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State of Minnesota

Printed Page No. 312

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. 4019

03/05/2026 Authored by Schultz and Gordon
The bill was read for the first time and referred to the Committee on Environment and Natural Resources Finance and Policy
04/07/2026 Adoption of Report: Placed on the General Register as Amended
Read for the Second Time

1.1 A bill for an act
1.2 relating to natural resources; expanding eligibility criteria for Mt. Simon-Hinckley
1.3 aquifer appropriation permits; amending Minnesota Statutes 2024, section
1.4 103G.271, subdivision 4a.

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

1.6 Section 1. Minnesota Statutes 2024, section 103G.271, subdivision 4a, is amended to read:

1.7 Subd. 4a. Mt. Simon-Hinckley aquifer. (a) Except as provided under paragraphs (b)
1.8 and (c), the commissioner may not issue new water-use permits that will appropriate water
1.9 from the Mt. Simon-Hinckley aquifer unless the appropriation is for potable water use, there
1.10 are no feasible or practical alternatives to this source, and a water conservation plan is
1.11 incorporated with the permit.

1.12 (b) The commissioner may issue a new water-use permit to appropriate water from the
1.13 Mt. Simon-Hinckley aquifer for a first priority water use as described in section 103G.261,
1.14 paragraph (a), clause (1), if:

1.15 (1) the commissioner determines that there are no feasible or practical alternatives to
1.16 this source;

1.17 (2) a water conservation plan that incorporates best available water conservation
1.18 technology and practices is required in the permit; and

1.19 (3) the permit is consistent with the requirements of sections 103G.255 to 103G.2991
1.20 and the general permit requirements of sections 103G.301 and 103G.315, as applicable.

1.21 (c) The commissioner may issue a new water-use permit to appropriate water from the
1.22 Mt. Simon-Hinckley aquifer for irrigation of a growing crop, if the requested appropriation

2.1 is in Aitkin County, Carlton County, Chisago County, Isanti County, Kanabec County,  
2.2 Mille Lacs County, Pine County, or Sherburne County and:

2.3 (1) the commissioner determines that there are no feasible or practical alternatives to  
2.4 this source;

2.5 (2) a water conservation plan that incorporates best available water conservation  
2.6 technology and practices is required in the permit;

2.7 (3) the commissioner requires the installation and maintenance of monitoring equipment  
2.8 to evaluate water resource impacts from the permitted appropriation under section 103G.282;

2.9 (4) the commissioner requires an applicant to conduct an aquifer test as provided under  
2.10 section 103G.287;

2.11 (5) the permit is for the use of no more than 50,000,000 gallons per year;

2.12 (6) the commissioner requires an applicant to test the water for the presence of  
2.13 perfluoroalkyl and polyfluoroalkyl substances, nitrates, and pesticides after a water-use  
2.14 permit has been granted; and

2.15 (7) the permit is consistent with the requirements of sections 103G.255 to 103G.2991  
2.16 and the general permit requirements of sections 103G.301 and 103G.315, as applicable.

2.17 (d) The permit applicant is responsible for all costs related to the water quality testing  
2.18 required under paragraph (c), clause (6).

2.19 (e) For the purpose of this section, "growing crop" means an agricultural, horticultural,  
2.20 or forest crop that has been planted or regularly maintained and intended for harvest. It does  
2.21 not mean a permanent pasture, hay meadow, woodlot, or other noncrop area that contains  
2.22 native or seeded perennial plants used for grazing or hay purposes and that is not harvested  
2.23 on a regular basis.