

A bill for an act
relating to natural resources; expanding prohibitions on the appropriation of
water from the Mt. Simon-Hinckley aquifer; amending Minnesota Statutes 2008,
section 103G.271, subdivision 4a.

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

Section 1. Minnesota Statutes 2008, section 103G.271, subdivision 4a, is amended to
read:

Subd. 4a. **Mt. Simon-Hinckley aquifer.** (a) Except as provided in paragraphs (b)
and (c), the commissioner may not issue new water use permits that will appropriate water
from for the Mt. Simon-Hinckley aquifer in a metropolitan county, as defined in section
473.121, subdivision 4, unless the appropriation is for potable domestic water use, there
are no feasible or practical alternatives to this source, and a water conservation plan
is incorporated with the permit. Domestic water uses include water used for general
household purposes for essential human needs such as cooking, cleaning, drinking,
washing, and waste disposal.

(b) ~~The commissioner shall terminate all permits authorizing appropriation and~~
~~use of water from the Mt. Simon-Hinckley aquifer for once-through systems in a~~
~~metropolitan county, as defined in section 473.121, subdivision 4, by December 31, 1992~~
The commissioner may issue new water use permits for the Mt. Simon-Hinckley aquifer
for nondomestic uses if the volume of water is less than 100,000,000 gallons per year,
there are no feasible or practical alternatives to this source, and a water conservation plan
is incorporated with the permit. This paragraph does not apply within a metropolitan
county, as defined in section 473.121, subdivision 4, or to a facility eligible for property
tax exemption under section 272.02, subdivision 92.

2.1 (c) Notwithstanding paragraphs (a) and (b), the commissioner may issue a new
2.2 water use permit for the Mt. Simon-Hinckley aquifer for nondomestic use by a biofuel
2.3 or agricultural processing facility if there are no feasible or practical alternatives to the
2.4 use of the aquifer, and water recycling and water conservation plans, to be determined by
2.5 the commissioner, are required under the permit. The commissioner shall ensure that a
2.6 holder of a permit issued under this paragraph is implementing all water recycling and
2.7 conservation plans required under the permit. This paragraph does not apply within a
2.8 metropolitan county, as defined in section 473.121, subdivision 4.