

SENATE
STATE OF MINNESOTA
NINETY-FOURTH SESSION

S.F. No. 2359

(SENATE AUTHORS: KUNESH)

DATE	D-PG	OFFICIAL STATUS
03/10/2025	712	Introduction and first reading Referred to Environment, Climate, and Legacy

1.1

A bill for an act

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relating to natural resources; requiring advance Tribal review of proposed mining

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projects; proposing coding for new law in Minnesota Statutes, chapter 93.

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

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Section 1. [93.5141] ADVANCE TRIBAL REVIEW OF PROPOSED MINING

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PROJECTS.

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

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the meanings given.

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(b) "Affected Tribe" means a Tribe whose reservation land is wholly or partially located

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within the same county as any portion of a proposed mining project or within an adjoining

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county.

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(c) "Mining permit" means a permit to mine under section 93.481 or a permit for the

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production of gas or oil under section 93.513.

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(d) "Mining project" means a project that requires a mining permit.

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Subd. 2. Timeline for permit review. If there are one or more affected Tribes, the

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commissioner of natural resources may not begin reviewing an application for a mining

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permit until the earlier of:

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(1) all affected Tribes:

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(i) complete archeological and cultural review and all necessary preservation work and

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comply with all requirements of sections 138.31 to 138.42 and 307.08 in the event of

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inadvertent discoveries; and

2.1 (ii) submit a project review to the commissioner according to subdivision 3; or

2.2 (2) 24 months have elapsed since the initial application for the mining permit was
2.3 submitted.

2.4 Subd. 3. **Review by affected Tribes required.** (a) If upon receiving an application for
2.5 a mining permit the commissioner determines that there are one or more affected Tribes,
2.6 the commissioner must inform each affected Tribe of that determination, share the permit
2.7 application and related materials with each affected Tribe, and request that each affected
2.8 Tribe submit a project review to the commissioner of natural resources for the proposed
2.9 project as soon as possible.

2.10 (b) In developing a project review under this subdivision, an affected Tribe may examine
2.11 and comment on all aspects of the proposed project and may make recommendations
2.12 regarding whether the mining permit should be approved or denied, recommendations for
2.13 permit conditions, and recommendations relating to any other aspects of the proposed project
2.14 that the Tribe deems relevant.

2.15 Subd. 4. **Relation to other law.** The requirements of this section are in addition to the
2.16 requirements of section 10.65.