2 it.

34.3 (f) \$140,000 the first year and \$140,000 the  
34.4 second year are for grants to Area II  
34.5 Minnesota River Basin Projects for floodplain  
34.6 management.

34.7 (g) \$125,000 the first year and \$125,000 the  
34.8 second year are for a grant to the Lower  
34.9 Minnesota River Watershed District to defray  
34.10 the annual cost of operating and maintaining  
34.11 sites for dredge spoil to sustain the state,  
34.12 national, and international commercial and  
34.13 recreational navigation on the lower Minnesota  
34.14 River. This is a onetime appropriation.

34.15 (h) \$3,110,000 the first year and \$3,110,000  
34.16 the second year are for Board of Water and  
34.17 Soil Resources agency administration and  
34.18 operations.

34.19 (i) Notwithstanding Minnesota Statutes,  
34.20 section 103C.501, the board may shift  
34.21 cost-share funds in this section and may adjust  
34.22 the technical and administrative assistance  
34.23 portion of the grant funds to leverage federal  
34.24 or other nonstate funds or to address  
34.25 high-priority needs identified in local water  
34.26 management plans or comprehensive water  
34.27 management plans.

34.28 (j) The appropriations for grants in this section  
34.29 are available until June 30, 2023, except  
34.30 returned grants are available for two years  
34.31 after they are returned. If an appropriation for  
34.32 grants in either year is insufficient, the  
34.33 appropriation in the other year is available for  
34.34 it.



36.1	Sec. 7. <b><u>ZOOLOGICAL BOARD</u></b>		<b><u>\$ 8,360,000</u></b>	<b><u>\$ 8,360,000</u></b>
36.2	<u>Appropriations by Fund</u>			
36.3		<u>2020</u>	<u>2021</u>	
36.4	<u>General</u>	<u>8,200,000</u>	<u>8,200,000</u>	
36.5	<u>Natural Resources</u>	<u>160,000</u>	<u>160,000</u>	
36.6	<u>\$160,000 the first year and \$160,000 the</u>			
36.7	<u>second year are from the natural resources</u>			
36.8	<u>fund from the revenue deposited under</u>			
36.9	<u>Minnesota Statutes, section 297A.94,</u>			
36.10	<u>paragraph (e), clause (5).</u>			
36.11	Sec. 8. <b><u>SCIENCE MUSEUM</u></b>		<b><u>\$ 1,079,000</u></b>	<b><u>\$ 1,079,000</u></b>
36.12	Sec. 9. <b><u>EXPLORE MINNESOTA TOURISM</u></b>		<b><u>\$ 14,344,000</u></b>	<b><u>\$ 14,344,000</u></b>
36.13	<u>(a) To develop maximum private sector</u>			
36.14	<u>involvement in tourism, \$500,000 the first</u>			
36.15	<u>year and \$500,000 the second year must be</u>			
36.16	<u>matched by Explore Minnesota Tourism from</u>			
36.17	<u>nonstate sources. Each \$1 of state incentive</u>			
36.18	<u>must be matched with \$6 of private sector</u>			
36.19	<u>funding. Cash match is defined as revenue to</u>			
36.20	<u>the state or documented cash expenditures</u>			
36.21	<u>directly expended to support Explore</u>			
36.22	<u>Minnesota Tourism programs. Up to one-half</u>			
36.23	<u>of the private sector contribution may be</u>			
36.24	<u>in-kind or soft match. The incentive in fiscal</u>			
36.25	<u>year 2020 shall be based on fiscal year 2019</u>			
36.26	<u>private sector contributions. The incentive in</u>			
36.27	<u>fiscal year 2021 shall be based on fiscal year</u>			
36.28	<u>2020 private sector contributions. This</u>			
36.29	<u>incentive is ongoing.</u>			
36.30	<u>(b) Funding for the marketing grants is</u>			
36.31	<u>available either year of the biennium.</u>			
36.32	<u>Unexpended grant funds from the first year</u>			
36.33	<u>are available in the second year.</u>			

37.1 (c) \$100,000 each year is for a grant to the  
 37.2 Northern Lights International Music Festival.

37.3 (d) \$1,000,000 the first year and \$1,000,000  
 37.4 the second year are to assist in funding and  
 37.5 securing new events benefiting communities  
 37.6 in the state.

37.7 Sec. 10. Laws 2016, chapter 189, article 3, section 2, subdivision 2, is amended to read:

37.8 Subd. 2. **Water** -0- 1,038,000

37.9 \$437,000 the second year is from the general  
 37.10 fund and \$486,000 the second year is from the  
 37.11 environmental fund to meet the increased  
 37.12 demand for technical assistance and review  
 37.13 of municipal water infrastructure projects that  
 37.14 will be generated by increased grant funding  
 37.15 through the Public Facilities Authority. This  
 37.16 is a onetime appropriation and is available  
 37.17 until June 30, ~~2019~~ 2021.

37.18 \$115,000 the second year is for the working  
 37.19 lands program feasibility study and program  
 37.20 plan. This is a onetime appropriation and is  
 37.21 available until June 30, 2018.

37.22 Sec. 11. Laws 2016, chapter 189, article 3, section 6, as amended by Laws 2017, chapter  
 37.23 93, article 1, section 12, is amended to read:

37.24 Sec. 6. **ADMINISTRATION** \$ 250,000 \$ -0-

37.25 \$250,000 the first year is from the state forest  
 37.26 suspense account in the permanent school fund  
 37.27 for the school trust lands director to initiate  
 37.28 ~~real-estate development projects on and~~  
 37.29 complete a 25-year framework for managing  
 37.30 school trust lands as determined by the school  
 37.31 trust lands director described in Minnesota  
 37.32 Statutes, section 127A.353, subdivision 4,



39.1 The sums shown in the columns marked "Appropriations" are appropriated to the agencies  
 39.2 and for the purposes specified in this article. The appropriations are from the environment  
 39.3 and natural resources trust fund, or another named fund, and are available for the fiscal  
 39.4 years indicated for each purpose. The figures "2020" and "2021" used in this article mean  
 39.5 that the appropriations listed under them are available for the fiscal year ending June 30,  
 39.6 2020, or June 30, 2021, respectively. "The first year" is fiscal year 2020. "The second year"  
 39.7 is fiscal year 2021. "The biennium" is fiscal years 2020 and 2021.

	<u>APPROPRIATIONS</u>	
	<u>Available for the Year</u>	
	<u>Ending June 30</u>	
	<u>2020</u>	<u>2021</u>

39.12 **Sec. 2. MINNESOTA RESOURCES**

39.13 <b><u>Subdivision 1. Total Appropriation</u></b>	<b><u>\$</u></b>	<b><u>61,387,000</u></b>	<b><u>\$</u></b>	<b><u>-0-</u></b>
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39.14 The amounts that may be spent for each  
 39.15 purpose are specified in the following  
 39.16 subdivisions. Appropriations are available for  
 39.17 three years beginning July 1, 2019, unless  
 39.18 otherwise stated in the appropriation. Any  
 39.19 unencumbered balance remaining in the first  
 39.20 year does not cancel and is available for the  
 39.21 second year or until the end of the  
 39.22 appropriation.

39.23 **Subd. 2. Definition**

39.24 "Trust fund" means the Minnesota  
 39.25 environment and natural resources trust fund  
 39.26 established under the Minnesota Constitution,  
 39.27 article XI, section 14.

39.28 **Subd. 3. Foundational Natural Resource Data**  
 39.29 **and Information**

		<u>10,704,000</u>		<u>-0-</u>
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39.30 **(a) Minnesota Biological Survey**

39.31 \$1,500,000 the first year is from the trust fund  
 39.32 to the commissioner of natural resources for  
 39.33 the Minnesota biological survey to complete  
 39.34 the statewide field surveys begun in 1987 to  
 39.35 provide a foundation for conserving biological

40.1 diversity by systematically collecting,  
40.2 interpreting, and delivering data on native and  
40.3 rare species, pollinators, and native plant  
40.4 communities throughout Minnesota. Any  
40.5 revenues generated through the publication of  
40.6 books or other resources created through this  
40.7 appropriation may be reinvested as described  
40.8 in the work plan approved by the  
40.9 Legislative-Citizen Commission on Minnesota  
40.10 Resources according to Minnesota Statutes,  
40.11 section 116P.10.

40.12 **(b) Restoring Native Mussels in Streams and**  
40.13 **Lakes**

40.14 \$500,000 the first year is from the trust fund  
40.15 to the commissioner of natural resources to  
40.16 restore native freshwater mussel assemblages,  
40.17 and the ecosystem services they provide, in  
40.18 the Mississippi, Cedar, and Cannon Rivers  
40.19 and to inform the public on mussels and  
40.20 mussel conservation. This appropriation is  
40.21 available until June 30, 2021, by which time  
40.22 the project must be completed and final  
40.23 products delivered.

40.24 **(c) Minnesota Trumpeter Swan Migration**  
40.25 **Ecology and Conservation**

40.26 \$300,000 the first year is from the trust fund  
40.27 to the Board of Regents of the University of  
40.28 Minnesota to document the movement and  
40.29 habitat use of Minnesota trumpeter swans to  
40.30 provide foundational information necessary  
40.31 for trumpeter swan management and  
40.32 conservation. This appropriation is available  
40.33 until June 30, 2023, by which time the project  
40.34 must be completed and final products  
40.35 delivered.

41.1 **(d) Understanding Brainworm Transmission to**  
 41.2 **Find Solutions for Minnesota Moose Decline**

41.3 \$400,000 the first year is from the trust fund  
 41.4 to the Board of Regents of the University of  
 41.5 Minnesota to identify key habitats and vectors  
 41.6 of brainworm transmission between deer and  
 41.7 moose that may be targeted by resource  
 41.8 management to mitigate moose exposure to  
 41.9 this deadly condition.

41.10 **(e) Accelerated Aggregate Resource Mapping**

41.11 \$700,000 the first year is from the trust fund  
 41.12 to the commissioner of natural resources to  
 41.13 map the aggregate resource potential for four  
 41.14 counties and make this information available  
 41.15 in print and electronic format to local units of  
 41.16 government for use in planning and zoning.

41.17 **(f) Red-Headed Woodpeckers as Indicators of**  
 41.18 **Oak Savanna Health**

41.19 \$171,000 the first year is from the trust fund  
 41.20 to the Board of Regents of the University of  
 41.21 Minnesota to evaluate red-headed woodpecker  
 41.22 survival and habitat needs and to use this data  
 41.23 to develop and disseminate a long-term oak  
 41.24 savanna management plan that supports  
 41.25 red-headed woodpeckers and other oak  
 41.26 savanna habitat-dependent species.

41.27 **(g) Mapping Aquatic Habitats for Moose**

41.28 \$199,000 the first year is from the trust fund  
 41.29 to the Board of Regents of the University of  
 41.30 Minnesota to determine key water habitats  
 41.31 used by moose in northern forested regions of  
 41.32 Minnesota, measure the effects of moose  
 41.33 foraging on aquatic plant and fish diversity,  
 41.34 and provide educational programming  
 41.35 materials for the public.

42.1 **(h) Improving Statewide GIS Data by Restoring**  
 42.2 **the Public Land Survey**

42.3 \$135,000 the first year is from the trust fund  
 42.4 to the commissioner of natural resources for  
 42.5 an agreement with the Minnesota Association  
 42.6 of County Surveyors to conduct a pilot project  
 42.7 with Grant County to remonument and certify  
 42.8 the public land survey corners in Lawrence  
 42.9 Township. This appropriation is available until  
 42.10 June 30, 2021, by which time the project must  
 42.11 be completed and final products delivered.

42.12 **(i) County Geologic Atlases - Part A, Mapping**  
 42.13 **Geology**

42.14 \$2,000,000 the first year is from the trust fund  
 42.15 to the Board of Regents of the University of  
 42.16 Minnesota, Minnesota Geological Survey, to  
 42.17 continue producing county geologic atlases to  
 42.18 inform management of surface water and  
 42.19 groundwater resources. This appropriation is  
 42.20 to complete Part A, which focuses on the  
 42.21 properties and distribution of earth materials  
 42.22 to define aquifer boundaries and the  
 42.23 connection of aquifers to the land surface and  
 42.24 surface water resources.

42.25 **(j) Unlocking Science of Minnesota's Moose**  
 42.26 **Decline**

42.27 \$199,000 the first year is from the trust fund  
 42.28 to the Minnesota Zoological Garden to  
 42.29 develop educational displays, interactive  
 42.30 exhibits, and engaging online programs that  
 42.31 summarize and share scientific findings about  
 42.32 moose decline in Minnesota. This  
 42.33 appropriation is available until June 30, 2021,  
 42.34 by which time the project must be completed  
 42.35 and final products delivered.

43.1 **(k) Forest and Bioeconomy Research**  
43.2 \$2,200,000 the first year is to the Board of  
43.3 Regents of the University of Minnesota for  
43.4 academic and applied research through  
43.5 MnDRIVE at the Natural Resources Research  
43.6 Institute to develop and demonstrate  
43.7 technologies that enhance the long-term health  
43.8 of Minnesota's forests, extend the viability of  
43.9 current forest-based industries, and accelerate  
43.10 emerging industry opportunities. Of this  
43.11 amount, \$500,000 is to support development  
43.12 of a forest optimization tool for Minnesota  
43.13 forest resources, \$800,000 is for maintenance  
43.14 and expansion of the Natural Resource Atlas  
43.15 to statewide coverage, \$400,000 is to the  
43.16 Minnesota Forest Resource Council for  
43.17 continued advancement of biochar  
43.18 development and application to forest health,  
43.19 and \$500,000 is to advance emerging  
43.20 Minnesota technologies to produce clean  
43.21 syngas to drive high-value markets for forest  
43.22 biomass feedstocks.

43.23 **(l) Minerals and Water Research**  
43.24 \$2,400,000 the first year is to the Board of  
43.25 Regents of the University of Minnesota for  
43.26 academic and applied research through  
43.27 MnDRIVE at the Natural Resources Research  
43.28 Institute to develop and demonstrate  
43.29 technologies that enhance long-term  
43.30 Minnesota mineral opportunities. Of this  
43.31 amount:  
43.32 (1) \$800,000 is to support continued applied  
43.33 research to advance new technologies to  
43.34 improve water quality;

44.1 (2) \$700,000 is to initiate the characterization  
 44.2 of western Mesabi iron resources and  
 44.3 development of next-generation Minnesota  
 44.4 iron products;

44.5 (3) \$500,000 is to develop emerging  
 44.6 hydrometallurgy technology to support  
 44.7 high-value mineral product development in  
 44.8 Minnesota; and

44.9 (4) \$400,000 is to support efforts of the  
 44.10 Natural Resources Research Institute to  
 44.11 accelerate demonstration of high-capacity,  
 44.12 cost-effective energy storage using  
 44.13 Minnesota's historical auxiliary mine lands.

44.14 This research must be conducted in  
 44.15 consultation with the Minerals Coordinating  
 44.16 Committee established under Minnesota  
 44.17 Statutes, section 93.0015.

44.18 **Subd. 4. Water Resources**

4,469,000

-0-

44.19 **(a) Determining Influence of Insecticides on**  
 44.20 **Algal Blooms**

44.21 \$350,000 the first year is from the trust fund  
 44.22 to the Board of Regents of the University of  
 44.23 Minnesota to quantify the occurrence of  
 44.24 neonicotinoid insecticides in Minnesota's  
 44.25 surface waters and groundwaters and assess  
 44.26 if the insecticides are contributing to the  
 44.27 formation of algal blooms.

44.28 **(b) Benign Design: Environmental Studies**  
 44.29 **Leading to Sustainable Pharmaceuticals**

44.30 \$415,000 the first year is from the trust fund  
 44.31 to the Board of Regents of the University of  
 44.32 Minnesota to determine how to best remove  
 44.33 harmful fluorinated pharmaceuticals during  
 44.34 wastewater treatment and to develop alternate

45.1 versions of these compounds that are  
45.2 medically useful but environmentally  
45.3 harmless. This appropriation is subject to  
45.4 Minnesota Statutes, section 116P.10.

45.5 **(c) Wastewater Nutrient Reduction through**  
45.6 **Industrial Source Reduction Assistance**

45.7 \$200,000 the first year is from the trust fund  
45.8 to the Board of Regents of the University of  
45.9 Minnesota to provide technical assistance for  
45.10 industrial facilities to optimize their processes,  
45.11 reduce nutrient loads to wastewater treatment  
45.12 facilities, and improve water quality. The  
45.13 economic savings and water quality  
45.14 improvements achieved through this work  
45.15 must be documented.

45.16 **(d) Improving Nitrogen Removal in Greater**  
45.17 **Minnesota Wastewater Treatment Ponds**

45.18 \$325,000 the first year is from the trust fund  
45.19 to the Board of Regents of the University of  
45.20 Minnesota to assess cold weather nitrogen  
45.21 cycling and different aeration methods to  
45.22 improve the efficacy of Minnesota's  
45.23 underperforming wastewater treatment ponds.

45.24 **(e) Improving Drinking Water for Minnesotans**  
45.25 **through Pollution Prevention**

45.26 \$345,000 the first year is from the trust fund  
45.27 to the Board of Regents of the University of  
45.28 Minnesota to reduce exposure of Minnesotans  
45.29 to a toxic, cancer-causing chemical by  
45.30 identifying key pollutant precursor sources in  
45.31 the upper Mississippi River watershed and  
45.32 assessing options to reduce the formation of  
45.33 this chemical during drinking water treatment.

45.34 **(f) Protecting Minnesota Waters by Removing**  
45.35 **Contaminants from Wastewater**

46.1 \$250,000 the first year is from the trust fund  
46.2 to the Board of Regents of the University of  
46.3 Minnesota to develop methods for treatment  
46.4 plants to remove harmful polyfluoroalkyl  
46.5 substances and microplastics from wastewater  
46.6 before the wastewater is released to the  
46.7 environment. This appropriation is subject to  
46.8 Minnesota Statutes, section 116P.10.

46.9 **(g) Reducing Municipal Wastewater Mercury**  
46.10 **Pollution to Lake Superior**

46.11 \$250,000 the first year is from the trust fund  
46.12 to the commissioner of the Minnesota  
46.13 Pollution Control Agency to evaluate and  
46.14 summarize current technologies to help  
46.15 municipal wastewater plants in the Lake  
46.16 Superior basin save money and reduce  
46.17 mercury pollution to Lake Superior and other  
46.18 Minnesota waters.

46.19 **(h) Accelerating Perennial Crop Production to**  
46.20 **Prevent Nitrate Leaching**

46.21 \$440,000 the first year is from the trust fund  
46.22 to the commissioner of natural resources for  
46.23 an agreement with the Stearns County Soil  
46.24 and Water Conservation District to reduce  
46.25 nitrate leaching on sandy soils of central  
46.26 Minnesota by developing water-efficient  
46.27 production methods, supply chains, and  
46.28 end-use markets for three perennial crops:  
46.29 Kernza, prairie species, and alfalfa. Net  
46.30 income from the sale of products or assets  
46.31 developed or acquired through this project  
46.32 may be reinvested as described in the work  
46.33 plan approved by the Legislative-Citizen  
46.34 Commission on Minnesota Resources  
46.35 according to Minnesota Statutes, section  
46.36 116P.10.

47.1 **(i) Farm-Ready Cover Crops for Protecting**  
47.2 **Water Quality**

47.3 \$741,000 the first year is from the trust fund  
47.4 to the Minnesota State Colleges and  
47.5 Universities System for Central Lakes College  
47.6 to demonstrate conservation benefits of using  
47.7 camelina and kura clover as continuous living  
47.8 cover with corn-soybean rotations and to  
47.9 develop secondary markets to increase farmer  
47.10 adoption of this practice for protecting water  
47.11 quality in vulnerable wellhead protection  
47.12 areas. This appropriation is subject to  
47.13 Minnesota Statutes, section 116P.10.

47.14 **(j) Setting Realistic Nitrate Reduction Goals in**  
47.15 **Southeast Minnesota**

47.16 \$350,000 the first year is from the trust fund  
47.17 to the Board of Regents of the University of  
47.18 Minnesota to develop advanced water-flow  
47.19 and age-dating tools to improve the ability of  
47.20 state agencies to assess how well nitrate  
47.21 reduction best management practices are  
47.22 working in southeastern Minnesota.

47.23 **(k) Mapping Unprofitable Cropland for Water**  
47.24 **and Wildlife**

47.25 \$100,000 the first year is from the trust fund  
47.26 to the Science Museum of Minnesota for the  
47.27 St. Croix Watershed Research Station to  
47.28 conduct the first statewide analysis that maps  
47.29 the extent of Minnesota's unprofitable  
47.30 cropland and estimates both the water-quality  
47.31 and habitat benefits of converting these lands  
47.32 to perennial crops and vegetation. This  
47.33 appropriation is available until June 30, 2021,  
47.34 by which time the project must be completed  
47.35 and final products delivered.

48.1 **(l) Minnesota Spring Inventory Final Phase**

48.2 \$71,000 the first year is from the trust fund to  
48.3 the commissioner of natural resources to  
48.4 complete the Minnesota Spring Inventory that  
48.5 identifies, catalogs, and assists resource  
48.6 managers in monitoring, assessing, and  
48.7 protecting important and threatened statewide  
48.8 water springs. This appropriation is available  
48.9 until June 30, 2021, by which time the project  
48.10 must be completed and final products  
48.11 delivered.

48.12 **(m) Restoring Impaired Lakes Through**  
48.13 **Citizen-Aided Carp Management**

48.14 \$106,000 the first year is from the trust fund  
48.15 to the commissioner of natural resources for  
48.16 an agreement with the Carver County Water  
48.17 Management Organization to quantify water  
48.18 quality improvements and the  
48.19 cost-effectiveness of a new citizen-aided carp  
48.20 management method for restoring impaired  
48.21 lakes in Minnesota.

48.22 **(n) Spring Biological Nitrate Removal to Protect**  
48.23 **Drinking Water**

48.24 \$175,000 the first year is from the trust fund  
48.25 to the commissioner of natural resources for  
48.26 an agreement with the city of Fairmont to  
48.27 build and demonstrate the effectiveness of an  
48.28 experimental passive biological treatment  
48.29 system to reduce nitrates that enter the city's  
48.30 springtime water supply source.

48.31 **(o) Degrading Chlorinated Industrial**  
48.32 **Contaminants with Bacteria**

48.33 \$1,000 the first year is from the trust fund to  
48.34 the Board of Regents of the University of  
48.35 Minnesota to determine the best way to

49.1 stimulate bacteria to more quickly and  
49.2 completely remove industrial chlorinated  
49.3 pollutants from contaminated sites. On the day  
49.4 following final enactment, the following  
49.5 amounts from unobligated appropriations to  
49.6 the Board of Regents of the University of  
49.7 Minnesota are transferred and added to this  
49.8 appropriation: \$75,000 in Laws 2016, chapter  
49.9 186, section 2, subdivision 4, paragraph (l),  
49.10 and \$74,000 in Laws 2016, chapter 186,  
49.11 section 2, subdivision 6, paragraph (b).

49.12 **(p) Managed Aquifer Recharge**

49.13 \$350,000 the first year is to the Board of  
49.14 Regents of the University of Minnesota, Water  
49.15 Resources Center, for a comprehensive study  
49.16 of the economic benefits of managed aquifer  
49.17 recharge and to make recommendations to  
49.18 enhance and replenish Minnesota's  
49.19 groundwater resources. The study must  
49.20 include, but is not limited to:

49.21 (1) examining the potential benefits of  
49.22 enhancing groundwater recharge in  
49.23 water-stressed areas;

49.24 (2) assessing the relationship to changing  
49.25 seasonality and intensity of precipitation on  
49.26 groundwater recharge rates;

49.27 (3) reviewing the approaches to manage  
49.28 recharge in geologically appropriate areas;

49.29 (4) identifying policy options, costs, and  
49.30 barriers to recharging groundwater; and

49.31 (5) assessing the economic returns of options  
49.32 for groundwater recharge.

50.1 In conducting the study, the Water Resources  
 50.2 Center must convene a stakeholder group and  
 50.3 provide for public participation.

50.4 **Subd. 5. Technical Assistance, Outreach, and**  
 50.5 **Environmental Education**

436,000

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50.6 **(a) Expanding Camp Sunrise Environmental**  
 50.7 **Program**

50.8 \$237,000 the first year is from the trust fund  
 50.9 to the commissioner of natural resources for  
 50.10 an agreement with YouthCare Minnesota to  
 50.11 expand camp opportunities to more school  
 50.12 districts and implement improved hands-on  
 50.13 environmental education programs for  
 50.14 economically disadvantaged youth.

50.15 **(b) Mississippi National River and Recreation**  
 50.16 **Area Forest Restoration**

50.17 \$199,000 the first year is from the trust fund  
 50.18 to the commissioner of natural resources for  
 50.19 an agreement with the Mississippi Park  
 50.20 Connection to work with Conservation Corps  
 50.21 Minnesota, local communities, and volunteers  
 50.22 to address the loss of ash trees to emerald ash  
 50.23 borer by planting approximately 15,000 native  
 50.24 trees and plants in affected areas in the  
 50.25 Mississippi National River and Recreation  
 50.26 Area.

50.27 **Subd. 6. Aquatic and Terrestrial Invasive**  
 50.28 **Species**

3,100,000

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50.29 **(a) Building Knowledge and Capacity to Solve**  
 50.30 **AIS Problems**

50.31 \$3,000,000 the first year is from the trust fund  
 50.32 to the Board of Regents of the University of  
 50.33 Minnesota to support the Minnesota Aquatic  
 50.34 Invasive Species Research Center in  
 50.35 developing solutions to Minnesota's aquatic

51.1 invasive species problems through research,  
 51.2 control, prevention, outreach, and early  
 51.3 detection of existing and emerging aquatic  
 51.4 invasive species threats. This appropriation is  
 51.5 available until June 30, 2023, by which time  
 51.6 the project must be completed and final  
 51.7 products delivered.

51.8 **(b) Oak Wilt Suppression at its Northern Edge**

51.9 \$100,000 the first year is from the trust fund  
 51.10 to the commissioner of natural resources for  
 51.11 an agreement with Morrison Soil and Water  
 51.12 Conservation District to eradicate the  
 51.13 northern-most occurrences of oak wilt in the  
 51.14 state through mechanical means on select  
 51.15 private properties to prevent oak wilt's spread  
 51.16 to healthy state forest habitats.

51.17 **Subd. 7. Air Quality and Renewable Energy**

985,000

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51.18 **(a) Development of Clean Energy Storage**  
 51.19 **Systems for Farms**

51.20 \$650,000 the first year is from the trust fund  
 51.21 to the Board of Regents of the University of  
 51.22 Minnesota for the West Central Research and  
 51.23 Outreach Center at Morris to develop and test  
 51.24 novel clean energy storage systems for farms  
 51.25 using wind-generated ammonia to displace  
 51.26 fossil fuels and reduce greenhouse gas  
 51.27 emissions. This appropriation is subject to  
 51.28 Minnesota Statutes, section 116P.10.

51.29 **(b) Sustainable Solar Energy from Agricultural**  
 51.30 **Plant By-Products**

51.31 \$185,000 the first year is from the trust fund  
 51.32 to the Board of Regents of the University of  
 51.33 Minnesota, Morris, to use regional plant-based  
 51.34 agricultural by-products to fabricate solar cells  
 51.35 for creating renewable and affordable energy.

52.1 **(c) Morris Energy and Environment Community**  
 52.2 **Resilience Plan**

52.3 \$150,000 the first year is from the trust fund  
 52.4 to the commissioner of natural resources for  
 52.5 an agreement with the city of Morris to  
 52.6 develop and begin implementing community  
 52.7 resilience plans for energy and the  
 52.8 environment and to create a model guide for  
 52.9 other Minnesota communities to create and  
 52.10 implement their own plans.

52.11 **Subd. 8. Methods to Protect or Restore Land,**  
 52.12 **Water, and Habitat**

3,518,000

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52.13 **(a) Promoting and Restoring Oak Savanna Using**  
 52.14 **Silvopasture**

52.15 \$750,000 the first year is from the trust fund  
 52.16 to the Board of Regents of the University of  
 52.17 Minnesota to demonstrate, evaluate, and  
 52.18 increase adoption of the combined use of  
 52.19 intensive tree, forage, and livestock  
 52.20 management as a method to restore threatened  
 52.21 oak savanna habitats.

52.22 **(b) Sauk River Dam Removal and Rock Rapids**  
 52.23 **Replacement**

52.24 \$2,768,000 the first year is from the trust fund  
 52.25 to the commissioner of natural resources for  
 52.26 an agreement with the city of Melrose to  
 52.27 remove an existing fixed-elevation dam,  
 52.28 construct a rock arch rapids, and conduct  
 52.29 in-stream and shoreline habitat restoration to  
 52.30 improve water quality and native fish passage  
 52.31 in the Sauk River. This project requires a  
 52.32 match of at least \$1,400,000 that must be  
 52.33 secured before trust fund money is spent. At  
 52.34 least \$700,000 of this match must come from  
 52.35 the city of Melrose. City of Melrose expenses  
 52.36 for the Sauk River dam removal and rock

53.1 rapids replacement incurred before July 1,  
 53.2 2019, may be counted toward the match.

53.3 **Subd. 9. Land Acquisition, Habitat, and**  
 53.4 **Recreation**

26,797,000

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53.5 **(a) Grants for Local Parks, Trails, and Natural**  
 53.6 **Areas**

53.7 \$4,096,000 the first year is from the trust fund  
 53.8 to the commissioner of natural resources to  
 53.9 solicit, rank, and fund competitive matching  
 53.10 grants for local parks, trail connections, and  
 53.11 natural and scenic areas under Minnesota  
 53.12 Statutes, section 85.019. The appropriation is  
 53.13 for local nature-based recreation, connections  
 53.14 to regional and state natural areas, and  
 53.15 recreation facilities and not for athletic  
 53.16 facilities such as sport fields, courts, and  
 53.17 playgrounds.

53.18 **(b) Minnesota State Trails Development**

53.19 \$3,000,000 the first year is from the trust fund  
 53.20 to the commissioner of natural resources to  
 53.21 expand high-priority recreational opportunities  
 53.22 on Minnesota's state trails by developing new  
 53.23 trail segments and rehabilitating, improving,  
 53.24 and enhancing existing state trails.  
 53.25 High-priority trail bridges to rehabilitate or  
 53.26 replace include, but are not limited to, those  
 53.27 on the Arrowhead, Central Lakes,  
 53.28 Harmony-Preston Valley, Matthew Lourey,  
 53.29 and North Shore State Trails. High-priority  
 53.30 trail segments to develop and enhance include  
 53.31 the Paul Bunyan, Gateway, Heartland, and  
 53.32 Gitchi Gami state trails. A proposed list of  
 53.33 trail projects on legislatively authorized state  
 53.34 trails is required in the work plan. This  
 53.35 appropriation is available until June 30, 2021,

54.1 by which time the project must be completed  
54.2 and final products delivered.

54.3 **(c) National Loon Center**

54.4 \$4,000,000 the first year is from the trust fund  
54.5 to the commissioner of natural resources for  
54.6 an agreement with the National Loon Center  
54.7 Foundation, in partnership with a fiscal agent  
54.8 to be approved by the Legislative-Citizen  
54.9 Commission on Minnesota Resources, to  
54.10 construct an approximately 15,000-square-foot  
54.11 National Loon Center in Cross Lake dedicated  
54.12 to loon survival, loon habitat protection and  
54.13 research, and recreation. Of this amount, up  
54.14 to \$1,449,000 is for planning, design, and  
54.15 construction of approximately six outdoor  
54.16 demonstration learning kiosks, interpretive  
54.17 trails, boardwalks and boat docks, a fishing  
54.18 dock, and native landscaping along  
54.19 approximately 3,100 feet of shoreline. Any  
54.20 remaining funds are for planning, engineering,  
54.21 and constructing the building and indoor  
54.22 exhibits. A land lease commitment of at least  
54.23 25 years and fiscal sponsorship must be  
54.24 secured before any trust fund money is spent.  
54.25 This project requires a match of at least  
54.26 \$6,000,000. At least \$2,000,000 of this match  
54.27 must come from nonstate sources. If naming  
54.28 rights will be conveyed, the National Loon  
54.29 Center Foundation must include a plan for this  
54.30 in the work plan. All matching funds must be  
54.31 legally committed before any trust fund money  
54.32 may be spent on planning activities for or  
54.33 construction of the building and indoor  
54.34 exhibits. Net income generated from  
54.35 admissions, naming rights, and memberships

55.1 to the National Loon Center as a result of trust  
55.2 fund contributions may be reinvested in the  
55.3 center's long-term loon conservation efforts  
55.4 as described in the work plan approved by the  
55.5 Legislative-Citizen Commission on Minnesota  
55.6 Resources according to Minnesota Statutes,  
55.7 section 116P.10.

55.8 **(d) Accessible Fishing Piers**

55.9 \$320,000 the first year is from the trust fund  
55.10 to the commissioner of natural resources to  
55.11 provide accessible fishing piers in locations  
55.12 that have a high potential to serve new angling  
55.13 communities, underserved populations, and  
55.14 anglers with physical disabilities. This  
55.15 appropriation is available until June 30, 2021,  
55.16 by which time the project must be completed  
55.17 and final products delivered.

55.18 **(e) Mesabi Trail Extensions**

55.19 \$3,000,000 the first year is from the trust fund  
55.20 to the commissioner of natural resources for  
55.21 an agreement with the St. Louis and Lake  
55.22 Counties Regional Railroad Authority for  
55.23 environmental assessment, permitting,  
55.24 right-of-way easements or other acquisition  
55.25 as needed, and engineering for and  
55.26 construction of four trail segments beginning  
55.27 and ending at the following approximate  
55.28 locations: Darwin Meyers Wildlife  
55.29 Management Area to County Road 21,  
55.30 Embarrass to Kugler, County Road 128 to the  
55.31 Eagles Nest Town Hall, and Wolf Creek to  
55.32 the Highway 169 underpass.

55.33 **(f) Birch Lake Recreation Area Campground**

56.1 \$350,000 the first year is from the trust fund  
56.2 to the commissioner of natural resources for  
56.3 an agreement with the city of Babbitt to  
56.4 expand Birch Lake Recreation Area by adding  
56.5 a new campground for recreational vehicles  
56.6 and tent campers. This project requires a  
56.7 match of at least \$2,800,000 that must be  
56.8 secured before trust fund money is spent. At  
56.9 least \$800,000 of this match must come from  
56.10 the city of Babbitt. Net income generated from  
56.11 admissions to the campground created as a  
56.12 result of trust fund contributions may be  
56.13 reinvested into the campground's long-term  
56.14 operations as described in the work plan  
56.15 approved by the Legislative-Citizen  
56.16 Commission on Minnesota Resources  
56.17 according to Minnesota Statutes, section  
56.18 116P.10.

56.19 **(g) Bailey Lake Trail and Fishing Pier**

56.20 \$550,000 the first year is from the trust fund  
56.21 to the commissioner of natural resources for  
56.22 an agreement with the city of Virginia to  
56.23 reconstruct the existing Bailey Lake Trail and  
56.24 construct a new fishing pier on Bailey Lake  
56.25 that is accessible from the trail.

56.26 **(h) Vergas Long Lake Trail**

56.27 \$290,000 the first year is from the trust fund  
56.28 to the commissioner of natural resources for  
56.29 an agreement with the city of Vergas to  
56.30 construct a bicycle and pedestrian bridge, trail,  
56.31 and floating boardwalk along Long Lake  
56.32 including shoreline restoration and  
56.33 stabilization with native plants. This  
56.34 appropriation is available until June 30, 2021,

57.1 by which time the project must be completed  
57.2 and final products delivered.

57.3 **(i) Glacial Edge Trail and Downtown Pedestrian**  
57.4 **Bridge**

57.5 \$600,000 the first year is from the trust fund  
57.6 to the commissioner of natural resources for  
57.7 an agreement with the city of Fergus Falls to  
57.8 acquire easements for and construct a trail  
57.9 along the Otter Tail River in downtown Fergus  
57.10 Falls and a bicycle and pedestrian bridge  
57.11 crossing the river. This appropriation is  
57.12 available until June 30, 2021, by which time  
57.13 the project must be completed and final  
57.14 products delivered.

57.15 **(j) Crane Lake to Vermilion Falls Trail**

57.16 \$400,000 the first year is from the trust fund  
57.17 to the commissioner of natural resources for  
57.18 an agreement with St. Louis County in  
57.19 cooperation with Voyageur Country ATV  
57.20 Club to designate and improve a wooded trail  
57.21 from Crane Lake to Vermilion Falls to  
57.22 accommodate all-terrain vehicle and  
57.23 snowmobile users. This appropriation is  
57.24 available until June 30, 2021, by which time  
57.25 the project must be completed and final  
57.26 products delivered.

57.27 **(k) Restoring Five Sections of Superior Hiking**  
57.28 **Trail**

57.29 \$191,000 the first year is from the trust fund  
57.30 to the commissioner of natural resources for  
57.31 an agreement with the Superior Hiking Trail  
57.32 Association to restore and repair the most  
57.33 damaged parts of five sections of the Superior  
57.34 Hiking Trail and restore an abandoned route  
57.35 to a natural footpath for hikers.

58.1 **(l) State Park and Recreation Area Operations**  
 58.2 **and Improvements**

58.3 \$10,000,000 the first year is from the trust  
 58.4 fund to the commissioner of natural resources  
 58.5 for state park and recreation area operations  
 58.6 and improvements, including activities directly  
 58.7 related to and necessary for this appropriation.

58.8 This appropriation is not subject to Minnesota  
 58.9 Statutes, sections 116P.05, subdivision 2,  
 58.10 paragraph (b), and 116P.09, subdivision 4.

58.11 **Subd. 10. Administration and Contract**  
 58.12 **Agreement Reimbursement**

1,538,000

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58.13 **(a) Contract Agreement Reimbursement**

58.14 \$135,000 the first year is from the trust fund  
 58.15 to the commissioner of natural resources, at  
 58.16 the direction of the Legislative-Citizen  
 58.17 Commission on Minnesota Resources, for  
 58.18 expenses incurred for preparing and  
 58.19 administering contracts for the agreements  
 58.20 specified in this section. The commissioner  
 58.21 must provide documentation to the  
 58.22 Legislative-Citizen Commission on Minnesota  
 58.23 Resources on the expenditure of these funds.  
 58.24 This appropriation is available until June 30,  
 58.25 2021, by which time the project must be  
 58.26 completed and final products delivered.

58.27 **(b) Legislative-Citizen Commission on**  
 58.28 **Minnesota Resources (LCCMR) Administration**

58.29 \$1,400,000 the first year is from the trust fund  
 58.30 to the Legislative-Citizen Commission on  
 58.31 Minnesota Resources for administration in  
 58.32 fiscal years 2020 and 2021 as provided in  
 58.33 Minnesota Statutes, section 116P.09,  
 58.34 subdivision 5.

59.1 **(c) Legislative Coordinating Commission (LCC)**  
 59.2 **Administration**

59.3 \$3,000 the first year is from the trust fund to  
 59.4 the Legislative Coordinating Commission for  
 59.5 the website required in Minnesota Statutes,  
 59.6 section 3.303, subdivision 10.

59.7 **Subd. 11. Wastewater Treatment**  
 59.8 **Recommendations**

9,840,000

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59.9 **(a) Water Infrastructure Funding Program**

59.10 \$9,340,000 the first year is from the trust fund  
 59.11 to the Public Facilities Authority for grants  
 59.12 for wastewater projects under the water  
 59.13 infrastructure funding program under  
 59.14 Minnesota Statutes, section 446A.072, to  
 59.15 home rule and statutory cities and towns with  
 59.16 a population under 5,000. The commissioner  
 59.17 of the Pollution Control Agency must work  
 59.18 with communities that receive grants under  
 59.19 this paragraph to identify pollutant reduction  
 59.20 opportunities related to wastewater projects  
 59.21 funded under this paragraph. This  
 59.22 appropriation is available until June 30, 2023,  
 59.23 by which time projects must be completed and  
 59.24 final products delivered.

59.25 **(b) Optimizing Local Mechanical and Pond**  
 59.26 **Wastewater-Treatment Plants**

59.27 \$500,000 the first year is from the trust fund  
 59.28 to the commissioner of the Pollution Control  
 59.29 Agency for the pilot program created under  
 59.30 Laws 2018, chapter 214, article 4, section 2,  
 59.31 subdivision 4, paragraph (a). This  
 59.32 appropriation is available until June 30, 2021,  
 59.33 by which time projects must be completed and  
 59.34 final products delivered.

60.1 **Subd. 12. Fiscal Year 2019 Appropriations**

60.2 **(a) Diagnostic Test for Chronic Wasting Disease**

60.3 \$1,804,000 in fiscal year 2019 is from the trust  
60.4 fund to the Board of Regents of the University  
60.5 of Minnesota to develop a diagnostic test for  
60.6 chronic wasting disease that: (1) uses samples  
60.7 from living deer; and (2) uses samples in the  
60.8 field from hunter-harvested deer. This  
60.9 appropriation is subject to Minnesota Statutes,  
60.10 section 116P.10. This appropriation is  
60.11 available until June 30, 2021, by which time  
60.12 projects must be completed and final products  
60.13 delivered.

60.14 **(b) Wastewater Infrastructure Funding**

60.15 \$1,136,000 in fiscal year 2019 is appropriated  
60.16 from the trust fund to the Public Facilities  
60.17 Authority for grants for wastewater projects  
60.18 under the water infrastructure funding program  
60.19 under Minnesota Statutes, section 446A.072,  
60.20 to home rule and statutory cities and towns  
60.21 with a population under 5,000. The  
60.22 commissioner of the Pollution Control Agency  
60.23 must work with communities that receive  
60.24 grants under this paragraph to identify  
60.25 pollutant reduction opportunities related to  
60.26 wastewater projects funded under this  
60.27 paragraph. This is a onetime appropriation and  
60.28 is available until June 30, 2023, by which time  
60.29 projects must be completed and final products  
60.30 delivered.

60.31 **(c) Effective Date**

60.32 This subdivision is effective the day following  
60.33 final enactment.

61.1 **Subd. 13. Availability of Appropriations**

61.2 Money appropriated in this section may not

61.3 be spent on activities unless they are directly

61.4 related to and necessary for a specific

61.5 appropriation and are specified in the work

61.6 plan approved by the Legislative-Citizen

61.7 Commission on Minnesota Resources. Money

61.8 appropriated in this section must not be spent

61.9 on indirect costs or other institutional overhead

61.10 charges that are not directly related to and

61.11 necessary for a specific appropriation. Costs

61.12 that are directly related to and necessary for

61.13 an appropriation, including financial services,

61.14 human resources, information services, rent,

61.15 and utilities, are eligible only if the costs can

61.16 be clearly justified and individually

61.17 documented specific to the appropriation's

61.18 purpose and would not be generated by the

61.19 recipient but for receipt of the appropriation.

61.20 No broad allocations for costs in either dollars

61.21 or percentages are allowed. Unless otherwise

61.22 provided, the amounts in this section are

61.23 available until June 30, 2022, when projects

61.24 must be completed and final products

61.25 delivered. For acquisition of real property, the

61.26 appropriations in this section are available for

61.27 an additional fiscal year if a binding contract

61.28 for acquisition of the real property is entered

61.29 into before the expiration date of the

61.30 appropriation. If a project receives a federal

61.31 grant, the time period of the appropriation is

61.32 extended to equal the federal grant period.

61.33 **Subd. 14. Data Availability Requirements**

61.34 Data collected by the projects funded under

61.35 this section must conform to guidelines and

62.1 standards adopted by MN.IT Services. Spatial  
 62.2 data must also conform to additional  
 62.3 guidelines and standards designed to support  
 62.4 data coordination and distribution that have  
 62.5 been published by the Minnesota Geospatial  
 62.6 Information Office. Descriptions of spatial  
 62.7 data must be prepared as specified in the state's  
 62.8 geographic metadata guideline and must be  
 62.9 submitted to the Minnesota Geospatial  
 62.10 Information Office. All data must be  
 62.11 accessible and free to the public unless made  
 62.12 private under the Data Practices Act,  
 62.13 Minnesota Statutes, chapter 13. To the extent  
 62.14 practicable, summary data and results of  
 62.15 projects funded under this section should be  
 62.16 readily accessible on the Internet and  
 62.17 identified as having received funding from the  
 62.18 environment and natural resources trust fund.

62.19 **Subd. 15. Project Requirements**

62.20 (a) As a condition of accepting an  
 62.21 appropriation under this section, an agency or  
 62.22 entity receiving an appropriation or a party to  
 62.23 an agreement from an appropriation must  
 62.24 comply with paragraphs (b) to (l) and  
 62.25 Minnesota Statutes, chapter 116P, and must  
 62.26 submit a work plan and annual or semiannual  
 62.27 progress reports in the form determined by the  
 62.28 Legislative-Citizen Commission on Minnesota  
 62.29 Resources for any project funded in whole or  
 62.30 in part with funds from the appropriation.

62.31 Modifications to the approved work plan and  
 62.32 budget expenditures must be made through  
 62.33 the amendment process established by the  
 62.34 Legislative-Citizen Commission on Minnesota  
 62.35 Resources.

63.1 (b) A recipient of money appropriated in this  
63.2 section that conducts a restoration using funds  
63.3 appropriated in this section must use native  
63.4 plant species according to the Board of Water  
63.5 and Soil Resources' native vegetation  
63.6 establishment and enhancement guidelines  
63.7 and include an appropriate diversity of native  
63.8 species selected to provide habitat for  
63.9 pollinators throughout the growing season as  
63.10 required under Minnesota Statutes, section  
63.11 84.973.

63.12 (c) For all restorations conducted with money  
63.13 appropriated under this section, a recipient  
63.14 must prepare an ecological restoration and  
63.15 management plan that, to the degree  
63.16 practicable, is consistent with the  
63.17 highest-quality conservation and ecological  
63.18 goals for the restoration site. Consideration  
63.19 should be given to soil, geology, topography,  
63.20 and other relevant factors that would provide  
63.21 the best chance for long-term success and  
63.22 durability of the restoration project. The plan  
63.23 must include the proposed timetable for  
63.24 implementing the restoration, including site  
63.25 preparation, establishment of diverse plant  
63.26 species, maintenance, and additional  
63.27 enhancement to establish the restoration;  
63.28 identify long-term maintenance and  
63.29 management needs of the restoration and how  
63.30 the maintenance, management, and  
63.31 enhancement will be financed; and take  
63.32 advantage of the best-available science and  
63.33 include innovative techniques to achieve the  
63.34 best restoration.

- 64.1 (d) An entity receiving an appropriation in this  
64.2 section for restoration activities must provide  
64.3 an initial restoration evaluation at the  
64.4 completion of the appropriation and an  
64.5 evaluation three years after the completion of  
64.6 the expenditure. Restorations must be  
64.7 evaluated relative to the stated goals and  
64.8 standards in the restoration plan, current  
64.9 science, and, when applicable, the Board of  
64.10 Water and Soil Resources' native vegetation  
64.11 establishment and enhancement guidelines.  
64.12 The evaluation must determine whether the  
64.13 restorations are meeting planned goals,  
64.14 identify any problems with implementing the  
64.15 restorations, and, if necessary, give  
64.16 recommendations on improving restorations.  
64.17 The evaluation must be focused on improving  
64.18 future restorations.
- 64.19 (e) All restoration and enhancement projects  
64.20 funded with money appropriated in this section  
64.21 must be on land permanently protected by a  
64.22 conservation easement or public ownership.
- 64.23 (f) A recipient of money from an appropriation  
64.24 under this section must give consideration to  
64.25 contracting with Conservation Corps  
64.26 Minnesota for contract restoration and  
64.27 enhancement services.
- 64.28 (g) All conservation easements acquired with  
64.29 money appropriated under this section must:
- 64.30 (1) be permanent;
- 64.31 (2) specify the parties to an easement in the  
64.32 easement;
- 64.33 (3) specify all of the provisions of an  
64.34 agreement that are permanent;

- 65.1 (4) be sent to the Legislative-Citizen  
65.2 Commission on Minnesota Resources in an  
65.3 electronic format at least ten business days  
65.4 before closing;
- 65.5 (5) include a long-term monitoring and  
65.6 enforcement plan and funding for monitoring  
65.7 and enforcing the easement agreement; and
- 65.8 (6) include requirements in the easement  
65.9 document to protect the quantity and quality  
65.10 of groundwater and surface water through  
65.11 specific activities such as keeping water on  
65.12 the landscape, reducing nutrient and  
65.13 contaminant loading, and not permitting  
65.14 artificial hydrological modifications.
- 65.15 (h) For any acquisition of lands or interest in  
65.16 lands, a recipient of money appropriated under  
65.17 this section must not agree to pay more than  
65.18 100 percent of the appraised value for a parcel  
65.19 of land using this money to complete the  
65.20 purchase, in part or in whole, except that up  
65.21 to ten percent above the appraised value may  
65.22 be allowed to complete the purchase, in part  
65.23 or in whole, using this money if permission is  
65.24 received in advance of the purchase from the  
65.25 Legislative-Citizen Commission on Minnesota  
65.26 Resources.
- 65.27 (i) For any acquisition of land or interest in  
65.28 land, a recipient of money appropriated under  
65.29 this section must give priority to high-quality  
65.30 natural resources or conservation lands that  
65.31 provide natural buffers to water resources.
- 65.32 (j) For new lands acquired with money  
65.33 appropriated under this section, a recipient  
65.34 must prepare an ecological restoration and

66.1 management plan in compliance with  
66.2 paragraph (c), including sufficient funding for  
66.3 implementation unless the work plan addresses  
66.4 why a portion of the money is not necessary  
66.5 to achieve a high-quality restoration.

66.6 (k) To ensure public accountability for using  
66.7 public funds, a recipient of money  
66.8 appropriated under this section must, within  
66.9 60 days of the transaction, provide to the  
66.10 Legislative-Citizen Commission on Minnesota  
66.11 Resources documentation of the selection  
66.12 process used to identify parcels acquired and  
66.13 provide documentation of all related  
66.14 transaction costs, including but not limited to  
66.15 appraisals, legal fees, recording fees,  
66.16 commissions, other similar costs, and  
66.17 donations. This information must be provided  
66.18 for all parties involved in the transaction. The  
66.19 recipient must also report to the  
66.20 Legislative-Citizen Commission on Minnesota  
66.21 Resources any difference between the  
66.22 acquisition amount paid to the seller and the  
66.23 state-certified or state-reviewed appraisal, if  
66.24 a state-certified or state-reviewed appraisal  
66.25 was conducted.

66.26 (l) A recipient of an appropriation from the  
66.27 trust fund under this section must acknowledge  
66.28 financial support from the environment and  
66.29 natural resources trust fund in project  
66.30 publications, signage, and other public  
66.31 communications and outreach related to work  
66.32 completed using the appropriation.  
66.33 Acknowledgment may occur, as appropriate,  
66.34 through use of the trust fund logo or inclusion  
66.35 of language attributing support from the trust

67.1 fund. Each direct recipient of money  
67.2 appropriated in this section, as well as each  
67.3 recipient of a grant awarded pursuant to this  
67.4 section, must satisfy all reporting and other  
67.5 requirements incumbent upon constitutionally  
67.6 dedicated funding recipients as provided in  
67.7 Minnesota Statutes, section 3.303, subdivision  
67.8 10, and chapter 116P.

67.9 **Subd. 16. Payment Conditions and**  
67.10 **Capital-Equipment Expenditures**

67.11 (a) All agreements, grants, or contracts  
67.12 referred to in this section must be administered  
67.13 on a reimbursement basis unless otherwise  
67.14 provided in this section. Notwithstanding  
67.15 Minnesota Statutes, section 16A.41,  
67.16 expenditures made on or after July 1, 2019,  
67.17 or the date the work plan is approved,  
67.18 whichever is later, are eligible for  
67.19 reimbursement unless otherwise provided in  
67.20 this section. Periodic payments must be made  
67.21 upon receiving documentation that the  
67.22 deliverable items articulated in the approved  
67.23 work plan have been achieved, including  
67.24 partial achievements as evidenced by approved  
67.25 progress reports. Reasonable amounts may be  
67.26 advanced to projects to accommodate  
67.27 cash-flow needs or match federal money. The  
67.28 advances must be approved as part of the work  
67.29 plan. No expenditures for capital equipment  
67.30 are allowed unless expressly authorized in the  
67.31 project work plan.

67.32 (b) Single-source contracts as specified in the  
67.33 approved work plan are allowed.

68.1 **Subd. 17. Purchase of Recycled and Recyclable**  
 68.2 **Materials**

68.3 A political subdivision, public or private  
 68.4 corporation, or other entity that receives an  
 68.5 appropriation under this section must use the  
 68.6 appropriation in compliance with Minnesota  
 68.7 Statutes, section 16C.0725, regarding  
 68.8 purchasing recycled, repairable, and durable  
 68.9 materials and Minnesota Statutes, section  
 68.10 16C.073, regarding purchasing and using  
 68.11 paper stock and printing.

68.12 **Subd. 18. Energy Conservation and Sustainable**  
 68.13 **Building Guidelines**

68.14 A recipient to whom an appropriation is made  
 68.15 under this section for a capital improvement  
 68.16 project must ensure that the project complies  
 68.17 with the applicable energy conservation and  
 68.18 sustainable building guidelines and standards  
 68.19 contained in law, including Minnesota  
 68.20 Statutes, sections 16B.325, 216C.19, and  
 68.21 216C.20, and rules adopted under those  
 68.22 sections. The recipient may use the energy  
 68.23 planning, advocacy, and State Energy Office  
 68.24 units of the Department of Commerce to  
 68.25 obtain information and technical assistance  
 68.26 on energy conservation and alternative-energy  
 68.27 development relating to planning and  
 68.28 constructing the capital improvement project.

68.29 **Subd. 19. Accessibility**

68.30 Structural and nonstructural facilities must  
 68.31 meet the design standards in the Americans  
 68.32 with Disabilities Act (ADA) accessibility  
 68.33 guidelines.

69.1 **Subd. 20. Carryforward; Extension**

69.2 (a) The availability of the appropriations for  
69.3 the following projects is extended to June 30,  
69.4 2020:

69.5 (1) Laws 2015, chapter 76, section 2,  
69.6 subdivision 3, paragraph (g), Minnesota  
69.7 Native Bee Atlas;

69.8 (2) Laws 2015, chapter 76, section 2,  
69.9 subdivision 4, paragraph (f), Southeast  
69.10 Minnesota Subsurface Drainage Impacts on  
69.11 Groundwater Recharge;

69.12 (3) Laws 2015, chapter 76, section 2,  
69.13 subdivision 10, Emerging Issues Account;

69.14 (4) Laws 2016, chapter 186, section 2,  
69.15 subdivision 3, paragraph (a), Data-Driven  
69.16 Pollinator Conservation Strategies;

69.17 (5) Laws 2016, chapter 186, section 2,  
69.18 subdivision 3, paragraph (c), Prairie Butterfly  
69.19 Conservation, Research, and Breeding - Phase  
69.20 II;

69.21 (6) Laws 2016, chapter 186, section 2,  
69.22 subdivision 4, paragraph (h), Protection of  
69.23 State's Confined Drinking Water Aquifers -  
69.24 Phase II;

69.25 (7) Laws 2016, chapter 186, section 2,  
69.26 subdivision 4, paragraph (r), Morrison County  
69.27 Performance Drainage and Hydrology  
69.28 Management;

69.29 (8) Laws 2016, chapter 186, section 2,  
69.30 subdivision 6, paragraph (c), Advancing  
69.31 Microbial Invasive Species Monitoring from  
69.32 Ballast Discharge;

- 70.1 (9) Laws 2016, chapter 186, section 2,  
 70.2 subdivision 6, paragraph (e), Elimination of  
 70.3 Target Invasive Plant Species - Phase II;
- 70.4 (10) Laws 2016, chapter 186, section 2,  
 70.5 subdivision 8, paragraph (a), Bee Pollinator  
 70.6 Habitat Enhancement - Phase II;
- 70.7 (11) Laws 2016, chapter 186, section 2,  
 70.8 subdivision 8, paragraph (b), Measuring Pollen  
 70.9 and Seed Dispersal for Prairie Fragment  
 70.10 Connectivity;
- 70.11 (12) Laws 2016, chapter 186, section 2,  
 70.12 subdivision 8, paragraph (f), Forest  
 70.13 Management for Mississippi River Drinking  
 70.14 Water Protection;
- 70.15 (13) Laws 2016, chapter 186, section 2,  
 70.16 subdivision 9, paragraph (b), Minnesota Point  
 70.17 Pine Forest Scientific and Natural Area  
 70.18 Acquisition; and
- 70.19 (14) Laws 2017, chapter 96, section 2,  
 70.20 subdivision 4, paragraph (a), Assessment of  
 70.21 Household Chemicals and Herbicides in  
 70.22 Rivers and Lakes.
- 70.23 (b) The availability of the appropriation under  
 70.24 Laws 2017, chapter 96, section 2, subdivision  
 70.25 7, paragraph (b), Assessment of Urban Air  
 70.26 Quality, is extended to June 30, 2021.

70.27 Sec. 3. Laws 2015, chapter 76, section 2, subdivision 9, as amended by Laws 2018, chapter  
 70.28 214, article 4, section 5, is amended to read:

70.29 **Subd. 9. Land Acquisition for Habitat and**  
 70.30 **Recreation**

14,190,000

-0-

70.31 **(a) State Parks and Trails Land**

70.32 **Acquisitions**

71.1 \$1,500,000 the first year is from the trust fund  
71.2 to the commissioner of natural resources to  
71.3 acquire at least 335 acres for authorized state  
71.4 trails and critical parcels within the statutory  
71.5 boundaries of state parks. State park land  
71.6 acquired with this appropriation must be  
71.7 sufficiently improved to meet at least  
71.8 minimum management standards, as  
71.9 determined by the commissioner of natural  
71.10 resources. A list of proposed acquisitions must  
71.11 be provided as part of the required work plan.  
71.12 This appropriation is available until June 30,  
71.13 2018, by which time the project must be  
71.14 completed and final products delivered.

71.15 **(b) Metropolitan Regional Park System**

71.16 **Land Acquisition - Phase IV**

71.17 \$1,000,000 the first year is from the trust fund  
71.18 to the Metropolitan Council for grants to  
71.19 acquire ~~at least 133~~ approximately 90 acres of  
71.20 lands within the approved park unit boundaries  
71.21 of the metropolitan regional park system. This  
71.22 appropriation may not be used to purchase  
71.23 habitable residential structures. A list of  
71.24 proposed fee title and easement acquisitions  
71.25 must be provided as part of the required work  
71.26 plan. This appropriation must be matched by  
71.27 at least 40 percent of nonstate money that must  
71.28 be committed by December 31, 2015, or the  
71.29 appropriation cancels. This appropriation is  
71.30 available until June 30, 2018, by which time  
71.31 the project must be completed and final  
71.32 products delivered.

71.33 **(c) SNA Acquisition, Restoration,**

71.34 **Enhancement, and Public Engagement**

72.1 \$4,000,000 the first year is from the trust fund  
72.2 to the commissioner of natural resources to  
72.3 acquire at least 350 acres of lands with  
72.4 high-quality native plant communities and rare  
72.5 features to be established as scientific and  
72.6 natural areas as provided in Minnesota  
72.7 Statutes, section 86A.05, subdivision 5, restore  
72.8 and improve at least 550 acres of scientific  
72.9 and natural areas, and provide technical  
72.10 assistance and outreach. A list of proposed  
72.11 acquisitions must be provided as part of the  
72.12 required work plan. Land acquired with this  
72.13 appropriation must be sufficiently improved  
72.14 to meet at least minimum management  
72.15 standards, as determined by the commissioner  
72.16 of natural resources. This appropriation is  
72.17 available until June 30, 2018, by which time  
72.18 the project must be completed and final  
72.19 products delivered.

72.20 **(d) Native Prairie Stewardship and Prairie**  
72.21 **Bank Easement Acquisition**

72.22 \$3,325,000 the first year is from the trust fund  
72.23 to the commissioner of natural resources to  
72.24 acquire native prairie bank easements on at  
72.25 least 675 acres, prepare baseline property  
72.26 assessments, restore and enhance at least 1,000  
72.27 acres of native prairie sites, and provide  
72.28 technical assistance to landowners. Of this  
72.29 amount, up to \$195,000 must be deposited in  
72.30 a conservation easement stewardship account.  
72.31 Deposits into the conservation easement  
72.32 stewardship account must be made upon  
72.33 closing on conservation easements or at a time  
72.34 otherwise approved in the work plan. A list of  
72.35 proposed easement acquisitions must be

73.1 provided as part of the required work plan.

73.2 This appropriation is available until June 30,  
73.3 2018, by which time the project must be  
73.4 completed and final products delivered.

73.5 **(e) Metro Conservation Corridors - Phase**  
73.6 **VIII Coordination, Mapping, and**  
73.7 **Conservation Easements**

73.8 \$515,000 the first year is from the trust fund  
73.9 to the commissioner of natural resources for  
73.10 an agreement with the Minnesota Land Trust  
73.11 for Phase VIII of the Metro Conservation  
73.12 Corridors partnership to provide coordination  
73.13 and mapping for the partnership and to acquire  
73.14 permanent conservation easements on at least  
73.15 120 acres of strategic ecological landscapes  
73.16 to protect priority natural areas in the  
73.17 metropolitan area, as defined under Minnesota  
73.18 Statutes, section 473.121, subdivision 2, and  
73.19 portions of the surrounding counties. A list of  
73.20 proposed easement acquisitions must be  
73.21 provided as part of the required work plan.

73.22 Land acquired with this appropriation must  
73.23 be sufficiently improved to meet at least  
73.24 minimum management standards, as  
73.25 determined by the commissioner of natural  
73.26 resources. Expenditures are limited to the  
73.27 identified project corridor areas as defined in  
73.28 the work plan. Up to \$40,000 may be used for  
73.29 coordination and mapping for the Metro  
73.30 Conservation Corridors. All conservation  
73.31 easements must be perpetual and have a  
73.32 natural resource management plan. A list of  
73.33 proposed easement acquisitions must be  
73.34 provided as part of the required work plan.

73.35 This appropriation is available June 30, 2018,

74.1 by which time the project must be completed  
74.2 and final products delivered.

74.3 **(f) Metro Conservation Corridors - Phase**  
74.4 **VIII Strategic Lands Protection**

74.5 \$750,000 the first year is from the trust fund  
74.6 to the commissioner of natural resources for  
74.7 an agreement with The Trust for Public Land  
74.8 for Phase VIII of the Metro Conservation  
74.9 Corridors partnership to acquire in fee at least  
74.10 35 acres of high-quality priority state and local  
74.11 natural areas in the metropolitan area, as  
74.12 defined under Minnesota Statutes, section  
74.13 473.121, subdivision 2, and portions of the  
74.14 surrounding counties. A list of proposed  
74.15 acquisitions must be provided as part of the  
74.16 required work plan. Land acquired with this  
74.17 appropriation must be sufficiently improved  
74.18 to meet at least minimum management  
74.19 standards, as determined by the commissioner  
74.20 of natural resources. Expenditures are limited  
74.21 to the identified project corridor areas as  
74.22 defined in the work plan. This appropriation  
74.23 may not be used to purchase habitable  
74.24 residential structures, unless expressly  
74.25 approved in the work plan. A list of fee title  
74.26 acquisitions must be provided as part of the  
74.27 required work plan. This appropriation is  
74.28 available until June 30, 2018, by which time  
74.29 the project must be completed and final  
74.30 products delivered.

74.31 **(g) Metro Conservation Corridors - Phase**  
74.32 **VIII Priority Expansion of Minnesota**  
74.33 **Valley National Wildlife Refuge**

74.34 \$500,000 the first year is from the trust fund  
74.35 to the commissioner of natural resources for

75.1 an agreement with the Minnesota Valley  
75.2 National Wildlife Refuge Trust, Inc. for Phase  
75.3 VIII of the Metro Conservation Corridors  
75.4 partnership to acquire in fee at least 100 acres  
75.5 of priority habitat for the Minnesota Valley  
75.6 National Wildlife Refuge in the metropolitan  
75.7 area, as defined under Minnesota Statutes,  
75.8 section 473.121, subdivision 2, and portions  
75.9 of the surrounding counties. A list of proposed  
75.10 acquisitions must be provided as part of the  
75.11 required work plan. Land acquired with this  
75.12 appropriation must be sufficiently improved  
75.13 to meet at least minimum management  
75.14 standards. Expenditures are limited to the  
75.15 identified project corridor areas as defined in  
75.16 the work plan. This appropriation may not be  
75.17 used to purchase habitable residential  
75.18 structures, unless expressly approved in the  
75.19 work plan. This appropriation is available until  
75.20 June 30, 2018, by which time the project must  
75.21 be completed and final products delivered.

75.22 **(h) Metro Conservation Corridors - Phase**  
75.23 **VIII Wildlife Management Area**  
75.24 **Acquisition**

75.25 \$400,000 the first year is from the trust fund  
75.26 to the commissioner of natural resources for  
75.27 Phase VIII of the Metro Conservation  
75.28 Corridors partnership to acquire in fee at least  
75.29 82 acres along the lower reaches of the  
75.30 Vermillion River in Dakota County within the  
75.31 Gores Pool Wildlife Management Area. Land  
75.32 acquired with this appropriation must be  
75.33 sufficiently improved to meet at least  
75.34 minimum management standards. This  
75.35 appropriation may not be used to purchase

76.1 habitable residential structures, unless  
76.2 expressly approved in the work plan. This  
76.3 appropriation is available until June 30, 2018,  
76.4 by which time the project must be completed  
76.5 and final products delivered.

76.6 **(i) Mesabi Trail Development Soudan to**  
76.7 **Ely - Phase II**

76.8 \$1,000,000 the first year is from the trust fund  
76.9 to the commissioner of natural resources for  
76.10 an agreement with the St. Louis and Lake  
76.11 Counties Regional Railroad Authority for the  
76.12 right-of-way acquisition, design, and  
76.13 construction of segments of the Mesabi Trail,  
76.14 totaling approximately seven miles between  
76.15 Soudan and Ely. This appropriation is  
76.16 available until June 30, 2018, by which time  
76.17 the project must be completed and final  
76.18 products delivered.

76.19 **(j) Multi-benefit Watershed Scale**  
76.20 **Conservation on North Central Lakes**

76.21 \$950,000 the first year is from the trust fund  
76.22 to the Board of Water and Soil Resources to  
76.23 secure permanent conservation easements on  
76.24 at least 480 acres of high-quality habitat in  
76.25 Crow Wing and Cass Counties. Of this  
76.26 amount, up to \$65,000 must be deposited in a  
76.27 conservation easement stewardship account;  
76.28 and \$54,000 is for an agreement with the  
76.29 Leech Lake Area Watershed Foundation in  
76.30 cooperation with Crow Wing County Soil and  
76.31 Water Conservation District and Cass County  
76.32 Soil and Water Conservation District. Deposits  
76.33 into the conservation easement stewardship  
76.34 account must be made upon closing on  
76.35 conservation easements or at a time otherwise

77.1 approved in the work plan. A list of proposed  
 77.2 easement acquisitions must be provided as  
 77.3 part of the required work plan. This  
 77.4 appropriation is available until June 30, 2018,  
 77.5 by which time the project must be completed  
 77.6 and final products delivered.

77.7 **(k) Conservation Easement Assessment and**  
 77.8 **Valuation System Development**

77.9 \$250,000 the first year is from the trust fund  
 77.10 to the Board of Regents of the University of  
 77.11 Minnesota to assess the effectiveness of  
 77.12 existing conservation easements acquired  
 77.13 through state expenditures at achieving their  
 77.14 intended outcomes of public value and  
 77.15 ecological benefits and to develop a  
 77.16 standardized, objective conservation easement  
 77.17 valuation system for guiding future state  
 77.18 investments in conservation easements to  
 77.19 ensure the proposed environmental benefits  
 77.20 are being achieved in a cost-effective manner.  
 77.21 This appropriation is available until June 30,  
 77.22 2018, by which time the project must be  
 77.23 completed and final products delivered.

77.24 Sec. 4. Laws 2017, chapter 96, section 2, subdivision 9, is amended to read:

77.25	<b>Subd. 9. Land Acquisition,</b>			
77.26	<b>Habitat, and Recreation</b>	999,000	13,533,000	-0-

77.27 **(a) Metropolitan Regional Parks System Land**  
 77.28 **Acquisition**

77.29 \$1,500,000 the first year is from the trust fund  
 77.30 to the Metropolitan Council for grants to  
 77.31 acquire approximately ~~197~~ 70 acres of land  
 77.32 within the approved park boundaries of the  
 77.33 metropolitan regional park system. This  
 77.34 appropriation may not be used to purchase  
 77.35 habitable residential structures. A list of

78.1 proposed fee title acquisitions must be  
78.2 provided as part of the required work plan.  
78.3 This appropriation must be matched by at least  
78.4 40 percent of nonstate money that must be  
78.5 committed by December 31, 2017. This  
78.6 appropriation is available until June 30, 2020,  
78.7 by which time the project must be completed  
78.8 and final products delivered.

78.9 **(b) Scientific and Natural Areas Acquisition and**  
78.10 **Restoration, Citizen Science, and Engagement**

78.11 \$2,500,000 the first year is from the trust fund  
78.12 to the commissioner of natural resources to  
78.13 acquire ~~at least 250 acres of~~ land with  
78.14 high-quality native plant communities and rare  
78.15 features to be established as scientific and  
78.16 natural areas as provided in Minnesota  
78.17 Statutes, section 86A.05, subdivision 5, restore  
78.18 and improve ~~at least 1,000 acres of~~ scientific  
78.19 and natural areas, and provide technical  
78.20 assistance and outreach, including site steward  
78.21 events. At least one-third of the appropriation  
78.22 must be spent on restoration activities. A list  
78.23 of proposed acquisitions and restorations must  
78.24 be provided as part of the required work plan.  
78.25 Land acquired with this appropriation must  
78.26 be sufficiently improved to meet at least  
78.27 minimum management standards, as  
78.28 determined by the commissioner of natural  
78.29 resources. When feasible, consideration must  
78.30 be given to accommodate trails on lands  
78.31 acquired. This appropriation is available until  
78.32 June 30, 2020, by which time the project must  
78.33 be completed and final products delivered.

78.34 **(c) Minnesota State Parks and State Trails Land**  
78.35 **Acquisition**

79.1 \$1,500,000 the first year is from the trust fund  
 79.2 to the commissioner of natural resources to  
 79.3 acquire approximately 373 acres from willing  
 79.4 sellers for authorized state trails and critical  
 79.5 parcels within the statutory boundaries of state  
 79.6 parks. State park land acquired with this  
 79.7 appropriation must be sufficiently improved  
 79.8 to meet at least minimum management  
 79.9 standards, as determined by the commissioner  
 79.10 of natural resources. A list of proposed  
 79.11 acquisitions must be provided as part of the  
 79.12 required work plan. This appropriation is  
 79.13 available until June 30, 2020, by which time  
 79.14 the project must be completed and final  
 79.15 products delivered.

79.16 **(d) Minnesota State Trails Acquisition,**  
 79.17 **Development, and Enhancement**

79.18 \$999,000 in fiscal year 2017 and \$39,000 the  
 79.19 first year are from the trust fund to the  
 79.20 commissioner of natural resources for state  
 79.21 trail acquisition, development, and  
 79.22 enhancement in southern Minnesota. A  
 79.23 proposed list of trail projects on authorized  
 79.24 state trails must be provided as part of the  
 79.25 required work plan. This appropriation is  
 79.26 available until June 30, 2020, by which time  
 79.27 the project must be completed and final  
 79.28 products delivered.

79.29 **(e) Native Prairie Stewardship and Prairie Bank**  
 79.30 **Easement Acquisition**

79.31 \$2,675,000 the first year is from the trust fund  
 79.32 to the commissioner of natural resources to  
 79.33 acquire native prairie bank easements in  
 79.34 accordance with Minnesota Statutes, section  
 79.35 84.96, on approximately ~~335~~ 250 acres,  
 79.36 prepare baseline property assessments, restore

80.1 and enhance ~~at least 570 acres of~~ native prairie  
80.2 sites, and provide technical assistance to  
80.3 landowners. Of this amount, up to \$132,000  
80.4 may be deposited in a conservation easement  
80.5 stewardship account. Deposits into the  
80.6 conservation easement stewardship account  
80.7 must be made upon closing on conservation  
80.8 easements or at a time otherwise approved in  
80.9 the work plan. A list of proposed easement  
80.10 acquisitions must be provided as part of the  
80.11 required work plan. This appropriation is  
80.12 available until June 30, 2020, by which time  
80.13 the project must be completed and final  
80.14 products delivered.

80.15 **(f) Leech Lake Acquisition**

80.16 \$1,500,000 the first year is from the trust fund  
80.17 to the commissioner of natural resources for  
80.18 an agreement with the Leech Lake Band of  
80.19 Ojibwe to acquire approximately 45 acres,  
80.20 including 0.67 miles of shoreline of  
80.21 high-quality aquatic and wildlife habitat at the  
80.22 historic meeting place between Henry  
80.23 Schoolcraft and the Anishinabe people. The  
80.24 land must be open to public use including  
80.25 hunting and fishing. The band must provide a  
80.26 commitment that land will not be put in a  
80.27 federal trust through the Bureau of Indian  
80.28 Affairs.

80.29 **(g) Mesabi Trail Development**

80.30 \$2,269,000 the first year is from the trust fund  
80.31 to the commissioner of natural resources for  
80.32 an agreement with the St. Louis and Lake  
80.33 Counties Regional Railroad Authority for  
80.34 engineering and constructing segments of the  
80.35 Mesabi Trail. This appropriation is available

81.1 until June 30, 2020, by which time the project  
 81.2 must be completed and final products  
 81.3 delivered.

81.4 **(h) Tower Trailhead Boat Landing and Habitat**  
 81.5 **Improvement - Phase II**

81.6 \$600,000 the first year is from the trust fund  
 81.7 to the commissioner of natural resources for  
 81.8 an agreement with the city of Tower to  
 81.9 construct a trailhead and boat landing and  
 81.10 restore vegetative habitat on city-owned  
 81.11 property. Plant and seed materials must follow  
 81.12 the Board of Water and Soil Resources' native  
 81.13 vegetation establishment and enhancement  
 81.14 guidelines. This appropriation is available until  
 81.15 June 30, 2020, by which time the project must  
 81.16 be completed and final products delivered.

81.17 **(i) Land Acquisition for Voyageurs National**  
 81.18 **Park Crane Lake Visitors Center**

81.19 \$950,000 the first year is from the trust fund  
 81.20 to the commissioner of natural resources for  
 81.21 an agreement with the town of Crane Lake, in  
 81.22 partnership with Voyageurs National Park and  
 81.23 the Department of Natural Resources, to  
 81.24 acquire approximately 30 acres to be used for  
 81.25 a visitor center and campground. Income  
 81.26 generated by the campground may be used to  
 81.27 support the facility.

81.28 **Sec. 5. TRANSFER OF FUNDS; EXTENSION OF AVAILABILITY OF**  
 81.29 **APPROPRIATIONS.**

81.30 Subdivision 1. Transfer of unencumbered funds. On June 30, 2019, up to \$300,000  
 81.31 of any unencumbered money from the following appropriations may be transferred to the  
 81.32 appropriation for the grants management system under Laws 2016, chapter 186, section 2,  
 81.33 subdivision 10, paragraph (b):

81.34 (1) Laws 2014, chapter 226, section 2, subdivision 10, paragraph (c);

82.1 (2) Laws 2015, chapter 76, section 2, subdivision 9, paragraph (c);

82.2 (3) Laws 2015, chapter 76, section 2, subdivision 9, paragraph (d);

82.3 (4) Laws 2015, chapter 76, section 2, subdivision 9, paragraph (f);

82.4 (5) Laws 2016, chapter 186, section 2, subdivision 9, paragraph (a);

82.5 (6) Laws 2016, chapter 186, section 2, subdivision 9, paragraph (c); and

82.6 (7) Laws 2017, chapter 96, section 2, subdivision 10, paragraph (b).

82.7 Subd. 2. **Extension of availability of appropriations.** The availability of the  
 82.8 appropriations for the grants management system under Laws 2016, chapter 186, section  
 82.9 2, subdivision 10, paragraph (b), and the funds transferred to that project under subdivision  
 82.10 1 are extended to June 30, 2022.

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

### 82.12 **ARTICLE 3**

### 82.13 **STATUTORY CHANGES**

82.14 Section 1. Minnesota Statutes 2018, section 17.035, subdivision 1, is amended to read:

82.15 Subdivision 1. **Reimbursement.** A meat processor holding a license under chapter 28A  
 82.16 may apply to the commissioner of agriculture for reimbursement of ~~\$70~~ \$150 towards the  
 82.17 processor's reasonable and documented cost of processing donated deer, as determined by  
 82.18 the commissioner within the limits of available funding. The meat processor shall deliver  
 82.19 the deer, processed into cuts or ground meat, to a charitable organization that is registered  
 82.20 under chapter 309 and with the commissioner of agriculture and that operates a food  
 82.21 assistance program. To request reimbursement, the processor shall submit an application,  
 82.22 on a form prescribed by the commissioner of agriculture, the tag number under which the  
 82.23 deer was taken, and a receipt for the deer from the charitable organization.

82.24 Sec. 2. Minnesota Statutes 2018, section 35.153, is amended by adding a subdivision to  
 82.25 read:

82.26 Subd. 2a. **Commercial herd.** "Commercial herd" means a herd for which the owner  
 82.27 manages the herd for profit or monetary gain and engages in transactions or exchanges for  
 82.28 consideration, including sale, barter, the offer to sell, or possession with the intent to sell.

83.1 Sec. 3. Minnesota Statutes 2018, section 35.153, is amended by adding a subdivision to  
83.2 read:

83.3 Subd. 7. **Noncommercial herd.** "Noncommercial herd" means a herd that is managed  
83.4 solely for personal enjoyment and use, as determined by the board.

83.5 Sec. 4. Minnesota Statutes 2018, section 35.155, subdivision 4, is amended to read:

83.6 Subd. 4. **Fencing.** Farmed Cervidae must be confined in a manner designed to prevent  
83.7 escape. All perimeter fences for farmed Cervidae must be at least 96 inches in height and  
83.8 be constructed and maintained in a way that prevents the escape of farmed Cervidae or entry  
83.9 into the premises by free-roaming Cervidae. All new fencing installed after the effective  
83.10 date of this section shall be high tensile. By December 1, 2019, all entry areas for farmed  
83.11 Cervidae enclosure areas must have two redundant gates, which must be maintained to  
83.12 prevent the escape of animals through an open gate. If a fence deficiency allows entry or  
83.13 exit by farmed or wild Cervidae, the deficiency must be repaired by the owner within 48  
83.14 hours of discovery of the deficiency. If a fence deficiency is detected during an inspection,  
83.15 the facility must be reinspected at least once in the subsequent three months. The farmed  
83.16 Cervidae owner must pay a reinspection fee of \$950 plus mileage for each reinspection  
83.17 related to a fence violation.

83.18 Sec. 5. Minnesota Statutes 2018, section 35.155, subdivision 6, is amended to read:

83.19 Subd. 6. **Identification.** (a) Farmed Cervidae must be identified by means approved by  
83.20 the Board of Animal Health. The identification must include a distinct number that has not  
83.21 been used during the previous year and must be visible to the naked eye during daylight  
83.22 under normal conditions at a distance of 50 yards. Newborn animals must be identified  
83.23 before December 31 of the year in which the animal is born or before movement from the  
83.24 premises, whichever occurs first. As coordinated by the board, an animal that is not identified  
83.25 as required under this subdivision may be destroyed by the commissioner of natural resources.

83.26 (b) The Board of Animal Health shall register farmed Cervidae. The owner must submit  
83.27 the registration request on forms provided by the board. The forms must include sales  
83.28 receipts or other documentation of the origin of the Cervidae. The board ~~shall~~ must provide  
83.29 copies of the registration information to the commissioner of natural resources upon request.  
83.30 The owner must keep written records of the acquisition and disposition of registered farmed  
83.31 Cervidae.

84.1 Sec. 6. Minnesota Statutes 2018, section 35.155, subdivision 7, is amended to read:

84.2 Subd. 7. **Inspection.** As coordinated by the board, the commissioner of agriculture, an  
84.3 enforcement officer, as defined in section 97A.015, subdivision 18, and the Board of Animal  
84.4 Health may inspect farmed Cervidae, farmed Cervidae facilities, and farmed Cervidae  
84.5 records. For each commercial herd, the owner or owners must, on or before January 1, pay  
84.6 an annual inspection fee equal to \$10 for each cervid in the herd as reflected in the most  
84.7 recent inventory submitted to the Board of Animal Health, up to a maximum fee of \$100.  
84.8 \$250. For each noncommercial herd, the owner or owners must, on or before January 1,  
84.9 pay an annual inspection fee of \$100. The commissioner of natural resources may inspect  
84.10 farmed Cervidae, farmed Cervidae facilities, and farmed Cervidae records with reasonable  
84.11 suspicion that laws protecting native wild animals have been violated and must notify the  
84.12 owner in writing at the time of the inspection of the reason for the inspection and must  
84.13 inform the owner in writing after the inspection of whether (1) the cause of the inspection  
84.14 was unfounded; or (2) there will be an ongoing investigation or continuing evaluation. The  
84.15 board shall ensure that each farmed Cervidae facility is inspected within 12 months of a  
84.16 previous inspection. The inspection by the agency authorized under this paragraph must  
84.17 include a physical inspection of the entire perimeter fence around the facility, and a  
84.18 verification that farmed Cervidae are tagged. The owner or owners of the herd must present  
84.19 an accurate inventory for review.

84.20 Sec. 7. Minnesota Statutes 2018, section 35.155, subdivision 9, is amended to read:

84.21 Subd. 9. **Contested case hearing.** (a) A person raising farmed Cervidae that is aggrieved  
84.22 with any decision regarding the farmed Cervidae may request a contested case hearing under  
84.23 chapter 14.

84.24 (b) A person requesting a contested case hearing regarding a registration revocation  
84.25 under subdivision 10, paragraph (b), must make the request within 30 days of the revocation  
84.26 notice.

84.27 Sec. 8. Minnesota Statutes 2018, section 35.155, subdivision 10, is amended to read:

84.28 Subd. 10. **Mandatory registration.** (a) A person may not possess live Cervidae in  
84.29 Minnesota unless the person is registered with the Board of Animal Health and meets all  
84.30 the requirements for farmed Cervidae under this section. Cervidae possessed in violation  
84.31 of this subdivision may be seized and destroyed by the commissioner of natural resources.

84.32 (b) If the facility experiences more than two escape incidents in any 12-month period,  
84.33 the board may revoke the facility's registration and the animals may be seized by the

85.1 commissioner of natural resources. After investigation and review of fence deficiencies,  
 85.2 escapes, and other program requirements, the board may revoke the registration of a person  
 85.3 who owns farmed Cervidae, and the animals may be seized by the commissioner of natural  
 85.4 resources. Unless it would prohibit the operator from receiving federal indemnification  
 85.5 payments, an enforcement officer, as defined in section 97A.015, subdivision 18, may  
 85.6 destroy seized Cervidae 30 days after the registration revocation notice or following a final  
 85.7 decision of a contested case hearing, whichever is later.

85.8 Sec. 9. Minnesota Statutes 2018, section 35.155, subdivision 11, is amended to read:

85.9 Subd. 11. **Mandatory surveillance for chronic wasting disease.** (a) An inventory for  
 85.10 each farmed Cervidae herd must be verified by an accredited veterinarian and filed with  
 85.11 the Board of Animal Health every 12 months.

85.12 (b) Movement of farmed Cervidae from any premises to another location must be reported  
 85.13 to the Board of Animal Health within 14 days of the movement on forms approved by the  
 85.14 Board of Animal Health.

85.15 (c) All animals from farmed Cervidae herds that are over ~~46~~ 12 months of age that die  
 85.16 or are slaughtered must be tested for chronic wasting disease.

85.17 (d) Except for a closed terminal facility in which live Cervidae are not transported out  
 85.18 of the facility, the owner of a premises where chronic wasting disease is detected must:

85.19 (1) depopulate the premises of Cervidae after the indemnification process has been  
 85.20 completed and federal or state funding is available for indemnification;

85.21 (2) maintain exclusionary fencing on the premises for five years after the date of detection;  
 85.22 and

85.23 (3) not stock Cervidae species on the premises after the date of detection.

85.24 Sec. 10. Minnesota Statutes 2018, section 84.026, is amended by adding a subdivision to  
 85.25 read:

85.26 Subd. 4. **Paying grant-eligible expenditures.** Notwithstanding section 16A.41, the  
 85.27 commissioner may make payments for otherwise eligible grant-program expenditures that  
 85.28 are made on or after the effective date of the appropriation that funds the payments for:

85.29 (1) grants-in-aid under sections 84.794, 84.803, 84.83, 84.927, and 85.44;

85.30 (2) local recreation grants under section 85.019; and

86.1 (3) enforcement and public education grants under sections 84.794, 84.803, 84.83,  
 86.2 84.927, 86B.701, 86B.705, and 87A.10.

86.3 Sec. 11. Minnesota Statutes 2018, section 84.027, is amended by adding a subdivision to  
 86.4 read:

86.5 Subd. 14c. **Unadopted rules.** (a) The commissioner of natural resources must not enforce  
 86.6 or attempt to enforce an unadopted rule. For purposes of this subdivision, "unadopted rule"  
 86.7 means a guideline, bulletin, criterion, manual standard, interpretive statement, or similar  
 86.8 pronouncement if the guideline, bulletin, criterion, manual standard, interpretive statement,  
 86.9 or similar pronouncement meets the definition of a rule as defined under section 14.02,  
 86.10 subdivision 4, but has not been adopted according to the rulemaking process provided under  
 86.11 chapter 14. If an unadopted rule is challenged under section 14.381, the commissioner must  
 86.12 overcome a presumption against the unadopted rule.

86.13 (b) If the commissioner incorporates by reference an internal guideline, bulletin, criterion,  
 86.14 manual standard, interpretive statement, or similar pronouncement into a statute, rule, or  
 86.15 standard, the commissioner must follow the rulemaking process provided under chapter 14  
 86.16 to amend or revise any such guideline, bulletin, criterion, manual standard, interpretive  
 86.17 statement, or similar pronouncement.

86.18 Sec. 12. Minnesota Statutes 2018, section 84.027, subdivision 18, is amended to read:

86.19 Subd. 18. **Permanent school fund authority; reporting.** (a) The commissioner of  
 86.20 natural resources has the authority and responsibility ~~for the administration of~~ to administer  
 86.21 ~~school trust lands under sections 92.121~~ 92.122 and 127A.31. The commissioner shall  
 86.22 biannually report to the Legislative Permanent School Fund Commission and the legislature  
 86.23 on the management of the school trust lands that shows how the commissioner has and will  
 86.24 continue to achieve the following goals:

86.25 (1) manage the school trust lands efficiently and in a manner that reflects the undivided  
 86.26 loyalty to the beneficiaries consistent with the commissioner's fiduciary duties;

86.27 (2) reduce the management expenditures of school trust lands and maximize the revenues  
 86.28 deposited in the permanent school trust fund;

86.29 (3) manage the sale, exchange, and commercial leasing of school trust lands, requiring  
 86.30 returns of not less than fair market value, to maximize the revenues deposited in the  
 86.31 permanent school trust fund and retain the value from the long-term appreciation of the  
 86.32 school trust lands;

87.1 (4) manage the school trust lands to maximize the long-term economic return for the  
87.2 permanent school trust fund while maintaining sound natural resource conservation and  
87.3 management principles;

87.4 (5) optimize school trust land revenues and maximize the value of the trust consistent  
87.5 with ~~the~~ balancing of short-term and long-term interests, so that long-term benefits are not  
87.6 lost in an effort to maximize short-term gains; and

87.7 (6) maintain the integrity of the trust and prevent the misapplication of its lands and its  
87.8 revenues.

87.9 (b) When the commissioner finds an irresolvable conflict between maximizing the  
87.10 long-term economic return and protecting natural resources and recreational values on  
87.11 school trust lands, the commissioner shall give precedence to the long-term economic return  
87.12 in managing school trust lands. By July 1, 2018, the permanent school fund ~~shall~~ must be  
87.13 compensated for all school trust lands included under a designation or policy provision that  
87.14 prohibits long-term economic return. The commissioner shall submit recommendations to  
87.15 the appropriate legislative committees and divisions on methods of funding for the  
87.16 compensation required under this paragraph, including recommendations for appropriations  
87.17 from the general fund, nongeneral funds, and the state bond fund. Any uncompensated  
87.18 designation or policy provision restrictions on the long-term economic return on school  
87.19 trust lands remaining after July 1, 2018, ~~shall~~ must be compiled and submitted to the  
87.20 Legislative Permanent School Fund Commission for review.

87.21 (c) By December 31, 2013, the report required under paragraph (a) ~~shall~~ must provide  
87.22 an inventory and identification of all school trust lands that are included under a designation  
87.23 or policy provision that prohibits long-term economic return. The report ~~shall~~ must include  
87.24 a plan to compensate the permanent school fund through the purchase or exchange of the  
87.25 lands or a plan to manage the school trust land to generate long-term economic return to  
87.26 the permanent school fund. Subsequent reports under paragraph (a) ~~shall~~ must include a  
87.27 status report of the commissioner's progress in maximizing the long-term economic return  
87.28 on lands identified in the 2013 report.

87.29 (d) When ~~future~~ management practices, policies, or designations or policies by the  
87.30 commissioner diminish or prohibit the long-term economic return on school trust land, the  
87.31 conflict ~~shall~~ must be resolved by ~~compensating the permanent school fund through an~~  
87.32 ~~exchange or purchase of the lands before designation or application of the policy as provided~~  
87.33 in section 92.122.

88.1 Sec. 13. Minnesota Statutes 2018, section 84.0273, is amended to read:

88.2 **84.0273 ESTABLISHING BOUNDARY LINES RELATING TO CERTAIN STATE**  
 88.3 **LANDHOLDINGS.**

88.4 (a) ~~In order~~ To resolve boundary line issues affecting the ownership interests of the state  
 88.5 and adjacent landowners, the commissioner of natural resources may, in the name of the  
 88.6 state upon terms the commissioner deems appropriate, convey, by a boundary line agreement,  
 88.7 quitclaim deed, or management agreement in such form as the attorney general approves,  
 88.8 such rights, titles, and interests of the state in state lands for such rights, titles, and interests  
 88.9 in adjacent lands as are necessary ~~for the purpose of establishing~~ to establish boundaries.  
 88.10 The commissioner must publish a notice of the proposed conveyance and a brief statement  
 88.11 of the reason ~~therefor shall be published~~ for the conveyance once in the State Register ~~by~~  
 88.12 ~~the commissioner between 15 and~~ at least 30 days prior to ~~before~~ the conveyance. ~~The~~  
 88.13 ~~provisions of~~ This paragraph ~~are~~ is not intended to replace or supersede laws relating to  
 88.14 land exchange or disposal of surplus state property.

88.15 (b) ~~In order~~ To resolve trespass issues affecting the ownership interests of the state and  
 88.16 adjacent landowners, the commissioner of natural resources, in the name of the state, may  
 88.17 sell surplus lands not needed for natural resource purposes at private sale to adjoining  
 88.18 property owners and leaseholders. The conveyance must be by quitclaim in a form approved  
 88.19 by the attorney general for a consideration not less than the value determined according to  
 88.20 section 94.10, subdivision 1.

88.21 (c) Paragraph (b) applies to all state-owned lands managed by the commissioner of  
 88.22 natural resources, except school trust land as defined in section 92.025. For acquired lands,  
 88.23 the commissioner may sell the surplus lands as provided in paragraph (b) notwithstanding  
 88.24 the offering to public entities, public sale, and related notice and publication requirements  
 88.25 of sections 94.09 to 94.165. For consolidated conservation lands, the commissioner may  
 88.26 sell the surplus lands as provided in paragraph (b) notwithstanding the classification and  
 88.27 public sale provisions of chapters 84A and 282.

88.28 Sec. 14. Minnesota Statutes 2018, section 84.0895, subdivision 2, is amended to read:

88.29 Subd. 2. **Application.** (a) Subdivision 1 does not apply to:

88.30 (1) plants on land classified for property tax purposes as class 2a or 2c agricultural land  
 88.31 under section 273.13, ~~or on ditches and roadways~~ a ditch, or on an existing public road  
 88.32 right-of-way as defined in section 84.92, subdivision 6a, except for ground not previously  
 88.33 disturbed by construction or maintenance; and

89.1 (2) noxious weeds designated pursuant to sections 18.76 to 18.88 or to weeds otherwise  
89.2 designated as troublesome by the Department of Agriculture.

89.3 (b) If control of noxious weeds is necessary, it takes priority over the protection of  
89.4 endangered plant species, as long as a reasonable effort is taken to preserve the endangered  
89.5 plant species first.

89.6 (c) The taking or killing of an endangered plant species on land adjacent to class 3 or  
89.7 3b agricultural land as a result of the application of pesticides or other agricultural chemical  
89.8 on the class 3 or 3b land is not a violation of subdivision 1, if reasonable care is taken in  
89.9 the application of the pesticide or other chemical to avoid impact on adjacent lands. For the  
89.10 purpose of this paragraph, class 3 or 3b agricultural land does not include timber land, waste  
89.11 land, or other land for which the owner receives a state paid wetlands or native prairie tax  
89.12 credit.

89.13 (d) The accidental taking of an endangered plant, where the existence of the plant is not  
89.14 known at the time of the taking, is not a violation of subdivision 1.

89.15 Sec. 15. [84.1511] WILD RICE STEWARDSHIP COUNCIL.

89.16 Subdivision 1. Council created. (a) The Wild Rice Stewardship Council is established  
89.17 to foster leadership, collaboration, coordination, and communication among state and tribal  
89.18 government bodies and wild rice stakeholders. Members of the council must represent a  
89.19 wide range of interests and perspectives and be able to make interdisciplinary  
89.20 recommendations on managing, monitoring, providing outreach for, researching, and  
89.21 regulating wild rice.

89.22 (b) The governor must appoint 13 members to the council. The initial appointments to  
89.23 the council shall include the members of the Governor's Task Force on Wild Rice established  
89.24 by Executive Orders 18-08 and 18-09 unless those individuals decline to be appointed. The  
89.25 council membership must include the following individuals:

89.26 (1) one representative nominated by the Minnesota Chippewa Tribe;

89.27 (2) one representative nominated by the four Minnesota Dakota Tribes, which include  
89.28 the Shakopee Mdewakanton Sioux community, Prairie Island Indian community, Lower  
89.29 Sioux Indian community, and Upper Sioux community;

89.30 (3) one representative nominated by Red Lake Nation;

89.31 (4) two independent scientists with expertise in wild rice research and plant-based aquatic  
89.32 toxicity;

90.1 (5) one nonnative wild rice harvester;  
90.2 (6) one representative from the ferrous mining industry;  
90.3 (7) one representative from the nonferrous mining industry;  
90.4 (8) one representative from a municipal wastewater discharger;  
90.5 (9) one representative of an electric utility;  
90.6 (10) one representative of a statewide labor organization;  
90.7 (11) two representatives from an environmental nongovernmental organization; and  
90.8 (12) one representative each from the Department of Natural Resources and the Minnesota  
90.9 Pollution Control Agency appointed by the commissioner of each entity to serve as an ex  
90.10 officio member.

90.11 (c) The speaker of the house shall appoint one member of the house of representatives  
90.12 to the council and the minority leader of the house shall appoint one member of the house  
90.13 of representatives to the council.

90.14 (d) The senate majority leader shall appoint one member of the senate to the council and  
90.15 the senate minority leader shall appoint one member of the senate to the council.

90.16 (e) The council shall review and consider the recommendations of the Governor's Task  
90.17 Force on Wild Rice and the 2018 Tribal Wild Rice Task Force report, including the  
90.18 recommendation to utilize a committee structure that includes council members and  
90.19 nonmembers with relevant subject matter expertise for technical work related to management  
90.20 plans, monitoring, and research.

90.21 (f) The Department of Natural Resources shall provide staff support for the council to  
90.22 enable the council to carry out its functions.

90.23 (g) Terms, compensation, nomination, appointment, and removal of public members of  
90.24 the council are governed by section 15.059.

90.25 Subd. 2. **Council responsibilities.** (a) The council must provide the governor, chief  
90.26 executives of Minnesota's 11 Indian tribes, and the legislature a biennial report on the health  
90.27 of wild rice and policy and funding recommendations to ensure that wild rice thrives in  
90.28 Minnesota.

90.29 (b) The council must recommend to the commissioners of natural resources and the  
90.30 Pollution Control Agency a shared monitoring protocol that includes biological, chemical,  
90.31 and hydrological factors affecting wild rice to assess the health of wild rice populations

91.1 over time. The protocol must draw on existing resources such as the monitoring protocol  
 91.2 for wild rice developed by Minnesota Sea Grant, the lake survey and vegetation mapping  
 91.3 methodologies of the Department of Natural Resources, and the monitoring methodologies  
 91.4 of the 1854 Treaty Authority. The council must include recommendations on implementing  
 91.5 the protocol and must regularly prepare a report on protocol implementation.

91.6 (c) The council must recommend to the commissioner of natural resources a  
 91.7 comprehensive, statewide management plan for wild rice. The plan must include clear goals  
 91.8 and indicators, activities, time frames, organizational responsibilities, and performance  
 91.9 measures. Indicators of wild rice health must have the ability to be tracked over time to  
 91.10 facilitate a better understanding of the impact of various stressors versus the natural variability  
 91.11 of wild rice. The council must work with tribes to develop an understanding of natural wild  
 91.12 rice variability through traditional ecological knowledge and lake histories. Biological,  
 91.13 chemical, and hydrological factors must be considered.

91.14 (d) The council must identify and recommend research priorities and required funding  
 91.15 levels. Prioritization should be given to needs identified through the monitoring protocol  
 91.16 and management plans recommended by the council. Topics of research may include:

91.17 (1) assessment of diverse factors impacting wild rice health and interaction among these  
 91.18 factors;

91.19 (2) criteria and methodology for restoring wild rice within its historic range;

91.20 (3) seed development;

91.21 (4) effective methods of controlling waterfowl predation; and

91.22 (5) roles of root plaques, hydrology, landscape context, and other related factors.

91.23 (e) The council must provide a forum for scientists and managers to convene and explore  
 91.24 research needs, approaches, and outcomes for building a shared understanding of the threats  
 91.25 to and opportunities for fostering wild rice health and to fill data gaps.

91.26 Subd. 3. **Outreach and education.** (a) The council must advise state agencies and the  
 91.27 legislature on statewide outreach and education on wild rice. Activities may include:

91.28 (1) developing a statewide education and promotion campaign to raise awareness about  
 91.29 the ecological, nutritional, and cultural value of wild rice;

91.30 (2) coordinating an annual Wild Rice Week in which tribal chief executives and the  
 91.31 governor declare the first week of September Wild Rice Week; and

92.1 (3) recommending actions to raise awareness and increase enforcement of natural wild  
 92.2 rice labeling laws, including those that require specified labeling for natural wild rice.

92.3 (b) The council must develop and recommend to the commissioner of the Pollution  
 92.4 Control Agency a road map for protecting wild rice from harmful levels of pollutants and  
 92.5 other stressors through a holistic approach that addresses the water quality standard for  
 92.6 sulfate in conjunction with enhanced monitoring, management, and education efforts and  
 92.7 that leads to protecting wild rice and strategically using state and community resources.

92.8 (c) The council must develop and recommend to the commissioner of the Pollution  
 92.9 Control Agency a structured approach to listing wild-rice waters and potential implementation  
 92.10 of a water quality standard for sulfate to maximize protection of wild rice while limiting  
 92.11 the scope and extent of burdens to Minnesota communities caused by the difficulty of  
 92.12 treating sulfate.

92.13 Subd. 4. **Expiration.** This section expires January 1, 2029.

92.14 Sec. 16. Minnesota Statutes 2018, section 84.775, subdivision 1, is amended to read:

92.15 Subdivision 1. **Civil citation; authority to issue.** (a) A conservation officer or other  
 92.16 licensed peace officer may issue a civil citation to a person who operates:

92.17 (1) an off-highway motorcycle in violation of sections 84.773, subdivision 1 or 2, clause  
 92.18 (1); 84.777; 84.788 to 84.795; or 84.90;

92.19 (2) an off-road vehicle in violation of sections 84.773, subdivision 1 or 2, clause (1);  
 92.20 84.777; 84.798 to 84.804; or 84.90; or

92.21 (3) an all-terrain vehicle in violation of sections 84.773, subdivision 1 or 2, clause (1);  
 92.22 84.777; 84.90; or 84.922 to 84.928.

92.23 (b) A civil citation under paragraph (a) shall require restitution for public and private  
 92.24 property damage and impose a penalty of:

92.25 (1) \$100 for the first offense;

92.26 (2) \$200 for the second offense; and

92.27 (3) \$500 for third and subsequent offenses.

92.28 (c) A conservation officer or other licensed peace officer may issue a civil citation to a  
 92.29 person who operates an off-highway motorcycle, off-road vehicle, or all-terrain vehicle in  
 92.30 violation of section 84.773, subdivision 2, clause (2) or (3). A civil citation under this  
 92.31 paragraph shall require restitution for damage to wetlands and impose a penalty of:

93.1 (1) \$100 for the first offense;

93.2 (2) \$500 for the second offense; and

93.3 (3) \$1,000 for third and subsequent offenses.

93.4 (d) If the peace officer determines that there is damage to property requiring restitution,  
93.5 the commissioner must send a written explanation of the extent of the damage and the cost  
93.6 of the repair by first class mail to the address provided by the person receiving the citation  
93.7 within 15 days of the date of the citation.

93.8 (e) An off-road vehicle ~~or all-terrain vehicle~~ that is equipped with a snorkel device and  
93.9 receives a civil citation under this section is subject to twice the penalty amounts in  
93.10 paragraphs (b) and (c).

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

93.12 Sec. 17. Minnesota Statutes 2018, section 84.788, subdivision 2, is amended to read:

93.13 Subd. 2. **Exemptions.** Registration is not required for off-highway motorcycles:

93.14 (1) owned and used by the United States, an Indian tribal government, the state, another  
93.15 state, or a political subdivision;

93.16 (2) registered in another state or country that have not been within this state for more  
93.17 than 30 consecutive days;

93.18 (3) registered under chapter 168, when operated on forest roads to gain access to a state  
93.19 forest campground;

93.20 ~~(4) used exclusively in organized track racing events;~~

93.21 ~~(5)~~ (4) operated on state or grant-in-aid trails by a nonresident possessing a nonresident  
93.22 off-highway motorcycle state trail pass;

93.23 ~~(6)~~ (5) operated by a person participating in an event for which the commissioner has  
93.24 issued a special use permit; or

93.25 ~~(7)~~ (6) operated on boundary trails and registered in another state or country providing  
93.26 equal reciprocal registration or licensing exemptions for registrants of this state.

93.27 Sec. 18. Minnesota Statutes 2018, section 84.794, subdivision 2, is amended to read:

93.28 Subd. 2. **Purposes.** (a) Subject to appropriation by the legislature, money in the  
93.29 off-highway motorcycle account may only be spent for:

94.1 (1) administration, enforcement, and implementation of sections 84.787 to 84.795;

94.2 (2) acquisition, maintenance, and development of off-highway motorcycle trails and use  
94.3 areas; ~~and~~

94.4 (3) grants-in-aid to counties and municipalities to construct and maintain off-highway  
94.5 motorcycle trails and use areas; and

94.6 (4) grants for enforcement and public education to local law enforcement agencies.

94.7 (b) The distribution of funds made available for grants-in-aid must be guided by the  
94.8 statewide comprehensive outdoor recreation plan.

94.9 Sec. 19. Minnesota Statutes 2018, section 84.83, subdivision 3, is amended to read:

94.10 Subd. 3. **Purposes for the account; allocation.** (a) The money deposited in the account  
94.11 and interest earned on that money may be expended only as appropriated by law for the  
94.12 following purposes:

94.13 (1) for a grant-in-aid program to counties and municipalities for construction and  
94.14 maintenance of snowmobile trails that are determined by the commissioner to be part of  
94.15 the state's grant-in-aid system, including maintenance of trails on lands and waters of  
94.16 Voyageurs National Park; on Lake of the Woods; on Rainy Lake; on the following lakes in  
94.17 St. Louis County: Burntside, Crane, Little Long, Mud, Pelican, Shagawa, and Vermilion;  
94.18 and on the following lakes in Cook County: Devil Track and Hungry Jack; The commissioner  
94.19 may establish a performance-based funding formula for annual grants-in-aid. The procedures  
94.20 and criteria for grants-in-aid are not subject to the rulemaking provisions of chapter 14, and  
94.21 section 14.386 does not apply. In administering the performance-based grants-in-aid, the  
94.22 commissioner must:

94.23 (i) determine annual grant amounts based on a funding formula that includes consideration  
94.24 of historical costs, snowfall, use, and tourism;

94.25 (ii) make grant payments based on:

94.26 (A) successful completion of performance benchmarks;

94.27 (B) reimbursement of eligible expenditures; or

94.28 (C) a combination of subitems (A) and (B); and

94.29 (iii) assess penalties to nonperforming grant-in-aid recipients, which may include  
94.30 withholding grant payments or making the grantee or trail system ineligible for future  
94.31 grant-in-aid funding.

95.1 (2) ~~for acquisition, development, and maintenance of~~ to acquire, develop, and maintain  
 95.2 state recreational snowmobile trails;

95.3 (3) for snowmobile safety programs; and

95.4 (4) ~~for the administration and enforcement of~~ to administer and enforce sections 84.81  
 95.5 to 84.91 and appropriated grants to local law enforcement agencies.

95.6 (b) No less than 60 percent of revenue collected from snowmobile registration and  
 95.7 snowmobile state trail sticker fees must be expended for grants-in-aid to develop, maintain,  
 95.8 and groom trails and acquire easements.

95.9 Sec. 20. Minnesota Statutes 2018, section 84.86, subdivision 1, is amended to read:

95.10 Subdivision 1. **Required rules.** With a view of achieving maximum use of snowmobiles  
 95.11 consistent with protection of the environment the commissioner of natural resources shall  
 95.12 adopt rules in the manner provided by chapter 14, for the following purposes:

95.13 (1) Registration of snowmobiles and display of registration numbers.

95.14 (2) Use of snowmobiles insofar as game and fish resources are affected.

95.15 (3) Use of snowmobiles on public lands and waters, or on grant-in-aid trails.

95.16 (4) Uniform signs to be used by the state, counties, and cities, which are necessary or  
 95.17 desirable to control, direct, or regulate the operation and use of snowmobiles.

95.18 (5) Specifications relating to snowmobile mufflers.

95.19 (6) A comprehensive snowmobile information and safety education and training program,  
 95.20 including but not limited to the preparation and dissemination of snowmobile information  
 95.21 and safety advice to the public, the training of snowmobile operators, and the issuance of  
 95.22 snowmobile safety certificates to snowmobile operators who successfully complete the  
 95.23 snowmobile safety education and training course. For the purpose of administering such  
 95.24 program and to defray expenses of training and certifying snowmobile operators, the  
 95.25 commissioner shall collect a fee from each person who receives the youth or adult training.  
 95.26 The commissioner shall collect a fee, to include a \$1 issuing fee for licensing agents, for  
 95.27 issuing a duplicate snowmobile safety certificate. The commissioner shall establish both  
 95.28 fees in a manner that neither significantly overrecovers nor underrecovers costs, including  
 95.29 overhead costs, involved in providing the services. The fees are not subject to the rulemaking  
 95.30 provisions of chapter 14 and section 14.386 does not apply. The fees may be established  
 95.31 by the commissioner notwithstanding section 16A.1283. The fees, except for the issuing  
 95.32 fee for licensing agents under this subdivision, shall be deposited in the snowmobile trails

96.1 and enforcement account in the natural resources fund and the amount thereof, except for  
 96.2 the electronic licensing system commission established by the commissioner under section  
 96.3 84.027, subdivision 15, and issuing fees collected by the commissioner, is appropriated  
 96.4 annually to the Enforcement Division of the Department of Natural Resources for the  
 96.5 administration of such programs. In addition to the fee established by the commissioner,  
 96.6 instructors may charge each person any fee paid by the instructor for the person's online  
 96.7 training course and up to the established fee amount for class materials and expenses. The  
 96.8 commissioner shall cooperate with private organizations and associations, private and public  
 96.9 corporations, and local governmental units in furtherance of the program established under  
 96.10 this clause. School districts may cooperate with the commissioner and volunteer instructors  
 96.11 to provide space for the classroom portion of the training. The commissioner shall consult  
 96.12 with the commissioner of public safety in regard to training program subject matter and  
 96.13 performance testing that leads to the certification of snowmobile operators.

96.14 (7) The operator of any snowmobile involved in an accident resulting in injury requiring  
 96.15 medical attention or hospitalization to or death of any person or total damage to an extent  
 96.16 of \$500 or more, shall forward a written report of the accident to the commissioner on such  
 96.17 form as the commissioner shall prescribe. If the operator is killed or is unable to file a report  
 96.18 due to incapacitation, any peace officer investigating the accident shall file the accident  
 96.19 report within ten business days.

96.20 Sec. 21. Minnesota Statutes 2018, section 84.925, subdivision 1, is amended to read:

96.21 Subdivision 1. ~~Program~~ **Training and certification programs established.** (a) The  
 96.22 commissioner shall establish:

96.23 (1) a comprehensive all-terrain vehicle environmental and safety education and training  
 96.24 certification program, including the preparation and dissemination of vehicle information  
 96.25 and safety advice to the public, the training of all-terrain vehicle operators, and the issuance  
 96.26 of all-terrain vehicle safety certificates to vehicle operators over the age of 12 years who  
 96.27 successfully complete the all-terrain vehicle environmental and safety education and training  
 96.28 course; and

96.29 (2) a voluntary all-terrain vehicle online training program for youth and a parent or  
 96.30 guardian, offered at no charge for operators at least six years of age but younger than ten  
 96.31 years of age.

96.32 (b) A parent or guardian must be present at the hands-on ~~a training portion of the program~~  
 96.33 ~~for~~ when the youth who are six through is under ten years of age.

97.1 ~~(b)~~ (c) For the purpose of administering the program and to defray the expenses of  
 97.2 training and certifying vehicle operators, the commissioner shall collect a fee from each  
 97.3 person who receives the training for certification under paragraph (a), clause (1). The  
 97.4 commissioner shall collect a fee, to include a \$1 issuing fee for licensing agents, for issuing  
 97.5 a duplicate all-terrain vehicle safety certificate. The commissioner shall establish both fees  
 97.6 in a manner that neither significantly overrecovers nor underrecovers costs, including  
 97.7 overhead costs, involved in providing the services. The fees are not subject to the rulemaking  
 97.8 provisions of chapter 14 and section 14.386 does not apply. The fees may be established  
 97.9 by the commissioner notwithstanding section 16A.1283. Fee proceeds, except for the issuing  
 97.10 fee for licensing agents under this subdivision, shall be deposited in the all-terrain vehicle  
 97.11 account in the natural resources fund and the amount thereof, except for the electronic  
 97.12 licensing system commission established by the commissioner under section 84.027,  
 97.13 subdivision 15, and issuing fees collected by the commissioner, is appropriated annually to  
 97.14 the Enforcement Division of the Department of Natural Resources for the administration  
 97.15 of the programs. In addition to the fee established by the commissioner, instructors may  
 97.16 charge each person up to the established fee amount for class materials and expenses.

97.17 ~~(e)~~ (d) The commissioner shall cooperate with private organizations and associations,  
 97.18 private and public corporations, and local governmental units in furtherance of the ~~program~~  
 97.19 programs established under this section. School districts may cooperate with the  
 97.20 commissioner and volunteer instructors to provide space for the classroom portion of the  
 97.21 training. The commissioner shall consult with the commissioner of public safety in regard  
 97.22 to ~~training program~~ the subject matter of the training programs and performance testing that  
 97.23 leads to the certification of vehicle operators. The commissioner shall incorporate a riding  
 97.24 component in the ~~safety education and training program~~ certification programs established  
 97.25 under this section and may incorporate a riding component in the training program established  
 97.26 in paragraph (a), clause (2).

97.27 Sec. 22. Minnesota Statutes 2018, section 84.9256, subdivision 1, is amended to read:

97.28 Subdivision 1. **Prohibitions on youthful operators.** (a) Except for operation on public  
 97.29 road rights-of-way that is permitted under section 84.928 and as provided under paragraph  
 97.30 (j), a driver's license issued by the state or another state is required to operate an all-terrain  
 97.31 vehicle along or on a public road right-of-way.

97.32 (b) A person under 12 years of age shall not:

97.33 (1) make a direct crossing of a public road right-of-way;

97.34 (2) operate an all-terrain vehicle on a public road right-of-way in the state; or

98.1 (3) operate an all-terrain vehicle on public lands or waters, except as provided in  
98.2 paragraph (f).

98.3 (c) Except for public road rights-of-way of interstate highways, a person 12 years of age  
98.4 but less than 16 years may make a direct crossing of a public road right-of-way of a trunk,  
98.5 county state-aid, or county highway or operate on public lands and waters or state or  
98.6 grant-in-aid trails, only if that person possesses a valid all-terrain vehicle safety certificate  
98.7 issued by the commissioner and is accompanied by a person 18 years of age or older who  
98.8 holds a valid driver's license.

98.9 (d) To be issued an all-terrain vehicle safety certificate, a person at least 12 years old,  
98.10 but less than 16 years old, must:

98.11 (1) successfully complete the safety education and training program under section 84.925,  
98.12 subdivision 1, including a riding component; and

98.13 (2) be able to properly reach and control the handle bars and reach the foot pegs while  
98.14 sitting upright on the seat of the all-terrain vehicle.

98.15 (e) A person at least ~~six~~ ten years of age may take the safety education and training  
98.16 program and may receive an all-terrain vehicle safety certificate under paragraph (d), but  
98.17 the certificate is not valid until the person reaches age 12.

98.18 (f) A person at least ten years of age but under 12 years of age may operate an all-terrain  
98.19 vehicle with an engine capacity up to 110cc if the vehicle is a class 1 all-terrain vehicle with  
98.20 straddle-style seating or up to 170cc if the vehicle is a class 1 all-terrain vehicle with  
98.21 side-by-side-style seating on public lands or waters if accompanied by a parent or legal  
98.22 guardian.

98.23 (g) A person under 15 years of age shall not operate a class 2 all-terrain vehicle.

98.24 (h) A person under the age of 16 may not operate an all-terrain vehicle on public lands  
98.25 or waters or on state or grant-in-aid trails if the person cannot properly reach and control:

98.26 (1) the handle bars and reach the foot pegs while sitting upright on the seat of the  
98.27 all-terrain vehicle with straddle-style seating; or

98.28 (2) the steering wheel and foot controls of a class 1 all-terrain vehicle with  
98.29 side-by-side-style seating while sitting upright in the seat with the seat belt fully engaged.

98.30 (i) Notwithstanding paragraph (c), a nonresident at least 12 years old, but less than 16  
98.31 years old, may make a direct crossing of a public road right-of-way of a trunk, county

99.1 state-aid, or county highway or operate an all-terrain vehicle on public lands and waters or  
 99.2 state or grant-in-aid trails if:

99.3 (1) the nonresident youth has in possession evidence of completing an all-terrain safety  
 99.4 course offered by the ATV Safety Institute or another state as provided in section 84.925,  
 99.5 subdivision 3; and

99.6 (2) the nonresident youth is accompanied by a person 18 years of age or older who holds  
 99.7 a valid driver's license.

99.8 (j) A person 12 years of age but less than 16 years of age may operate an all-terrain  
 99.9 vehicle on the roadway, bank, slope, or ditch of a public road right-of-way as permitted  
 99.10 under section 84.928 if the person:

99.11 (1) possesses a valid all-terrain vehicle safety certificate issued by the commissioner;  
 99.12 and

99.13 (2) is accompanied by a parent or legal guardian on a separate all-terrain vehicle.

99.14 Sec. 23. Minnesota Statutes 2018, section 84.928, subdivision 2, is amended to read:

99.15 Subd. 2. **Operation generally.** A person may not drive or operate an all-terrain vehicle:

99.16 (1) at a rate of speed greater than reasonable or proper under the surrounding  
 99.17 circumstances;

99.18 (2) in a careless, reckless, or negligent manner so as to endanger or to cause injury or  
 99.19 damage to the person or property of another;

99.20 (3) without headlight and taillight lighted at all times if the vehicle is equipped with  
 99.21 headlight and taillight;

99.22 (4) without a functioning stoplight if so equipped;

99.23 (5) in a tree nursery or planting in a manner that damages or destroys growing stock;

99.24 (6) without a brake operational by either hand or foot;

99.25 (7) with more than one person on the vehicle, except as allowed under section 84.9257;

99.26 (8) at a speed exceeding ten miles per hour on the frozen surface of public waters within  
 99.27 100 feet of a person not on an all-terrain vehicle or within 100 feet of a fishing shelter; or

99.28 ~~(9) with a snorkel device that has a raised air intake six inches or more above the vehicle~~  
 99.29 ~~manufacturer's original air intake, except within the Iron Range Off-Highway Vehicle~~

100.1 ~~Recreation Area as described in section 85.013, subdivision 12a, or other public off-highway~~  
100.2 ~~vehicle recreation areas; or~~

100.3 ~~(10)~~ (9) in a manner that violates operation rules adopted by the commissioner.

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

100.5 Sec. 24. Minnesota Statutes 2018, section 84D.03, subdivision 3, is amended to read:

100.6 Subd. 3. **Bait harvest from infested waters.** (a) Taking wild animals from infested  
100.7 waters for bait or aquatic farm purposes is prohibited except as provided in paragraph (b)  
100.8 or (c) and section 97C.341.

100.9 (b) In waters that are listed as infested waters, except those listed as infested with  
100.10 prohibited invasive species of fish or certifiable diseases of fish, as defined under section  
100.11 17.4982, subdivision 6, taking wild animals may be permitted for:

100.12 (1) commercial taking of wild animals for bait and aquatic farm purposes as provided  
100.13 in a permit issued under section 84D.11, subject to rules adopted by the commissioner; and

100.14 (2) bait purposes for noncommercial personal use in waters that contain Eurasian  
100.15 watermilfoil, when the infested waters are listed solely because they contain Eurasian  
100.16 watermilfoil and if the equipment for taking is limited to cylindrical minnow traps not  
100.17 exceeding 16 inches in diameter and 32 inches in length.

100.18 (c) In streams or rivers that are listed as infested waters, except those listed as infested  
100.19 with certifiable diseases of fish, as defined under section 17.4982, subdivision 6, the harvest  
100.20 of bullheads, goldeyes, mooneyes, sheepshead (freshwater drum), and suckers for bait by  
100.21 hook and line for noncommercial personal use is allowed as follows:

100.22 (1) fish taken under this paragraph must be used on the same body of water where caught  
100.23 and while still on that water body. Where the river or stream is divided by barriers such as  
100.24 dams, the fish must be caught and used on the same section of the river or stream;

100.25 (2) fish taken under this paragraph may not be transported live from or off the water  
100.26 body;

100.27 (3) fish harvested under this paragraph may only be used in accordance with this section;

100.28 (4) any other use of wild animals used for bait from infested waters is prohibited;

100.29 (5) fish taken under this paragraph must meet all other size restrictions and requirements  
100.30 as established in rules; and

101.1 (6) all species listed under this paragraph shall be included in the person's daily limit as  
101.2 established in rules, if applicable.

101.3 (d) Equipment authorized for minnow harvest in a listed infested water by permit issued  
101.4 under paragraph (b) may not be transported to, or used in, any waters other than waters  
101.5 specified in the permit.

101.6 (e) Bait intended for sale may not be held in infested water after taking and before sale  
101.7 unless authorized under a license or permit according to Minnesota Rules, part 6216.0500.

101.8 (f) In the Minnesota River downstream of Granite Falls, the Mississippi River downstream  
101.9 of St. Anthony Falls, and the St. Croix River downstream of the dam at Taylors Falls,  
101.10 including portions described as Minnesota-Wisconsin boundary waters in Minnesota Rules,  
101.11 part 6266.0500, subpart 1, items A and B, harvesting gizzard shad by cast net for  
101.12 noncommercial personal use as bait for angling, as provided in a permit issued under section  
101.13 84D.11, is allowed as follows:

101.14 (1) nontarget species must immediately be returned to the water;

101.15 (2) gizzard shad taken under this paragraph must be used on the same body of water  
101.16 where caught and while still on that water body. Where the river is divided by barriers such  
101.17 as dams, the gizzard shad must be caught and used on the same section of the river;

101.18 (3) gizzard shad taken under this paragraph may not be transported off the water body;  
101.19 and

101.20 (4) gizzard shad harvested under this paragraph may only be used in accordance with  
101.21 this section.

101.22 Sec. 25. Minnesota Statutes 2018, section 84D.03, subdivision 4, is amended to read:

101.23 Subd. 4. **Restrictions in infested and noninfested waters; commercial fishing and**  
101.24 **turtle, frog, and crayfish harvesting.** (a) All nets, traps, buoys, anchors, stakes, and lines  
101.25 used for commercial fishing or turtle, frog, or crayfish harvesting in an infested water that  
101.26 is listed because it contains invasive fish, invertebrates, aquatic plants or aquatic macrophytes  
101.27 other than Eurasian watermilfoil, or certifiable diseases, as defined in section 17.4982, must  
101.28 be tagged with tags provided by the commissioner, as specified in the commercial licensee's  
101.29 license or permit. Tagged gear must not be used in water bodies other than those specified  
101.30 in the license or permit. The license or permit may authorize department staff to remove  
101.31 tags after the from gear is that has been decontaminated according to a protocol specified  
101.32 by the commissioner if use of the decontaminated gear in other water bodies does not pose  
101.33 an unreasonable risk of harm to natural resources or the use of natural resources in the state.

102.1 This tagging requirement does not apply to commercial fishing equipment used in Lake  
102.2 Superior.

102.3 (b) All nets, traps, buoys, anchors, stakes, and lines used for commercial fishing or turtle,  
102.4 frog, or crayfish harvesting in an infested water that is listed solely because it contains  
102.5 Eurasian watermilfoil must be dried for a minimum of ten days or frozen for a minimum  
102.6 of two days before they are used in any other waters, except as provided in this paragraph.  
102.7 Commercial licensees must notify the department's regional or area fisheries office or a  
102.8 conservation officer before removing nets or equipment from an infested water listed solely  
102.9 because it contains Eurasian watermilfoil and before resetting those nets or equipment in  
102.10 any other waters. Upon notification, the commissioner may authorize a commercial licensee  
102.11 to move nets or equipment to another water without freezing or drying, if that water is listed  
102.12 as infested solely because it contains Eurasian watermilfoil.

102.13 (c) A commercial licensee must remove all aquatic macrophytes from nets and other  
102.14 equipment before placing the equipment into waters of the state.

102.15 (d) The commissioner shall provide a commercial licensee with a current listing of listed  
102.16 infested waters at the time that a license or permit is issued.

102.17 Sec. 26. Minnesota Statutes 2018, section 84D.108, subdivision 2b, is amended to read:

102.18 Subd. 2b. **Gull Lake pilot study.** (a) The commissioner may include an additional  
102.19 targeted pilot study to include water-related equipment with zebra mussels attached for ~~the~~  
102.20 ~~Gull Narrows State Water Access Site, Government Point State Water Access Site, and~~  
102.21 ~~Gull East State Water Access Site~~ water access sites on Gull Lake (DNR Division of Waters  
102.22 number 11-0305) in Cass and Crow Wing Counties using the same authorities, general  
102.23 procedures, and requirements provided for the Lake Minnetonka pilot project in subdivision  
102.24 2a. Lake service providers participating in the Gull Lake targeted pilot study place of business  
102.25 must be located in Cass or Crow Wing County.

102.26 (b) If an additional targeted pilot project for Gull Lake is implemented under this section,  
102.27 the report to the chairs and ranking minority members of the senate and house of  
102.28 representatives committees having jurisdiction over natural resources required under Laws  
102.29 2016, chapter 189, article 3, section 48, must also include the Gull Lake targeted pilot study  
102.30 recommendations and assessments.

102.31 (c) This subdivision expires December 1, 2019.

103.1 Sec. 27. Minnesota Statutes 2018, section 84D.108, subdivision 2c, is amended to read:

103.2 Subd. 2c. **Cross Lake pilot study.** (a) The commissioner may include an additional  
 103.3 targeted pilot study to include water-related equipment with zebra mussels attached for ~~the~~  
 103.4 ~~Cross Lake #1 State Water Access Site~~ water access sites on Cross Lake (DNR Division of  
 103.5 Waters number 18-0312) in Crow Wing County using the same authorities, general  
 103.6 procedures, and requirements provided for the Lake Minnetonka pilot project in subdivision  
 103.7 2a. The place of business of lake service providers participating in the Cross Lake targeted  
 103.8 pilot study must be located in Cass or Crow Wing County.

103.9 (b) If an additional targeted pilot project for Cross Lake is implemented under this  
 103.10 section, the report to the chairs and ranking minority members of the senate and house of  
 103.11 representatives committees having jurisdiction over natural resources required under Laws  
 103.12 2016, chapter 189, article 3, section 48, must also include the Cross Lake targeted pilot  
 103.13 study recommendations and assessments.

103.14 (c) This subdivision expires December 1, 2019.

103.15 Sec. 28. Minnesota Statutes 2018, section 85.054, subdivision 1, is amended to read:

103.16 Subdivision 1. **State Park Open House Day Days.** (a) A state park permit is not required  
 103.17 for a motor vehicle to enter a state park, state monument, state recreation area, or state  
 103.18 wayside, ~~on one day each calendar year at each park, which the commissioner may designate~~  
 103.19 ~~as Martin Luther King Jr. Day, Memorial Day, Independence Day, Labor Day, Veterans~~  
 103.20 ~~Day, Christmas Eve, or New Year's Eve. These days are State Park Open House Days. The~~  
 103.21 ~~commissioner may designate one additional day each calendar year at each park as a State~~  
 103.22 ~~Park Open House Day. The commissioner and~~ may designate two consecutive days as State  
 103.23 Park Open House Day, if the open house is held in conjunction with a special pageant  
 103.24 described in section 85.052, subdivision 2.

103.25 (b) The commissioner shall announce the date of each State Park Open House Day at  
 103.26 least 30 days in advance of the date it occurs.

103.27 (c) The purpose of State Park Open House Day Days is to acquaint the public with state  
 103.28 parks, recreation areas, and waysides.

103.29 Sec. 29. Minnesota Statutes 2018, section 85.44, is amended to read:

103.30 **85.44 CROSS-COUNTRY-SKI TRAIL GRANT-IN-AID PROGRAM.**

103.31 The commissioner shall establish a grant-in-aid program for local units of government  
 103.32 and special park districts ~~for the acquisition, development, and maintenance of~~ to acquire,

104.1 develop, and maintain cross-country-ski trails that are determined by the commissioner to  
 104.2 be part of the state's grant-in-aid system. Grants ~~shall be~~ are available ~~for acquisition of~~ to  
 104.3 acquire trail easements but may not be used to acquire any lands in fee title. Local units of  
 104.4 government and special park districts applying for and receiving grants under this section  
 104.5 ~~shall be~~ are considered to have cross-country-ski trails for one year following the expiration  
 104.6 of their last grant. The department shall reimburse all public sponsors of grants-in-aid  
 104.7 cross-country-ski trails based upon criteria established by the department. ~~Prior to the use~~  
 104.8 ~~of~~ Before using any reimbursement criteria, a certain proportion of the revenues ~~shall~~ must  
 104.9 be allocated on the basis of user fee sales location. The commissioner may establish a  
 104.10 performance-based funding formula for annual grants-in-aid. The procedures and criteria  
 104.11 for grants-in-aid are not subject to the rulemaking provisions of chapter 14, and section  
 104.12 14.386 does not apply. In administering the performance-based grants-in-aid, the  
 104.13 commissioner must:

104.14 (1) determine annual grant amounts based on a funding formula that includes  
 104.15 consideration of historical costs, snowfall, use, and tourism;

104.16 (2) make grant payments based on:

104.17 (i) successful completion of performance benchmarks;

104.18 (ii) reimbursement of eligible expenditures; or

104.19 (iii) a combination of items (i) and (ii); and

104.20 (3) assess penalties to nonperforming grant-in-aid recipients, which may include  
 104.21 withholding grant payments or making the grantee or trail system ineligible for future  
 104.22 grant-in-aid funding.

104.23 Sec. 30. Minnesota Statutes 2018, section 85.47, is amended to read:

104.24 **85.47 SPECIAL USE PERMITS; FEES.**

104.25 Fees collected for special use permits to use state trails not on state forest, state park, or  
 104.26 state recreation area lands and for use of state water access sites must be deposited in the  
 104.27 natural resources fund and are appropriated to the commissioner of natural resources for  
 104.28 operating and maintaining state trails and water access sites.

104.29 Sec. 31. Minnesota Statutes 2018, section 85A.02, subdivision 17, is amended to read:

104.30 Subd. 17. **Additional powers.** (a) The board may establish a schedule of charges for  
 104.31 admission to or for the use of the Minnesota Zoological Garden or any related facility.

105.1 Notwithstanding section 16A.1283, legislative approval is not required for the board to  
 105.2 establish a schedule of charges for admission or use of the Minnesota Zoological Garden  
 105.3 or related facilities. ~~The board shall have a policy admitting elementary school children at~~  
 105.4 ~~a reduced charge when they are part of an organized school activity.~~

105.5 (b) Notwithstanding paragraph (a), the Minnesota Zoological Garden ~~will~~ must offer  
 105.6 free admission:

105.7 (1) throughout the year to economically disadvantaged Minnesota citizens equal to ten  
 105.8 percent of the average annual attendance;

105.9 (2) to all visitors on Martin Luther King Jr. Day, Memorial Day, Independence Day,  
 105.10 Labor Day, or Veterans Day; and

105.11 (3) to elementary school children when they are part of an organized school activity.

105.12 ~~However,~~ (c) Except on the days specified in paragraph (b), clause (2), the zoo may  
 105.13 charge at any time for parking, special services, ~~and for~~ or admission to special facilities  
 105.14 for the education, entertainment, or convenience of visitors.

105.15 ~~(b)~~ (d) The board may provide for the purchase, reproduction, and sale of gifts, souvenirs,  
 105.16 publications, informational materials, food and beverages, and grant concessions for the  
 105.17 sale of these items. Notwithstanding subdivision 5b, section 16C.09 does not apply to  
 105.18 activities authorized under this paragraph.

105.19 Sec. 32. Minnesota Statutes 2018, section 86B.005, subdivision 18, is amended to read:

105.20 Subd. 18. **Watercraft.** "Watercraft" means any contrivance used or designed for  
 105.21 navigation on water, except:

105.22 (1) a waterfowl boat during the waterfowl-hunting seasons;

105.23 (2) a rice boat during the harvest season; ~~or~~

105.24 (3) a seaplane; or

105.25 (4) a paddleboard.

105.26 Sec. 33. Minnesota Statutes 2018, section 86B.415, subdivision 1a, is amended to read:

105.27 Subd. 1a. **Canoes, kayaks, sailboards, ~~paddleboards, paddleboats,~~ or rowing**  
 105.28 **shells.** The fee for a watercraft license for a canoe, kayak, sailboard, ~~paddleboard,~~ paddleboat,  
 105.29 or rowing shell over ten feet in length is \$10.50.

106.1 Sec. 34. Minnesota Statutes 2018, section 89.71, is amended by adding a subdivision to  
106.2 read:

106.3 Subd. 3a. **Snow removal.** The commissioner must remove snow from a state forest road,  
106.4 including a minimum maintenance forest road, at the request of one or more residents who  
106.5 use the road during winter. Nothing in this section is to be construed to amend or abrogate  
106.6 section 160.095, subdivision 4.

106.7 Sec. 35. Minnesota Statutes 2018, section 92.115, subdivision 1, is amended to read:

106.8 Subdivision 1. **Land valuation required.** Before offering any state land for sale under  
106.9 this chapter, the commissioner must establish the value of the land. The commissioner shall  
106.10 have the land appraised if the estimated market value is in excess of ~~\$50,000~~ \$100,000.

106.11 Sec. 36. [92.122] **COMPENSATING PERMANENT SCHOOL FUND.**

106.12 Subdivision 1. **Compensation requirements.** (a) When the revenue generated from  
106.13 school trust land and associated resources is diminished by management practices applied  
106.14 to the land and resources as determined by the commissioner of natural resources, the  
106.15 commissioner must compensate the permanent school fund.

106.16 (b) When generating revenue from school trust land and associated resources will be  
106.17 prohibited by a policy or designation applied to the land and resources as determined by  
106.18 the commissioner, the commissioner must compensate the permanent school fund before  
106.19 the policy or designation is applied.

106.20 Subd. 2. **Compensation methods.** To compensate the permanent school fund under  
106.21 subdivision 1, the commissioner may use compensation methods that include:

106.22 (1) exchanging other land that is compatible with the goal of the permanent school fund  
106.23 under section 127A.31, as allowed under sections 94.343, subdivision 1, and 94.3495; and  
106.24 the Minnesota Constitution, article XI, section 10;

106.25 (2) leasing under section 92.50 and according to subdivision 3, with rental payments as  
106.26 compensation; and

106.27 (3) condemning the land under section 92.83, with payment of the amount of the award  
106.28 and judgment as compensation.

106.29 Subd. 3. **Lease terms for compensating fund.** With advice from the school trust lands  
106.30 director according to section 127A.353, subdivision 4, the commissioner may lease school

107.1 trust land to compensate the permanent school fund. Rental payments received under this  
 107.2 subdivision:

107.3 (1) must be credited to the forest suspense account as nonqualifying revenue and not  
 107.4 subject to cost certification under section 16A.125;

107.5 (2) must be paid in full upon executing the lease; and

107.6 (3) are determined by the commissioner and subject to review by a licensed appraiser.

107.7 Sec. 37. Minnesota Statutes 2018, section 92.50, subdivision 1, is amended to read:

107.8 Subdivision 1. **Lease terms.** (a) The commissioner of natural resources may lease land  
 107.9 under the commissioner's jurisdiction and control:

107.10 (1) to remove sand, gravel, clay, rock, marl, peat, and black dirt;

107.11 (2) to store ore, waste materials from mines, or rock and tailings from ore milling plants;

107.12 (3) for roads or railroads;

107.13 (4) to compensate the permanent school fund according to section 92.122; or

107.14 ~~(4)~~ (5) for other uses consistent with the interests of the state.

107.15 (b) The commissioner shall offer the lease at public or private sale for an amount and  
 107.16 under terms and conditions prescribed by the commissioner. Commercial leases for more  
 107.17 than ten years and leases for removal of peat that cover 320 or more acres must be approved  
 107.18 by the Executive Council.

107.19 (c) The lease term may not exceed 21 years except:

107.20 (1) leases of lands for storage sites for ore, waste materials from mines, or rock and  
 107.21 tailings from ore milling plants; or for the removal of peat for nonagricultural purposes may  
 107.22 not exceed a term of 25 years; and

107.23 (2) leases for commercial purposes, including major resort, convention center, or  
 107.24 recreational area purposes, may not exceed a term of 40 years.

107.25 (d) Leases must be subject to sale and leasing of the land for mineral purposes and  
 107.26 contain a provision for cancellation for just cause at any time by the commissioner upon  
 107.27 six months' written notice. A longer notice period, not exceeding three years, may be provided  
 107.28 in leases for storing ore, waste materials from mines, or rock or tailings from ore milling  
 107.29 plants. The commissioner may determine the terms and conditions, including the notice  
 107.30 period, for cancellation of a lease for the removal of peat and commercial leases.

108.1 (e) Money received from leases under this section must be credited to the fund to which  
108.2 the land belongs.

108.3 Sec. 38. Minnesota Statutes 2018, section 93.25, is amended to read:

108.4 **93.25 ORES OTHER THAN IRON; LEASES.**

108.5 Subdivision 1. **Leases.** The commissioner may issue leases to prospect for, mine, and  
108.6 remove minerals and mineral commodities other than iron ore, including brines and nonfuel  
108.7 gases, upon any lands owned by the state, including trust fund lands, lands forfeited for  
108.8 nonpayment of taxes whether held in trust or otherwise, and lands otherwise acquired, and  
108.9 the beds of any waters belonging to the state. For purposes of this section, iron ore means  
108.10 iron-bearing material where the primary product is iron metal.

108.11 Subd. 2. **Lease requirements.** All leases for nonferrous metallic minerals or petroleum  
108.12 must be approved by the Executive Council, and any other mineral, mineral commodity,  
108.13 brine, or nonfuel gas lease issued pursuant to this section that covers 160 or more acres  
108.14 must be approved by the Executive Council. The rents, royalties, terms, conditions, and  
108.15 covenants of all such leases shall be fixed by the commissioner according to rules adopted  
108.16 by the commissioner, but no lease shall be for a longer term than 50 years, and all rents,  
108.17 royalties, terms, conditions, and covenants shall be fully set forth in each lease issued. No  
108.18 lease shall be canceled by the state for failure to meet production requirements prior to the  
108.19 36th year of the lease. The rents and royalties shall be credited to the funds as provided in  
108.20 section 93.22.

108.21 Subd. 3. **Effect.** The provisions of this section shall not be deemed to repeal or supersede  
108.22 any other applicable provision of law, but shall be supplementary thereto.

108.23 Sec. 39. Minnesota Statutes 2018, section 94.09, subdivision 3, is amended to read:

108.24 Subd. 3. **Notice to agencies; determination of surplus.** The commissioner of natural  
108.25 resources shall send written notice to ~~all state departments, agencies and the University of~~  
108.26 ~~Minnesota~~ the Departments of Administration and Transportation, the Board of Water and  
108.27 Soil Resources, the Office of School Trust Lands, the legal or land departments of the  
108.28 University of Minnesota and Minnesota State Colleges and Universities, the Minnesota  
108.29 Indian Affairs Council, and any other state department or agency that requests to receive  
108.30 notices describing any lands or tracts ~~which~~ that may be declared surplus. If a ~~department~~  
108.31 ~~or agency or the University of Minnesota~~ recipient of the notice desires custody of the lands  
108.32 or tracts, ~~it shall~~ the recipient must submit a written request to the commissioner; no later  
108.33 than four calendar weeks after mailing of the notice; setting forth in detail ~~its~~ the reasons

109.1 for desiring to acquire, and ~~its~~ the intended use of, the land or tract. The commissioner shall  
 109.2 then determine whether any of the lands ~~described in the certifications of the heads of the~~  
 109.3 ~~departments or agencies~~ so requested should be declared surplus and offered for sale or  
 109.4 otherwise disposed of by transferring custodial control to other requesting state departments  
 109.5 or agencies or to the Board of Regents of the University of Minnesota for educational  
 109.6 purposes, provided however that transfer to the Board of Regents ~~shall~~ is not be determinative  
 109.7 of tax exemption or immunity. If the commissioner determines that any of the lands are no  
 109.8 longer needed for state purposes, the commissioner shall make findings of fact, describe  
 109.9 the lands, declare the lands to be surplus state land, and state the reasons for the sale or  
 109.10 disposition of the lands.

109.11 Sec. 40. Minnesota Statutes 2018, section 94.10, is amended to read:

109.12 **94.10 SURVEYS, APPRAISALS, AND SALE.**

109.13 Subdivision 1. **Appraisal; notice and offer to public bodies.** (a) Before offering any  
 109.14 surplus state-owned lands for sale, the commissioner of natural resources must establish  
 109.15 the value of the lands. The commissioner shall have the lands appraised if the estimated  
 109.16 value is in excess of ~~\$50,000~~ \$100,000. No parcel of state-owned land shall be sold for less  
 109.17 than \$1,000.

109.18 (b) The appraisals must be made by regularly appointed and qualified state appraisers.  
 109.19 To be qualified, an appraiser must hold a state appraiser license issued by the Department  
 109.20 of Commerce. The appraisal must be in conformity with the Uniform Standards of  
 109.21 Professional Appraisal Practice of the Appraisal Foundation.

109.22 (c) Before offering surplus state-owned lands for public sale, the lands ~~shall~~ must first  
 109.23 be offered to the city, county, town, school district, or other public body corporate or politic  
 109.24 in which the lands are situated for public purposes and the lands may be sold for public  
 109.25 purposes for not less than the appraised value of the lands. To determine whether a public  
 109.26 body desires to purchase the surplus land, the commissioner of natural resources shall give  
 109.27 a written notice to the governing body of each political subdivision whose jurisdictional  
 109.28 boundaries include or are adjacent to the surplus land. If a public body desires to purchase  
 109.29 the surplus land, ~~it shall~~ the public body must submit a written offer to the commissioner  
 109.30 no later than two weeks after receipt of notice setting forth in detail ~~its~~ the reasons for  
 109.31 desiring to acquire and ~~its~~ the intended use of the land. ~~In the event that~~ If more than one  
 109.32 public body tenders an offer, the commissioner shall determine which party shall receive  
 109.33 the property and shall submit written findings regarding the decision. If lands are offered  
 109.34 for sale for public purposes and if a public body notifies the commissioner of its desire to

110.1 acquire the lands, the public body may have up to two years from the date of the accepted  
110.2 offer to ~~commence payment~~ begin paying for the lands in the manner provided by law.

110.3 (d) Before offering surplus state-owned lands that are located within the reservation  
110.4 boundary of a federally recognized Indian tribe for public sale or before offering the lands  
110.5 to an entity specified in paragraph (c), the lands must first be offered to the federally  
110.6 recognized Indian tribe with governing authority over the reservation where the lands are  
110.7 located. If the lands are located within the reservation boundary of a federally recognized  
110.8 tribe that is one of the six constituent tribes of the Minnesota Chippewa tribe, then the lands  
110.9 must be offered to both the Minnesota Chippewa tribe and the constituent tribe where the  
110.10 lands are located. The lands may be sold for not less than the appraised value of the lands.  
110.11 To determine whether an Indian tribe desires to purchase the lands, the commissioner of  
110.12 natural resources must give a written notice to the governing body of the Indian tribe, and,  
110.13 when applicable, if the tribe is a member of the Minnesota Chippewa tribe, the Minnesota  
110.14 Chippewa tribe. If the Indian tribe desires to purchase the lands, the Indian tribe must notify  
110.15 the commissioner, in writing, of the intent to purchase the lands no later than two weeks  
110.16 after receiving the notice. If the Indian tribe notifies the commissioner of its intent to acquire  
110.17 the lands, the Indian tribe has up to two years from the date that the notice of intent to  
110.18 purchase the lands was submitted to begin paying for the lands in the manner provided by  
110.19 law.

110.20 **Subd. 2. Public sale requirements.** (a) After complying with subdivision 1 and before  
110.21 any public sale of surplus state-owned land is made and at least 30 days before the sale, the  
110.22 commissioner of natural resources shall publish a notice of the sale in a newspaper of general  
110.23 distribution in the county in which the real property to be sold is situated. The notice shall  
110.24 specify the time and place at which the sale will commence, a general description of the  
110.25 lots or tracts to be offered, and a general statement of the terms of sale. The commissioner  
110.26 shall ~~also~~ provide electronic notice of the sale.

110.27 (b) The minimum bid for a parcel of land must include the estimated value or appraised  
110.28 value of the land and any improvements and, if any of the land is valuable for merchantable  
110.29 timber, the value of the merchantable timber. The minimum bid may include expenses  
110.30 incurred by the commissioner in rendering the property salable, including survey, appraisal,  
110.31 legal, advertising, and other expenses.

110.32 (c) The purchaser of state land must pay recording fees and the state deed tax.

110.33 (d) Except as provided under paragraph (e), parcels remaining unsold after the offering  
110.34 may be sold to anyone agreeing to pay at least 75 percent of the appraised value. The sale

111.1 ~~shall~~ must continue until all parcels are sold or until the commissioner orders a reappraisal  
 111.2 or withdraws the remaining parcels from sale.

111.3 (e) The commissioner may retain the services of a licensed real estate broker to find a  
 111.4 buyer for parcels remaining unsold after the offering. The sale price may be negotiated by  
 111.5 the broker, but must not be less than 90 percent of the appraised value as determined by the  
 111.6 commissioner. The broker's fee must be established by prior agreement between the  
 111.7 commissioner and the broker and must not exceed ten percent of the sale price for sales of  
 111.8 \$10,000 or more. The broker's fee must be paid to the broker from the proceeds of the sale.

111.9 (f) Public sales of surplus state-owned land may be conducted through online auctions.

111.10 Sec. 41. Minnesota Statutes 2018, section 97A.015, subdivision 25, is amended to read:

111.11 Subd. 25. **Game fish.** "Game fish" means ~~walleye, sauger, yellow perch, channel catfish,~~  
 111.12 ~~flathead catfish; members of the pike family, Esocidae, including muskellunge and northern~~  
 111.13 ~~pike; members of the sunfish family, Centrarchidae, including largemouth bass, smallmouth~~  
 111.14 ~~bass, sunfish, rock bass, white crappie, black crappie, members of the temperate bass family,~~  
 111.15 ~~Percichthyidae, including white bass and yellow bass; members of the salmon and trout~~  
 111.16 ~~subfamily, Salmoninae, including Atlantic salmon, chinook salmon, coho salmon, pink~~  
 111.17 ~~salmon, kokanee salmon, lake trout, brook trout, brown trout, rainbow (steelhead) trout,~~  
 111.18 ~~and splake; members of the paddlefish family, Polyodontidae; members of the sturgeon~~  
 111.19 ~~family, Acipenseridae, including lake sturgeon, and shovelnose sturgeon.~~ fish from the  
 111.20 following families and species: Acipenseridae (lake sturgeon and shovelnose sturgeon),  
 111.21 Anguillidae (American eel), Centrarchidae (black crappie; largemouth bass; rock bass;  
 111.22 smallmouth bass; white crappie; and sunfishes, including bluegill, green sunfish, longear  
 111.23 sunfish, orangespotted sunfish, pumpkinseed, and warmouth), Esocidae (muskellunge and  
 111.24 northern pike), Gadidae (burbot), Ictaluridae (blue catfish, channel catfish, and flathead  
 111.25 catfish), Moronidae (white bass and yellow bass), Percidae (sauger, walleye, and yellow  
 111.26 perch), Polyodontidae (paddlefish), and Salmonidae (Atlantic salmon, brook trout, brown  
 111.27 trout, chinook salmon, cisco (tullibee), coho salmon, kokanee salmon, lake trout, lake  
 111.28 whitefish, pink salmon, and rainbow trout). "Game fish" includes hybrids of game fish.

111.29 Sec. 42. Minnesota Statutes 2018, section 97A.015, subdivision 43, is amended to read:

111.30 Subd. 43. **Rough fish.** "Rough fish" means carp, buffalo, sucker, sheepshead, bowfin,  
 111.31 ~~burbot, eiseo,~~ gar, goldeye, and bullhead, except for any fish species listed as endangered,  
 111.32 threatened, or of special concern in Minnesota Rules, chapter 6134.

112.1 Sec. 43. Minnesota Statutes 2018, section 97A.051, subdivision 2, is amended to read:

112.2 Subd. 2. **Summary of fish and game laws.** (a) The commissioner shall prepare a  
112.3 summary of the hunting and fishing laws and rules and deliver a sufficient supply to license  
112.4 vendors ~~to furnish one copy to each person obtaining a hunting, fishing, or trapping license.~~

112.5 (b) At the beginning of the summary, under the heading "Trespass," the commissioner  
112.6 shall summarize the trespass provisions under sections 97B.001 to 97B.945, state that  
112.7 conservation officers and peace officers must enforce the trespass laws, and state the penalties  
112.8 for trespassing.

112.9 (c) In the summary, the commissioner shall, under the heading "Duty to Render Aid,"  
112.10 summarize the requirements under section 609.662 and state the penalties for failure to  
112.11 render aid to a person injured by gunshot.

112.12 Sec. 44. Minnesota Statutes 2018, section 97A.055, subdivision 4b, is amended to read:

112.13 Subd. 4b. **Citizen oversight committees.** (a) The commissioner shall appoint committees  
112.14 of affected persons to review the reports prepared under subdivision 4; review the proposed  
112.15 work plans and budgets for the coming year; propose changes in policies, activities, and  
112.16 revenue enhancements or reductions; review other relevant information; and make  
112.17 recommendations to the legislature and the commissioner for improvements in the  
112.18 management and use of money in the game and fish fund.

112.19 (b) The commissioner shall appoint the following committees, each comprised of at  
112.20 least ten affected persons:

112.21 (1) a Fisheries Oversight Committee to review fisheries funding and expenditures,  
112.22 including activities related to trout-and-salmon stamps and walleye stamps; and

112.23 (2) a Wildlife Oversight Committee to review wildlife funding and expenditures,  
112.24 including activities related to migratory waterfowl, pheasant, and wild turkey management  
112.25 and deer and big game management.

112.26 (c) The chairs of the Fisheries Oversight Committee and the Wildlife Oversight  
112.27 Committee, and four additional members from each committee, shall form a Budgetary  
112.28 Oversight Committee to coordinate the integration of the fisheries and wildlife oversight  
112.29 committee reports into an annual report to the legislature; recommend changes on a broad  
112.30 level in policies, activities, and revenue enhancements or reductions; and provide a forum  
112.31 to address issues that transcend the fisheries and wildlife oversight committees.

113.1 (d) The Budgetary Oversight Committee shall develop recommendations for a biennial  
 113.2 budget plan and report for expenditures on game and fish activities. By August 15 of each  
 113.3 even-numbered year, the committee shall submit the budget plan recommendations to the  
 113.4 commissioner and to the senate and house of representatives committees with jurisdiction  
 113.5 over natural resources finance.

113.6 (e) The chairs of the Fisheries Oversight Committee and the Wildlife Oversight  
 113.7 Committee shall be chosen by their respective committees. The chair of the Budgetary  
 113.8 Oversight Committee shall be appointed by the commissioner and may not be the chair of  
 113.9 either of the other oversight committees.

113.10 (f) The Budgetary Oversight Committee may make recommendations to the commissioner  
 113.11 and to the senate and house of representatives committees with jurisdiction over natural  
 113.12 resources finance for outcome goals from expenditures.

113.13 (g) The committees authorized under this subdivision are not advisory councils or  
 113.14 committees governed by section 15.059 and are not subject to section 15.059. Committee  
 113.15 members appointed by the commissioner may request reimbursement for mileage expenses  
 113.16 in the same manner and amount as authorized by the commissioner's plan adopted under  
 113.17 section 43A.18, subdivision 2. Committee members must not receive daily compensation  
 113.18 for oversight activities. The Fisheries Oversight Committee, the Wildlife Oversight  
 113.19 Committee, and the Budgetary Oversight Committee expire June 30, ~~2020~~ 2025.

113.20 Sec. 45. Minnesota Statutes 2018, section 97A.075, subdivision 1, is amended to read:

113.21 Subdivision 1. **Deer, bear, and lifetime licenses.** (a) For purposes of this subdivision,  
 113.22 "deer license" means a license issued under section 97A.475, subdivisions 2, clauses (5),  
 113.23 (6), (7), (13), (14), and (15); 3, paragraph (a), clauses (2), (3), (4), (10), (11), and (12); and  
 113.24 8, paragraph (b), and licenses issued under section 97B.301, subdivision 4.

113.25 (b) \$16 from each annual deer license issued under section 97A.475, subdivisions 2,  
 113.26 clauses (5), (6), and (7); 3, paragraph (a), clauses (2), (3), and (4); and 8, paragraph (b); \$2  
 113.27 from each annual deer license and \$2 issued under sections 97A.475, subdivisions 2, clauses  
 113.28 (13), (14), and (15); and 3, paragraph (a), clauses (10), (11), and (12); and 97B.301,  
 113.29 subdivision 4; \$16 annually from the lifetime fish and wildlife trust fund, established in  
 113.30 section 97A.4742, for each license issued to a person 18 years of age or older under section  
 113.31 97A.473, subdivision 4; and \$2 annually from the lifetime fish and wildlife trust fund for  
 113.32 each license issued to a person under 18 years of age shall be credited to the deer management  
 113.33 account and is appropriated to the commissioner for deer habitat improvement or deer  
 113.34 management programs.

114.1 (c) \$1 from each annual deer license and each bear license and \$1 annually from the  
114.2 lifetime fish and wildlife trust fund, established in section 97A.4742, for each license issued  
114.3 under section 97A.473, subdivision 4, shall be credited to the deer and bear management  
114.4 account and is appropriated to the commissioner for deer- and bear-management programs,  
114.5 including a computerized licensing system.

114.6 (d) Fifty cents from each deer license is credited to the emergency deer feeding and wild  
114.7 Cervidae health-management account and is appropriated for emergency deer feeding and  
114.8 wild Cervidae health management. Money appropriated for emergency deer feeding and  
114.9 wild Cervidae health management is available until expended.

114.10 When the unencumbered balance in the appropriation for emergency deer feeding and  
114.11 wild Cervidae health management exceeds \$2,500,000 at the end of a fiscal year, the  
114.12 unencumbered balance in excess of \$2,500,000 is canceled and available for deer- and  
114.13 bear-management programs and computerized licensing.

114.14 **EFFECTIVE DATE.** This section is effective July 1, 2019.

114.15 Sec. 46. Minnesota Statutes 2018, section 97A.126, is amended to read:

114.16 **97A.126 WALK-IN ACCESS PROGRAM.**

114.17 Subdivision 1. **Establishment.** A walk-in access program is established to provide public  
114.18 access to wildlife habitat on ~~private~~ land not otherwise open to the public for hunting,  
114.19 excluding trapping, as provided under this section. The commissioner may enter into  
114.20 agreements with other units of government and landowners to provide ~~private land~~ hunting  
114.21 access.

114.22 Subd. 2. **Use of enrolled lands.** (a) From September 1 to May 31, a person must have  
114.23 a walk-in access hunter validation in possession to hunt on ~~private~~ lands, including  
114.24 agricultural lands, that are posted as being enrolled in the walk-in access program.

114.25 (b) Hunting on ~~private~~ lands that are posted as enrolled in the walk-in access program  
114.26 is allowed from one-half hour before sunrise to one-half hour after sunset.

114.27 (c) Hunter access on ~~private~~ lands that are posted as enrolled in the walk-in access  
114.28 program is restricted to nonmotorized use, except by hunters with disabilities operating  
114.29 motor vehicles on established trails or field roads who possess a valid permit to shoot from  
114.30 a stationary vehicle under section 97B.055, subdivision 3.

114.31 (d) The general provisions for use of wildlife management areas adopted under sections  
114.32 86A.06 and 97A.137, relating to overnight use, alcoholic beverages, use of motorboats,

115.1 firearms and target shooting, hunting stands, abandonment of trash and property, destruction  
115.2 or removal of property, introduction of plants or animals, and animal trespass, apply to  
115.3 hunters on lands enrolled in the walk-in access program.

115.4 (e) Any use of enrolled lands other than hunting according to this section is prohibited,  
115.5 including:

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

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

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

115.10 Sec. 47. Minnesota Statutes 2018, section 97A.433, subdivision 4, is amended to read:

115.11 Subd. 4. **Discretionary separate selection; eligibility.** (a) The commissioner may  
115.12 conduct a separate selection for up to 20 percent of the elk licenses to be issued for an area.  
115.13 Only owners of, and tenants living on, at least 160 acres of agricultural or grazing land in  
115.14 the area, and their family members, are eligible for the separate selection. Persons that are  
115.15 unsuccessful in a separate selection must be included in the selection for the remaining  
115.16 licenses. Persons who obtain an elk license in a separate selection ~~must allow public elk~~  
115.17 ~~hunting on their land during the elk season for which the license is valid.~~ may sell their  
115.18 license to any Minnesota resident eligible to hunt big game for no more than the original  
115.19 cost of the license.

115.20 (b) The commissioner may by rule establish criteria for determining eligible family  
115.21 members under this subdivision.

115.22 Sec. 48. Minnesota Statutes 2018, section 97A.433, subdivision 5, is amended to read:

115.23 Subd. 5. **Mandatory separate selection.** The commissioner must conduct a separate  
115.24 selection for 20 percent of the elk licenses to be issued each year. Only individuals who  
115.25 have applied at least ten times for an elk license and who have never received a license are  
115.26 eligible for this separate selection. A person who is unsuccessful in a separate selection  
115.27 under this subdivision must be included in the selection for the remaining licenses.

115.28 Sec. 49. Minnesota Statutes 2018, section 97A.475, subdivision 4, is amended to read:

115.29 Subd. 4. **Small-game surcharge and donation.** (a) Fees for annual licenses to take  
115.30 small game must be increased by a surcharge of \$6.50, except licenses under subdivisions  
115.31 2, clauses (18) and (19); and 3, paragraph (a), ~~clause~~ clauses (14) and (15). An additional

116.1 commission may not be assessed on the surcharge and the following statement must be  
116.2 included in the annual small-game-hunting regulations: "This \$6.50 surcharge is being paid  
116.3 by hunters for the acquisition and development of wildlife lands."

116.4 (b) A person may agree to add a donation of \$1, \$3, or \$5 to the fees for annual resident  
116.5 and nonresident licenses to take small game. An additional commission may not be assessed  
116.6 on the donation. The following statement must be included in the annual small-game-hunting  
116.7 regulations: "The small-game license donations are being paid by hunters for administration  
116.8 of the walk-in access program."

116.9 Sec. 50. Minnesota Statutes 2018, section 97A.505, subdivision 8, is amended to read:

116.10 Subd. 8. **Importing hunter-harvested Cervidae.** ~~Importation into Minnesota of~~  
116.11 Importing hunter-harvested Cervidae carcasses from known chronic wasting disease endemic  
116.12 ~~areas, as determined by the Board of Animal Health,~~ into Minnesota is prohibited except  
116.13 for cut and wrapped meat, quarters or other portions of meat with no part of the spinal  
116.14 column or head attached, antlers, hides, teeth, finished taxidermy mounts, and antlers attached  
116.15 to skull caps that are cleaned of all brain tissue. Hunter-harvested Cervidae carcasses taken  
116.16 ~~from chronic wasting disease endemic areas~~ outside of Minnesota may be transported on a  
116.17 direct route through the state by nonresidents.

116.18 Sec. 51. Minnesota Statutes 2018, section 97B.086, is amended to read:

116.19 **97B.086 POSSESSING NIGHT VISION OR THERMAL IMAGING EQUIPMENT.**

116.20 (a) A person may not possess night vision or thermal imaging equipment while taking  
116.21 wild animals or while having in possession, either individually or as one of a group of  
116.22 persons, a firearm, bow, or other implement that could be used to take wild animals.

116.23 (b) This section does not apply to a firearm that is:

116.24 (1) unloaded;

116.25 (2) in a gun case expressly made to contain a firearm that fully encloses the firearm by  
116.26 being zipped, snapped, buckled, tied, or otherwise fastened without any portion of the  
116.27 firearm exposed; and

116.28 (3) in the closed trunk of a motor vehicle.

116.29 (c) This section does not apply to a bow that is:

116.30 (1) completely encased or unstrung; and

116.31 (2) in the closed trunk of a motor vehicle.

117.1 (d) If the motor vehicle under paragraph (b) or (c) does not have a trunk, the firearm or  
 117.2 bow must be placed in the rearmost location of the vehicle.

117.3 (e) This section does not apply to night vision or thermal imaging equipment possessed  
 117.4 by:

117.5 (1) peace officers or military personnel while exercising their duties; or

117.6 (2) a person taking coyote or fox as provided under section 97B.075 and rules adopted  
 117.7 under section 97B.605.

117.8 Sec. 52. Minnesota Statutes 2018, section 97B.106, subdivision 2, is amended to read:

117.9 Subd. 2. **Equipment requirements.** (a) A crossbow used for hunting under the provisions  
 117.10 of this section must:

117.11 (1) be fired from the shoulder;

117.12 (2) deliver at least 42 foot-pounds of energy at a distance of ten feet;

117.13 (3) ~~have a stock at least 30 inches long;~~

117.14 ~~(4)~~ have a working safety; and

117.15 ~~(5)~~ (4) be used with arrows or bolts at least ten inches long.

117.16 (b) An arrow or bolt used to take big game or turkey under the provisions of this section  
 117.17 must meet the legal arrowhead requirements in section 97B.211, subdivision 2.

117.18 (c) An arrow or bolt used to take rough fish with a crossbow under the provisions of this  
 117.19 section must be tethered or controlled by an attached line.

117.20 Sec. 53. Minnesota Statutes 2018, section 97B.426, is amended to read:

117.21 **97B.426 BAITING BEAR; USE OF DRUM.**

117.22 (a) Notwithstanding section 97B.425:

117.23 (1) a private landowner or person authorized by the private landowner may use a drum  
 117.24 to bait bear on the person's private land; and

117.25 (2) a person may use a drum to bait bear on public land after paying a \$5 drum surcharge.

117.26 (b) The drum must be securely chained or cabled to a tree so that it cannot be moved  
 117.27 from the site by a bear and the drum may not include a mechanical device for dispensing  
 117.28 feed. The drum must be marked as provided in section 97B.425.

117.29 (c) For purposes of this section, "drum" means a 30 gallon or larger drum.

118.1 Sec. 54. Minnesota Statutes 2018, section 97B.516, is amended to read:

118.2 **97B.516 PLAN FOR ELK MANAGEMENT.**

118.3 (a) The commissioner of natural resources must adopt an elk management plan that:

118.4 (1) recognizes the value and uniqueness of elk;

118.5 (2) provides for integrated management of an elk population in harmony with the  
118.6 environment; and

118.7 (3) affords optimum recreational opportunities.

118.8 (b) Notwithstanding paragraph (a), the commissioner must not manage an elk herd in  
118.9 Kittson, Roseau, Marshall, or Beltrami Counties in a manner that would increase the size  
118.10 of the herd, including adoption or implementation of an elk management plan designed to  
118.11 increase an elk herd, unless the commissioner of agriculture verifies that crop and fence  
118.12 damages paid under section 3.7371 and attributed to the herd have not increased for at least  
118.13 two years.

118.14 (c) At least 60 days prior to implementing a plan to increase an elk herd, the  
118.15 commissioners of natural resources and agriculture must hold a joint public meeting in the  
118.16 county where the elk herd to be increased is located. At the meeting, the commissioners  
118.17 must present evidence that crop and fence damages have not increased in the prior two years  
118.18 and must detail the practices that will be used to reduce elk conflicts with area landowners.

118.19 (d) When the estimated size of a herd exceeds the range identified in an elk management  
118.20 plan, the commissioner must provide hunting opportunities designed to bring the size of  
118.21 the herd back into its planned size, including providing sufficient hunting tags and additional  
118.22 opportunities for unsuccessful hunters.

118.23 Sec. 55. Minnesota Statutes 2018, section 97B.722, is amended to read:

118.24 **97B.722 POSSESSING FIREARMS; HUNTING TURKEY.**

118.25 (a) While afield hunting turkeys, licensees may not have in possession or control:

118.26 (1) any firearm that is not a legal firearm as defined in paragraph (c); or

118.27 (2) any bow and arrow except those defined as legal for taking turkeys in rules adopted  
118.28 by the commissioner.

118.29 (b) Paragraph (a) does not apply to a person carrying a handgun in compliance with  
118.30 section 624.714.

119.1 (c) For hunting turkeys, "legal firearm" means a shotgun or muzzleloading shotgun 10  
119.2 gauge or smaller using fine shot size No. 4 or smaller diameter shot.

119.3 Sec. 56. Minnesota Statutes 2018, section 97B.731, subdivision 3, is amended to read:

119.4 Subd. 3. **Crow season.** ~~The commissioner shall prescribe a 124-day open season and~~  
119.5 ~~restrictions~~ seasons for taking crows are January 1 through January 15, March 15 through  
119.6 March 31, and August 1 through October 31. The open season may not be shorter than the  
119.7 ~~maximum season allowed under federal law.~~ The remainder of the year, crows may be taken  
119.8 as allowed by federal law.

119.9 Sec. 57. Minnesota Statutes 2018, section 97C.315, subdivision 1, is amended to read:

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

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

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

119.14 (3) two lines may be used on waters not subject to special regulations to take fish during  
119.15 the open-water season by a resident or nonresident angler who purchases a second-line  
119.16 endorsement for \$5. The proceeds collected from the purchases of second-line endorsements  
119.17 must be deposited in the Walleye Stamp Account described in section 97A.075, subdivision  
119.18 6, and must be spent on walleye stocking.

119.19 **EFFECTIVE DATE.** This section is effective March 1, 2020.

119.20 Sec. 58. Minnesota Statutes 2018, section 97C.345, is amended by adding a subdivision  
119.21 to read:

119.22 Subd. 3b. **Cast nets for gizzard shad.** (a) Cast nets may be used only to take gizzard  
119.23 shad for use as bait for angling from July 1 to November 30 as allowed under section 84D.03,  
119.24 subdivision 3.

119.25 (b) Cast nets used under this subdivision must be monofilament and may not exceed  
119.26 five feet in radius. Mesh size must be from three-eighths-inch to five-eighths-inch bar  
119.27 measure. A person may use up to two cast nets at one time.

119.28 Sec. 59. Minnesota Statutes 2018, section 97C.391, subdivision 1, is amended to read:

119.29 Subdivision 1. **General restrictions.** A person may not buy or sell fish taken from the  
119.30 waters of this state, except:

- 120.1 (1) minnows;
- 120.2 (2) rough fish ~~excluding ciscoes~~;
- 120.3 (3) smelt taken from Lake Superior and rivers and streams that flow into Lake Superior;
- 120.4 (4) fish taken under licensed commercial fishing operations;
- 120.5 (5) fish that are private aquatic life; and
- 120.6 (6) fish lawfully taken and subject to sale from other states and countries.

120.7 Sec. 60. Minnesota Statutes 2018, section 97C.395, subdivision 2, is amended to read:

120.8 Subd. 2. **Continuous season for certain species.** For sunfish, white crappie, black  
 120.9 crappie, yellow perch, catfish, rock bass, white bass, yellow bass, burbot, cisco (tullibee),  
 120.10 lake whitefish, and rough fish, the open season is continuous.

120.11 Sec. 61. Minnesota Statutes 2018, section 97C.605, subdivision 2, is amended to read:

120.12 Subd. 2. **Turtle seller's license.** (a) A person may not take, possess, buy, or transport  
 120.13 turtles for sale; sell turtles; or take turtles for sale using commercial equipment without a  
 120.14 turtle seller's license, except as provided in subdivision 2c.

120.15 (b) Except for renewals, no new turtle seller's licenses may be issued after August 1,  
 120.16 2002.

120.17 (c) A turtle seller's license is transferable by the turtle seller licensee by making  
 120.18 application to the commissioner. A turtle seller's license may be transferred ~~only once under~~  
 120.19 ~~this paragraph and the transfer must be to a child of the person holding the turtle seller's~~  
 120.20 ~~license.~~

120.21 Sec. 62. Minnesota Statutes 2018, section 97C.815, subdivision 2, is amended to read:

120.22 Subd. 2. **Assignment.** (a) The commissioner shall assign licensed inland commercial  
 120.23 fishing operators to commercial fishing areas and each operator ~~shall be~~ is obligated to fish  
 120.24 in the area that the commissioner has assigned to them. The commissioner's assignment  
 120.25 ~~shall be~~ is valid as long as the assigned operator continues to purchase a license, continues  
 120.26 to provide an adequate removal effort in a good and professional manner, and is not convicted  
 120.27 of two or more violations of laws or rules governing inland commercial fishing operations  
 120.28 during any one license period. In the operator assignment, the commissioner shall consider  
 120.29 the proximity of the operator to the area, the type and quantity of fish gear and equipment  
 120.30 possessed, knowledge of the affected waters, and general ability to perform the work well.

121.1 (b) Area assignments must not restrict permits and contracts that the commissioner issues  
 121.2 to governmental subdivisions and their subcontractors for invasive species control.

121.3 Sec. 63. Minnesota Statutes 2018, section 103B.3369, subdivision 5, is amended to read:

121.4 Subd. 5. **Financial assistance.** ~~A base grant may be awarded to a county that provides~~  
 121.5 ~~a match utilizing a water implementation tax or other local source. A water implementation~~  
 121.6 ~~tax that a county intends to use as a match to the base grant must be levied at a rate sufficient~~  
 121.7 ~~to generate a minimum amount determined by the board.~~ The board may award  
 121.8 performance-based, watershed-based, or program-based grants or other financial assistance  
 121.9 to local units of government that are responsible for implementing elements of applicable  
 121.10 portions of watershed management plans, comprehensive plans, local water management  
 121.11 plans, or comprehensive watershed management plans, developed or amended, adopted and  
 121.12 approved, according to chapter 103B, 103C, or 103D. Upon request by a local government  
 121.13 unit, the board may also award performance-based grants to local units of government to  
 121.14 carry out TMDL implementation plans as provided in chapter 114D, if the TMDL  
 121.15 implementation plan has been incorporated into the local water management plan according  
 121.16 to the procedures for approving comprehensive plans, watershed management plans, local  
 121.17 water management plans, or comprehensive watershed management plans under chapter  
 121.18 103B, 103C, or 103D, or if the TMDL implementation plan has undergone a public review  
 121.19 process. Notwithstanding section 16A.41, the board may award performance-based,  
 121.20 watershed-based, or program-based grants or other financial assistance on an advanced  
 121.21 basis and may prescribe the amount of local match required. ~~The fee authorized in section~~  
 121.22 ~~40A.152 may be used as a local match or as a supplement to state funding to accomplish~~  
 121.23 ~~implementation of comprehensive plans, watershed management plans, local water~~  
 121.24 ~~management plans, or comprehensive watershed management plans under this chapter and~~  
 121.25 ~~chapter 103C or 103D.~~ The board may enter into intergovernmental agreements to provide  
 121.26 funding for water management to local governments.

121.27 Sec. 64. Minnesota Statutes 2018, section 103B.3369, subdivision 9, is amended to read:

121.28 Subd. 9. **Performance-based Criteria.** (a) The board shall ~~must~~ develop and utilize ~~use~~  
 121.29 performance-based criteria for local water resources restoration, protection, and management  
 121.30 programs and projects. The criteria may include but are not limited to science-based  
 121.31 assessments, organizational capacity, priority resource issues, community outreach and  
 121.32 support, partnership potential, potential for multiple benefits, and program and project  
 121.33 delivery efficiency and effectiveness.

122.1 (b) Notwithstanding paragraph (a), the board may develop and use eligibility criteria  
122.2 for state grants or other financial assistance provided to local governments.

122.3 Sec. 65. Minnesota Statutes 2018, section 103B.611, subdivision 3, is amended to read:

122.4 Subd. 3. **Powers.** Subject to the provisions of chapters 97A, 103D, 103E, 103G, and  
122.5 115, and the rules and regulations of the respective agencies and governing bodies vested  
122.6 with jurisdiction and authority under those chapters, the district has the following powers  
122.7 on Lake Minnetonka, excluding the area of public drainage ditches or watercourses connected  
122.8 to the lake:

122.9 (1) to regulate the types of boats permitted to use the lake and set service fees;

122.10 (2) to regulate, maintain, and police public beaches, public docks, and other public  
122.11 facilities for access to the lake within the territory of the municipalities, provided that a  
122.12 municipality may supersede the district's action under this clause by adopting an ordinance  
122.13 specifically referring to the district's action by one year after the district's action;

122.14 (3) to limit by rule the use of the lake at various times and the use of various parts of  
122.15 the lake;

122.16 (4) to regulate the speed of boats on the lake and the conduct of other activities on the  
122.17 lake to secure the safety of the public and the most general public use;

122.18 (5) to contract with other law enforcement agencies to police the lake and its shore;

122.19 (6) to regulate the construction, installation, and maintenance of permanent and temporary  
122.20 docks and moorings consistent with federal and state law;

122.21 (7) to regulate the construction and use of mechanical and chemical means of deicing  
122.22 the lake and to regulate mechanical and chemical means of removal of weeds and algae  
122.23 from the lake;

122.24 (8) to regulate the construction, configuration, size, location, and maintenance of  
122.25 commercial marinas and their related facilities ~~including parking areas and sanitary facilities~~  
122.26 that affect activity below the ordinary high-water mark. The regulation shall authority under  
122.27 this clause does not apply to land-based marina activities, including storage facilities, and  
122.28 must be consistent with the applicable state statutes, municipal building codes, and zoning  
122.29 ordinances where the marinas are located;

122.30 (9) to contract with other governmental bodies to perform any of the functions of the  
122.31 district;

123.1 (10) to undertake research to determine the condition and development of the lake and  
123.2 the water entering it and to transmit their studies to the Pollution Control Agency and other  
123.3 interested authorities, and to develop a comprehensive program to eliminate pollution;

123.4 (11) to receive financial assistance from and join in projects or enter into contracts with  
123.5 federal and state agencies for the study and treatment of pollution problems and  
123.6 demonstration programs related to them; and

123.7 (12) to petition the board of managers of a watershed district in which the lake  
123.8 conservation district is located for improvements under section 103D.705; a bond is not  
123.9 required of the lake conservation district.

123.10 For purposes of this subdivision "watercourses connected to the lake" does not include  
123.11 channels connecting portions of the lake to one another.

123.12 Sec. 66. Minnesota Statutes 2018, section 103B.801, subdivision 2, is amended to read:

123.13 Subd. 2. **Program purposes.** The purposes of the comprehensive watershed management  
123.14 plan program under section 103B.101, subdivision 14, paragraph (a), are to:

123.15 (1) align local water planning purposes and procedures under this chapter and chapters  
123.16 103C and 103D on watershed boundaries to create a systematic, watershed-wide,  
123.17 science-based approach to watershed management;

123.18 (2) acknowledge and build off existing local government structure, water plan services,  
123.19 and local capacity;

123.20 (3) incorporate and make use of data and information, including watershed restoration  
123.21 and protection strategies under section 114D.26, which may serve to fulfill all or some of  
123.22 the requirements under chapter 114D;

123.23 (4) solicit input and engage experts from agencies, citizens, and stakeholder groups;

123.24 (5) focus on implementation of prioritized and targeted actions capable of achieving  
123.25 measurable progress; and

123.26 (6) serve as a substitute for a comprehensive plan, local water management plan, or  
123.27 watershed management plan developed or amended, approved, and adopted, according to  
123.28 this chapter or chapter 103C or 103D.

123.29 Sec. 67. Minnesota Statutes 2018, section 103B.801, subdivision 5, is amended to read:

123.30 Subd. 5. **Timelines; administration.** (a) The board shall develop and adopt, by June  
123.31 30, 2016, a transition plan for development, approval, adoption, and coordination of plans

124.1 consistent with section 103A.212. The transition plan must include a goal of completing  
 124.2 statewide transition to comprehensive watershed management plans by 2025. The  
 124.3 metropolitan area may be considered for inclusion in the transition plan. The board may  
 124.4 amend the transition plan no more than once every two years.

124.5 (b) The board may use the authority under section 103B.3369, subdivision 9, to support  
 124.6 development or implementation of a comprehensive watershed management plan under this  
 124.7 section.

124.8 Sec. 68. [103C.332] SOIL AND WATER CONSERVATION DISTRICTS; DUTIES  
 124.9 AND SERVICES.

124.10 Subdivision 1. Duties. In addition to any other duty prescribed by law, soil and water  
 124.11 conservation districts must:

124.12 (1) respond to and provide technical and financial assistance to landowners to maintain  
 124.13 and improve the quality, quantity, distribution, and sustainability of natural resources,  
 124.14 including surface water, groundwater, soil, and ecological resources;

124.15 (2) provide technical assistance in implementing the soil erosion law under sections  
 124.16 103F.401 to 103F.48;

124.17 (3) arrange for employees to serve on technical evaluation panels to implement the  
 124.18 wetland laws as required under section 103G.2242;

124.19 (4) locally administer the reinvest in Minnesota reserve program under section 103F.515  
 124.20 and rules adopted thereunder, using knowledge of local resources to manage each easement  
 124.21 to maximize environmental benefits;

124.22 (5) participate in administering the Wetland Conservation Act as provided under sections  
 124.23 103G.221 to 103G.2375, either in an advisory capacity or as the designated local government  
 124.24 unit administering the program;

124.25 (6) participate in the local water management program under chapter 103B, either in an  
 124.26 advisory capacity or as the designated local government unit administering the program;

124.27 (7) participate, as appropriate, in the comprehensive watershed management planning  
 124.28 program under section 103B.801;

124.29 (8) participate in disaster response efforts as provided in chapter 12A;

124.30 (9) provide technical recommendations to the Department of Natural Resources on  
 124.31 general permit applications under section 103G.301;

125.1 (10) provide technical assistance and local administration of the agricultural water quality  
125.2 certification program under sections 17.9891 to 17.993;

125.3 (11) provide technical assistance for the agricultural land preservation program under  
125.4 chapter 40A, where applicable;

125.5 (12) maintain compliance with section 15.99 for deadlines for agency action;

125.6 (13) coordinate with appropriate county officials on matters related to electing soil and  
125.7 water conservation district supervisors; and

125.8 (14) cooperate to the extent possible with federal, state, and local agencies and with  
125.9 private organizations to avoid duplicating and to enhance implementing public and private  
125.10 conservation initiatives within the jurisdiction of the district.

125.11 Subd. 2. **Services provided.** To carry out the duties under subdivision 1 and implement  
125.12 the soil and water conservation policy of the state as stated in section 103A.206, soil and  
125.13 water conservation districts provide a range of services, including but not limited to:

125.14 (1) performing administrative services, including comprehensive and annual work  
125.15 planning, administering grants, leveraging outside funding, establishing fiscal accountability  
125.16 measures, reporting accomplishments, human resources management, and staff and supervisor  
125.17 development;

125.18 (2) enter into cooperative agreements with the United States Department of Agriculture,  
125.19 Natural Resources Conservation Service, and other United States Department of Agriculture  
125.20 agencies to leverage federal technical and financial assistance;

125.21 (3) providing technical expertise, including knowledge of local resources, performing  
125.22 technical evaluations and certifications, assessing concerns, and providing oversight in  
125.23 surveying, designing, and constructing conservation practices;

125.24 (4) providing information and education outreach, including increasing landowner  
125.25 awareness and knowledge of soil and water conservation program opportunities to protect  
125.26 soil and water resources and publicizing the benefits of soil and water conservation to the  
125.27 general public;

125.28 (5) facilitating regulatory processes for impacted landowners and providing technical  
125.29 review and comment on regulatory permits and development plans for regulations relating  
125.30 to soil and water conservation;

125.31 (6) administering projects and programs, including but not limited to the nonpoint source  
125.32 pollution abatement program; reinvest in Minnesota reserve conservation easements program;

126.1 disaster response; local water management and comprehensive watershed management  
 126.2 planning programs; and projects related to floodplains, lakes, streams and ditches, wetlands,  
 126.3 upland resources, and groundwater resources, to maintain and improve the quality, quantity,  
 126.4 distribution, and sustainability of natural resources, including surface water, groundwater,  
 126.5 soil, and ecological resources;

126.6 (7) monitoring and inventorying to collect data that provide a baseline understanding of  
 126.7 resource conditions and changes to the resources over time and analyzing and interpreting  
 126.8 the data to support program implementation; and

126.9 (8) maintaining a modern technology infrastructure that facilitates planning and projects,  
 126.10 including geographic information systems, modeling software, mobile workstations, survey  
 126.11 and design equipment and software, and other technology for linking landowners with  
 126.12 conservation plans.

126.13 Sec. 69. Minnesota Statutes 2018, section 103D.315, subdivision 8, is amended to read:

126.14 Subd. 8. **Compensation.** The compensation of managers for meetings and for  
 126.15 performance of other necessary duties may not exceed ~~\$75~~ \$125 a day. Managers are entitled  
 126.16 to reimbursement for traveling and other necessary expenses incurred in the performance  
 126.17 of official duties.

126.18 Sec. 70. Minnesota Statutes 2018, section 103F.361, subdivision 2, is amended to read:

126.19 Subd. 2. **Legislative intent.** It is the intent of sections 103F.361 to 103F.377 to authorize  
 126.20 and direct the board and ~~the counties~~ zoning authorities to implement the plan for the  
 126.21 Mississippi headwaters area.

126.22 Sec. 71. Minnesota Statutes 2018, section 103F.363, subdivision 1, is amended to read:

126.23 Subdivision 1. **Generally.** Sections 103F.361 to 103F.377 apply to the counties of  
 126.24 Clearwater, Hubbard, Beltrami, Cass, Itasca, Aitkin, Crow Wing, and Morrison and all other  
 126.25 zoning authorities.

126.26 Sec. 72. Minnesota Statutes 2018, section 103F.365, is amended by adding a subdivision  
 126.27 to read:

126.28 Subd. 5. **Zoning authority.** "Zoning authority" means counties, organized townships,  
 126.29 local and special governmental units, joint powers boards, councils, commissions, boards,  
 126.30 districts, and all state agencies and departments wholly or partially within the corridor  
 126.31 defined by the plan, excluding statutory or home rule charter cities.

127.1 Sec. 73. Minnesota Statutes 2018, section 103F.371, is amended to read:

127.2 **103F.371 RESPONSIBILITIES OF OTHER GOVERNMENTAL UNITS.**

127.3 (a) All local and special governmental units, councils, commissions, boards and districts  
 127.4 and all state agencies and departments must exercise their powers so as to further the purposes  
 127.5 of sections 103F.361 to 103F.377 and the plan. Land owned by the state, its agencies, and  
 127.6 political subdivisions shall be administered in accordance with the plan. The certification  
 127.7 procedure under section 103F.373 applies to all zoning authorities in the corridor defined  
 127.8 by the plan.

127.9 (b) Actions that comply with the land use ordinance are consistent with the plan. Actions  
 127.10 that do not comply with the ordinance may not be started until the board has been notified  
 127.11 and given an opportunity to review and comment on the consistency of the action with this  
 127.12 section.

127.13 Sec. 74. Minnesota Statutes 2018, section 103F.373, subdivision 1, is amended to read:

127.14 Subdivision 1. **Purpose.** To ~~assure~~ ensure that the plan is not nullified by unjustified  
 127.15 exceptions in particular cases and to promote uniformity in the treatment of applications  
 127.16 for exceptions, a review and certification procedure is established for the following categories  
 127.17 of land use actions taken by ~~the counties and~~ zoning authorities directly or indirectly affecting  
 127.18 land use within the area covered by the plan:

127.19 (1) the adoption or amendment of an ordinance regulating the use of land, including  
 127.20 rezoning of particular tracts of land;

127.21 (2) the granting of a variance from provisions of the land use ordinance; and

127.22 (3) the approval of a plat which is inconsistent with the land use ordinance.

127.23 Sec. 75. Minnesota Statutes 2018, section 103F.373, subdivision 3, is amended to read:

127.24 Subd. 3. **Procedure for certification.** A copy of the notices of public hearings or, when  
 127.25 a hearing is not required, a copy of the application to consider an action of a type specified  
 127.26 in subdivision 1, clauses (1) to (3), must be forwarded to the board by the ~~county~~ zoning  
 127.27 authority at least 15 days before the hearing or meetings to consider the actions. The ~~county~~  
 127.28 zoning authority shall notify the board of its final decision on the proposed action within  
 127.29 ten days of the decision. By 30 days after the board receives the notice, the board shall  
 127.30 notify the ~~county~~ zoning authority and the applicant of ~~its~~ the board's approval or disapproval  
 127.31 of the proposed action.

128.1 Sec. 76. Minnesota Statutes 2018, section 103F.373, subdivision 4, is amended to read:

128.2 Subd. 4. **Disapproval of actions.** (a) If a notice of disapproval is issued by the board,  
128.3 ~~the county~~ zoning authority or the applicant may, within 30 days of the notice, file with the  
128.4 board a demand for a hearing. If a demand is not filed within the 30-day period, the  
128.5 disapproval becomes final.

128.6 (b) If a demand is filed within the 30-day period, a hearing must be held within 60 days  
128.7 of demand. The hearing must be preceded by two weeks' published notice. Within 30 days  
128.8 after the hearing, the board must:

128.9 (1) affirm its disapproval of the proposed action; or

128.10 (2) certify approval of the proposed action.

128.11 Sec. 77. Minnesota Statutes 2018, section 103G.2242, subdivision 14, is amended to read:

128.12 Subd. 14. **Fees established.** (a) Fees must be assessed for managing wetland bank  
128.13 accounts and transactions as follows:

128.14 (1) account maintenance annual fee: one percent of the value of credits not to exceed  
128.15 \$500;

128.16 (2) account establishment, deposit, or transfer: 6.5 percent of the value of credits not to  
128.17 exceed \$1,000 per establishment, deposit, or transfer; and

128.18 (3) withdrawal fee: 6.5 percent of the value of credits withdrawn.

128.19 (b) The board ~~may~~ must establish fees ~~at or~~ based on costs to the agency below the  
128.20 amounts in paragraph (a) for single-user or other dedicated wetland banking accounts.

128.21 (c) Fees for single-user or other dedicated wetland banking accounts established pursuant  
128.22 to section 103G.005, subdivision 10i, clause (4), are limited to establishment of a wetland  
128.23 banking account and are assessed at the rate of 6.5 percent of the value of the credits not to  
128.24 exceed \$1,000.

128.25 (d) The board may assess a fee to pay the costs associated with establishing conservation  
128.26 easements, or other long-term protection mechanisms prescribed in the rules adopted under  
128.27 subdivision 1, on property used for wetland replacement.

128.28 Sec. 78. Minnesota Statutes 2018, section 103G.241, subdivision 1, is amended to read:

128.29 Subdivision 1. **Conditions to affect public waters.** An agent or employee of another  
128.30 may not construct, reconstruct, remove, or make a change in a reservoir, dam, or waterway

129.1 obstruction on a public water or in any manner change or diminish the course, current, or  
129.2 cross section of public waters unless the agent or employee has:

129.3 (1) obtained a signed statement from the property owner stating that the permits required  
129.4 for the work have been obtained or a permit is not required; and

129.5 (2) mailed or electronically transmitted a copy of the statement to the regional office of  
129.6 the Department of Natural Resources where the proposed work is located.

129.7 Sec. 79. Minnesota Statutes 2018, section 103G.241, subdivision 3, is amended to read:

129.8 Subd. 3. **Form for compliance.** The commissioner shall develop a form to be distributed  
129.9 to contractors' associations and county auditors to comply with this section. The form must  
129.10 include:

129.11 (1) a listing of the activities for which a permit is required;

129.12 (2) a description of the penalties for violating this chapter;

129.13 (3) the mailing addresses, electronic mail addresses, and telephone numbers of the  
129.14 regional offices of the Department of Natural Resources;

129.15 (4) a statement that water inventory maps completed according to section 103G.201 are  
129.16 on file with the auditors of the counties; and

129.17 (5) spaces for a description of the work and the names, mailing addresses, electronic  
129.18 mail addresses, and telephone numbers of the person authorizing the work and the agent or  
129.19 employee proposing to undertake it.

129.20 Sec. 80. Minnesota Statutes 2018, section 103G.271, subdivision 7, is amended to read:

129.21 Subd. 7. **Transferring permit.** (a) A water-use permit may be transferred to a successive  
129.22 owner of real property if the permittee conveys the real property where the source of water  
129.23 is located. The new owner must notify the commissioner immediately after the conveyance  
129.24 and request transfer of the permit. The commissioner must not deny the transfer of a permit  
129.25 if:

129.26 (1) the permittee is in compliance with all permit conditions, as demonstrated by:

129.27 (i) the permit being valid at the time of the real property transfer; and

129.28 (ii) the permittee has complied with the total volume allowed under the water-use permit  
129.29 prior to transferring the real property; and

129.30 (2) the permit meets the requirements of sections 103G.255 to 103G.301.

130.1 (b) The commissioner must not require additional conditions on the permit, reduce the  
130.2 appropriation, or require any testing when transferring a permit.

130.3 **EFFECTIVE DATE.** This section is effective retroactively from January 1, 2010.

130.4 Sec. 81. Minnesota Statutes 2018, section 103G.271, is amended by adding a subdivision  
130.5 to read:

130.6 Subd. 8. **Management plans; economic impacts.** Before a management plan for  
130.7 appropriating water is prepared, the commissioner must provide estimates of the economic  
130.8 impact of any new restriction or policy on existing and future groundwater users and local  
130.9 governments in the affected area. Strategies to address economic impacts must be included  
130.10 in the plan.

130.11 Sec. 82. Minnesota Statutes 2018, section 103G.287, subdivision 1, is amended to read:

130.12 Subdivision 1. **Applications for groundwater appropriations; preliminary**  
130.13 **well-construction approval.** (a) Groundwater use permit applications are not complete  
130.14 until the applicant has supplied:

130.15 (1) a water well record as required by section 103I.205, subdivision 9, information on  
130.16 the subsurface geologic formations penetrated by the well and the formation or aquifer that  
130.17 will serve as the water source, and geologic information from test holes drilled to locate the  
130.18 site of the production well;

130.19 (2) the maximum daily, seasonal, and annual pumpage rates and volumes being requested;

130.20 (3) information on groundwater quality in terms of the measures of quality commonly  
130.21 specified for the proposed water use and details on water treatment necessary for the proposed  
130.22 use;

130.23 (4) the results of an aquifer test completed according to specifications approved by the  
130.24 commissioner. The test must be conducted at the maximum pumping rate requested in the  
130.25 application and for a length of time adequate to assess or predict impacts to other wells and  
130.26 surface water and groundwater resources. The permit applicant is responsible for all costs  
130.27 related to the aquifer test, including the construction of groundwater and surface water  
130.28 monitoring installations, and water level readings before, during, and after the aquifer test;  
130.29 and

130.30 (5) the results of any assessments conducted by the commissioner under paragraph (c).

131.1 (b) The commissioner may waive an application requirement in this subdivision if the  
131.2 information provided with the application is adequate to determine whether the proposed  
131.3 appropriation and use of water is sustainable and will protect ecosystems, water quality,  
131.4 and the ability of future generations to meet their own needs.

131.5 (c) The commissioner shall provide an assessment of a proposed well needing a  
131.6 groundwater appropriation permit. The commissioner shall evaluate the information submitted  
131.7 as required under section 103I.205, subdivision 1, paragraph (e), and determine whether  
131.8 the anticipated appropriation request is likely to meet the applicable requirements of this  
131.9 chapter. If the appropriation request is likely to meet applicable requirements, the  
131.10 commissioner shall provide the person submitting the information with a letter or  
131.11 electronically transmitted notice providing preliminary approval to construct the well and  
131.12 the requirements, including test-well information, that will be needed to obtain the permit.

131.13 (d) The commissioner must provide an applicant denied a groundwater use permit or  
131.14 issued a groundwater use permit that is reduced or restricted from the original request with  
131.15 all information the commissioner used in making the determination, including hydrographs,  
131.16 flow tests, aquifer tests, topographic maps, field reports, photographs, and proof of equipment  
131.17 calibration.

131.18 Sec. 83. Minnesota Statutes 2018, section 103G.287, subdivision 4, is amended to read:

131.19 Subd. 4. **Groundwater management areas.** (a) The commissioner may designate  
131.20 groundwater management areas and limit total annual water appropriations and uses within  
131.21 a designated area to ensure sustainable use of groundwater that protects ecosystems, water  
131.22 quality, and the ability of future generations to meet their own needs. Water appropriations  
131.23 and uses within a designated management area must be consistent with a groundwater  
131.24 management area plan approved by the commissioner that addresses water conservation  
131.25 requirements and water allocation priorities established in section 103G.261. During the  
131.26 development of a groundwater management plan, the commissioner and employees and  
131.27 agents of the department may disseminate information related to the timing, location, and  
131.28 agendas of meetings related to the plan, but shall otherwise limit public information  
131.29 disseminated related to the groundwater management area to direct factual responses to  
131.30 public and media inquires. At least 30 days prior to implementing or modifying a groundwater  
131.31 management area plan under this subdivision, the commissioner shall consult with the  
131.32 advisory team established in paragraph (c).

131.33 (b) Notwithstanding section 103G.271, subdivision 1, paragraph (b), and Minnesota  
131.34 Rules, within designated groundwater management areas, the commissioner may require

132.1 general permits as specified in section 103G.271, subdivision 1, paragraph (c), for water  
132.2 users using less than 10,000 gallons per day or 1,000,000 gallons per year and water suppliers  
132.3 serving less than 25 persons for domestic purposes. The commissioner may waive the  
132.4 requirements under section 103G.281 for general permits issued under this paragraph, and  
132.5 the fee specified in section 103G.301, subdivision 2, paragraph (c), does not apply to general  
132.6 permits issued under this paragraph.

132.7 (c) When designating a groundwater management area, the commissioner shall assemble  
132.8 an advisory team to assist in developing a groundwater management area plan for the area.  
132.9 The advisory team members shall be selected from public and private entities that have an  
132.10 interest in the water resources affected by the groundwater management area. A majority  
132.11 of the advisory team members shall be public and private entities that currently hold water-use  
132.12 permits for water appropriations from the affected water resources. The commissioner shall  
132.13 consult with the League of Minnesota Cities, the Association of Minnesota Counties, the  
132.14 Minnesota Association of Watershed Districts, and the Minnesota Association of Townships  
132.15 in appointing the local government representatives to the advisory team. The advisory team  
132.16 may also include representatives from the University of Minnesota, the Minnesota State  
132.17 Colleges and Universities, other institutions of higher learning in Minnesota, political  
132.18 subdivisions with jurisdiction over water issues, nonprofits with expertise in water, and  
132.19 federal agencies.

132.20 (d) Before designating a groundwater management area, the commissioner must provide  
132.21 estimates of the economic effect of any new restriction or policy on existing and future  
132.22 groundwater users and local governments in the affected area. Strategies to address economic  
132.23 impacts must be included in any plan.

132.24 Sec. 84. Minnesota Statutes 2018, section 103G.287, subdivision 5, is amended to read:

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

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

133.1 Sec. 85. Minnesota Statutes 2018, section 103G.289, is amended to read:

133.2 **103G.289 WELL INTERFERENCE; ~~WELL SEALING VALIDATION;~~**

133.3 **CONTESTED CASE.**

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

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

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

133.14 Sec. 86. Minnesota Statutes 2018, section 103G.311, subdivision 2, is amended to read:

133.15 Subd. 2. **Hearing notice.** (a) The hearing notice on an application must include:

133.16 (1) the date, place, and time fixed by the commissioner for the hearing;

133.17 (2) the waters affected, the water levels sought to be established, or control structures  
133.18 proposed; and

133.19 (3) the matters prescribed by sections 14.57 to 14.59 and rules adopted thereunder.

133.20 (b) A summary of the hearing notice must be published by the commissioner at the  
133.21 expense of the applicant or, if the proceeding is initiated by the commissioner in the absence  
133.22 of an applicant, at the expense of the commissioner.

133.23 (c) The summary of the hearing notice must be:

133.24 (1) published once a week for two successive weeks before the day of hearing in a legal  
133.25 newspaper published in the county where any part of the affected waters is located; and

133.26 (2) mailed or electronically transmitted by the commissioner to the county auditor, the  
133.27 mayor of a municipality, the watershed district, and the soil and water conservation district  
133.28 affected by the application.

134.1 Sec. 87. Minnesota Statutes 2018, section 103G.311, subdivision 5, is amended to read:

134.2 Subd. 5. **Demand for hearing.** (a) If a hearing is waived and an order is made issuing  
134.3 or denying the permit, the applicant, the managers of the watershed district, the board of  
134.4 supervisors of the soil and water conservation district, or the governing body of the  
134.5 municipality may file a demand for hearing on the application. The demand for a hearing  
134.6 must be filed within 30 days after mailed or electronically transmitted notice of the order  
134.7 with the bond required by subdivision 6.

134.8 (b) The commissioner must give notice as provided in subdivision 2, hold a hearing on  
134.9 the application, and make a determination on issuing or denying the permit as though the  
134.10 previous order had not been made.

134.11 (c) The order issuing or denying the permit becomes final at the end of 30 days after  
134.12 mailed or electronically transmitted notice of the order to the applicant, the managers of the  
134.13 watershed district, the board of supervisors of the soil and water conservation district, or  
134.14 the governing body of the municipality, and an appeal of the order may not be taken if:

134.15 (1) the commissioner waives a hearing and a demand for a hearing is not made; or

134.16 (2) a hearing is demanded but a bond is not filed as required by subdivision 6.

134.17 Sec. 88. Minnesota Statutes 2018, section 103G.315, subdivision 8, is amended to read:

134.18 Subd. 8. **Notice of permit order.** Notice of orders made after hearing must be given by  
134.19 publication of the order once a week for two successive weeks in a legal newspaper in the  
134.20 county where the hearing was held and by mailing or electronically transmitting copies of  
134.21 the order to parties who entered an appearance at the hearing.

134.22 Sec. 89. Minnesota Statutes 2018, section 103G.408, is amended to read:

134.23 **103G.408 TEMPORARY DRAWDOWN OF PUBLIC WATERS.**

134.24 (a) The commissioner, upon consideration of recommendations and objections as provided  
134.25 in clause (2), item (iii), and paragraph (c), may issue a public-waters-work permit for the  
134.26 temporary drawdown of a public water when:

134.27 (1) the public water is a shallow lake to be managed for fish, wildlife, or ecological  
134.28 purposes by the commissioner and the commissioner has conducted a public hearing  
134.29 presenting a comprehensive management plan outlining how and when temporary drawdowns  
134.30 under this section will be conducted; or

134.31 (2) the permit applicant is a public entity and:

135.1 (i) the commissioner deems the project to be beneficial and makes findings of fact that  
135.2 the drawdown is in the public interest;

135.3 (ii) the permit applicant has obtained permission from at least 75 percent of the riparian  
135.4 landowners; and

135.5 (iii) the permit applicant has conducted a public hearing according to paragraph (d).

135.6 (b) In addition to the requirements in section 103G.301, subdivision 6, the permit  
135.7 applicant shall serve a copy of the application on each county, municipality, and watershed  
135.8 management organization, if one exists, within which any portion of the public water is  
135.9 located and on the lake improvement district, if one exists.

135.10 (c) A county, municipality, watershed district, watershed management organization, or  
135.11 lake improvement district required to be served under paragraph (b) or section 103G.301,  
135.12 subdivision 6, may file a written recommendation for the issuance of a permit or an objection  
135.13 to the issuance of a permit with the commissioner within 30 days after receiving a copy of  
135.14 the application.

135.15 (d) The hearing notice for a public hearing under paragraph (a), clause (2), item (iii),  
135.16 must:

135.17 (1) include the date, place, and time for the hearing;

135.18 (2) include the waters affected and a description of the proposed project;

135.19 (3) be mailed or electronically transmitted to the director, the county auditor, the clerk  
135.20 or mayor of a municipality, the lake improvement district if one exists, the watershed district  
135.21 or water management organization, the soil and water conservation district, and all riparian  
135.22 owners of record affected by the application; and

135.23 (4) be published in a newspaper of general circulation in the affected area.

135.24 (e) Periodic temporary drawdowns conducted under paragraph (a) ~~shall~~ are not be  
135.25 considered takings from riparian landowners.

135.26 (f) This section does not apply to public waters that have been designated for wildlife  
135.27 management under section 97A.101.

135.28 Sec. 90. Minnesota Statutes 2018, section 103G.615, subdivision 3a, is amended to read:

135.29 Subd. 3a. **Invasive aquatic plant management permit.** (a) "Invasive aquatic plant  
135.30 management permit" means an aquatic plant management permit as defined in rules of the

136.1 Department of Natural Resources that authorizes the selective control of invasive aquatic  
136.2 plants to cause a significant reduction in the abundance of the invasive aquatic plant.

136.3 (b) The commissioner may waive the dated signature of approval requirement in rules  
136.4 of the Department of Natural Resources for invasive aquatic plant management permits if  
136.5 obtaining signatures would create an undue burden on the permittee or if the commissioner  
136.6 determines that aquatic plant control is necessary to protect natural resources.

136.7 (c) If the signature requirement is waived under paragraph (b) because obtaining  
136.8 signatures would create an undue burden on the permittee, the commissioner shall require  
136.9 an alternate form of landowner notification, including news releases or public notices in a  
136.10 local newspaper, a public meeting, or a mailing or electronic transmission to the most recent  
136.11 permanent physical or electronic mailing address of affected landowners. The notification  
136.12 must be given annually and must include: the proposed date of treatment, the target species,  
136.13 the method of control or product being used, and instructions on how the landowner may  
136.14 request that control not occur adjacent to the landowner's property.

136.15 (d) The commissioner may allow dated signatures of approval obtained for an invasive  
136.16 aquatic plant management permit to satisfy rules of the Department of Natural Resources  
136.17 to remain valid for three years if property ownership remains unchanged.

136.18 Sec. 91. Minnesota Statutes 2018, section 114D.15, is amended by adding a subdivision  
136.19 to read:

136.20 Subd. 3a. **Comprehensive local water management plan.** "Comprehensive local water  
136.21 management plan" has the meaning given under section 103B.3363, subdivision 3.

136.22 Sec. 92. Minnesota Statutes 2018, section 114D.15, is amended by adding a subdivision  
136.23 to read:

136.24 Subd. 3b. **Comprehensive watershed management plan.** "Comprehensive watershed  
136.25 management plan" has the meaning given under section 103B.3363, subdivision 3a.

136.26 Sec. 93. Minnesota Statutes 2018, section 114D.15, subdivision 7, is amended to read:

136.27 Subd. 7. **Restoration.** "Restoration" means actions, ~~including effectiveness monitoring,~~  
136.28 ~~that are~~ taken to pursue, achieve, and maintain water quality standards for impaired waters  
136.29 ~~in accordance with a TMDL that has been approved by the United States Environmental~~  
136.30 ~~Protection Agency under federal TMDL requirements.~~

137.1 Sec. 94. Minnesota Statutes 2018, section 114D.15, subdivision 11, is amended to read:

137.2 Subd. 11. **TMDL implementation plan.** "TMDL implementation plan" means a  
137.3 document detailing restoration strategies or activities needed to meet ~~the approved TMDL's~~  
137.4 TMDL pollutant load allocations for point and nonpoint sources. This could include a  
137.5 WRAPS, a comprehensive watershed management plan, a comprehensive local water  
137.6 management plan, or another document or strategy that the commissioner of the Pollution  
137.7 Control Agency determines to be, in whole or in part, sufficient to provide reasonable  
137.8 assurance of achieving applicable water quality standards.

137.9 Sec. 95. Minnesota Statutes 2018, section 114D.15, subdivision 13, is amended to read:

137.10 Subd. 13. **Watershed restoration and protection strategy or WRAPS.** "Watershed  
137.11 restoration and protection strategy" or "WRAPS" means a document summarizing scientific  
137.12 studies of a major watershed ~~no larger than~~ at approximately a hydrologic unit code 8  
137.13 ~~including the physical, chemical, and biological assessment of the water quality of the~~  
137.14 ~~watershed; identification of impairments and water bodies in need of protection; identification~~  
137.15 ~~of biotic stressors and sources of pollution, both point and nonpoint; TMDLs for the~~  
137.16 ~~impairments; and an implementation table containing~~ scale with strategies and actions  
137.17 designed to achieve and maintain water quality standards and goals.

137.18 Sec. 96. Minnesota Statutes 2018, section 114D.20, subdivision 2, is amended to read:

137.19 Subd. 2. **Goals for implementation.** The following goals must guide the implementation  
137.20 of this chapter:

137.21 (1) to identify impaired waters in accordance with federal TMDL requirements ~~within~~  
137.22 ~~ten years after May 23, 2006, and thereafter~~ to ensure continuing evaluation of surface  
137.23 waters for impairments;

137.24 (2) to submit TMDLs to the United States Environmental Protection Agency ~~for all~~  
137.25 ~~impaired waters~~ in a timely manner in accordance with federal TMDL requirements;

137.26 (3) to ~~set a reasonable time~~ inform and support strategies for implementing restoration  
137.27 ~~of each identified impaired water~~ and protection activities in a reasonable time period;

137.28 (4) to systematically evaluate waters, to provide assistance and incentives to prevent  
137.29 waters from becoming impaired, and to improve the quality of waters that are listed as  
137.30 impaired ~~but do not have an approved TMDL addressing the impairment;~~

137.31 (5) to promptly seek the delisting of waters from the impaired waters list when those  
137.32 waters are shown to achieve the designated uses applicable to the waters;

138.1 (6) to achieve compliance with federal Clean Water Act requirements in Minnesota;

138.2 (7) to support effective measures to prevent the degradation of groundwater according  
138.3 to the groundwater degradation prevention goal under section 103H.001; and

138.4 (8) to support effective measures to restore degraded groundwater.

138.5 Sec. 97. Minnesota Statutes 2018, section 114D.20, subdivision 3, is amended to read:

138.6 Subd. 3. **Implementation policies.** The following policies must guide the implementation  
138.7 of this chapter:

138.8 (1) develop regional ~~and~~ multiple pollutant, or watershed TMDLs and TMDL  
138.9 ~~implementation plans, and TMDLs and TMDL implementation plans for multiple pollutants~~  
138.10 or WRAPSs, where reasonable and feasible;

138.11 (2) maximize use of available organizational, technical, and financial resources to perform  
138.12 sampling, monitoring, and other activities to identify degraded groundwater and impaired  
138.13 waters, including use of citizen monitoring and citizen monitoring data used by the Pollution  
138.14 Control Agency in assessing water quality that meets the requirements ~~in Appendix D of~~  
138.15 ~~the Volunteer Surface Water Monitoring Guide, Minnesota~~ established by the commissioner  
138.16 of the Pollution Control Agency (2003);

138.17 (3) maximize opportunities for restoration of degraded groundwater and impaired waters,  
138.18 by prioritizing and targeting of available programmatic, financial, and technical resources  
138.19 and by providing additional state resources to complement and leverage available resources;

138.20 (4) use existing regulatory authorities to achieve restoration for point and nonpoint  
138.21 sources of pollution where applicable, and promote the development and use of effective  
138.22 nonregulatory measures to address pollution sources for which regulations are not applicable;

138.23 (5) use restoration methods that have a demonstrated effectiveness in reducing  
138.24 impairments and provide the greatest long-term positive impact on water quality protection  
138.25 and improvement and related conservation benefits while incorporating innovative approaches  
138.26 on a case-by-case basis;

138.27 (6) identify for the legislature any innovative approaches that may strengthen or  
138.28 complement existing programs;

138.29 (7) identify and encourage implementation of measures to prevent surface waters from  
138.30 becoming impaired and to improve the quality of waters that are listed as impaired but have  
138.31 no approved TMDL addressing the impairment using the best available data and technology,

139.1 and establish and report outcome-based performance measures that monitor the progress  
139.2 and effectiveness of protection and restoration measures;

139.3 (8) monitor and enforce cost-sharing contracts and impose monetary damages in an  
139.4 amount up to 150 percent of the financial assistance received for failure to comply; and

139.5 (9) identify and encourage implementation of measures to prevent groundwater from  
139.6 becoming degraded and measures that restore groundwater resources.

139.7 Sec. 98. Minnesota Statutes 2018, section 114D.20, subdivision 5, is amended to read:

139.8 Subd. 5. **Priorities for scheduling and preparing WRAPSs and TMDLs.** The  
139.9 commissioner of the Pollution Control Agency must seek recommendations from the Clean  
139.10 Water Council ~~shall recommend~~, the commissioners of natural resources, health and  
139.11 agriculture, and the Board of Water and Soil Resources regarding priorities for scheduling  
139.12 and preparing WRAPSs and TMDLs and ~~TMDL implementation plans, taking into account~~  
139.13 the severity. Recommendations must consider the causes of the impairment impairments,  
139.14 the designated uses of ~~those~~ the waters, and other applicable federal TMDL requirements-  
139.15 In recommending priorities, the council shall also give consideration to, surface water and  
139.16 groundwater interactions, protection of high-quality waters, waters and watersheds with  
139.17 declining water quality trends, and waters used as drinking water sources. Furthermore,  
139.18 consideration must be given to waters and watersheds:

139.19 (1) ~~with impairments that pose~~ have the greatest potential risk to human health;

139.20 (2) ~~with impairments that pose~~ have the greatest potential risk to threatened or endangered  
139.21 species;

139.22 (3) ~~with impairments that pose~~ have the greatest potential risk to aquatic health;

139.23 (4) where other public agencies and participating organizations and individuals, especially  
139.24 local, ~~basinwide~~ basin-wide, watershed, or regional agencies or organizations, have  
139.25 demonstrated readiness to assist in carrying out the responsibilities, including availability  
139.26 and organization of human, technical, and financial resources necessary to undertake the  
139.27 work; and

139.28 (5) where there is demonstrated coordination and cooperation among cities, counties,  
139.29 watershed districts, and soil and water conservation districts in planning and implementation  
139.30 of activities that will assist in carrying out the responsibilities.

140.1 Sec. 99. Minnesota Statutes 2018, section 114D.20, subdivision 7, is amended to read:

140.2 Subd. 7. **Priorities for funding prevention actions.** The Clean Water Council shall  
140.3 apply the priorities applicable under subdivision 6, as far as practicable, when recommending  
140.4 priorities for funding actions to prevent groundwater and surface waters from becoming  
140.5 degraded or impaired and to improve the quality of surface waters that are listed as impaired  
140.6 ~~but do not have an approved TMDL.~~

140.7 Sec. 100. Minnesota Statutes 2018, section 114D.20, is amended by adding a subdivision  
140.8 to read:

140.9 Subd. 8. **Alternatives; TMDL, TMDL implementation plan, or WRAPS.** (a) If the  
140.10 commissioner of the Pollution Control Agency determines that a comprehensive watershed  
140.11 management plan or comprehensive local water management plan contains information that  
140.12 is sufficient and consistent with guidance from the United States Environmental Protection  
140.13 Agency under section 303(d) of the federal Clean Water Act, the commissioner may submit  
140.14 the plan to the Environmental Protection Agency according to federal TMDL requirements  
140.15 as an alternative to developing a TMDL.

140.16 (b) A TMDL implementation plan or a WRAPS, or portions thereof, are not needed for  
140.17 waters or watersheds when the commissioner of the Pollution Control Agency determines  
140.18 that a comprehensive watershed management plan, a comprehensive local water management  
140.19 plan, or a statewide or regional strategy published by the Pollution Control Agency meets  
140.20 the definition in section 114D.15, subdivision 11 or 13.

140.21 (c) The commissioner of the Pollution Control Agency may request that the Board of  
140.22 Water and Soil Resources conduct an evaluation of the implementation efforts under a  
140.23 comprehensive watershed management plan or comprehensive local water management  
140.24 plan when the commissioner makes a determination under paragraph (b). The board must  
140.25 conduct the evaluation in accordance with section 103B.102.

140.26 (d) The commissioner of the Pollution Control Agency may amend or revoke a  
140.27 determination made under paragraph (a) or (b) after considering the evaluation conducted  
140.28 under paragraph (c).

140.29 Sec. 101. Minnesota Statutes 2018, section 114D.20, is amended by adding a subdivision  
140.30 to read:

140.31 Subd. 9. **Coordinating municipal and local water quality activities.** A project, practice,  
140.32 or program for water quality improvement or protection that is conducted by a watershed

141.1 management organization or a local government unit with a comprehensive watershed  
 141.2 management plan or other water management plan approved according to chapter 103B,  
 141.3 103C, or 103D may be considered by the commissioner of the Pollution Control Agency  
 141.4 as contributing to the requirements of a storm water pollution prevention plan (SWPPP) for  
 141.5 a municipal separate storm sewer systems (MS4) permit unless the project, practice, or  
 141.6 program was previously documented as contributing to a different SWPPP for an MS4  
 141.7 permit.

141.8 Sec. 102. Minnesota Statutes 2018, section 114D.26, is amended to read:

141.9 **114D.26 WATERSHED RESTORATION AND PROTECTION STRATEGIES.**

141.10 Subdivision 1. **Contents.** (a) The commissioner of the Pollution Control Agency shall  
 141.11 develop watershed restoration and protection strategies. ~~To ensure effectiveness and~~  
 141.12 ~~accountability in meeting the goals of this chapter,~~ for the purposes of:

141.13 (1) summarizing the physical, chemical, and biological assessment of the water quality  
 141.14 of the watershed;

141.15 (2) quantifying impairments and risks to water quality;

141.16 (3) describing the causes of impairments and pollution sources;

141.17 (4) consolidating TMDLs in a major watershed; and

141.18 (5) informing comprehensive local water management plans and comprehensive  
 141.19 watershed management plans.

141.20 (b) Each WRAPS shall must:

141.21 (1) identify impaired waters and waters in need of protection;

141.22 (2) identify biotic stressors causing impairments or threats to water quality;

141.23 (3) summarize TMDLs, watershed modeling outputs, and resulting pollution load  
 141.24 allocations, wasteload allocations, and priority areas for targeting actions to improve water  
 141.25 quality identify areas with high pollutant-loading rates;

141.26 ~~(4) identify point sources of pollution for which a national pollutant discharge elimination~~  
 141.27 ~~system permit is required under section 115.03;~~

141.28 ~~(5) identify nonpoint sources of pollution for which a national pollutant discharge~~  
 141.29 ~~elimination system permit is not required under section 115.03, with sufficient specificity~~  
 141.30 ~~to prioritize and geographically locate watershed restoration and protection actions;~~

142.1 ~~(6) describe the current pollution loading and load reduction needed for each source or~~  
 142.2 ~~source category to meet water quality standards and goals, including wasteload and load~~  
 142.3 ~~allocations from TMDLs;~~

142.4 ~~(7) contain a plan for ongoing~~ (4) in consultation with local governments and other state  
 142.5 agencies, identify water quality monitoring needed to fill data gaps, determine changing  
 142.6 conditions, and or gauge implementation effectiveness; and

142.7 ~~(8) (5) contain an implementation table of strategies and actions that are capable of~~  
 142.8 ~~cumulatively achieving needed pollution load reductions for point and nonpoint sources,~~  
 142.9 ~~including identifying:~~

142.10 (i) water quality parameters of concern;

142.11 (ii) current water quality conditions;

142.12 (iii) water quality goals, strategies, and targets by parameter of concern; and

142.13 (iv) ~~strategies and actions by parameter of concern and an example of the scale of~~  
 142.14 ~~adoptions needed for each; with a timeline to meet the water quality restoration or protection~~  
 142.15 goals of this chapter.

142.16 ~~(v) a timeline for achievement of water quality targets;~~

142.17 ~~(vi) the governmental units with primary responsibility for implementing each watershed~~  
 142.18 ~~restoration or protection strategy; and~~

142.19 ~~(vii) a timeline and interim milestones for achievement of watershed restoration or~~  
 142.20 ~~protection implementation actions within ten years of strategy adoption.~~

142.21 Subd. 1a. **Coordination.** To ensure effectiveness, efficiency, and accountability in  
 142.22 meeting the goals of this chapter, the commissioner of the Pollution Control Agency, in  
 142.23 consultation with the Board of Water and Soil Resources and local government units, must  
 142.24 coordinate the schedule, budget, scope, and use of a WRAPS and related documents and  
 142.25 processes.

142.26 Subd. 2. **Reporting.** Beginning July 1, 2016, and every other year thereafter, the  
 142.27 commissioner of the Pollution Control Agency must report on its the agency's website the  
 142.28 progress toward implementation milestones and water quality goals for all adopted TMDLs  
 142.29 and, where available, WRAPSs.

142.30 Subd. 3. **Timelines; administration.** Each year, (a) The commissioner of the Pollution  
 142.31 Control Agency must complete WRAPSs for at least ten percent of watershed restoration  
 142.32 and protection strategies for the state's major watersheds. WRAPS shall be by June 30,

143.1 2023, unless the commissioner determines that a comprehensive watershed management  
 143.2 plan or comprehensive local water management plan, in whole or in part, meets the definition  
 143.3 in section 114D.15, subdivision 11 or 13. As needed, the commissioner must update the  
 143.4 strategies, in whole or in part, after consulting with the Board of Water and Soil Resources  
 143.5 and local government units.

143.6 (b) Watershed restoration and protection strategies are governed by the procedures for  
 143.7 approval and notice in section 114D.25, subdivisions 2 and 4, except that ~~WRAPS~~ the  
 143.8 strategies need not be submitted to the United States Environmental Protection Agency.

143.9 Sec. 103. Minnesota Statutes 2018, section 114D.35, subdivision 1, is amended to read:

143.10 Subdivision 1. **Public and stakeholder participation.** (a) Public agencies and private  
 143.11 entities involved in the implementation of implementing this chapter ~~shall~~ must encourage  
 143.12 participation by the public and stakeholders, including local citizens, landowners ~~and~~, land  
 143.13 managers, and public and private organizations, in identifying impaired waters, in developing  
 143.14 TMDLs, in planning, priority setting, and implementing restoration of impaired waters, in  
 143.15 identifying degraded groundwater, and in protecting and restoring groundwater resources.

143.16 (b) In particular, the commissioner of the Pollution Control Agency shall must make  
 143.17 reasonable efforts to provide timely information to the public and to stakeholders about  
 143.18 impaired waters that have been identified by the agency. ~~The agency shall seek broad and~~  
 143.19 ~~early public and stakeholder participation in scoping the activities necessary to develop a~~  
 143.20 ~~TMDL, including the scientific models, methods, and approaches to be used in TMDL~~  
 143.21 ~~development, and to implement restoration pursuant to section 114D.15, subdivision 7 and~~  
 143.22 to inform and consult with the public and stakeholders in developing a WRAPS or TMDL.

143.23 (c) Public agencies and private entities using public funds that are involved in  
 143.24 implementing restoration and protection identified in a comprehensive watershed  
 143.25 management plan or comprehensive local water management plan must make efforts to  
 143.26 inform, consult, and involve the public and stakeholders.

143.27 (d) The commissioner of the Pollution Control Agency and the Board of Water and Soil  
 143.28 Resources must coordinate public and stakeholder participation in consultation with local  
 143.29 government units. To the extent practicable, implementation of this chapter must be  
 143.30 accomplished in cooperation with local, state, federal, and tribal governments and  
 143.31 private-sector organizations.

144.1 Sec. 104. Minnesota Statutes 2018, section 114D.35, subdivision 3, is amended to read:

144.2 Subd. 3. **Education.** The Clean Water Council ~~shall~~ must develop strategies for  
 144.3 informing, educating, and encouraging the participation of citizens, stakeholders, and others  
 144.4 regarding ~~the identification of impaired waters, development of TMDLs, development of~~  
 144.5 ~~TMDL implementation plans, implementation of restoration for impaired waters,~~  
 144.6 ~~identification of degraded groundwater, and protection and restoration of groundwater~~  
 144.7 ~~resources~~ this chapter. Public agencies ~~shall be~~ are responsible for implementing the  
 144.8 strategies.

144.9 Sec. 105. **[114D.47] NONPOINT FUNDING ALTERNATIVE.**

144.10 Notwithstanding section 114D.50, subdivision 3a, the Board of Water and Soil Resources  
 144.11 may, by board order, establish alternative timelines or content for the priority funding plan  
 144.12 for nonpoint sources under section 114D.50, subdivision 3a, and may use information from  
 144.13 comprehensive watershed management plans or comprehensive local water management  
 144.14 plans to estimate or summarize costs.

144.15 Sec. 106. Minnesota Statutes 2018, section 115.03, subdivision 1, is amended to read:

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

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

144.20 ~~(b)~~ (2) to investigate the extent, character, and effect of the pollution of the waters of  
 144.21 this state and to gather data and information necessary or desirable in the administration or  
 144.22 enforcement of pollution laws, and to make such classification of the waters of the state as  
 144.23 it may deem advisable;

144.24 ~~(c)~~ (3) to establish and alter such reasonable pollution standards for any waters of the  
 144.25 state in relation to the public use to which they are or may be put as it shall deem necessary  
 144.26 for the purposes of this chapter and, with respect to the pollution of waters of the state,  
 144.27 chapter 116;

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

144.30 ~~(e)~~ (5) to adopt, issue, reissue, modify, deny, or revoke, enter into or enforce reasonable  
 144.31 orders, permits, variances, standards, rules, schedules of compliance, and stipulation  
 144.32 agreements, under such conditions as it may prescribe, in order to prevent, control or abate

145.1 water pollution, or for the installation or operation of disposal systems or parts thereof, or  
145.2 for other equipment and facilities:

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

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

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

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

145.21 ~~(5)~~ (v) establishing, and from time to time revising, standards of performance for new  
145.22 sources taking into consideration, among other things, classes, types, sizes, and categories  
145.23 of sources, processes, pollution control technology, cost of achieving such effluent reduction,  
145.24 and any nonwater quality environmental impact and energy requirements. Said standards  
145.25 of performance for new sources shall encompass those standards for the control of the  
145.26 discharge of pollutants which reflect the greatest degree of effluent reduction which the  
145.27 agency determines to be achievable through application of the best available demonstrated  
145.28 control technology, processes, operating methods, or other alternatives, including, where  
145.29 practicable, a standard permitting no discharge of pollutants. New sources shall encompass  
145.30 buildings, structures, facilities, or installations from which there is or may be the discharge  
145.31 of pollutants, the construction of which is commenced after the publication by the agency  
145.32 of proposed rules prescribing a standard of performance which will be applicable to such  
145.33 source. Notwithstanding any other provision of the law of this state, any point source the  
145.34 construction of which is commenced after May 20, 1973, and which is so constructed as to

146.1 meet all applicable standards of performance for new sources shall, consistent with and  
146.2 subject to the provisions of section 306(d) of the Amendments of 1972 to the Federal Water  
146.3 Pollution Control Act, not be subject to any more stringent standard of performance for new  
146.4 sources during a ten-year period beginning on the date of completion of such construction  
146.5 or during the period of depreciation or amortization of such facility for the purposes of  
146.6 section 167 or 169, or both, of the Federal Internal Revenue Code of 1954, whichever period  
146.7 ends first. Construction shall encompass any placement, assembly, or installation of facilities  
146.8 or equipment, including contractual obligations to purchase such facilities or equipment, at  
146.9 the premises where such equipment will be used, including preparation work at such  
146.10 premises;

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

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

146.20 ~~(8)~~ (viii) notwithstanding any other provision of this chapter, and with respect to the  
146.21 pollution of waters of the state, chapter 116, requiring the achievement of more stringent  
146.22 limitations than otherwise imposed by effluent limitations in order to meet any applicable  
146.23 water quality standard by establishing new effluent limitations, based upon section 115.01,  
146.24 subdivision 13, clause (b), including alternative effluent control strategies for any point  
146.25 source or group of point sources to insure the integrity of water quality classifications,  
146.26 whenever the agency determines that discharges of pollutants from such point source or  
146.27 sources, with the application of effluent limitations required to comply with any standard  
146.28 of best available technology, would interfere with the attainment or maintenance of the  
146.29 water quality classification in a specific portion of the waters of the state. Prior to  
146.30 establishment of any such effluent limitation, the agency shall hold a public hearing to  
146.31 determine the relationship of the economic and social costs of achieving such limitation or  
146.32 limitations, including any economic or social dislocation in the affected community or  
146.33 communities, to the social and economic benefits to be obtained and to determine whether  
146.34 or not such effluent limitation can be implemented with available technology or other  
146.35 alternative control strategies. If a person affected by such limitation demonstrates at such

147.1 hearing that, whether or not such technology or other alternative control strategies are  
147.2 available, there is no reasonable relationship between the economic and social costs and  
147.3 the benefits to be obtained, such limitation shall not become effective and shall be adjusted  
147.4 as it applies to such person;

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

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

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

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

147.21 ~~(h)~~ (8) to conduct such investigations, issue such notices, public and otherwise, and hold  
147.22 such hearings as are necessary or which it may deem advisable for the discharge of its duties  
147.23 under this chapter and, with respect to the pollution of waters of the state, under chapter  
147.24 116, including, but not limited to, the issuance of permits, and to authorize any member,  
147.25 employee, or agent appointed by it to conduct such investigations or, issue such notices and  
147.26 hold such hearings;

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

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

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

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

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

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

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

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

148.30 Sec. 107. Minnesota Statutes 2018, section 115.03, subdivision 5, is amended to read:

148.31 Subd. 5. **Agency authority; national pollutant discharge elimination system.** (a)  
148.32 Notwithstanding any other provisions prescribed in or pursuant to this chapter and, with  
148.33 respect to the pollution of waters of the state, in chapter 116, or otherwise, the agency shall

149.1 have the authority to perform any and all acts minimally necessary including, but not limited  
 149.2 to, the establishment and application of standards, procedures, rules, orders, variances,  
 149.3 stipulation agreements, schedules of compliance, and permit conditions, consistent with  
 149.4 and, therefore not less stringent than the provisions of the Federal Water Pollution Control  
 149.5 Act, as amended, applicable to the participation by the state of Minnesota in the national  
 149.6 pollutant discharge elimination system (NPDES); provided that this provision shall not be  
 149.7 construed as a limitation on any powers or duties otherwise residing with the agency pursuant  
 149.8 to any provision of law.

149.9 (b) An activity that conveys or connects waters of the state without subjecting the  
 149.10 transferred water to intervening industrial, municipal, or commercial use does not require  
 149.11 a national pollutant discharge elimination system permit. This exemption does not apply to  
 149.12 pollutants introduced by the activity itself to the water being transferred.

149.13 Sec. 108. Minnesota Statutes 2018, section 115.03, is amended by adding a subdivision  
 149.14 to read:

149.15 Subd. 5e. **Sugar beet storage.** The commissioner must not require a sugar beet company  
 149.16 that has a current national pollutant discharge elimination system permit or state disposal  
 149.17 system permit to install an engineered liner for a storm water runoff pond at a remote storage  
 149.18 site for sugar beets unless a risk assessment confirms that there is significant impact on  
 149.19 groundwater and that an engineered liner is necessary to prevent, control, or abate water  
 149.20 pollution. For purposes of this subdivision, "remote storage site for sugar beets" means an  
 149.21 area where sugar beets are temporarily stored before delivery to a sugar beet processing  
 149.22 facility and that is not located on land adjacent to the processing facility.

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

149.24 Sec. 109. Minnesota Statutes 2018, section 115.035, is amended to read:

149.25 **115.035 EXTERNAL PEER REVIEW OF WATER QUALITY STANDARDS.**

149.26 ~~(a) When the commissioner convenes an external peer review panel during the~~  
 149.27 ~~promulgation or amendment of water quality standards, the commissioner must provide~~  
 149.28 ~~notice and take public comment on the charge questions for the external peer review panel~~  
 149.29 ~~and must allow written and oral public comment as part of the external peer review panel~~  
 149.30 ~~process. Every new or revised numeric water quality standard must be supported by a~~  
 149.31 technical support document that provides the scientific basis for the proposed standard and  
 149.32 that has undergone external, scientific peer review. Numeric water quality standards in  
 149.33 which the agency is adopting, without change, a United States Environmental Protection

150.1 Agency criterion that has been through peer review are not subject to this paragraph.  
150.2 Documentation of the external peer review panel, including the name or names of the peer  
150.3 reviewer or reviewers, must be included in the statement of need and reasonableness for  
150.4 the water quality standard. ~~If the commissioner does not convene an external peer review~~  
150.5 ~~panel during the promulgation or amendment of water quality standards, the commissioner~~  
150.6 ~~must state the reason an external peer review panel will not be convened in the statement~~  
150.7 ~~of need and reasonableness.~~

150.8 (b) Every technical support document developed by the agency must be released in draft  
150.9 form for public comment before peer review and before finalizing the technical support  
150.10 document.

150.11 (c) The commissioner must provide public notice and information about the external  
150.12 peer review through the request for comments published at the beginning of the rulemaking  
150.13 process for the numeric water quality standard, and:

150.14 (1) the request for comments must identify the draft technical support document and  
150.15 where the document can be found;

150.16 (2) the request for comments must include a proposed charge for the external peer review  
150.17 and request comments on the charge;

150.18 (3) all comments received during the public comment period must be made available to  
150.19 the external peer reviewers; and

150.20 (4) if the agency is not soliciting external peer review because the agency is adopting a  
150.21 United States Environmental Protection Agency criterion without change, that must be  
150.22 noted in the request for comments.

150.23 (d) The purpose of the external peer review is to evaluate whether the technical support  
150.24 document and proposed standard are based on sound scientific knowledge, methods, and  
150.25 practices. The external peer review must be conducted according to the guidance in the  
150.26 most recent edition of the United States Environmental Protection Agency's Peer Review  
150.27 Handbook. Peer reviewers must not have participated in developing the scientific basis of  
150.28 the standard. Peer reviewers must disclose any activities or circumstances that could pose  
150.29 a conflict of interest or create an appearance of a loss of impartiality that could interfere  
150.30 with an objective review.

150.31 (e) The type of review and the number of peer reviewers depends on the nature of the  
150.32 science underlying the standard. A panel review must be used when the agency is developing

151.1 significant new science or science that expands significantly beyond current documented  
 151.2 scientific practices or principles.

151.3 (f) In response to the findings of the external peer review, the agency must revise the  
 151.4 draft technical support document as appropriate. The findings of the external peer review  
 151.5 must be documented and attached to the final technical support document, which must be  
 151.6 an exhibit as part of the statement of need and reasonableness in the rulemaking to adopt  
 151.7 the new or revised water quality standard. The agency must note changes in the final technical  
 151.8 support document made in response to the external peer review.

151.9 ~~(b)~~ (g) By December 15 each year, the commissioner ~~shall~~ must post on the agency's  
 151.10 website a report identifying the water quality standards development work in progress or  
 151.11 completed in the past year, the lead agency scientist for each development effort, and  
 151.12 opportunities for public input.

151.13 Sec. 110. Minnesota Statutes 2018, section 115.44, subdivision 6, is amended to read:

151.14 Subd. 6. **Adopting and modifying standards.** The adoption, alteration, or modification  
 151.15 of the standards of quality and purity in subdivision 4 ~~shall~~ must be made by the agency in  
 151.16 accordance with chapter 14. Additionally, the adoption of a new standard or the alteration  
 151.17 or modification of an existing standard that makes the standard more stringent does not take  
 151.18 effect until the Pollution Control Agency obtains a social permit to adopt the standard,  
 151.19 alteration, or modification. For purposes of this subdivision, the Pollution Control Agency  
 151.20 obtains a social permit when a resolution in support of the new or modified standard is  
 151.21 adopted by the board of county commissioners of every county in Minnesota.

151.22 Sec. 111. Minnesota Statutes 2018, section 115.455, is amended to read:

151.23 **115.455 EFFLUENT LIMITATIONS; COMPLIANCE.**

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

151.30 Sec. 112. Minnesota Statutes 2018, section 115.77, subdivision 1, is amended to read:

151.31 Subdivision 1. **Fees.** The agency shall collect fees in amounts necessary, but no greater  
 151.32 than the amounts necessary, to cover the reasonable costs of reviewing applications and

152.1 issuing certifications. The fees under this subdivision are subject to legislative approval  
 152.2 under section 16A.1283.

152.3 Sec. 113. Minnesota Statutes 2018, section 115.84, subdivision 2, is amended to read:

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

152.7 Sec. 114. Minnesota Statutes 2018, section 115.84, subdivision 3, is amended to read:

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

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

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

152.18 Sec. 115. Minnesota Statutes 2018, section 115A.51, is amended to read:

152.19 **115A.51 APPLICATION REQUIREMENTS.**

152.20 (a) Applications for assistance under the program ~~shall~~ must demonstrate:

152.21 ~~(a)~~ (1) that the project is conceptually and technically feasible;

152.22 ~~(b)~~ (2) that affected political subdivisions are committed to implement the project, to  
 152.23 provide necessary local financing, and to accept and exercise the government powers  
 152.24 necessary to the project;

152.25 ~~(c)~~ (3) that operating revenues from the project, considering the availability and security  
 152.26 of sources of solid waste and of markets for recovered resources, together with any proposed  
 152.27 federal, state, or local financial assistance, will be sufficient to pay all costs over the projected  
 152.28 life of the project;

152.29 ~~(d)~~ (4) that the applicant has evaluated the feasible and prudent alternatives to disposal,  
 152.30 including using existing solid waste management facilities with reasonably available capacity

153.1 sufficient to accomplish the goals of the proposed project, and has compared and evaluated  
 153.2 the costs of the alternatives, including capital and operating costs, and the effects of the  
 153.3 alternatives on the cost to generators;

153.4 (5) that the applicant has identified:

153.5 (i) waste management objectives in applicable county and regional solid waste  
 153.6 management plans consistent with section 115A.46, subdivision 2, paragraphs (e) and (f),  
 153.7 or 473.149, subdivision 1; and

153.8 (ii) other solid waste facilities identified in the county and regional plans; and

153.9 (6) that the applicant has conducted a comparative analysis of the project against existing  
 153.10 public and private solid waste facilities, including an analysis of potential displacement of  
 153.11 those facilities, to determine whether the project is the most appropriate alternative to achieve  
 153.12 the identified waste management objectives that considers:

153.13 (i) conformity with approved county or regional solid waste management plans;

153.14 (ii) consistency with the state's solid waste hierarchy and section 115A.46, subdivision  
 153.15 2, paragraphs (e) and (f), or 473.149, subdivision 1; and

153.16 (iii) environmental standards related to public health, air, surface water, and groundwater.

153.17 (b) The commissioner may require completion of a comprehensive solid waste  
 153.18 management plan conforming to the requirements of section 115A.46, before accepting an  
 153.19 application. Within five days of filing an application with the agency, the applicant must  
 153.20 submit a copy of the application to each solid waste management facility mentioned in the  
 153.21 portion of the application addressing the requirements of paragraph (a), clauses (5) and (6).

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

153.23 Sec. 116. Minnesota Statutes 2018, section 115B.421, is amended to read:

153.24 **115B.421 CLOSED LANDFILL INVESTMENT FUND.**

153.25 The closed landfill investment fund is established in the state treasury. The fund consists  
 153.26 of money credited to the fund, and interest and other earnings on money in the fund.  
 153.27 ~~Beginning July 1, 2003,~~ Funds must be deposited as described in section 115B.445, and if  
 153.28 land enrolled in the closed landfill program is leased for the purpose of locating solar  
 153.29 photovoltaic devices on the land, the lease proceeds must be deposited in the fund. The fund  
 153.30 shall be managed to maximize long-term gain through the State Board of Investment. Money  
 153.31 in the fund may only be spent ~~by the commissioner~~ after fiscal year 2020 in accordance  
 153.32 with sections 115B.39 to 115B.444 as appropriated by law.

154.1 Sec. 117. **[115B.55] TCE EMISSION RESPONSE ACCOUNT.**

154.2 Subdivision 1. **Definitions.** (a) For purposes of this section and section 115B.56, the  
154.3 terms in this subdivision have the meanings given.

154.4 (b) "Settlement" means the stipulation agreement entered into on March 1, 2019, to  
154.5 resolve alleged unlawful TCE emissions by Water Gremlin Company.

154.6 (c) "TCE" means trichloroethylene.

154.7 (d) "TCE area of concern" includes the area in and near White Bear Township affected  
154.8 by unlawful emissions of TCE, as determined by the commissioner of the Pollution Control  
154.9 Agency.

154.10 Subd. 2. **Establishment.** The TCE emission response account is established as an account  
154.11 in the environmental fund. The account consists of the net proceeds of the civil penalty paid  
154.12 to the Pollution Control Agency as part of the settlement and earnings on the investment of  
154.13 money in the account. Money in the account may be invested through the State Board of  
154.14 Investment.

154.15 Subd. 3. **Expenditures.** Subject to appropriation by the legislature, money in the account  
154.16 may be spent to assess and address the effects of unlawful emissions of TCE in the TCE  
154.17 area of concern.

154.18 Sec. 118. **[115B.56] TCE EMISSION STAKEHOLDERS.**

154.19 The commissioner must work with the following stakeholders to identify and recommend  
154.20 to the legislature projects to receive funding from the TCE emission response account: a  
154.21 representative of the Minnesota Department of Health; a representative of the Minnesota  
154.22 Pollution Control Agency; an elected official from the city of Gem Lake; an elected official  
154.23 from the city of White Bear Lake; an elected official from White Bear Township; three  
154.24 individuals appointed by the Neighborhood Concerned Citizens Group serving the White  
154.25 Bear Township, White Bear Lake, and Gem Lake areas; an individual who is appointed by  
154.26 the Neighborhood Concerned Citizens Group who lives within half of one mile of the Water  
154.27 Gremlin facility that was the source of the TCE emissions described in the settlement; and  
154.28 a representative of Ramsey County, who shall be a nonvoting member. Stakeholder  
154.29 recommendations may include recommendations regarding:

154.30 (1) the broad purposes or specific projects for which money in the TCE emission response  
154.31 account should be appropriated;

154.32 (2) the need for additional testing, investigations, or research;

155.1 (3) ways to improve communication between state and federal officials and local  
155.2 governments, citizens, and businesses when hazardous chemicals are actually or potentially  
155.3 released into a community;

155.4 (4) policy or law changes that would facilitate a better response to future releases of  
155.5 hazardous chemicals; and

155.6 (5) any other matter the stakeholders deem relevant.

155.7 Sec. 119. Minnesota Statutes 2018, section 116.03, subdivision 1, is amended to read:

155.8 Subdivision 1. **Office.** (a) The Office of Commissioner of the Pollution Control Agency  
155.9 is created and is under the supervision and control of the commissioner, who is appointed  
155.10 by the governor under the provisions of section 15.06.

155.11 (b) The commissioner may appoint a deputy commissioner and up to three assistant  
155.12 commissioners who ~~shall be~~ are in the unclassified service.

155.13 (c) The commissioner shall make all decisions on behalf of the agency.

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

155.15 Sec. 120. Minnesota Statutes 2018, section 116.03, is amended by adding a subdivision  
155.16 to read:

155.17 Subd. 3a. **Grant administrative costs.** The commissioner of the Pollution Control  
155.18 Agency shall use no more than three percent of any grant money for administering grant  
155.19 programs, delivering technical services, providing fiscal oversight, and ensuring  
155.20 accountability. For purposes of this subdivision, "grant money" means any money to be  
155.21 disbursed as a grant or administered as a grant by the Pollution Control Agency, regardless  
155.22 of its source.

155.23 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
155.24 applies to grants disbursed on or after that date.

155.25 Sec. 121. Minnesota Statutes 2018, section 116.07, subdivision 2, is amended to read:

155.26 Subd. 2. **Adopting standards.** (a) The Pollution Control Agency shall improve air  
155.27 quality by promoting, in the most practicable way possible, the use of energy sources and  
155.28 waste disposal methods ~~which~~ that produce or emit the least air contaminants consistent  
155.29 with the agency's overall goal of reducing all forms of pollution. The agency shall also adopt  
155.30 standards of air quality, including maximum allowable standards of emission of air  
155.31 contaminants from motor vehicles, recognizing that ~~due to~~ because of variable factors, no

156.1 single standard of purity of air is applicable to all areas of the state. In adopting standards,  
156.2 the Pollution Control Agency shall give due recognition to the fact that the quantity or  
156.3 characteristics of air contaminants or the duration of their presence in the atmosphere, which  
156.4 may cause air pollution in one area of the state, may cause less or not cause any air pollution  
156.5 in another area of the state, and it shall take into consideration in this connection such factors,  
156.6 including others ~~which~~ that it may deem proper, as existing physical conditions, zoning  
156.7 classifications, topography, prevailing wind directions and velocities, and the fact that a  
156.8 standard of air quality ~~which~~ that may be proper as to an essentially residential area of the  
156.9 state, may not be proper as to a highly developed industrial area of the state. Such standards  
156.10 of air quality ~~shall~~ must be premised upon scientific knowledge of causes as well as effects  
156.11 based on technically substantiated criteria and commonly accepted practices. No local  
156.12 government unit shall set standards of air quality ~~which~~ that are more stringent than those  
156.13 set by the Pollution Control Agency. Consistent with this recognition of the variability of  
156.14 air contamination levels and conditions across the state, the agency must not apply or enforce  
156.15 a national or state ambient air quality standard as an applicable standard for an individual  
156.16 source under an individual facility permit issued according to Code of Federal Regulations,  
156.17 title 40, part 70, unless the permittee is a temporary source issued a permit under United  
156.18 States Code, title 42, section 7661c, paragraph (e).

156.19 (b) The Pollution Control Agency shall promote solid waste disposal control by  
156.20 encouraging the updating of collection systems, elimination of open dumps, and  
156.21 improvements in incinerator practices. The agency shall also adopt standards for the control  
156.22 of the collection, transportation, storage, processing, and disposal of solid waste and sewage  
156.23 sludge for the prevention and abatement of water, air, and land pollution, recognizing that  
156.24 ~~due to~~ because of variable factors, no single standard of control is applicable to all areas of  
156.25 the state. In adopting standards, the Pollution Control Agency shall give due recognition to  
156.26 the fact that elements of control ~~which~~ that may be reasonable and proper in densely  
156.27 populated areas of the state may be unreasonable and improper in sparsely populated or  
156.28 remote areas of the state, and it shall take into consideration in this connection such factors,  
156.29 including others ~~which~~ that it may deem proper, as existing physical conditions, topography,  
156.30 soils and geology, climate, transportation, and land use. Such standards of control ~~shall~~  
156.31 must be premised on technical criteria and commonly accepted practices.

156.32 (c) The Pollution Control Agency shall also adopt standards describing the maximum  
156.33 levels of noise in terms of sound pressure level ~~which~~ that may occur in the outdoor  
156.34 atmosphere, recognizing that ~~due to~~ because of variable factors no single standard of sound  
156.35 pressure is applicable to all areas of the state. Such standards ~~shall~~ must give due

157.1 consideration to such factors as the intensity of noises, the types of noises, the frequency  
157.2 with which noises recur, the time period for which noises continue, the times of day during  
157.3 which noises occur, and such other factors as could affect the extent to which noises may  
157.4 be injurious to human health or welfare, animal or plant life, or property, or could interfere  
157.5 unreasonably with the enjoyment of life or property. In adopting standards, the Pollution  
157.6 Control Agency shall give due recognition to the fact that the quantity or characteristics of  
157.7 noise or the duration of its presence in the outdoor atmosphere, which may cause noise  
157.8 pollution in one area of the state, may cause less or not cause any noise pollution in another  
157.9 area of the state, and it shall take into consideration in this connection such factors, including  
157.10 others ~~which~~ that it may deem proper, as existing physical conditions, zoning classifications,  
157.11 topography, meteorological conditions, and the fact that a standard ~~which~~ that may be proper  
157.12 in an essentially residential area of the state; may not be proper ~~as to~~ in a highly developed  
157.13 industrial area of the state. Such noise standards ~~shall~~ must be premised upon scientific  
157.14 knowledge as well as effects based on technically substantiated criteria and commonly  
157.15 accepted practices. No local governing unit shall set standards describing the maximum  
157.16 levels of sound pressure ~~which~~ that are more stringent than those set by the Pollution Control  
157.17 Agency.

157.18 (d) The Pollution Control Agency shall adopt standards for the identification of hazardous  
157.19 waste and for the management, identification, labeling, classification, storage, collection,  
157.20 transportation, processing, and disposal of hazardous waste, recognizing that ~~due to~~ because  
157.21 of variable factors, a single standard of hazardous waste control may not be applicable to  
157.22 all areas of the state. In adopting standards, the Pollution Control Agency shall recognize  
157.23 that elements of control ~~which~~ that may be reasonable and proper in densely populated areas  
157.24 of the state may be unreasonable and improper in sparsely populated or remote areas of the  
157.25 state. The agency shall consider existing physical conditions, topography, soils, and geology,  
157.26 climate, transportation, and land use. Standards of hazardous waste control ~~shall~~ must be  
157.27 premised on technical knowledge, and commonly accepted practices. Hazardous waste  
157.28 generator licenses may be issued for a term not to exceed five years. No local government  
157.29 unit shall set standards of hazardous waste control ~~which~~ that are in conflict or inconsistent  
157.30 with those set by the Pollution Control Agency.

157.31 (e) A person who generates less than 100 kilograms of hazardous waste per month is  
157.32 exempt from the following agency hazardous waste rules:

157.33 (1) rules relating to transportation, manifesting, storage, and labeling for photographic  
157.34 fixer and x-ray negative wastes that are hazardous solely because of silver content; and

158.1 (2) any rule requiring the generator to send to the agency or commissioner a copy of  
158.2 each manifest for the transportation of hazardous waste for off-site treatment, storage, or  
158.3 disposal, except that counties within the metropolitan area may require generators to provide  
158.4 manifests.

158.5 Nothing in this paragraph exempts the generator from the agency's rules relating to on-site  
158.6 accumulation or outdoor storage. A political subdivision or other local unit of government  
158.7 may not adopt management requirements that are more restrictive than this paragraph.

158.8 (f) In any rulemaking proceeding under chapter 14 to adopt standards for air quality,  
158.9 solid waste, or hazardous waste under this chapter, or standards for water quality under  
158.10 chapter 115, the statement of need and reasonableness must include:

158.11 (1) an assessment of any differences between the proposed rule and:

158.12 (i) existing federal standards adopted under the Clean Air Act, United States Code, title  
158.13 42, section 7412(b)(2); the Clean Water Act, United States Code, title 33, sections 1312(a)  
158.14 and 1313(c)(4); and the Resource Conservation and Recovery Act, United States Code, title  
158.15 42, section 6921(b)(1);

158.16 (ii) similar standards in states bordering Minnesota; and

158.17 (iii) similar standards in states within the Environmental Protection Agency Region 5;  
158.18 and

158.19 (2) a specific analysis of the need and reasonableness of each difference.

158.20 If the proposed standards in a rulemaking subject to this paragraph are more stringent than  
158.21 comparable federal standards, the statement of need and reasonableness must, in addition  
158.22 to the requirements of this paragraph, include documentation that the federal standard does  
158.23 not provide adequate protection for public health and the environment.

158.24 (g) In any rulemaking proceeding under chapter 14 to adopt standards for air quality,  
158.25 solid waste, or hazardous waste under this chapter or standards for water quality under  
158.26 chapter 115, each standard must be expressed in a standard measurement unit of milliliter  
158.27 (ml) for liquids and milligram (mg) for solids.

158.28 Sec. 122. Minnesota Statutes 2018, section 116.07, subdivision 4d, is amended to read:

158.29 Subd. 4d. **Permit fees.** (a) The agency may collect permit fees in amounts not greater  
158.30 than those necessary to cover the reasonable costs of developing, reviewing, and acting  
158.31 upon applications for agency permits and implementing and enforcing the conditions of the  
158.32 permits pursuant to agency rules. Permit fees ~~shall~~ must not include the costs of litigation.

159.1 The fee schedule must reflect reasonable and routine direct and indirect costs associated  
159.2 with permitting, implementation, and enforcement. The agency may impose an additional  
159.3 enforcement fee to be collected for a ~~period of~~ up to two years to cover the reasonable costs  
159.4 of implementing and enforcing the conditions of a permit under the rules of the agency.  
159.5 Water fees under this paragraph are subject to legislative approval under section 16A.1283.  
159.6 Any money collected under this paragraph ~~shall~~ must be deposited in the environmental  
159.7 fund.

159.8 (b) Notwithstanding paragraph (a), the agency shall collect an annual fee from the owner  
159.9 or operator of all stationary sources, emission facilities, emissions units, air contaminant  
159.10 treatment facilities, treatment facilities, potential air contaminant storage facilities, or storage  
159.11 facilities subject to a notification, permit, or license requirement under this chapter,  
159.12 subchapters I and V of the federal Clean Air Act, United States Code, title 42, section 7401  
159.13 et seq., or rules adopted thereunder. The annual fee ~~shall~~ must be used to pay for all direct  
159.14 and indirect reasonable costs, including legal costs, required to develop and administer the  
159.15 notification, permit, or license program requirements of this chapter, subchapters I and V  
159.16 of the federal Clean Air Act, United States Code, title 42, section 7401 et seq., or rules  
159.17 adopted thereunder. Those costs include the reasonable costs of reviewing and acting upon  
159.18 an application for a permit; implementing and enforcing statutes, rules, and the terms and  
159.19 conditions of a permit; emissions, ambient, and deposition monitoring; preparing generally  
159.20 applicable regulations; responding to federal guidance; modeling, analyses, and  
159.21 demonstrations; preparing inventories and tracking emissions; and providing information  
159.22 to the public about these activities.

159.23 (c) The agency shall set fees that:

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

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

159.32 (3) shall collect, in the aggregate, from the sources listed in paragraph (b), the amount  
159.33 needed to match grant funds received by the state under United States Code, title 42, section  
159.34 7405 (section 105 of the federal Clean Air Act).

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

160.7 (d) To cover the reasonable costs described in paragraph (b), the agency shall provide  
160.8 in the rules promulgated under paragraph (c) for an increase in the fee collected in each  
160.9 year by the percentage, if any, by which the Consumer Price Index for the most recent  
160.10 calendar year ending before the beginning of the year the fee is collected exceeds the  
160.11 Consumer Price Index for the calendar year 1989. For purposes of this paragraph, the  
160.12 Consumer Price Index for any calendar year is the average of the Consumer Price Index for  
160.13 all-urban consumers published by the United States Department of Labor, as of the close  
160.14 of the 12-month period ending on August 31 of each calendar year. The revision of the  
160.15 Consumer Price Index that is most consistent with the Consumer Price Index for calendar  
160.16 year 1989 ~~shall~~ must be used.

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

160.19 (f) Permit applicants who wish to construct, reconstruct, or modify a project may offer  
160.20 to reimburse the agency for the costs of staff time or consultant services needed to expedite  
160.21 the preapplication process and permit development process through the final decision on  
160.22 the permit, including the analysis of environmental review documents. The reimbursement  
160.23 ~~shall be~~ is in addition to permit application fees imposed by law. When the agency determines  
160.24 that it needs additional resources to develop the permit application in an expedited manner,  
160.25 and that expediting the development is consistent with permitting program priorities, the  
160.26 agency may accept the reimbursement. The commissioner must give the applicant an estimate  
160.27 of costs to be incurred by the commissioner. The estimate must include a brief description  
160.28 of the tasks to be performed, a schedule for completing the tasks, and the estimated cost for  
160.29 each task. The applicant and the commissioner must enter into a written agreement detailing  
160.30 the estimated costs for the expedited permit decision-making process to be incurred by the  
160.31 agency. The agreement must also identify staff anticipated to be assigned to the project.  
160.32 The commissioner must not issue a permit until the applicant has paid all fees in full. The  
160.33 commissioner must refund any unobligated balance of fees paid. Reimbursements accepted  
160.34 by the agency are appropriated to the agency for the purpose of developing the permit or  
160.35 analyzing environmental review documents. Reimbursement by a permit applicant ~~shall~~

161.1 must precede and not be contingent upon issuance of a permit; ~~shall~~ must not affect the  
161.2 agency's decision on whether to issue or deny a permit, what conditions are included in a  
161.3 permit, or the application of state and federal statutes and rules governing permit  
161.4 determinations; and ~~shall~~ must not affect final decisions regarding environmental review.

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

161.6 Sec. 123. Minnesota Statutes 2018, section 116.07, is amended by adding a subdivision  
161.7 to read:

161.8 Subd. 13. **Unadopted rules.** (a) The commissioner of the Pollution Control Agency  
161.9 must not enforce or attempt to enforce an unadopted rule. For purposes of this subdivision,  
161.10 "unadopted rule" means a guideline, bulletin, criterion, manual standard, interpretive  
161.11 statement, or similar pronouncement if the guideline, bulletin, criterion, manual standard,  
161.12 interpretive statement, or similar pronouncement meets the definition of a rule as defined  
161.13 under section 14.02, subdivision 4, but has not been adopted according to the rulemaking  
161.14 process provided under chapter 14. If an unadopted rule is challenged under section 14.381,  
161.15 the commissioner must overcome a presumption against the unadopted rule.

161.16 (b) If the commissioner incorporates by reference an internal guideline, bulletin, criterion,  
161.17 manual standard, interpretive statement, or similar pronouncement into a statute, rule, or  
161.18 standard, the commissioner must follow the rulemaking process provided under chapter 14  
161.19 to amend or revise any such guideline, bulletin, criterion, manual standard, interpretive  
161.20 statement, or similar pronouncement.

161.21 Sec. 124. Minnesota Statutes 2018, section 116.0714, is amended to read:

161.22 **116.0714 NEW OPEN-AIR SWINE BASINS.**

161.23 (a) The commissioner of the Pollution Control Agency or a county board shall not  
161.24 approve any permits for the construction of new open-air swine basins, except that existing  
161.25 facilities may use one basin of less than 1,000,000 gallons as part of a permitted waste  
161.26 treatment program for resolving pollution problems or to allow conversion of an existing  
161.27 basin of less than 1,000,000 gallons to a different animal type, provided all standards are  
161.28 met. This section expires June 30, 2022.

161.29 (b) This section does not apply to basins used solely for wastewater from truck-washing  
161.30 facilities.

162.1 Sec. 125. Minnesota Statutes 2018, section 116.993, subdivision 2, is amended to read:

162.2 Subd. 2. **Eligible borrower.** To be eligible for a loan under this section, a borrower  
162.3 must:

162.4 (1) be a small business corporation, sole proprietorship, partnership, or association;

162.5 (2) be a potential emitter of pollutants to the air, ground, or water;

162.6 (3) need capital for equipment purchases that will meet or exceed environmental  
162.7 regulations or need capital for site investigation and cleanup;

162.8 (4) have less than ~~50~~ 100 full-time equivalent employees; and

162.9 (5) have an after tax profit of less than \$500,000; ~~and.~~

162.10 ~~(6) have a net worth of less than \$1,000,000.~~

162.11 Sec. 126. Minnesota Statutes 2018, section 116.993, subdivision 6, is amended to read:

162.12 Subd. 6. **Loan conditions.** A loan made under this section must include:

162.13 (1) an interest rate that is ~~four percent or~~ at or below one-half the prime rate, whichever  
162.14 ~~is greater~~ not to exceed five percent;

162.15 (2) a term of payment of not more than seven years; and

162.16 (3) an amount not less than \$1,000 or exceeding ~~\$50,000~~ \$75,000.

162.17 Sec. 127. Minnesota Statutes 2018, section 116D.04, subdivision 2a, is amended to read:

162.18 Subd. 2a. **When prepared.** (a) Where there is potential for significant environmental  
162.19 effects resulting from any major governmental action, the action ~~shall~~ must be preceded by  
162.20 a detailed environmental impact statement prepared by the responsible governmental unit.  
162.21 The environmental impact statement ~~shall~~ must be an analytical rather than an encyclopedic  
162.22 document ~~which~~ that describes the proposed action in detail, analyzes its significant  
162.23 environmental impacts, discusses appropriate alternatives to the proposed action and their  
162.24 impacts, and explores methods by which adverse environmental impacts of an action could  
162.25 be mitigated. The environmental impact statement ~~shall~~ must also analyze those economic,  
162.26 employment, and sociological effects that cannot be avoided should the action be  
162.27 implemented. To ensure its use in the decision-making process, the environmental impact  
162.28 statement ~~shall~~ must be prepared as early as practical in the formulation of an action.

162.29 (b) The board shall by rule establish categories of actions for which environmental  
162.30 impact statements and for which environmental assessment worksheets ~~shall~~ must be prepared

163.1 as well as categories of actions for which no environmental review is required under this  
163.2 section. A mandatory environmental assessment worksheet is not required for the expansion  
163.3 of an ethanol plant, as defined in section 41A.09, subdivision 2a, paragraph (b), or the  
163.4 conversion of an ethanol plant to a biobutanol facility or the expansion of a biobutanol  
163.5 facility as defined in section 41A.15, subdivision 2d, based on the capacity of the expanded  
163.6 or converted facility to produce alcohol fuel, but must be required if the ethanol plant or  
163.7 biobutanol facility meets or exceeds thresholds of other categories of actions for which  
163.8 environmental assessment worksheets must be prepared. The responsible governmental unit  
163.9 for an ethanol plant or biobutanol facility project for which an environmental assessment  
163.10 worksheet is prepared is the state agency with the greatest responsibility for supervising or  
163.11 approving the project as a whole.

163.12 (c) A mandatory environmental impact statement is not required for a facility or plant  
163.13 located outside the seven-county metropolitan area that produces less than 125,000,000  
163.14 gallons of ethanol, biobutanol, or cellulosic biofuel annually, or produces less than 400,000  
163.15 tons of chemicals annually, if the facility or plant is: an ethanol plant, as defined in section  
163.16 41A.09, subdivision 2a, paragraph (b); a biobutanol facility, as defined in section 41A.15,  
163.17 subdivision 2d; or a cellulosic biofuel facility. A facility or plant that only uses a cellulosic  
163.18 feedstock to produce chemical products for use by another facility as a feedstock is not  
163.19 considered a fuel conversion facility as used in rules adopted under this chapter.

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

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

164.13 (f) Except in an environmentally sensitive location where Minnesota Rules, part  
164.14 4410.4300, subpart 29, item B, applies, the proposed action is exempt from environmental  
164.15 review under this chapter and rules of the board, if:

164.16 (1) the proposed action is:

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

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

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

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

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

164.32 (h) An early and open process ~~shall~~ must be ~~utilized~~ used to limit the scope of the  
164.33 environmental impact statement to a discussion of those impacts that, because of the nature

165.1 or location of the project, have the potential for significant environmental effects. The same  
165.2 process ~~shall~~ must be ~~utilized~~ used to determine the form, content, and level of detail of the  
165.3 statement as well as the alternatives that are appropriate for consideration in the statement.  
165.4 In addition, the permits that will be required for the proposed action ~~shall~~ must be identified  
165.5 during the scoping process. Further, the process ~~shall~~ must identify those permits for which  
165.6 information will be developed concurrently with the environmental impact statement. The  
165.7 board shall provide in its rules for the expeditious completion of the scoping process. The  
165.8 determinations reached in the process ~~shall~~ must be incorporated into the order requiring  
165.9 the preparation of an environmental impact statement.

165.10 (i) The responsible governmental unit shall, to the extent practicable, avoid duplication  
165.11 and ensure coordination between state and federal environmental review and between  
165.12 environmental review and environmental permitting. Whenever practical, information  
165.13 needed by a governmental unit for making final decisions on permits or other actions required  
165.14 for a proposed project ~~shall~~ must be developed in conjunction with the preparation of an  
165.15 environmental impact statement. When an environmental impact statement is prepared for  
165.16 a project requiring multiple permits for which two or more agencies' decision processes  
165.17 include either mandatory or discretionary hearings before a hearing officer before the  
165.18 agencies' decision on the permit, the agencies may, notwithstanding any law or rule to the  
165.19 contrary, conduct the hearings in a single consolidated hearing process if requested by the  
165.20 proposer. All agencies having jurisdiction over a permit that is included in the consolidated  
165.21 hearing shall participate. The responsible governmental unit shall establish appropriate  
165.22 procedures for the consolidated hearing process, including procedures to ensure that the  
165.23 consolidated hearing process is consistent with the applicable requirements for each permit  
165.24 regarding the rights and duties of parties to the hearing, and shall ~~utilize~~ use the earliest  
165.25 applicable hearing procedure to initiate the hearing. All agencies having jurisdiction over  
165.26 a permit identified in the draft environmental assessment worksheet scoping document must  
165.27 begin reviewing any permit application upon publication of the notice of preparation of the  
165.28 environmental impact statement.

165.29 (j) An environmental impact statement ~~shall~~ must be prepared and its adequacy  
165.30 determined within 280 days after notice of its preparation unless the time is extended by  
165.31 consent of the parties or by the governor for good cause. The responsible governmental unit  
165.32 shall determine the adequacy of an environmental impact statement, unless within 60 days  
165.33 after notice is published that an environmental impact statement will be prepared, the board  
165.34 chooses to determine the adequacy of an environmental impact statement. If an environmental

166.1 impact statement is found to be inadequate, the responsible governmental unit ~~shall have~~  
 166.2 has 60 days to prepare an adequate environmental impact statement.

166.3 (k) The proposer of a specific action may include in the information submitted to the  
 166.4 responsible governmental unit a preliminary draft environmental impact statement under  
 166.5 this section on that action for review, modification, and determination of completeness and  
 166.6 adequacy by the responsible governmental unit. A preliminary draft environmental impact  
 166.7 statement prepared by the project proposer and submitted to the responsible governmental  
 166.8 unit ~~shall~~ must identify or include as an appendix all studies and other sources of information  
 166.9 used to substantiate the analysis contained in the preliminary draft environmental impact  
 166.10 statement. The responsible governmental unit shall require additional studies, if needed,  
 166.11 and obtain from the project proposer all additional studies and information necessary for  
 166.12 the responsible governmental unit to perform its responsibility to review, modify, and  
 166.13 determine the completeness and adequacy of the environmental impact statement.

166.14 Sec. 128. Minnesota Statutes 2018, section 216G.01, subdivision 3, is amended to read:

166.15 Subd. 3. **Pipeline.** "Pipeline" means a pipeline owned or operated by a condemning  
 166.16 authority, as defined in section 117.025, subdivision 4, located in this state ~~which~~ that is  
 166.17 used to transport natural or synthetic gas at a pressure of more than 90 pounds per square  
 166.18 inch, or to transport crude petroleum or petroleum fuels or oil or their derivatives, coal,  
 166.19 anhydrous ammonia or any mineral slurry to a distribution center or storage facility ~~which~~  
 166.20 that is located within or outside of this state. "Pipeline" does not include a pipeline owned  
 166.21 or operated by a natural gas public utility as defined in section 216B.02, subdivision 4.

166.22 Sec. 129. Minnesota Statutes 2018, section 282.01, subdivision 4, is amended to read:

166.23 Subd. 4. **Sale; method; requirements; effects.** (a) The sale authorized under subdivision  
 166.24 3 must be conducted by the county auditor at the county seat of the county in which the  
 166.25 parcels lie, except that in St. Louis and Koochiching Counties, the sale may be conducted  
 166.26 in any ~~county~~ designated facility within the county. The sale must not be for less than the  
 166.27 appraised value except as provided in subdivision 7a. The parcels must be sold for cash  
 166.28 only, unless the county board of the county has adopted a resolution providing for their sale  
 166.29 on terms, in which event the resolution controls with respect to the sale. When the sale is  
 166.30 made on terms other than for cash only (1) a payment of at least ten percent of the purchase  
 166.31 price must be made at the time of purchase, and the balance must be paid in no more than  
 166.32 ten equal annual installments, or (2) the payments must be made in accordance with county  
 166.33 board policy, but in no event may the board require more than 12 installments annually,

167.1 and the contract term must not be for more than ten years. Standing timber or timber products  
167.2 must not be removed from these lands until an amount equal to the appraised value of all  
167.3 standing timber or timber products on the lands at the time of purchase has been paid by  
167.4 the purchaser. If a parcel of land bearing standing timber or timber products is sold at public  
167.5 auction for more than the appraised value, the amount bid in excess of the appraised value  
167.6 must be allocated between the land and the timber in proportion to their respective appraised  
167.7 values. In that case, standing timber or timber products must not be removed from the land  
167.8 until the amount of the excess bid allocated to timber or timber products has been paid in  
167.9 addition to the appraised value of the land. The purchaser is entitled to immediate possession,  
167.10 subject to the provisions of any existing valid lease made in behalf of the state.

167.11 (b) For sales occurring on or after July 1, 1982, the unpaid balance of the purchase price  
167.12 is subject to interest at the rate determined pursuant to section 549.09. The unpaid balance  
167.13 of the purchase price for sales occurring after December 31, 1990, is subject to interest at  
167.14 the rate determined in section 279.03, subdivision 1a. The interest rate is subject to change  
167.15 each year on the unpaid balance in the manner provided for rate changes in section 549.09  
167.16 or 279.03, subdivision 1a, whichever, is applicable. Interest on the unpaid contract balance  
167.17 on sales occurring before July 1, 1982, is payable at the rate applicable to the sale at the  
167.18 time that the sale occurred.

167.19 (c) Notwithstanding subdivision 7, a county board may by resolution provide for the  
167.20 listing and sale of individual parcels by other means, including through a real estate broker.  
167.21 However, if the buyer under this paragraph could have repurchased a parcel of property  
167.22 under section 282.012 or 282.241, that buyer may not purchase that same parcel of property  
167.23 at the sale under this subdivision for a purchase price less than the sum of all taxes,  
167.24 assessments, penalties, interest, and costs due at the time of forfeiture computed under  
167.25 section 282.251, and any special assessments for improvements certified as of the date of  
167.26 sale. This subdivision shall be liberally construed to encourage the sale and utilization of  
167.27 tax-forfeited land in order to eliminate nuisances and dangerous conditions and to increase  
167.28 compliance with land use ordinances.

167.29 Sec. 130. Laws 2012, chapter 236, section 28, subdivision 2, as amended by Laws 2016,  
167.30 chapter 154, section 9, is amended to read:

167.31 Subd. 2. **Method of sale.** (a) The leaseholder of a leased parcel may purchase at private  
167.32 sale the leased parcel and any other lands allocated to the parcel by the county under  
167.33 subdivision 6 that is offered for sale under this section. The purchase price is the appraised  
167.34 value of the land under subdivision 3 exclusive of improvements on it. To purchase a parcel,

168.1 a leaseholder must pay in cash to the county an amount equal to the appraised value of the  
168.2 land within 180 days from the date of mailing to or service of notice of appraised value to  
168.3 the leaseholder by the county. The 180-day period runs from the date of mailing of a copy  
168.4 of the appraisal to the leaseholder at the address shown upon the most recent lease agreement  
168.5 between the parties, exclusive of the date of mailing or service. The county may use any  
168.6 alternative method of notice under the Minnesota Rules of Civil Procedure for the service  
168.7 of a summons and complaint.

168.8 (b) If the leaseholder does not purchase the parcel so offered, the county may offer the  
168.9 lands for sale under the provisions of Minnesota Statutes, section 282.01, subdivision 7. If  
168.10 a person other than the leaseholder purchases the parcel, the purchaser must make payment  
168.11 in full to the leaseholder in the manner provided in Minnesota Statutes, section 92.06,  
168.12 subdivision 4, for the value of any improvements as determined under subdivision 3 or for  
168.13 the value of any improvements as determined through negotiations.

168.14 (c) Failure of a purchaser to comply with the terms of payment voids the sale and the  
168.15 property may be reoffered for sale.

168.16 Sec. 131. Laws 2012, chapter 236, section 28, subdivision 9, as amended by Laws 2016,  
168.17 chapter 154, section 11, is amended to read:

168.18 Subd. 9. **Sunset.** This section expires ~~seven~~ ten years after the effective date.

168.19 Sec. 132. Laws 2013, chapter 114, article 4, section 105, as amended by Laws 2017,  
168.20 chapter 93, article 2, section 148, is amended to read:

168.21 Sec. 105. **RULES; SILICA SAND.**

168.22 (a) The commissioner of the Pollution Control Agency may adopt rules pertaining to  
168.23 the control of particulate emissions from silica sand projects. The rulemaking is exempt  
168.24 from Minnesota Statutes, section 14.125.

168.25 (b) The commissioner of natural resources shall ~~adopt rules~~ develop a model ordinance  
168.26 pertaining to the reclamation of silica sand mines. The rulemaking is exempt from Minnesota  
168.27 Statutes, section 14.125 commissioner shall publish the model ordinance in the State Register.

168.28 (c) By January 1, 2014, the Department of Health shall adopt an air quality health-based  
168.29 value for silica sand.

168.30 (d) The Environmental Quality Board may amend its rules for environmental review,  
168.31 adopted under Minnesota Statutes, chapter 116D, for silica sand mining and processing to

169.1 take into account the increased activity in the state and concerns over the size of specific  
169.2 operations. The Environmental Quality Board shall consider whether the requirements of  
169.3 Minnesota Statutes, section 116C.991, should remain part of the environmental review  
169.4 requirements for silica sand and whether the requirements should be different for different  
169.5 geographic areas of the state. The rulemaking is exempt from Minnesota Statutes, section  
169.6 14.125.

169.7 Sec. 133. Laws 2017, chapter 93, article 2, section 155, as amended by Laws 2018, chapter  
169.8 186, section 7, is amended to read:

169.9 Sec. 155. **SAND DUNES STATE FOREST MANAGEMENT.**

169.10 Subdivision 1. **Forest management.** When managing the Sand Dunes State Forest, the  
169.11 commissioner of natural resources must:

169.12 ~~(1) not convert additional land to oak savanna or convert oak savanna to nonforest land~~  
169.13 ~~unless it is done as a result of a contract entered into before the effective date of this section~~  
169.14 not convert land within the forest to nonforest land and shall, to the extent practicable,  
169.15 manage the forest to maximize forest cover and forest habitats. Forest stands must consist  
169.16 of multiple ages and multiple species to maximize forest health and resiliency;

169.17 (2) manage rare features by focusing on species associated with forest habitats, wetlands,  
169.18 and small forest openings;

169.19 ~~(2)~~ (3) require all prairie seeds planted to be from native species of a local ecotype to  
169.20 Sherburne or Benton County; and

169.21 ~~(3)~~ (4) comply with the Minnesota Forest Resources Council's guidelines for aesthetics  
169.22 in residential areas.

169.23 Subd. 2. **Prescribed burns; notification.** At least 40 days before conducting a prescribed  
169.24 burn, the commissioner must:

169.25 (1) publish a notice in a newspaper of general circulation in the area;

169.26 (2) notify the county and township in writing; and

169.27 (3) notify residents within a quarter mile of the prescribed burn in writing.

169.28 Subd. 3. **School trust lands.** Nothing in this section restricts the ability of the  
169.29 commissioner or the school trust lands director from managing school trust lands within  
169.30 the Sand Dunes State Forest for long-term economic return.

170.1 ~~Subd. 4. **Township road.** If the commissioner of natural resources finds that any portion~~  
 170.2 ~~of 233rd Avenue within the Sand Dunes State Forest is not owned by the township, the~~  
 170.3 ~~commissioner must convey an easement over and across state-owned lands administered~~  
 170.4 ~~by the commissioner to the township under Minnesota Statutes, section 84.63, for the width~~  
 170.5 ~~of 233rd Avenue. Notwithstanding the fee and market value payment requirements in~~  
 170.6 ~~Minnesota Statutes, section 84.63, the commissioner shall convey easements to the township~~  
 170.7 ~~at no cost, for existing roads currently maintained by the township across state-owned land~~  
 170.8 ~~administered by the commissioner, located in Township 34N, Range 27W, Sections 15, 17,~~  
 170.9 ~~20, 29, and 35 of Sherburne County, if the township lacks easements for the roads. In~~  
 170.10 ~~addition, notwithstanding the fee and market value payment requirements in Minnesota~~  
 170.11 ~~Statutes, section 84.63, the commissioner shall convey an easement to the township at no~~  
 170.12 ~~cost for the existing road maintained by the township in the Northeast Quarter of the~~  
 170.13 ~~Southeast Quarter, Section 36, Township 34N, Range 27W, Sherburne County, if the~~  
 170.14 ~~township lacks an easement for such road. The commissioner may make necessary changes~~  
 170.15 ~~to the legal description to correct errors and ensure accuracy.~~

170.16 Subd. 4a. **Annual meetings.** The commissioner of natural resources must hold annual  
 170.17 meetings with local residents, stakeholders, and interested parties, including the school trust  
 170.18 lands director, to discuss upcoming plans for Sand Dunes State Forest. The meetings must  
 170.19 be informative and elicit input on proposed actions, including management options for  
 170.20 school trust lands located within the boundaries of Sand Dunes State Forest.

170.21 ~~Subd. 5. **Sunset.** This section expires two years from the day following final enactment~~  
 170.22 ~~January 1, 2025.~~

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

170.24 Sec. 134. **ADDITION TO STATE PARK.**

170.25 **[85.012] [Subd. 23a.] Glendalough State Park, Otter Tail County.**

170.26 The following areas are added to Glendalough State Park, Otter Tail County:

170.27 (1) Government Lot 2, Section 12, Township 133 North, Range 40 West, Otter Tail  
 170.28 County, Minnesota, subject to an existing conservation easement; and

170.29 (2) the West Half of the Southeast Quarter and Government Lots 2 and 3, Section 11,  
 170.30 Township 133 North, Range 40 West, Otter Tail County, Minnesota, except that part of  
 170.31 said Government Lot 2 platted as Walvatne Addition. Subject to an existing conservation  
 170.32 easement.

171.1 Sec. 135. **DELETION FROM STATE PARK.**

171.2 **[85.012] [Subd. 49.] St. Croix State Park, Pine County.** The following area is deleted  
171.3 from St. Croix State Park, Pine County: that part of the North Half of the Northwest Quarter  
171.4 of Section 29 and that part of the Northeast Quarter of the Northeast Quarter of Section 30,  
171.5 Township 41 North, Range 17 West, Pine County, Minnesota, lying north of County Road  
171.6 48.

171.7 Sec. 136. **PRIVATE SALE OF SURPLUS STATE LAND BORDERING PUBLIC**  
171.8 **WATER; CARLTON COUNTY.**

171.9 (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the  
171.10 commissioner of natural resources may sell by private sale the surplus land bordering public  
171.11 water that is described in paragraph (c).

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

171.14 (c) The land that may be sold is located in Carlton County and is described as:  
171.15 Government Lot 6, Section 1, Township 48 North, Range 19 West.

171.16 (d) The land borders Perch Lake and is not contiguous to other state lands. The  
171.17 Department of Natural Resources has determined that the land is not needed for natural  
171.18 resource purposes and that the state's land management interests would be best served if  
171.19 the land were sold to a federally recognized Indian tribe for land consolidation purposes.

171.20 Sec. 137. **PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**  
171.21 **WATER; CASS COUNTY.**

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

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

171.27 (c) The land that may be sold is located in Cass County and is described as: Lot 7, Block  
171.28 1, Dell's Sleepy Hollow, located in Section 22, Township 140 North, Range 29 West.

171.29 (d) The land borders Woman Lake and is not contiguous to other state lands. The  
171.30 Department of Natural Resources has determined that the land is not needed for natural

172.1 resource purposes and that the state's land management interests would best be served if  
172.2 the land was returned to private ownership.

172.3 **Sec. 138. PRIVATE SALE OF SURPLUS LAND BORDERING PUBLIC WATER;**  
172.4 **HUBBARD COUNTY.**

172.5 (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the  
172.6 commissioner of natural resources may sell by private sale the surplus lands bordering  
172.7 public water that is described in paragraph (c) to Hubbard County for no consideration.

172.8 (b) The commissioner may make necessary changes to the legal descriptions to correct  
172.9 errors and ensure accuracy.

172.10 (c) The lands that may be conveyed are located in Hubbard County and are described  
172.11 as:

172.12 (1) the East 285.00 feet of the West 660.00 feet of Government Lot 4 of Section 27,  
172.13 Township 141 North, Range 34 West. Including all riparian rights to the contained 2.3 acres,  
172.14 more or less; and

172.15 (2) that part of Government Lot 2 of Section 34, Township 141 North, Range 34 West,  
172.16 described as follows:

172.17 Commencing at the northwest corner of said Government Lot 2; thence South 89 degrees  
172.18 27 minutes 15 seconds East, bearing assumed, along the north line of said Section 34 a  
172.19 distance of 375.18 feet to the point of beginning; thence continuing South 89 degrees  
172.20 27 minutes 15 seconds East along said north line a distance of 285.13 feet; thence South  
172.21 02 degrees 01 minutes 46 seconds East along a line parallel with and 660.00 feet from  
172.22 the west line of said Government Lot 2 a distance of 77.98 feet; thence North 88 degrees  
172.23 14 minutes 48 seconds East a distance of 65.77 feet along a line which if continued  
172.24 550.00 feet would intersect an angle iron previously used as the northeast corner of said  
172.25 Government Lot 2; thence South 01 degrees 45 minutes 12 seconds East along a line  
172.26 parallel with and 550.00 feet west of a previously established survey line a distance of  
172.27 650.18 feet to the boundary line as established by that certain agreement between Richard  
172.28 Dusbabek and Jean Dusbabek, husband and wife, and Donald S. Olson and Betty Jane  
172.29 Olson, husband and wife, and filed for record on May 10, 1982, in the office of the  
172.30 county recorder in Book 146 of Deeds, page 806; thence South 88 degrees 12 minutes  
172.31 12 seconds West along said boundary line a distance of 179.39 feet; thence North 12  
172.32 degrees 07 minutes 46 seconds West a distance of 663.07 feet; thence North 32 degrees

173.1 35 minutes 05 seconds West a distance of 101.91 feet to the point of beginning; containing  
173.2 4.1 acres.

173.3 (d) The lands border Big Sand Lake. The Department of Natural Resources has  
173.4 determined that the lands are not needed for natural resource purposes and that the state's  
173.5 land management interests would best be served if the lands were conveyed to Hubbard  
173.6 County.

173.7 Sec. 139. **PRIVATE SALE OF TAX-FORFEITED LAND; ITASCA COUNTY.**

173.8 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or  
173.9 other law to the contrary, Itasca County may sell by private sale the tax-forfeited land  
173.10 described in paragraph (c).

173.11 (b) The conveyance must be in a form approved by the attorney general. The attorney  
173.12 general may make changes to the land description to correct errors and ensure accuracy.

173.13 (c) The land to be sold is located in Itasca County and is described as: the East 660 feet  
173.14 of the West 990 feet of the South 660 feet of the Southwest Quarter of the Southeast Quarter,  
173.15 Section 7, Township 55 North, Range 24 West.

173.16 (d) The county has determined that the county's land management interests would best  
173.17 be served if the lands were used for a new broadcast tower, transmitter, and transmission  
173.18 building.

173.19 Sec. 140. **PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**  
173.20 **WATER; KANABEC COUNTY.**

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

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

173.26 (c) The land that may be sold is located in Kanabec County and is described as: that part  
173.27 of the West 200 feet of the Northwest Quarter of Section 13, Township 42 North, Range  
173.28 23 West, Kanabec County, Minnesota, lying northerly of the centerline of the Snake River.

173.29 (d) The land borders the Snake River and is not contiguous to other state lands. The  
173.30 Department of Natural Resources has determined that the land is not needed for natural

174.1 resource purposes and that the state's land management interests would best be served if  
174.2 the land was returned to private ownership.

174.3 **Sec. 141. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**  
174.4 **WATER; OTTER TAIL COUNTY.**

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

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

174.10 (c) The land that may be sold is located in Otter Tail County and is described as:

174.11 Lots 25, 26, and 27 in Block 2 of Jackson and Mckee's Addition, according to the plat  
174.12 thereof, on file and of record in the Office of the Recorder, Otter Tail County, Minnesota,  
174.13 less and except that part of said Lot 27 in Block 2 of Jackson and Mckee's Addition, Otter  
174.14 Tail County, Minnesota, South of the line between Government Lots 2 and 3, Section 14,  
174.15 Township 136, Range 38.

174.16 (d) The land borders Big Pine Lake and is not contiguous to other state lands. The  
174.17 Department of Natural Resources has determined that the land is not needed for natural  
174.18 resource purposes and that the state's land management interests would best be served if  
174.19 the land was returned to private ownership.

174.20 **Sec. 142. CONVEYANCE OF STATE LAND; STEARNS COUNTY.**

174.21 (a) Notwithstanding Minnesota Statutes, section 222.63, or any other law to the contrary,  
174.22 the commissioner of transportation may convey and quitclaim to a private party all right,  
174.23 title, and interest of the state of Minnesota, in the land described in paragraph (e).

174.24 (b) The conveyance may take place only upon conditions determined by the commissioner  
174.25 or transportation and is not subject to restrictions on disposition, sale, lease, or otherwise  
174.26 contained in Minnesota Statutes, section 222.63.

174.27 (c) The consideration for a conveyance made under this section shall be the fair market  
174.28 value of the land conveyed hereunder. Proceeds from the sale of real estate or buildings  
174.29 under this section shall be deposited in the rail bank maintenance account established in  
174.30 Minnesota Statutes, section 222.63, subdivision 8.

175.1 (d) The conveyance may reduce the width of the rail bank corridor to less than 100 feet,  
175.2 provided the conveyance does not reduce the width of the rail bank corridor to less than ten  
175.3 feet.

175.4 (e) The land to be conveyed is located in Stearns County and is described as:

175.5 That part of Tract A described below:

175.6 Tract A. Outlot "A," Railroad Ridge, according to the plat thereof on file and of record in  
175.7 the Office of the County Recorder in and for Stearns County, Minnesota; which lies northerly  
175.8 of a line run parallel with and distant 33 feet southerly of the northerly line of said Outlot  
175.9 "A" and westerly of the southerly extension of westerly right of way line of 5th Street as  
175.10 shown on said Railroad Ridge; together with that part of Tract A, herein before described,  
175.11 adjoining and southerly of the above described strip which lies northerly of a line run parallel  
175.12 with and distant 40 feet southerly of the northerly line of said Outlot "A" and westerly of  
175.13 the following described line: beginning at a point on the southerly line of said Outlot "A,"  
175.14 distant 436.36 feet easterly of the southwest corner thereof; thence northerly at right angles  
175.15 from said southerly line for 50 feet and there terminating; containing 29,925 square feet,  
175.16 more or less.

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

175.18 Sec. 143. **LEASE; TAX-FORFEITED LAND; ST. LOUIS COUNTY.**

175.19 (a) Notwithstanding Minnesota Statutes, section 282.04, or other law to the contrary,  
175.20 St. Louis County may enter into a lease for the tax-forfeited lands described in paragraph  
175.21 (b) for consideration of more than \$12,000 per year.

175.22 (b) The lands to be leased are located in St. Louis County and are described as:

175.23 (1) a 10.0-acre site in the Southeast Quarter, Section 15, Township 56 North, Range 17  
175.24 West, to be used for a telecommunications tower and a 33-foot-wide strip of land, 16.5 feet  
175.25 on either side of the centerline in the Southeast Quarter, Section 15, and in the Southwest  
175.26 Quarter, Section 14, Township 56 North, Range 17 West, to be used for an access road to  
175.27 the tower site; and

175.28 (2) a 10.0-acre site in the West Half, Section 32, Township 60 North, Range 21 West,  
175.29 to be used for a telecommunications tower and a 33-foot-wide strip of land, 16.5 feet on  
175.30 either side of the centerline in the West Half, Section 32, Township 60 North, Range 21  
175.31 West, to be used for an access road to the tower site.

176.1 Sec. 144. ACCESS TO TIMBER ON TAX-FORFEITED LAND; ST. LOUIS  
176.2 COUNTY.

176.3 (a) Notwithstanding Minnesota Statutes, section 160.83, or other law to the contrary,  
176.4 St. Louis County or its agents or assigns may operate vehicles used for timber harvesting  
176.5 and hauling or for transporting equipment and appurtenances incidental to timber harvesting,  
176.6 gravel, and other road-building materials for timber haul roads on designated rustic roads  
176.7 to access tax-forfeited lands for sustainable forest management.

176.8 (b) The tax-forfeited lands to be accessed are located in St. Louis County in Sections  
176.9 26, 27, and 35, Township 53 North, Range 12 West.

176.10 (c) The rustic roads used for forest management must be immediately repaired if damaged  
176.11 and must be maintained in their preharvest condition.

176.12 (d) The county has determined that the county's sustainable forest management  
176.13 responsibilities would best be served by using existing public roads to access tax-forfeited  
176.14 land rather than building new roads.

176.15 Sec. 145. PRIVATE SALE OF TAX-FORFEITED LAND; ST. LOUIS COUNTY.

176.16 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or  
176.17 other law to the contrary, St. Louis County may sell by private sale the tax-forfeited lands  
176.18 described in paragraph (c).

176.19 (b) The conveyances must be in a form approved by the attorney general. The attorney  
176.20 general may make changes to the land descriptions to correct errors and ensure accuracy.

176.21 (c) The lands to be sold are located in St. Louis County and are described as:

176.22 (1) that part of the Southwest Quarter of the Southwest Quarter lying North of Norton  
176.23 Road and West of Howard Gnesen Road, except the easterly 95 feet of the westerly 890  
176.24 feet and except the westerly 300 feet, Section 3, Township 50, Range 14 (parcel identification  
176.25 number 010-2710-00549);

176.26 (2) Lot 5, except the northerly three feet and except the southerly ten feet, West Duluth  
176.27 Fifth Division, Section 7, Township 49, Range 14 (parcel identification number  
176.28 010-4510-06740);

176.29 (3) the Southeast Quarter of the Northeast Quarter, except 4.24 acres for the highway  
176.30 and except the part platted as Clayton Acres and except the highway right-of-way and except  
176.31 6.44 acres of the adjacent plat and except the part North of Highway 169, Section 28,  
176.32 Township 57, Range 21 (parcel identification number 141-0050-05470);

177.1 (4) that part of the West 420 feet of the Southeast Quarter of the Northwest Quarter lying  
 177.2 South of the northerly line of Government Lot 6, except that part beginning at the southwest  
 177.3 corner; thence easterly along the southerly boundary 420 feet to a point; thence northerly  
 177.4 and parallel with the westerly boundary of said Southeast Quarter of the Northwest Quarter  
 177.5 177.95 feet to a point; thence North 67 degrees 38 minutes 35 seconds West to a point on  
 177.6 the westerly boundary of said Southeast Quarter of the Northwest Quarter; thence southerly  
 177.7 along said westerly boundary approximately 364.12 feet to the point of beginning, Section  
 177.8 26, Township 57, Range 18 (parcel identification number 295-0017-00326);

177.9 (5) the South Half of the Northwest Quarter, Section 15, Township 56, Range 18 (parcel  
 177.10 identification number 435-0010-02590);

177.11 (6) part of the East 400 feet of the Southeast Quarter, Section 14, Township 63, Range  
 177.12 12 (part of parcel identification number 465-0020-01965);

177.13 (7) part of the Northeast Quarter of the Southwest Quarter, Lots 2 and 3, Section 20,  
 177.14 Township 54, Range 13 (part of parcel identification number 620-0010-03130); and

177.15 (8) Lots 2, 3, 4, and 5, inclusive auditor's plat of Chandler Addition to Ely, Section 28,  
 177.16 Township 63, Range 12 (parcel identification number 030-0030-03530).

177.17 (d) The county has determined that the county's land management interests would best  
 177.18 be served if the lands were returned to private ownership.

177.19 **Sec. 146. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**  
 177.20 **WATER; WABASHA COUNTY.**

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

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

177.26 (c) The land that may be sold is located in Wabasha County and is described as: Lot 4,  
 177.27 Section 8, Township 109, Range 12, lying and being in the county of Wabasha, State of  
 177.28 Minnesota.

177.29 (d) The land borders the Zumbro River and is not contiguous to other state lands. The  
 177.30 Department of Natural Resources has determined that the land is not needed for natural  
 177.31 resource purposes and that the state's land management interests would best be served if  
 177.32 the land was returned to private ownership.

178.1 Sec. 147. **PRIVATE SALE OF SURPLUS STATE LAND BORDERING PUBLIC**  
178.2 **WATER; YELLOW MEDICINE COUNTY.**

178.3 (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the  
178.4 commissioner of natural resources may sell by private sale the surplus land bordering public  
178.5 water that is described in paragraph (c) to the United States for no consideration.

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

178.8 (c) The land that may be sold is located in Yellow Medicine County and is described  
178.9 as: the South 33.00 feet of the Northwest Quarter of the Northwest Quarter and that part of  
178.10 Government Lot 1, Section 22, Township 114 North, Range 41 West, Yellow Medicine  
178.11 County, Minnesota, described as follows:

178.12 Beginning at the southwest corner of said Government Lot 1; thence on an assumed  
178.13 bearing of North 01 degrees 09 minutes 07 seconds West along the west line of said  
178.14 Government Lot 1 a distance of 33.00 feet; thence North 89 degrees 42 minutes 02  
178.15 seconds East parallel with the south line of said Government Lot 1 a distance of 150.00  
178.16 feet; thence North 00 degrees 17 minutes 58 seconds West 267.00 feet; thence North 89  
178.17 degrees 42 minutes 02 seconds East 754 feet more or less, to the water's edge of Spellman  
178.18 Lake; thence southwesterly along said water's edge 760 feet, more or less, to the south  
178.19 line of said Government Lot 1; thence South 89 degrees 42 minutes 02 seconds West  
178.20 along the south line of said Government Lot 1 a distance of 288 feet, more or less, to  
178.21 the point of beginning; including all riparian rights to the contained 4.1 acres, more or  
178.22 less.

178.23 (d) The land borders Spellman Lake and is not contiguous to other state lands but is  
178.24 adjacent to a waterfowl production area. The Department of Natural Resources has  
178.25 determined that the land would best be managed by the United States Fish and Wildlife  
178.26 Services as part of a waterfowl production area.

178.27 Sec. 148. **APPLICATION OF STORM WATER RULES TO TOWNSHIPS.**

178.28 Until the Pollution Control Agency amends rules for storm water, Minnesota Rules, part  
178.29 7090.1010, subpart 1, item B, subitem (1), only applies to the portions of a city, town, and  
178.30 unorganized areas of counties that are designated as urbanized under Code of Federal  
178.31 Regulations, title 40, section 122.26(2)(9)(i)(A), and other platted areas within that  
178.32 jurisdiction.

179.1 Sec. 149. **REINVEST IN FISH HATCHERIES CITIZEN-LEGISLATIVE**  
179.2 **ADVISORY GROUP.**

179.3 **Subdivision 1. Advisory group established; duties.** (a) A 12-member Reinvest in Fish  
179.4 **Hatcheries Citizen-Legislative Advisory Group is created to study the status of Minnesota's**  
179.5 **fish hatchery system, the commissioner of natural resources' programs on stocking walleye**  
179.6 **and other fish, and natural fish reproduction.**

179.7 **(b) The advisory group must study the public priorities and life cycle of Minnesota's**  
179.8 **fish hatchery system and a cost-benefit analysis, consider issues of accountability and**  
179.9 **transparency, and examine reviews and analyses of:**

179.10 **(1) the economics of Minnesota's fish- and angling-related activities and the tax revenue**  
179.11 **to the state's general fund;**

179.12 **(2) any Department of Natural Resources surveys and polling of Minnesota angler**  
179.13 **priorities;**

179.14 **(3) past and present fisheries long-range plans, legislative auditor reports, and other**  
179.15 **fisheries plans; and**

179.16 **(4) the status of the following proposed, closed, and currently operating Minnesota fish**  
179.17 **hatchery systems: Lanesboro, Crystal Springs, Bemidji, Brainerd, Detroit Lakes, French**  
179.18 **River, Glenwood, Grand Rapids, New London, Park Rapids, Peterson, Pike River, Spire**  
179.19 **Valley, St. Paul, Walker Lake, and Waterville.**

179.20 **(c) The advisory group must prepare a plan and select fish hatchery sites for on-site**  
179.21 **visits and reviews.**

179.22 **(d) The advisory group must implement an action plan, develop priorities for fish**  
179.23 **hatcheries, and review and recommend priorities of species for fish stocking to maximize**  
179.24 **statewide opportunities for angling.**

179.25 **(e) The advisory group must study alternatives to current fish hatchery stocking, including**  
179.26 **private-sector stocking vendors.**

179.27 **Subd. 2. Consultation required.** (a) **The advisory group must consult with advisory**  
179.28 **committees of the commissioner of natural resources, game and fish oversight committees,**  
179.29 **and fishery-related interests, including but not limited to counties, lake associations, small**  
179.30 **businesses, resort owners, guides, and other industry-related interests.**

179.31 **(b) In developing recommendations, the advisory group must consult with the**  
179.32 **commissioner of natural resources, experts in managing a fishery, and affected stakeholders.**

180.1 Subd. 3. **Membership; appointments.** (a) The Reinvest in Fish Hatcheries

180.2 Citizen-Legislative Advisory Group has the following 12 members:

180.3 (1) the chair of the house of representatives Environment and Natural Resources Finance

180.4 Division or a designee; a minority member of the Environment and Natural Resources

180.5 Finance Division appointed by the minority leader of the house of representatives; two

180.6 public members appointed by the speaker of the house; and two public members appointed

180.7 by the minority leader of the house of representatives; and

180.8 (2) the chair of the senate Environment and Natural Resources Finance Committee or a

180.9 designee; a minority member of the Environment and Natural Resources Finance Committee

180.10 appointed by the minority leader of the senate; two public members appointed by the majority

180.11 leader of the senate; and two public members appointed by the minority leader of the senate.

180.12 (b) Appointments to the advisory group must be made by November 1, 2019. If a vacancy

180.13 occurs, the leader of the caucus in the body that appointed the vacating member or to which

180.14 the member belonged must fill the vacancy.

180.15 Subd. 4. **Meetings; staff assistance.** (a) The chair of the senate committee with

180.16 jurisdiction over environment and natural resources finance must convene the first meeting

180.17 of the Reinvest in Fish Hatcheries Citizen-Legislative Advisory Group by December 15,

180.18 2019. The advisory group must elect cochaIRS, one who is a legislator and one who is a

180.19 public member, from among the members at the first meeting. The authority to convene

180.20 meetings shall alternate between the cochaIRS after each meeting. The Reinvest in Fish

180.21 Hatcheries Citizen-Legislative Advisory Group must meet periodically.

180.22 (b) The Legislative Coordinating Commission must provide technical and administrative

180.23 assistance to the advisory group upon request.

180.24 Subd. 5. **Compensation and expense reimbursement.** Public members of the advisory

180.25 group shall be compensated and reimbursed for expenses as provided in Minnesota Statutes,

180.26 section 15.059, subdivision 3.

180.27 Subd. 6. **Open meetings.** Meetings of the advisory group are subject to Minnesota

180.28 Statutes, section 3.055.

180.29 Subd. 7. **Report to legislature.** The Reinvest in Fish Hatcheries Citizen-Legislative

180.30 Advisory Group must submit a report to the chairs and ranking minority members of the

180.31 legislative committees with jurisdiction over environment and natural resources policy and

180.32 finance no later than January 31, 2021, describing its work and recommendations. The

180.33 advisory group is encouraged to identify and include in the report any draft legislation,

181.1 including statutory changes and appropriations from any fund, needed to implement the  
181.2 advisory group's recommendations.

181.3 Subd. 8. **Expiration.** This section expires June 30, 2021.

181.4 Sec. 150. **NO NEW ANTLER POINT RESTRICTIONS.**

181.5 The commissioner of natural resources may not impose an antler point restriction, other  
181.6 than that imposed by the definition of a "legal buck" in Minnesota Rules, part 6232.0200,  
181.7 subpart 6, unless the legislature approves the antler point restriction.

181.8 Sec. 151. **REDUCING APPROPRIATIONS FOR UNFILLED POSITIONS.**

181.9 Subdivision 1. **Reduction required.** The commissioner of management and budget must  
181.10 reduce general fund and nongeneral fund appropriations to the Department of Natural  
181.11 Resources, the Pollution Control Agency, and the Board of Water and Soil Resources for  
181.12 agency operations for the biennium ending June 30, 2021, for salary and benefits savings  
181.13 that result from any positions that have not been filled within 180 days of the posting of the  
181.14 position. This section applies only to positions that are posted in fiscal years 2019, 2020,  
181.15 and 2021. Reductions made under this section must be reflected as reductions in agency  
181.16 base budgets for fiscal years 2022 and 2023. This section does not apply to seasonal  
181.17 employees and any positions that require law enforcement training.

181.18 Subd. 2. **Reporting.** The commissioner of management and budget must report to the  
181.19 chairs and ranking minority members of the senate and the house of representatives  
181.20 environment finance committees regarding the amount of reductions in spending by each  
181.21 agency under this section.

181.22 Sec. 152. **WETLAND REPLACEMENT; FRAMEWORKS FOR IN-LIEU FEE**  
181.23 **PROGRAM.**

181.24 The Board of Water and Soil Resources, in cooperation with the United States Army  
181.25 Corps of Engineers, may complete the planning frameworks and other program application  
181.26 requirements necessary for federal approval of an in-lieu fee program, as authorized under  
181.27 Minnesota Statutes, section 103G.2242, in the Red River basin and the greater than 80  
181.28 percent area. The planning frameworks must contain a prioritization strategy for selecting  
181.29 and implementing mitigation activities based on a watershed approach that includes  
181.30 consideration of historic resource loss within watersheds and the extent to which mitigation  
181.31 can address priority watershed needs. The board must consider the recommendations of the  
181.32 report "Siting of Wetland Mitigation in Northeast Minnesota," dated March 7, 2014, and

182.1 implementation of Minnesota Statutes, section 103B.3355, paragraphs (e) and (f), in  
182.2 developing proposed planning frameworks for applicable watersheds. When completing  
182.3 the work and pursuing approval of an in-lieu fee program, the board must do so consistent  
182.4 with the applicable requirements, stakeholder and agency review processes, and approval  
182.5 time frames in Code of Federal Regulations, title 33, part 332. Upon receiving federal  
182.6 approval, the board must submit any completed planning frameworks to the chairs and  
182.7 ranking minority members of the house of representatives and senate committees and  
182.8 divisions with jurisdiction over environment and natural resources.

182.9 Sec. 153. **FIRST APPOINTMENTS AND FIRST MEETING FOR THE WILD RICE**  
182.10 **STEWARDSHIP COUNCIL.**

182.11 Appointing authorities must make appointments to the Wild Rice Stewardship Council  
182.12 under Minnesota Statutes, section 84.1511, by September 1, 2019. The commissioner of  
182.13 natural resources shall convene the first meeting by October 15, 2019. The council shall  
182.14 select a chair at the first meeting.

182.15 Sec. 154. **HILL-ANNEX MINE STATE PARK; MANAGEMENT AND OPERATION.**

182.16 (a) The commissioner of natural resources must operate the Hill-Annex Mine State Park  
182.17 for the purposes it was established through June 30, 2021, and must during that time maintain  
182.18 at fiscal year 2016 levels, the level of service and hours of operation at the park. The  
182.19 commissioner must work with the group established under Laws 2017, chapter 93, article  
182.20 2, section 156, to review park activities and the alternate operating model developed and  
182.21 identify options for sustainable and viable operation of the park site. The commissioner  
182.22 must submit recommendations to the chairs and ranking minority members of the house of  
182.23 representatives and senate committees and divisions with jurisdiction over the environment  
182.24 and natural resources by January 15, 2021.

182.25 (b) The commissioner of natural resources must work with the city of Calumet, other  
182.26 neighboring cities and townships, and other local units of government to identify and  
182.27 coordinate volunteers to supplement the Department of Natural Resources' park operations  
182.28 to the extent allowable under state law and rules.

182.29 Sec. 155. **AGGREGATE RECLAMATION GUIDANCE.**

182.30 The commissioner of natural resources shall update the Department of Natural Resources  
182.31 aggregate reclamation handbook as recommended by the Aggregate Resources Task Force  
182.32 Final Report dated January 15, 2018.

183.1 Sec. 156. SOLAR GENERATION ON CLOSED LANDFILL PROPERTIES; STUDY.

183.2 (a) The Environmental Quality Board may contract with one or more independent  
183.3 consultants to conduct a study on the feasibility of locating solar photovoltaic devices on  
183.4 land that is enrolled in the Pollution Control Agency's closed landfill program established  
183.5 under Minnesota Statutes, section 115B.39 to 115B.445. The board, in collaboration with  
183.6 the Pollution Control Agency and the consultants, must create a subset of approximately  
183.7 two dozen closed landfill project sites displaying a variety of relevant legal and physical  
183.8 characteristics to be analyzed. For each site, the study must:

183.9 (1) examine the legal status of the site and any constraints that may prohibit or limit the  
183.10 installation of privately owned solar photovoltaic devices on the site as a result of law or  
183.11 the use of specific funding mechanisms to acquire or remediate the properties, including:

183.12 (i) general obligation bonds;

183.13 (ii) revenue from the remediation fund established in Minnesota Statutes, section 116.155;

183.14 and

183.15 (iii) settlements from landfill-related insurance coverage;

183.16 (2) assess any other tax or financial barriers to the installation of solar photovoltaic  
183.17 devices on closed landfill properties;

183.18 (3) develop and evaluate strategies to overcome any barriers to the installation of solar  
183.19 photovoltaic devices identified in clauses (1) and (2);

183.20 (4) evaluate the extent to which the physical characteristics of the landfill and the  
183.21 contained waste may restrict the siting of solar photovoltaic devices and associated  
183.22 equipment;

183.23 (5) assess the potential and logistics for solar energy generation, including but not limited  
183.24 to:

183.25 (i) solar insolation potential;

183.26 (ii) proximity to substations; and

183.27 (iii) proximity of the electricity generated to potential consumers, including public  
183.28 agencies, low-income communities, and areas where environmental justice concerns are  
183.29 present;

183.30 (6) describe the regulatory processes of local units of government that must issue  
183.31 approvals and permits for the project, in order to develop a successful strategy to obtain  
183.32 local approvals and permits; and

184.1 (7) develop a cost-benefit analysis of installing solar photovoltaic devices whose  
184.2 generated electricity is to be consumed by the adjacent community.

184.3 (b) By January 15, 2021, the Environmental Quality Board must submit the study  
184.4 containing findings and recommendations for subsequent action to the chairs and ranking  
184.5 minority members of the senate and house of representatives committees with primary  
184.6 jurisdiction over energy policy and finance.

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

184.8 Sec. 157. **GRANT PROGRAM; FIREARMS SAFETY, ARCHERY, HUNTING,**  
184.9 **AND ANGLING IN SCHOOL PHYSICAL EDUCATION COURSES.**

184.10 Subdivision 1. **Program.** (a) The commissioner of natural resources must create a grant  
184.11 program to increase firearms safety, trap shooting, archery, hunting, and angling activities  
184.12 in physical education courses in Minnesota school districts. A school must ensure that  
184.13 activities funded under the program are consistent with required state standards for physical  
184.14 education.

184.15 (b) In developing the program, the commissioner must consult with members from each  
184.16 of the following groups: Leech Lake Band, Minnesota Chippewa Tribe; Red Lake Band of  
184.17 Chippewa Indians; Lower Sioux Indian Reservation; Prairie Island Sioux Indian Reservation;  
184.18 Shakopee Mdewakanton Sioux Indian Reservation; and Upper Sioux Indian Reservation.  
184.19 As practicable, the commissioner must incorporate recommendations from these groups in  
184.20 the grant program design.

184.21 Subd. 2. **Eligibility.** (a) A school district or American Indian-controlled tribal contract  
184.22 or grant school may apply to the commissioner of natural resources to participate in the  
184.23 program in the form and manner determined by the commissioner.

184.24 (b) The commissioner must seek geographic balance among schools selected for  
184.25 participation.

184.26 Subd. 3. **Report.** No later than January 15, 2021, the commissioner must report on  
184.27 program outcomes to the chairs and ranking minority members of the house of representatives  
184.28 and senate committees with jurisdiction over education and natural resources policy and  
184.29 finance. The report must be in writing.

185.1 Sec. 158. **GRANTS FOR HIGH-SCHOOL FISHING LEAGUES; BASIC ANGLING**  
185.2 **CURRICULUM.**

185.3 **Subdivision 1. Grant program; high-school fishing leagues.** The commissioner of  
185.4 natural resources must establish and administer a program to provide grants to nonprofit  
185.5 organizations operating fishing leagues for high schools to develop, expand, and increase  
185.6 youth participation in fishing leagues for high schools.

185.7 **Subd. 2. Developing basic angling curriculum.** The commissioner of natural resources  
185.8 must develop a basic angling curriculum that includes basic fishing techniques and  
185.9 information about aquatic invasive species, tournament etiquette, conservation, water safety,  
185.10 and related matters. The commissioner must make the basic angling curriculum available  
185.11 without cost to nonprofit organizations operating fishing leagues for high schools.

185.12 Sec. 159. **STAMP DESIGN; RULE AMENDMENT.**

185.13 The commissioner of natural resources shall amend Minnesota Rules, part 6290.0400,  
185.14 subpart 3, to:

185.15 (1) allow a contest entry to be created using nonphotographic digital media; and

185.16 (2) require a person submitting a contest entry to list all media used in the creation of  
185.17 the entry.

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

185.19 Sec. 160. **REVISOR INSTRUCTION.**

185.20 The revisor of statutes must change the reference in Minnesota Statutes, sections 127A.30,  
185.21 subdivision 2, and 287.22 from "section 92.121" to "section 92.122."

185.22 Sec. 161. **REVISOR INSTRUCTION.**

185.23 The revisor of statutes must change the reference in Minnesota Statutes, section 446A.073,  
185.24 subdivision 1, from "section 115.03, subdivision 1, paragraph (e), clause (8)" to "section  
185.25 115.03, subdivision 1, paragraph (a), clause (5), item (viii)" and in Minnesota Statutes,  
185.26 section 446A.073, subdivision 2, from "section 115.03, subdivision 1, paragraph (f)" to  
185.27 "section 115.03, subdivision 1, paragraph (a), clause (6)."

185.28 Sec. 162. **REPEALER.**

185.29 (a) Minnesota Statutes 2018, section 92.121, is repealed.

186.1 (b) Minnesota Rules, part 6232.0350, is repealed.

**92.121 PERMANENT SCHOOL FUND LANDS.**

The commissioner of natural resources shall exchange permanent school fund land as defined in the Minnesota Constitution, article XI, section 8, located in state parks, state recreation areas, wildlife management areas, scientific and natural areas, or state waysides or on lands managed by the commissioner as old growth stands, for other lands as allowed by the Minnesota Constitution, article XI, section 10, and section 94.343, subdivision 1, that are compatible with the goal of the permanent school fund lands in section 127A.31 when, as a result of management practices applied to the permanent school fund lands and associated resources, revenue generation has been diminished or is prohibited and no alternative has been put into effect to compensate the permanent school fund for the income losses.

**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.