A bill for an act

relating to state government; appropriating money for environment and natural resources and tourism; modifying programs; creating accounts and providing for disposition of certain receipts; modifying certain natural resources fee and permit conditions; authorizing sales of certain state land; establishing the Wild Rice Stewardship Council; creating the Reinvest in Fish Hatcheries Citizen-Legislative Advisory Group; providing appointments; requiring reports; making technical corrections; amending Minnesota Statutes 2018, sections 17.035, subdivision 1; 35.153, by adding subdivisions; 35.155, subdivisions 4, 6, 7, 9, 10, 11; 84.026, by adding a subdivision; 84.027, subdivision 18, by adding a subdivision; 84.0273, subdivision 2; 84.775, subdivision 1; 84.788, subdivision 2; 84.794, subdivision 2; 84.83, subdivision 3; 84.86, subdivision 1; 84.925, subdivision 1; 84.9256, subdivision 1; 84.928, subdivision 2; 84D.03, subdivisions 3, 4; 84D.108, subdivisions 2b, 2c; 85.054, subdivision 1; 85.44; 85.47; 85A.02, subdivision 17; 86B.005, subdivision 1; 86B.415, subdivision 1a; 92.115, subdivision 1; 92.50, subdivision 1; 93.25; 94.09, subdivision 3; 94.10; 97A.015, subdivisions 25, 43; 97A.051, subdivision 2; 97A.055, subdivision 4b; 97A.075, subdivision 1; 97A.126; 97A.433, subdivisions 4, 5; 97A.475, subdivision 4; 97A.505, subdivision 8; 97B.086; 97B.106, subdivision 2; 97B.426; 97B.516; 97B.722; 97B.731, subdivision 1; 97C.315, subdivision 1; 97C.345, by adding a subdivision; 97C.391, subdivision 1; 97C.395, subdivision 2; 97C.605, subdivision 2; 97C.815, subdivision 2; 103B.3369, subdivisions 5, 9; 103B.611, subdivision 3; 103B.801, subdivisions 2, 5; 103D.315, subdivision 8; 103F.361, subdivision 2; 103F.363, subdivision 1; 103F.365, by adding a subdivision; 103F.371; 103F.373, subdivisions 1, 3, 4; 103G.2242, subdivision 14; 103G.241, subdivisions 1, 3; 103G.271, subdivision 7, by adding a subdivision; 103G.287, subdivisions 1, 4, 5; 103G.289; 103G.311, subdivisions 2, 5; 103G.315, subdivision 8; 103G.408; 103G.615, subdivision 3a; 114D.15, subdivisions 7, 11, 13, by adding subdivisions; 114D.20, subdivisions 2, 3, 5, 7, by adding subdivisions; 114D.26; 114D.35, subdivisions 1, 3; 115.03, subdivisions 1, 5, by adding a subdivision; 115.035; 115.44, subdivision 6; 115.455; 115.77, subdivision 1; 115.84, subdivisions 2, 3; 115A.51; 115B.421; 116.03, subdivision 1, by adding a subdivision; 116.07, subdivisions 2, 4d, by adding a subdivision; 116.0714; 116.993, subdivisions 2, 6; 116D.04, subdivision 2a; 216G.01, subdivision 3; 282.01, subdivision 4; Laws 2012, chapter 236, section 28, subdivisions 2, as amended, 9, as amended; Laws 2013, chapter 114, article 4, section 105, as amended; Laws 2015, chapter 76, section 2, subdivision 9, as amended; Laws 2016, chapter 189, article 3, sections 2, subdivision 2; 6, as amended; Laws 2017, chapter 93, article 1, section 9; article
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

ARTICLE 1

ENVIRONMENT AND NATURAL RESOURCES APPROPRIATIONS

Section 1. ENVIRONMENT AND NATURAL RESOURCES APPROPRIATIONS.

The sums shown in the columns marked "Appropriations" are appropriated to the agencies and for the purposes specified in this article. The appropriations are from the general fund, or another named fund, and are available for the fiscal years indicated for each purpose. The figures "2020" and "2021" used in this article mean that the appropriations listed under them are available for the fiscal year ending June 30, 2020, or June 30, 2021, respectively. "The first year" is fiscal year 2020. "The second year" is fiscal year 2021. "The biennium" is fiscal years 2020 and 2021. Appropriations for the fiscal year ending June 30, 2019, are effective the day following final enactment.

APPROPRIATIONS
Available for the Year
Ending June 30

<table>
<thead>
<tr>
<th>Year</th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sec. 2. POLLUTION CONTROL AGENCY</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Subdivision 1. Total Appropriation</td>
<td>$ 98,352,000</td>
<td>$ 96,984,000</td>
</tr>
<tr>
<td>Appropriations by Fund</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>2020</td>
<td>2021</td>
</tr>
<tr>
<td>General</td>
<td>1,000,000</td>
<td>1,000,000</td>
</tr>
<tr>
<td>State Government</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Special Revenue</td>
<td>75,000</td>
<td>75,000</td>
</tr>
<tr>
<td>Environmental</td>
<td>83,472,000</td>
<td>82,404,000</td>
</tr>
<tr>
<td>Remediation</td>
<td>13,505,000</td>
<td>13,505,000</td>
</tr>
<tr>
<td>Closed Landfill</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Investment fund</td>
<td>300,000</td>
<td>-0-</td>
</tr>
</tbody>
</table>

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

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

**Subd. 2. Environmental Analysis and Outcomes**

<table>
<thead>
<tr>
<th>Appropriations by Fund</th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>Environmental</td>
<td>12,760,000</td>
<td>12,850,000</td>
</tr>
<tr>
<td>Remediation</td>
<td>201,000</td>
<td>201,000</td>
</tr>
</tbody>
</table>

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

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

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

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

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

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

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

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

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

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

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

Subd. 3. **Industrial** 15,473,000 15,213,000
5.1 Appropriations by Fund

<table>
<thead>
<tr>
<th>Fund</th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>Environmental</td>
<td>14,472,000</td>
<td>14,212,000</td>
</tr>
<tr>
<td>Remediation</td>
<td>1,001,000</td>
<td>1,001,000</td>
</tr>
</tbody>
</table>

(a) $1,001,000 the first year and $1,001,000 the second year are from the remediation fund for the leaking underground storage tank program to investigate, clean up, and prevent future releases from underground petroleum storage tanks and to the petroleum remediation program for vapor assessment and remediation. These same annual amounts are transferred from the petroleum tank fund to the remediation fund.

(b) $393,000 the first year is from the TCE emission response account in the environmental fund to further evaluate the use and reduction of trichloroethylene around Minnesota and identify its potential health effects on communities. Of this amount, up to $121,000 may be transferred to the commissioner of health. This is a onetime appropriation.

5.24 Subd. 4. Municipal $7,859,000 $7,859,000

(a) $164,000 the first year and $164,000 the second year are from the environmental fund for:

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

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

(3) development of statewide economic
analyses and templates to reduce the amount
of information and time required for
municipalities to apply for variances from
water quality standards; and

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

(b) $50,000 the first year and $50,000 the
second year are from the environmental fund
for transfer to the Office of Administrative
Hearings to establish sanitary districts.

(c) $671,000 the first year and $671,000 the
second year are from the environmental fund
for subsurface sewage treatment system
(SSTS) program administration and
community technical assistance and education,
including grants and technical assistance to
communities for water-quality protection. Of
this amount, $129,000 each year is for
assistance to counties through grants for SSTS
program administration. A county receiving
a grant from this appropriation must submit
the results achieved with the grant to the
commissioner as part of its annual SSTS
report. Any unexpended balance in the first
year does not cancel but is available in the
second year.

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

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

Subd. 5. Operations

<table>
<thead>
<tr>
<th>Appropriations by Fund</th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>Environmental</td>
<td>4,208,000</td>
<td>4,219,000</td>
</tr>
<tr>
<td>Remediation</td>
<td>828,000</td>
<td>828,000</td>
</tr>
</tbody>
</table>

$180,000 the first year and $180,000 the second year are from the remediation fund for purposes of the leaking underground storage tank program to investigate, clean up, and prevent future releases from underground petroleum storage tanks, and to the petroleum remediation program for vapor assessment and remediation. These same annual amounts are transferred from the petroleum tank fund to the remediation fund.

Subd. 6. Remediation

<table>
<thead>
<tr>
<th>Appropriations by Fund</th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>Environmental</td>
<td>1,048,000</td>
<td>615,000</td>
</tr>
<tr>
<td>Remediation</td>
<td>11,241,000</td>
<td>11,241,000</td>
</tr>
</tbody>
</table>
(a) All money for environmental response, compensation, and compliance in the remediation fund not otherwise appropriated is appropriated to the commissioners of the Pollution Control Agency and agriculture for purposes of Minnesota Statutes, section 115B.20, subdivision 2, clauses (1), (2), (3), (6), and (7). At the beginning of each fiscal year, the two commissioners shall jointly submit an annual spending plan to the commissioner of management and budget that maximizes the use of resources and appropriately allocates the money between the two departments. This appropriation is available until June 30, 2021.

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

(c) $3,961,000 the first year and $3,961,000 the second year are from the remediation fund for purposes of the leaking underground storage tank program to investigate, clean up, and prevent future releases from underground petroleum storage tanks, and to the petroleum remediation program for purposes of vapor assessment and remediation. These same annual amounts are transferred from the petroleum tank fund to the remediation fund.

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

Subd. 7. Resource Management and Assistance

Appropriations by Fund

<table>
<thead>
<tr>
<th></th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>State Government</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Special Revenue</td>
<td>75,000</td>
<td>75,000</td>
</tr>
<tr>
<td>Environmental</td>
<td>33,250,000</td>
<td>33,274,000</td>
</tr>
</tbody>
</table>

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

(b) $694,000 the first year and $694,000 the
second year are from the environmental fund
for emission reduction activities and grants to
small businesses and other nonpoint emission
reduction efforts. Of this amount, $100,000
the first year and $100,000 the second year
are to continue work with Clean Air
Minnesota, and the commissioner may enter
into an agreement with Environmental
Initiative to support this effort. Any
unencumbered grant and loan balances in the
first year do not cancel but are available for
grants and loans in the second year.

(c) $17,550,000 the first year and $17,550,000
the second year are from the environmental
fund for SCORE block grants to counties
under Minnesota Statutes, section 115A.557.
(d) $119,000 the first year and $119,000 the second year are from the environmental fund for environmental assistance grants or loans under Minnesota Statutes, section 115A.0716. Any unencumbered grant and loan balances in the first year do not cancel but are available for grants and loans in the second year.

e) $112,000 the first year and $112,000 the second year are from the environmental fund for subsurface sewage treatment system (SSTS) program administration and community technical assistance and education, including grants and technical assistance to communities for water-quality protection.

(f) $169,000 the first year and $169,000 the second year are from the environmental fund to address the need for continued increased activity in the areas of new technology review, technical assistance for local governments, and enforcement under Minnesota Statutes, sections 115.55 to 115.58, and to complete the requirements of Laws 2003, chapter 128, article 1, section 165.

(g) All money deposited in the environmental fund for the metropolitan solid waste landfill fee in accordance with Minnesota Statutes, section 473.843, and not otherwise appropriated, is appropriated for the purposes of Minnesota Statutes, section 473.844.

(h) Notwithstanding Minnesota Statutes, section 16A.28, the appropriations encumbered on or before June 30, 2021, as contracts or grants for environmental assistance awarded under Minnesota Statutes, section 115A.0716; technical and research
assistance under Minnesota Statutes, section 115A.152; technical assistance under Minnesota Statutes, section 115A.52; and pollution prevention assistance under Minnesota Statutes, section 115D.04, are available until June 30, 2023.

Subd. 8. **Watershed Appropriations by Fund**

<table>
<thead>
<tr>
<th></th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>Environmental</td>
<td>8,401,000</td>
<td>8,101,000</td>
</tr>
<tr>
<td>Remediation</td>
<td>234,000</td>
<td>234,000</td>
</tr>
<tr>
<td>General</td>
<td>1,000,000</td>
<td>1,000,000</td>
</tr>
</tbody>
</table>

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

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

(c) $122,000 the first year and $122,000 the second year are from the remediation fund for purposes of the leaking underground storage tank program to investigate, clean up, and prevent future releases from underground petroleum storage tanks, and to the petroleum remediation program for vapor assessment and remediation. These same annual amounts
12.1 are transferred from the petroleum tank fund
12.2 to the remediation fund.
12.3 (d) $300,000 the first year is from the
12.4 environmental fund for a grant to the
12.5 Minnesota Association of County Feedlot
12.6 Officers to develop, in coordination with the
12.7 Pollution Control Agency and the University
12.8 of Minnesota Extension program, an online
12.9 training curriculum related to animal feedlot
12.10 requirements under Minnesota Rules, chapter
12.11 7020. This is a onetime appropriation. The
12.12 curriculum must be developed to:
12.13 (1) provide base-level knowledge to new and
12.14 existing county feedlot pollution control
12.15 officers on feedlot registration, permitting,
12.16 compliance, enforcement, and program
12.17 administration;
12.18 (2) provide assistance to new and existing
12.19 county feedlot pollution control officers for
12.20 working efficiently and effectively with
12.21 producers; and
12.22 (3) reduce the incidence of manure or nutrients
12.23 entering surface water or groundwater.
12.24 Subd. 9. **Environmental Quality Board** 1,774,000 1,274,000
12.25 Appropriations by Fund
12.26 2020 2021
12.27 Environmental 1,474,000 1,274,000
12.28 Closed Landfill
12.29 Investment Fund 300,000 -0-
12.30 (a) $200,000 the first year is from the
12.31 environmental fund to begin to develop and
12.32 assemble the material required under Code of
12.33 Federal Regulations, title 40, section 233.10,
12.34 to have the state of Minnesota assume the
section 404 permitting program of the Federal Clean Water Act. The Board may execute contracts or interagency agreements to facilitate developing the required agreements and materials. By February 1, 2021, the board must submit a report on the additional funding necessary to secure section 404 assumption and the additional funding needed to fully implement the state-assumed program to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over the environment and natural resources. This is a onetime appropriation. (b) Notwithstanding Minnesota Statutes, section 115B.421, $300,000 the first year is from the closed landfill investment fund to conduct the study on deploying solar photovoltaic devices on closed landfill program sites. This is a onetime appropriation.

Subd. 10. Transfers

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

(b) $1,500,000 the first year is transferred from the remediation fund to the dry cleaner environmental response and reimbursement account for purposes of Minnesota Statutes, section 115B.49. By January 15, 2020, the commissioner of the Pollution Control Agency must submit a report to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over environment and natural resources.
finance that includes an assessment of the
possibility of recovering environmental
response costs from insurance held by dry
cleaning facilities.

Sec. 3. **NATURAL RESOURCES**

Subdivision 1. **Total Appropriation**

<table>
<thead>
<tr>
<th></th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>68,796,000</td>
<td>68,919,000</td>
</tr>
<tr>
<td>Natural Resources</td>
<td>101,059,000</td>
<td>100,264,000</td>
</tr>
<tr>
<td>Game and Fish</td>
<td>108,151,000</td>
<td>108,161,000</td>
</tr>
<tr>
<td>Remediation</td>
<td>105,000</td>
<td>106,000</td>
</tr>
<tr>
<td>Permanent School</td>
<td>212,000</td>
<td>212,000</td>
</tr>
</tbody>
</table>

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

Subd. 2. **Land and Mineral Resources Management**

<table>
<thead>
<tr>
<th></th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>1,450,000</td>
<td>1,450,000</td>
</tr>
<tr>
<td>Natural Resources</td>
<td>3,880,000</td>
<td>3,880,000</td>
</tr>
<tr>
<td>Game and Fish</td>
<td>344,000</td>
<td>344,000</td>
</tr>
<tr>
<td>Permanent School</td>
<td>212,000</td>
<td>212,000</td>
</tr>
</tbody>
</table>

(a) $200,000 the first year and $200,000 the
second year are from the minerals
management account for environmental
research relating to mine permitting.

(b) $2,978,000 the first year and $2,978,000
the second year are from the minerals
management account in the natural resources
fund for use as provided in Minnesota Statutes,
section 93.2236, paragraph (c), for mineral
resource management, projects to enhance
future mineral income, and projects to promote
new mineral resource opportunities.

(c) $212,000 the first year and $212,000 the
second year are from the state forest suspense
account in the permanent school fund to secure
maximum long-term economic return from
the school trust lands consistent with fiduciary
responsibilities and sound natural resources
conservation and management principles.

(d) $325,000 the first year and $325,000 the
second year are from the water management
account in the natural resources fund for
mining hydrology.

Subd. 3. **Ecological and Water Resources**

<table>
<thead>
<tr>
<th>Appropriations by Fund</th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>11,654,000</td>
<td>11,454,000</td>
</tr>
<tr>
<td>Natural Resources</td>
<td>10,672,000</td>
<td>10,672,000</td>
</tr>
<tr>
<td>Game and Fish</td>
<td>5,369,000</td>
<td>5,369,000</td>
</tr>
</tbody>
</table>

(a) $3,242,000 the first year and $3,242,000
the second year are from the invasive species
account in the natural resources fund and
$2,206,000 the first year and $2,206,000 the
second year are from the general fund for
management, public awareness, assessment
and monitoring research, and water access
inspection to prevent the spread of invasive
species; management of invasive plants in
public waters; and management of terrestrial
invasive species on state-administered lands.

(b) $5,031,000 the first year and $5,031,000
the second year are from the water
management account in the natural resources
fund for only the purposes specified in

Article 1 Sec. 3.
Minnesota Statutes, section 103G.27, subdivision 2.

(c) $124,000 the first year and $124,000 the second year are for a grant to the Mississippi Headwaters Board for up to 50 percent of the cost of implementing the comprehensive plan for the upper Mississippi within areas under the board's jurisdiction.

d) $10,000 the first year and $10,000 the second year are for payment to the Leech Lake Band of Chippewa Indians to implement the band's portion of the comprehensive plan for the upper Mississippi.

(e) $264,000 the first year and $264,000 the second year are for grants for up to 50 percent of the cost of implementation of the Red River mediation agreement.

(f) $2,224,000 the first year and $2,224,000 the second year are from the heritage enhancement account in the game and fish fund for only the purposes specified in Minnesota Statutes, section 297A.94, paragraph (h), clause (1).

(g) $956,000 the first year and $956,000 the second year are from the nongame wildlife management account in the natural resources fund for the purpose of nongame wildlife management. Notwithstanding Minnesota Statutes, section 290.431, $100,000 the first year and $100,000 the second year may be used for nongame wildlife information, education, and promotion.

(h) Notwithstanding Minnesota Statutes, section 84.943, $13,000 the first year and
$13,000 the second year from the critical habitat private sector matching account may be used to publicize the critical habitat license plate match program.

(i) $3,800,000 the first year and $3,800,000 the second year are from the general fund for the following activities:

(1) financial reimbursement and technical support to soil and water conservation districts or other local units of government for groundwater level monitoring;

(2) surface water monitoring and analysis, including installation of monitoring gauges;

(3) groundwater analysis to assist with water appropriation permitting decisions;

(4) permit application review incorporating surface water and groundwater technical analysis;

(5) precipitation data and analysis to improve the use of irrigation;

(6) information technology, including electronic permitting and integrated data systems; and

(7) compliance and monitoring.

(j) $510,000 the first year and $510,000 the second year are from the heritage enhancement account in the game and fish fund for grants to the Minnesota Aquatic Invasive Species Research Center at the University of Minnesota to prioritize, support, and develop research-based solutions that can reduce the effects of aquatic invasive species in Minnesota by preventing spread, controlling...
populations, and managing ecosystems and to
advance knowledge to inspire action by others.
Of the first year amount, $100,000 is to
develop, in conjunction with the commissioner
of natural resources, the commissioner of the
Pollution Control Agency, counties, and other
stakeholders, recommendations for
establishing a statewide surveillance and early
detection system for aquatic invasive species.
By March 1, 2020, the Minnesota Aquatic
Invasive Species Research Center must submit
a report and recommendations to the chairs
and ranking minority members of the
legislative committees and divisions with
jurisdiction over environment and natural
resources policy and finance. The report must
include recommendations on all of the
following:
(1) the most effective structure for a statewide
surveillance and early detection system for
aquatic invasive species;
(2) whether to employ eco-epidemiological
models, optimized decision models, or related
tools as a mechanism for determining how
best to deploy limited resources;
(3) how the statewide system should be funded
and at what levels; and
(4) regulatory, policy, and statutory changes
that would be needed to fully implement the
statewide system.
(k) $50,000 the first year is for dredging and
removing sediment from the boat launch area
of the Minneiska boat landing. This is a
onetime appropriation and is available until
June 30, 2021.

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

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

Subd. 4. Forest Management

<table>
<thead>
<tr>
<th>Appropriations by Fund</th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>27,820,000</td>
<td>28,084,000</td>
</tr>
<tr>
<td>Natural Resources</td>
<td>15,832,000</td>
<td>15,832,000</td>
</tr>
<tr>
<td>Game and Fish</td>
<td>1,370,000</td>
<td>1,370,000</td>
</tr>
</tbody>
</table>

(a) $7,521,000 the first year and $7,521,000
the second year are for prevention,
pressuppression, and suppression costs of
emergency firefighting and other costs
incurred under Minnesota Statutes, section
88.12. The amount necessary to pay for
pressuppression and suppression costs during
the biennium is appropriated from the general
fund. By January 15 of each year, the
commissioner of natural resources shall submit
a report to the chairs and ranking minority
members of the house and senate committees
and divisions having jurisdiction over
environment and natural resources finance,
identifying all firefighting costs incurred and
reimbursements received in the prior fiscal
year. These appropriations may not be transferred. Any reimbursement of firefighting expenditures made to the commissioner from any source other than federal mobilizations must be deposited into the general fund.

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

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

d) $750,000 the first year and $750,000 the second year are for the Forest Resources Council to implement the Sustainable Forest Resources Act.

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

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

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

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

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

Subd. 5. Parks and Trails Management

Appropriations by Fund

<table>
<thead>
<tr>
<th>Fund</th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>21,235,000</td>
<td>21,235,000</td>
</tr>
<tr>
<td>Natural Resources</td>
<td>57,684,000</td>
<td>56,859,000</td>
</tr>
<tr>
<td>Game and Fish</td>
<td>2,277,000</td>
<td>2,277,000</td>
</tr>
</tbody>
</table>

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

(b) $6,396,000 the first year and $6,396,000
the second year are from the natural resources
fund for state trail, park, and recreation area
operations. This appropriation is from the
revenue deposited in the natural resources fund
under Minnesota Statutes, section 297A.94,
paragraph (h), clause (2).

(c) $18,251,000 the first year and $18,251,000
the second year are from the state parks
account in the natural resources fund for state
park and state recreation area operation and
maintenance.

(d) $1,005,000 the first year and $1,005,000
the second year are from the natural resources
fund for park and trail grants to local units of
government on land to be maintained for at
least 20 years for the purposes of the grants.
This appropriation is from the revenue
deposited in the natural resources fund under
Minnesota Statutes, section 297A.94,
paragraph (e), clause (4). Any unencumbered
balance does not cancel at the end of the first
year and is available for the second year.
(e) $9,624,000 the first year and $9,624,000
the second year are from the snowmobile trails
and enforcement account in the natural
resources fund for the snowmobile
grants-in-aid program. Any unencumbered
balance does not cancel at the end of the first
year and is available for the second year.
(f) $1,835,000 the first year and $1,835,000
the second year are from the natural resources
fund for the off-highway vehicle grants-in-aid
program. Of this amount, $1,360,000 each
year is from the all-terrain vehicle account;
$150,000 each year is from the off-highway
motorcycle account; and $325,000 each year
is from the off-road vehicle account. Any
unencumbered balance does not cancel at the
end of the first year and is available for the
second year.
(g) $80,000 the first year and $80,000 the
second year are from the cross-country ski
account in the natural resources fund for
grooming and maintaining cross-country ski
trails in state parks, trails, and recreation areas.
(h) $262,000 the first year and $262,000 the
second year are from the state land and water
conservation account in the natural resources

Article 1 Sec. 3.  22
fund for priorities established by the commissioner for eligible state projects and administrative and planning activities consistent with Minnesota Statutes, section 84.0264, and the federal Land and Water Conservation Fund Act. Any unencumbered balance does not cancel at the end of the first year and is available for the second year.

(i) $250,000 the first year and $250,000 the second year are from the general fund for matching grants for local parks and outdoor recreation areas under Minnesota Statutes, section 85.019, subdivision 2.

(j) $250,000 the first year and $250,000 the second year are from the general fund for matching grants for local trail connections under Minnesota Statutes, section 85.019, subdivision 4c.

(k) $600,000 the first year is from the off-road vehicle account for off-road vehicle touring routes and trails. Of this amount:

(1) $200,000 is for a contract with a project administrator to assist the commissioner in planning, designing, and providing a system of state touring routes and trails for off-road vehicles by identifying sustainable, legal routes suitable for licensed four-wheel drive vehicles and a system of recreational trails for registered off-road vehicles. Any portion of this appropriation not used for the project administrator is available for signage or promotion and implementation of the system. This is a onetime appropriation.
(2) $200,000 is for a contract and related work to prepare a comprehensive, statewide strategic master plan for off-road vehicle touring routes and trails. This is a onetime appropriation and is available until June 30, 2022. Any portion of this appropriation not used for the master plan is returned to the off-road vehicle account. At a minimum, the plan must: identify opportunities to develop or enhance new, high-quality, comprehensive touring routes and trails for off-road vehicles in a system that serves regional and tourist destinations; enhance connectivity with touring routes and trails for off-road vehicles; provide opportunities for promoting economic development in greater Minnesota; help people connect with the outdoors in a safe and environmentally sustainable manner; create new and support existing opportunities for social, economic, and cultural benefits and meaningful and mutually beneficial relationships for users of off-road vehicles and the communities that host trails for off-road vehicles; and promote cooperation with local, state, tribal, and federal governments; organizations; and other interested partners.

(3) $200,000 is to share the cost by reimbursing federal, tribal, state, county, and township entities for additional needs on roads under their jurisdiction when the needs are a result of increased use by off-road vehicles and are attributable to a border-to-border touring route established by the commissioner. This paragraph applies to roads that are operated by a public road authority as defined in Minnesota Statutes, section 160.02.
subdivision 25. This is a onetime appropriation and is available until June 30, 2023. To be eligible for reimbursement under this paragraph, the claimant must demonstrate that:

- the needs result from additional traffic generated by the border-to-border touring route; and increased use attributable to a border-to-border touring route has caused at least a 50 percent increase in maintenance costs for roads under the claimant's jurisdiction, based on a ten-year maintenance average. The commissioner may accept an alternative to the ten-year maintenance average if a jurisdiction does not have sufficient maintenance records. The commissioner has discretion to accept an alternative based on a good-faith effort by the jurisdiction. Any alternative should include baseline maintenance costs for at least two years before the year the route begins operating. The ten-year maintenance average or any alternative must be calculated from the years immediately preceding the year the route begins operating. Before reimbursing a claim under this paragraph, the commissioner must consider whether the claim is consistent with claims made by other entities that administer roads on the touring route, in terms of the amount requested for reimbursement and the frequency of claims made.

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

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

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

Subd. 6. Fish and Wildlife Management

<table>
<thead>
<tr>
<th>Appropriations by Fund</th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>Natural Resources</td>
<td>1,924,000</td>
<td>1,924,000</td>
</tr>
<tr>
<td>Game and Fish</td>
<td>72,837,000</td>
<td>72,587,000</td>
</tr>
</tbody>
</table>

(a) $8,411,000 the first year and $8,411,000
the second year are from the heritage
enhancement account in the game and fish
fund only for activities specified in Minnesota
Statutes, section 297A.94, paragraph (h),
clause (1). Notwithstanding Minnesota
Statutes, section 297A.94, five percent of this
appropriation may be used for expanding
hunter and angler recruitment and retention.
(b) $50,000 in the first year is from the wild cervidae health management account in the game and fish fund to establish a chronic wasting disease adopt-a-dumpster program to provide dumpsters dedicated to disposing of deer carcasses in areas where chronic wasting disease has been detected. The commissioner must work with solid waste haulers and other interested parties and encourage volunteer support to ensure the dumpsters are located at convenient locations with appropriate signage, lined, and maintained. The commissioner must ensure the carcasses collected are properly disposed of to minimize the spread of chronic wasting disease. The commissioner of natural resources, in consultation with the commissioners of health and the Pollution Control Agency, to develop guidelines:

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

(2) for solid waste facilities and solid waste haulers for proper handling, transportation, and disposal of deer carcasses to prevent the spread of chronic wasting disease and protect public health.

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

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

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

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

Subd. 7. Enforcement

<table>
<thead>
<tr>
<th>Appropriations by Fund</th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>6,142,000</td>
<td>6,185,000</td>
</tr>
<tr>
<td>Natural Resources</td>
<td>10,747,000</td>
<td>10,777,000</td>
</tr>
<tr>
<td>Game and Fish</td>
<td>25,851,000</td>
<td>26,112,000</td>
</tr>
<tr>
<td>Remediation</td>
<td>105,000</td>
<td>106,000</td>
</tr>
</tbody>
</table>

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

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

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

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

(e) $250,000 the first year and $250,000 the second year are from the all-terrain vehicle account for grants to qualifying organizations to assist in safety and environmental education and monitoring trails on public lands under Minnesota Statutes, section 84.9011. Grants issued under this paragraph must be issued through a formal agreement with the organization. By December 15 each year, an organization receiving a grant under this paragraph shall report to the commissioner with details on expenditures and outcomes from the grant. Of this appropriation, $25,000 each year is for administration of these grants. Any unencumbered balance does not cancel at the end of the first year and is available for the second year.

Article 1 Sec. 3.
(f) $510,000 the first year and $510,000 the second year are from the natural resources fund for grants to county law enforcement agencies for off-highway vehicle enforcement and public education activities based on off-highway vehicle use in the county. Of this amount, $498,000 each year is from the all-terrain vehicle account; $11,000 each year is from the off-highway motorcycle account; and $1,000 each year is from the off-road vehicle account. The county enforcement agencies may use money received under this appropriation to make grants to other local enforcement agencies within the county that have a high concentration of off-highway vehicle use. Of this appropriation, $25,000 each year is for administration of these grants. Any unencumbered balance does not cancel at the end of the first year and is available for the second year.

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

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

(i) The base budget for the enforcement division for fiscal year 2022 and thereafter is: $6,227,000 from the general fund; $26,369,000 from the game and fish fund; $10,809,000 from the natural resources fund; and $107,000 from the remediation fund. These base level adjustments include pension costs as provided in Laws 2018, chapter 211, article 21, section 1, paragraph (a).
### Subd. 8. Operations Support

<table>
<thead>
<tr>
<th>Appropriations by Fund</th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund</td>
<td>8,000</td>
<td>24,000</td>
</tr>
<tr>
<td>Game and Fish Fund</td>
<td>103,000</td>
<td>102,000</td>
</tr>
</tbody>
</table>

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

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

### Subd. 9. Pass Through Funds

<table>
<thead>
<tr>
<th>Appropriations by Fund</th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>487,000</td>
<td>487,000</td>
</tr>
<tr>
<td>Natural Resources</td>
<td>320,000</td>
<td>320,000</td>
</tr>
</tbody>
</table>

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

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

Sec. 4. BOARD OF WATER AND SOIL RESOURCES

$ 9,874,000 $ 9,874,000

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

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

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

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

(e) $100,000 the first year and $100,000 the second year are for a grant to the Red River Basin Commission for water quality and floodplain management, including administration of programs. This appropriation must be matched by nonstate funds. If the appropriation in either year is insufficient, the appropriation in the other year is available for it.

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

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

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

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

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

(k) Notwithstanding Minnesota Statutes, section 16B.97, the appropriations for grants in this section are exempt from Department of Administration, Office of Grants Management Policy 08-08 Grant Payments and 08-10 Grant Monitoring.

Sec. 5. **METROPOLITAN COUNCIL**

<table>
<thead>
<tr>
<th>Appropriations by Fund</th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>2,040,000</td>
<td>2,040,000</td>
</tr>
<tr>
<td>Natural Resources</td>
<td>6,500,000</td>
<td>6,500,000</td>
</tr>
</tbody>
</table>

$8,540,000 $8,540,000
(a) $2,040,000 the first year and $2,040,000
the second year are for metropolitan area
regional parks operation and maintenance
according to Minnesota Statutes, section
473.351.

(b) $6,500,000 the first year and $6,500,000
the second year are from the natural resources
fund for metropolitan area regional parks and
trails maintenance and operations. This
appropriation is from the revenue deposited
in the natural resources fund under Minnesota
Statutes, section 297A.94, paragraph (h),
clause (3).

Sec. 6. CONSERVATION CORPS
MINNESOTA

<table>
<thead>
<tr>
<th>Appropriations by Fund</th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>455,000</td>
<td>455,000</td>
</tr>
<tr>
<td>Natural Resources</td>
<td>490,000</td>
<td>490,000</td>
</tr>
</tbody>
</table>

Conservation Corps Minnesota may receive
money appropriated from the natural resources
fund under this section only as provided in an
agreement with the commissioner of natural
resources.

Sec. 7. ZOOLOGICAL BOARD

<table>
<thead>
<tr>
<th>Appropriations by Fund</th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>8,200,000</td>
<td>8,200,000</td>
</tr>
<tr>
<td>Natural Resources</td>
<td>160,000</td>
<td>160,000</td>
</tr>
</tbody>
</table>

$160,000 the first year and $160,000 the
second year are from the natural resources
fund from the revenue deposited under
Minnesota Statutes, section 297A.94,
paragraph (e), clause (5).
Sec. 8. SCIENCE MUSEUM $1,079,000 $1,079,000

Sec. 9. EXPLORE MINNESOTA TOURISM $14,344,000 $14,344,000

(a) To develop maximum private sector involvement in tourism, $500,000 the first year and $500,000 the second year must be matched by Explore Minnesota Tourism from nonstate sources. Each $1 of state incentive must be matched with $6 of private sector funding. Cash match is defined as revenue to the state or documented cash expenditures directly expended to support Explore Minnesota Tourism programs. Up to one-half of the private sector contribution may be in-kind or soft match. The incentive in fiscal year 2020 shall be based on fiscal year 2019 private sector contributions. The incentive in fiscal year 2021 shall be based on fiscal year 2020 private sector contributions. This incentive is ongoing.

(b) Funding for the marketing grants is available either year of the biennium. Unexpended grant funds from the first year are available in the second year.

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

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

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

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

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

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

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

Sec. 6. ADMINISTRATION $ 250,000 $ -0-

$250,000 the first year is from the state forest
suspense account in the permanent school fund
for the school trust lands director to initiate
real estate development projects on and
complete a 25-year framework for managing
school trust lands as determined by the school
trust lands director described in Minnesota
Statutes, section 127A.353, subdivision 4,
paragraph (a), clause (11). This is a onetime
appropriation and is available until June 30,
2021.

Sec. 12. Laws 2017, chapter 93, article 1, section 9, is amended to read:

Sec. 9. ADMINISTRATION $ 800,000 $ 300,000

(a) $300,000 the first year and $300,000 the
second year are from the state forest suspense
account in the permanent school fund for the
school trust lands director. This appropriation
is to be used for securing long-term economic
return from the school trust lands consistent

Article 1 Sec. 12.
with fiduciary responsibilities and sound
natural resources conservation and
management principles.

(b) $500,000 the first year is from the state
forest suspense account in the permanent
school fund for the school trust lands director
to initiate the private sale of surplus school
trust lands identified according to Minnesota
Statutes, section 92.82, paragraph (d)
Boundary Waters Canoe Area Wilderness
private forest land alternative with the United
States Department of Agriculture Forest
Service and a nonprofit partner. The school
trust lands director may use these funds for
project costs, including but not limited to
environmental assessments, valuation
expenses, legal fees, closing costs, and
transactional staff costs. This is a onetime
appropriation and is available until June 30,
2019 2021.

ARTICLE 2
ENVIRONMENT AND NATURAL RESOURCES TRUST FUND

Section 1. APPROPRIATIONS.

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

APPROPRIATIONS
Available for the Year
Ending June 30
2020 2021

Sec. 2. MINNESOTA RESOURCES
Subdivision 1. **Total Appropriation**

$61,387,000

The amounts that may be spent for each purpose are specified in the following subdivisions. Appropriations are available for three years beginning July 1, 2019, unless otherwise stated in the appropriation. Any unencumbered balance remaining in the first year does not cancel and is available for the second year or until the end of the appropriation.

Subd. 2. **Definition**

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

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

(a) **Minnesota Biological Survey**

$1,500,000 the first year is from the trust fund to the commissioner of natural resources for the Minnesota biological survey to complete the statewide field surveys begun in 1987 to provide a foundation for conserving biological diversity by systematically collecting, interpreting, and delivering data on native and rare species, pollinators, and native plant communities throughout Minnesota. Any revenues generated through the publication of books or other resources created through this appropriation may be reinvested as described in the work plan approved by the Legislative-Citizen Commission on Minnesota Resources according to Minnesota Statutes, section 116P.10.
(b) Restoring Native Mussels in Streams and Lakes

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

(c) Minnesota Trumpeter Swan Migration Ecology and Conservation

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

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

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

(e) Accelerated Aggregate Resource Mapping
$700,000 the first year is from the trust fund to the commissioner of natural resources to map the aggregate resource potential for four counties and make this information available in print and electronic format to local units of government for use in planning and zoning.

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

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

(g) Mapping Aquatic Habitats for Moose

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

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

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

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

$500,000 the first year is from the trust fund to the Board of Regents of the University of Minnesota, Minnesota Geological Survey, to continue producing county geologic atlases to inform management of surface water and groundwater resources. This appropriation is to complete Part A, which focuses on the properties and distribution of earth materials to define aquifer boundaries and the connection of aquifers to the land surface and surface water resources.

(j) Unlocking Science of Minnesota’s Moose Decline

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

(k) Forest and Bioeconomy Research

$2,200,000 the first year is to the Board of Regents of the University of Minnesota for academic and applied research through MnDRIVE at the Natural Resources Research Institute to develop and demonstrate technologies that enhance the long-term health of Minnesota's forests, extend the viability of current forest-based industries, and accelerate...
emerging industry opportunities. Of this amount, $500,000 is to support development of a forest optimization tool for Minnesota forest resources, $800,000 is for maintenance and expansion of the Natural Resource Atlas to statewide coverage, $400,000 is to the Minnesota Forest Resource Council for continued advancement of biochar development and application to forest health, and $500,000 is to advance emerging Minnesota technologies to produce clean syngas to drive high-value markets for forest biomass feedstocks.

(l) Minerals and Water Research

$2,400,000 the first year is to the Board of Regents of the University of Minnesota for academic and applied research through MnDRIVE at the Natural Resources Research Institute to develop and demonstrate technologies that enhance long-term Minnesota mineral opportunities. Of this amount:

(1) $800,000 is to support continued applied research to advance new technologies to improve water quality;

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

(3) $500,000 is to develop emerging hydrometallurgy technology to support high-value mineral product development in Minnesota; and
(4) $400,000 is to support efforts of the Natural Resources Research Institute to accelerate demonstration of high-capacity, cost-effective energy storage using Minnesota's historical auxiliary mine lands. This research must be conducted in consultation with the Minerals Coordinating Committee established under Minnesota Statutes, section 93.0015.

Subd. 4. Water Resources 4,469,000 -0-

(a) Determining Influence of Insecticides on Algal Blooms

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

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

$415,000 the first year is from the trust fund to the Board of Regents of the University of Minnesota to determine how to best remove harmful fluorinated pharmaceuticals during wastewater treatment and to develop alternate versions of these compounds that are medically useful but environmentally harmless. This appropriation is subject to Minnesota Statutes, section 116P.10.

(c) Wastewater Nutrient Reduction through Industrial Source Reduction Assistance

$200,000 the first year is from the trust fund to the Board of Regents of the University of Minnesota to provide technical assistance for
45.1 industrial facilities to optimize their processes,
45.2 reduce nutrient loads to wastewater treatment
45.3 facilities, and improve water quality. The
45.4 economic savings and water quality
45.5 improvements achieved through this work
45.6 must be documented.

(d) Improving Nitrogen Removal in Greater
45.8 Minnesota Wastewater Treatment Ponds
45.9 $325,000 the first year is from the trust fund
45.10 to the Board of Regents of the University of
45.11 Minnesota to assess cold weather nitrogen
45.12 cycling and different aeration methods to
45.13 improve the efficacy of Minnesota's
45.14 underperforming wastewater treatment ponds.

(e) Improving Drinking Water for Minnesotans
45.16 through Pollution Prevention
45.17 $345,000 the first year is from the trust fund
45.18 to the Board of Regents of the University of
45.19 Minnesota to reduce exposure of Minnesotans
45.20 to a toxic, cancer-causing chemical by
45.21 identifying key pollutant precursor sources in
45.22 the upper Mississippi River watershed and
45.23 assessing options to reduce the formation of
45.24 this chemical during drinking water treatment.

(f) Protecting Minnesota Waters by Removing
45.26 Contaminants from Wastewater
45.27 $250,000 the first year is from the trust fund
45.28 to the Board of Regents of the University of
45.29 Minnesota to develop methods for treatment
45.30 plants to remove harmful polyfluoroalkyl
45.31 substances and microplastics from wastewater
45.32 before the wastewater is released to the
45.33 environment. This appropriation is subject to
45.34 Minnesota Statutes, section 116P.10.
Reducing Municipal Wastewater Mercury Pollution to Lake Superior

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

Accelerating Perennial Crop Production to Prevent Nitrate Leaching

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

Farm-Ready Cover Crops for Protecting Water Quality

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

(j) Setting Realistic Nitrate Reduction Goals in Southeast Minnesota

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

(k) Mapping Unprofitable Cropland for Water and Wildlife

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

(l) Minnesota Spring Inventory Final Phase

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

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

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

(n) Spring Biological Nitrate Removal to Protect
Drinking Water

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

(o) Degrading Chlorinated Industrial
Contaminants with Bacteria

$1,000 the first year is from the trust fund to
the Board of Regents of the University of
Minnesota to determine the best way to
stimulate bacteria to more quickly and
completely remove industrial chlorinated
pollutants from contaminated sites. On the day
following final enactment, the following
amounts from unobligated appropriations to
the Board of Regents of the University of
Minnesota are transferred and added to this
appropriation: $75,000 in Laws 2016, chapter
186, section 2, subdivision 4, paragraph (l), and $74,000 in Laws 2016, chapter 186, section 2, subdivision 6, paragraph (b).

(p) Managed Aquifer Recharge

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

1. examining the potential benefits of enhancing groundwater recharge in water-stressed areas;
2. assessing the relationship to changing seasonality and intensity of precipitation on groundwater recharge rates;
3. reviewing the approaches to manage recharge in geologically appropriate areas;
4. identifying policy options, costs, and barriers to recharging groundwater; and
5. assessing the economic returns of options for groundwater recharge.

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

Subd. 5. Technical Assistance, Outreach, and Environmental Education

$436,000 -0-

(a) Expanding Camp Sunrise Environmental Program

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

(b) Mississippi National River and Recreation Area Forest Restoration

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

Subd. 6. Aquatic and Terrestrial Invasive Species

(a) Building Knowledge and Capacity to Solve AIS Problems

$3,000,000 the first year is from the trust fund to the Board of Regents of the University of Minnesota to support the Minnesota Aquatic Invasive Species Research Center in developing solutions to Minnesota's aquatic invasive species problems through research, control, prevention, outreach, and early detection of existing and emerging aquatic invasive species threats. This appropriation is available until June 30, 2023, by which time the project must be completed and final products delivered.

(b) Oak Wilt Suppression at its Northern Edge
$100,000 the first year is from the trust fund to the commissioner of natural resources for an agreement with Morrison Soil and Water Conservation District to eradicate the northern-most occurrences of oak wilt in the state through mechanical means on select private properties to prevent oak wilt's spread to healthy state forest habitats.

(c) Noxious Weed Detection and Eradication

$1,500,000 the first year is from the trust fund to the commissioner of agriculture to continue to monitor, detect, and eradicate noxious weeds, including Palmer Amaranth, primarily in conservation plantings and to develop and implement methods to prevent infestation and protect prairies, other natural areas, and agricultural crops. Of this amount, $650,000 is for grants to local communities to help combat infestations.

Subd. 7. Air Quality and Renewable Energy

(a) Development of Clean Energy Storage Systems for Farms

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

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

$185,000 the first year is from the trust fund to the Board of Regents of the University of

Article 2 Sec. 2.
Minnesota, Morris, to use regional plant-based agricultural by-products to fabricate solar cells for creating renewable and affordable energy.

(c) Morris Energy and Environment Community Resilience Plan

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

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

(a) Promoting and Restoring Oak Savanna Using Silvopasture

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

(b) Sauk River Dam Removal and Rock Rapids Replacement

$2,768,000 the first year is from the trust fund to the commissioner of natural resources for an agreement with the city of Melrose to remove an existing fixed-elevation dam, construct a rock arch rapids, and conduct in-stream and shoreline habitat restoration to improve water quality and native fish passage in the Sauk River. This project requires a match of at least $1,400,000 that must be
secured before trust fund money is spent. At least $700,000 of this match must come from the city of Melrose. City of Melrose expenses for the Sauk River dam removal and rock rapids replacement incurred before July 1, 2019, may be counted toward the match.

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

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

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

(b) **Minnesota State Trails Development**

$3,000,000 the first year is from the trust fund to the commissioner of natural resources to expand high-priority recreational opportunities on Minnesota's state trails by developing new trail segments and rehabilitating, improving, and enhancing existing state trails. High-priority trail bridges to rehabilitate or replace include, but are not limited to, those on the Arrowhead, Central Lakes, Harmony-Preston Valley, Matthew Lourey, and North Shore State Trails. High-priority trail segments to develop and enhance include the Paul Bunyan, Gateway, Heartland, and...
Gitchi Gami state trails. A proposed list of trail projects on legislatively authorized state trails is required in the work plan. This appropriation is available until June 30, 2021, by which time the project must be completed and final products delivered.

(c) National Loon Center

$4,000,000 the first year is from the trust fund to the commissioner of natural resources for an agreement with the National Loon Center Foundation, in partnership with a fiscal agent to be approved by the Legislative-Citizen Commission on Minnesota Resources, to construct an approximately 15,000-square-foot National Loon Center in Cross Lake dedicated to loon survival, loon habitat protection and research, and recreation. Of this amount, up to $1,449,000 is for planning, design, and construction of approximately six outdoor demonstration learning kiosks, interpretive trails, boardwalks and boat docks, a fishing dock, and native landscaping along approximately 3,100 feet of shoreline. Any remaining funds are for planning, engineering, and constructing the building and indoor exhibits. A land lease commitment of at least 25 years and fiscal sponsorship must be secured before any trust fund money is spent. This project requires a match of at least $6,000,000. At least $2,000,000 of this match must come from nonstate sources. If naming rights will be conveyed, the National Loon Center Foundation must include a plan for this in the work plan. All matching funds must be legally committed before any trust fund money
may be spent on planning activities for or
collection activities for and
construction of the building and indoor
exhibits. Net income generated from
admissions, naming rights, and memberships
to the National Loon Center as a result of trust
fund contributions may be reinvested in the
center's long-term loon conservation efforts
as described in the work plan approved by the
Legislative-Citizen Commission on Minnesota
Resources according to Minnesota Statutes,
section 116P.10.

(d) Accessible Fishing Piers

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

(e) Mesabi Trail Extensions

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

(f) Birch Lake Recreation Area Campground

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

(g) Bailey Lake Trail and Fishing Pier

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

(h) Vergas Long Lake Trail

$290,000 the first year is from the trust fund
to the commissioner of natural resources for
an agreement with the city of Vergas to
construct a bicycle and pedestrian bridge, trail,
and floating boardwalk along Long Lake
including shoreline restoration and
stabilization with native plants. This
appropriation is available until June 30, 2021,
by which time the project must be completed
and final products delivered.

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

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

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

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

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

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

(l) State Park and Recreation Area Operations and Improvements

$10,000,000 the first year is from the trust fund to the commissioner of natural resources for state park and recreation area operations and improvements, including activities directly related to and necessary for this appropriation. This appropriation is not subject to Minnesota Statutes, sections 116P.05, subdivision 2, paragraph (b), and 116P.09, subdivision 4.

Subd. 10. Administration and Contract Agreement Reimbursement

1,538,000

(a) Contract Agreement Reimbursement

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

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

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

(c) Legislative Coordinating Commission (LCC) Administration

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

Subd. 11. Wastewater Treatment Recommendations

(a) Water Infrastructure Funding Program

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

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

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

Subd. 12. Fiscal Year 2019 Appropriations

(a) Diagnostic Test for Chronic Wasting Disease

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

(b) Wastewater Infrastructure Funding

$1,136,000 in fiscal year 2019 is appropriated
from the trust fund to the Public Facilities
Authority for grants for wastewater projects
under the water infrastructure funding program
under Minnesota Statutes, section 446A.072,
to home rule and statutory cities and towns
with a population under 5,000. The
commisioner of the Pollution Control Agency
must work with communities that receive
grants under this paragraph to identify
pollutant reduction opportunities related to
wastewater projects funded under this
paragraph. This is a one-time appropriation and
is available until June 30, 2023, by which time
projects must be completed and final products
delivered.

(c) Effective Date
This subdivision is effective the day following final enactment.

Subd. 13. Availability of Appropriations

Money appropriated in this section may not be spent on activities unless they are directly related to and necessary for a specific appropriation and are specified in the work plan approved by the Legislative-Citizen Commission on Minnesota Resources. Money appropriated in this section must not be spent on indirect costs or other institutional overhead charges that are not directly related to and necessary for a specific appropriation. Costs that are directly related to and necessary for an appropriation, including financial services, human resources, information services, rent, and utilities, are eligible only if the costs can be clearly justified and individually documented specific to the appropriation's purpose and would not be generated by the recipient but for receipt of the appropriation. No broad allocations for costs in either dollars or percentages are allowed. Unless otherwise provided, the amounts in this section are available until June 30, 2022, when projects must be completed and final products delivered. For acquisition of real property, the appropriations in this section are available for an additional fiscal year if a binding contract for acquisition of the real property is entered into before the expiration date of the appropriation. If a project receives a federal grant, the time period of the appropriation is extended to equal the federal grant period.
Subd. 14. **Data Availability Requirements**

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

Subd. 15. **Project Requirements**

(a) As a condition of accepting an appropriation under this section, an agency or entity receiving an appropriation or a party to an agreement from an appropriation must comply with paragraphs (b) to (l) and Minnesota Statutes, chapter 116P, and must submit a work plan and annual or semiannual progress reports in the form determined by the Legislative-Citizen Commission on Minnesota Resources for any project funded in whole or in part with funds from the appropriation. Modifications to the approved work plan and budget expenditures must be made through
the amendment process established by the
Legislative-Citizen Commission on Minnesota
Resources.

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

(c) For all restorations conducted with money
appropriated under this section, a recipient
must prepare an ecological restoration and
management plan that, to the degree
practicable, is consistent with the
highest-quality conservation and ecological
goals for the restoration site. Consideration
should be given to soil, geology, topography,
and other relevant factors that would provide
the best chance for long-term success and
durability of the restoration project. The plan
must include the proposed timetable for
implementing the restoration, including site
preparation, establishment of diverse plant
species, maintenance, and additional
enhancement to establish the restoration;
identify long-term maintenance and
management needs of the restoration and how
the maintenance, management, and
enhancement will be financed; and take
advantage of the best-available science and
include innovative techniques to achieve the
best restoration.

(d) An entity receiving an appropriation in this
section for restoration activities must provide
an initial restoration evaluation at the
completion of the appropriation and an
evaluation three years after the completion of
the expenditure. Restorations must be
evaluated relative to the stated goals and
standards in the restoration plan, current
science, and, when applicable, the Board of
Water and Soil Resources' native vegetation
establishment and enhancement guidelines.
The evaluation must determine whether the
restorations are meeting planned goals,
identify any problems with implementing the
restorations, and, if necessary, give
recommendations on improving restorations.
The evaluation must be focused on improving
future restorations.

(e) All restoration and enhancement projects
funded with money appropriated in this section
must be on land permanently protected by a
conservation easement or public ownership.

(f) A recipient of money from an appropriation
under this section must give consideration to
contracting with Conservation Corps
Minnesota for contract restoration and
enhancement services.

(g) All conservation easements acquired with
money appropriated under this section must:
(1) be permanent;
(2) specify the parties to an easement in the
easement;
(3) specify all of the provisions of an
agreement that are permanent;

(4) be sent to the Legislative-Citizen
Commission on Minnesota Resources in an
electronic format at least ten business days
before closing;

(5) include a long-term monitoring and
enforcement plan and funding for monitoring
and enforcing the easement agreement; and

(6) include requirements in the easement
document to protect the quantity and quality
of groundwater and surface water through
specific activities such as keeping water on
the landscape, reducing nutrient and
contaminant loading, and not permitting
artificial hydrological modifications.

(h) For any acquisition of lands or interest in
lands, a recipient of money appropriated under
this section must not agree to pay more than
100 percent of the appraised value for a parcel
of land using this money to complete the
purchase, in part or in whole, except that up
to ten percent above the appraised value may
be allowed to complete the purchase, in part
or in whole, using this money if permission is
received in advance of the purchase from the
Legislative-Citizen Commission on Minnesota
Resources.

(i) For any acquisition of land or interest in
land, a recipient of money appropriated under
this section must give priority to high-quality
natural resources or conservation lands that
provide natural buffers to water resources.
(j) For new lands acquired with money appropriated under this section, a recipient must prepare an ecological restoration and management plan in compliance with paragraph (c), including sufficient funding for implementation unless the work plan addresses why a portion of the money is not necessary to achieve a high-quality restoration.

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

(l) A recipient of an appropriation from the trust fund under this section must acknowledge financial support from the environment and natural resources trust fund in project publications, signage, and other public communications and outreach related to work completed using the appropriation.
Acknowledgment may occur, as appropriate, through use of the trust fund logo or inclusion of language attributing support from the trust fund. Each direct recipient of money appropriated in this section, as well as each recipient of a grant awarded pursuant to this section, must satisfy all reporting and other requirements incumbent upon constitutionally dedicated funding recipients as provided in Minnesota Statutes, section 3.303, subdivision 10, and chapter 116P.

Subd. 16. Payment Conditions and Capital-Equipment Expenditures

(a) All agreements, grants, or contracts referred to in this section must be administered on a reimbursement basis unless otherwise provided in this section. Notwithstanding Minnesota Statutes, section 16A.41, expenditures made on or after July 1, 2019, or the date the work plan is approved, whichever is later, are eligible for reimbursement unless otherwise provided in this section. Periodic payments must be made upon receiving documentation that the deliverable items articulated in the approved work plan have been achieved, including partial achievements as evidenced by approved progress reports. Reasonable amounts may be advanced to projects to accommodate cash-flow needs or match federal money. The advances must be approved as part of the work plan. No expenditures for capital equipment are allowed unless expressly authorized in the project work plan.
Subd. 17. **Purchase of Recycled and Recyclable Materials**

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

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

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

Subd. 19. **Accessibility**

Structural and nonstructural facilities must meet the design standards in the Americans with Disabilities Act (ADA) accessibility guidelines.
Subd. 20. **Carryforward; Extension**

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

1. Laws 2015, chapter 76, section 2, subdivision 3, paragraph (g), Minnesota Native Bee Atlas;
2. Laws 2015, chapter 76, section 2, subdivision 4, paragraph (f), Southeast Minnesota Subsurface Drainage Impacts on Groundwater Recharge;
3. Laws 2015, chapter 76, section 2, subdivision 10, Emerging Issues Account;
4. Laws 2016, chapter 186, section 2, subdivision 3, paragraph (a), Data-Driven Pollinator Conservation Strategies;
5. Laws 2016, chapter 186, section 2, subdivision 4, paragraph (h), Protection of State's Confined Drinking Water Aquifers - Phase II;
6. Laws 2016, chapter 186, section 2, subdivision 4, paragraph (r), Morrison County Performance Drainage and Hydrology Management;
7. Laws 2016, chapter 186, section 2, subdivision 6, paragraph (c), Advancing Microbial Invasive Species Monitoring from Ballast Discharge;
(9) Laws 2016, chapter 186, section 2, subdivision 6, paragraph (e), Elimination of Target Invasive Plant Species - Phase II;

(10) Laws 2016, chapter 186, section 2, subdivision 8, paragraph (a), Bee Pollinator Habitat Enhancement - Phase II;

(11) Laws 2016, chapter 186, section 2, subdivision 8, paragraph (b), Measuring Pollen and Seed Dispersal for Prairie Fragment Connectivity;

(12) Laws 2016, chapter 186, section 2, subdivision 8, paragraph (f), Forest Management for Mississippi River Drinking Water Protection;

(13) Laws 2016, chapter 186, section 2, subdivision 9, paragraph (b), Minnesota Point Pine Forest Scientific and Natural Area Acquisition; and

(14) Laws 2017, chapter 96, section 2, subdivision 4, paragraph (a), Assessment of Household Chemicals and Herbicides in Rivers and Lakes.

(b) The availability of the appropriation under Laws 2017, chapter 96, section 2, subdivision 7, paragraph (b), Assessment of Urban Air Quality, is extended to June 30, 2021.

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

Subd. 9. Land Acquisition for Habitat and Recreation

(a) State Parks and Trails Land

Acquisitions
$1,500,000 the first year is from the trust fund to the commissioner of natural resources to acquire at least 335 acres for authorized state trails and critical parcels within the statutory boundaries of state parks. State park land acquired with this appropriation must be sufficiently improved to meet at least minimum management standards, as determined by the commissioner of natural resources. A list of proposed acquisitions must be provided as part of the required work plan.

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

(b) Metropolitan Regional Park System

Land Acquisition - Phase IV

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

(c) SNA Acquisition, Restoration, Enhancement, and Public Engagement
$4,000,000 the first year is from the trust fund
to the commissioner of natural resources to
acquire at least 350 acres of lands with
high-quality native plant communities and rare
features to be established as scientific and
natural areas as provided in Minnesota Statutes, section 86A.05, subdivision 5, restore
and improve at least 550 acres of scientific
and natural areas, and provide technical
assistance and outreach. A list of proposed
acquisitions must be provided as part of the
required work plan. Land acquired with this
appropriation must be sufficiently improved
to meet at least minimum management
standards, as determined by the commissioner
of natural resources. This appropriation is
available until June 30, 2018, by which time
the project must be completed and final
products delivered.

(d) Native Prairie Stewardship and Prairie Bank Easement Acquisition

$3,325,000 the first year is from the trust fund
to the commissioner of natural resources to
acquire native prairie bank easements on at
least 675 acres, prepare baseline property
assessments, restore and enhance at least 1,000 acres of native prairie sites, and provide
technical assistance to landowners. Of this
amount, up to $195,000 must be deposited in
a conservation easement stewardship account.
Deposits into the conservation easement stewardship account must be made upon
closing on conservation easements or at a time otherwise approved in the work plan. A list of
proposed easement acquisitions must be
This appropriation is available until June 30, 2018, by which time the project must be completed and final products delivered.

(e) Metro Conservation Corridors - Phase VIII Coordination, Mapping, and Conservation Easements

$515,000 the first year is from the trust fund to the commissioner of natural resources for an agreement with the Minnesota Land Trust for Phase VIII of the Metro Conservation Corridors partnership to provide coordination and mapping for the partnership and to acquire permanent conservation easements on at least 120 acres of strategic ecological landscapes to protect priority natural areas in the metropolitan area, as defined under Minnesota Statutes, section 473.121, subdivision 2, and portions of the surrounding counties. A list of proposed easement acquisitions must be provided as part of the required work plan. Land acquired with this appropriation must be sufficiently improved to meet at least minimum management standards, as determined by the commissioner of natural resources. Expenditures are limited to the identified project corridor areas as defined in the work plan. Up to $40,000 may be used for coordination and mapping for the Metro Conservation Corridors. All conservation easements must be perpetual and have a natural resource management plan. A list of proposed easement acquisitions must be provided as part of the required work plan. This appropriation is available June 30, 2018,
by which time the project must be completed and final products delivered.

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

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

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

$500,000 the first year is from the trust fund to the commissioner of natural resources for
an agreement with the Minnesota Valley
National Wildlife Refuge Trust, Inc. for Phase
VIII of the Metro Conservation Corridors partnership to acquire in fee at least 100 acres
of priority habitat for the Minnesota Valley
National Wildlife Refuge in the metropolitan area, as defined under Minnesota Statutes,
section 473.121, subdivision 2, and portions
of the surrounding counties. A list of proposed acquisitions must be provided as part of the required work plan. Land acquired with this appropriation must be sufficiently improved
to meet at least minimum management standards. Expenditures are limited to the identified project corridor areas as defined in the work plan. This appropriation may not be used to purchase habitable residential structures, unless expressly approved in the work plan. This appropriation is available until June 30, 2018, by which time the project must be completed and final products delivered.

(h) Metro Conservation Corridors - Phase VIII Wildlife Management Area Acquisition

$400,000 the first year is from the trust fund to the commissioner of natural resources for Phase VIII of the Metro Conservation Corridors partnership to acquire in fee at least 82 acres along the lower reaches of the Vermillion River in Dakota County within the Gores Pool Wildlife Management Area. Land acquired with this appropriation must be sufficiently improved to meet at least minimum management standards. This appropriation may not be used to purchase...
habitable residential structures, unless
expressly approved in the work plan. This
appropriation is available until June 30, 2018,
by which time the project must be completed
and final products delivered.

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

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

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

$950,000 the first year is from the trust fund
to the Board of Water and Soil Resources to
secure permanent conservation easements on
at least 480 acres of high-quality habitat in
Crow Wing and Cass Counties. Of this
amount, up to $65,000 must be deposited in a
conservation easement stewardship account;
and $54,000 is for an agreement with the
Leech Lake Area Watershed Foundation in
cooperation with Crow Wing County Soil and
Water Conservation District and Cass County
Soil and Water Conservation District. Deposits
into the conservation easement stewardship
account must be made upon closing on
conservation easements or at a time otherwise
approved in the work plan. A list of proposed
easement acquisitions must be provided as
part of the required work plan. This
appropriation is available until June 30, 2018,
by which time the project must be completed
and final products delivered.

(k) Conservation Easement Assessment and
Valuation System Development

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

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

Subd. 9. Land Acquisition, Habitat, and Recreation

(a) Metropolitan Regional Parks System Land
Acquisition

$1,500,000 the first year is from the trust fund
to the Metropolitan Council for grants to
acquire approximately 197.70 acres of land
within the approved park boundaries of the
metropolitan regional park system. This
appropriation may not be used to purchase
habitable residential structures. A list of
proposed fee title acquisitions must be
provided as part of the required work plan.
This appropriation must be matched by at least
40 percent of nonstate money that must be
committed by December 31, 2017. This
appropriation is available until June 30, 2020,
by which time the project must be completed
and final products delivered.

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

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

(c) Minnesota State Parks and State Trails Land
Acquisition
79.1 $1,500,000 the first year is from the trust fund to the commissioner of natural resources to acquire approximately 373 acres from willing sellers for authorized state trails and critical parcels within the statutory boundaries of state parks. State park land acquired with this appropriation must be sufficiently improved to meet at least minimum management standards, as determined by the commissioner of natural resources. A list of proposed acquisitions must be provided as part of the required work plan. This appropriation is available until June 30, 2020, by which time the project must be completed and final products delivered.

(d) Minnesota State Trails Acquisition, Development, and Enhancement

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

(e) Native Prairie Stewardship and Prairie Bank Easement Acquisition

79.31 $2,675,000 the first year is from the trust fund to the commissioner of natural resources to acquire native prairie bank easements in accordance with Minnesota Statutes, section 84.96, on approximately 335 250 acres, prepare baseline property assessments, restore
and enhance at least 570 acres of native prairie
sites, and provide technical assistance to
landowners. Of this amount, up to $132,000
may be deposited in a conservation easement
stewardship account. Deposits into the
conservation easement stewardship account
must be made upon closing on conservation
easements or at a time otherwise approved in
the work plan. A list of proposed easement
acquisitions must be provided as part of the
required work plan. This appropriation is
available until June 30, 2020, by which time
the project must be completed and final
products delivered.

(f) Leech Lake Acquisition

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

(g) Mesabi Trail Development

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

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

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

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

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

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

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

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

(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).

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

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

ARTICLE 3

STATUTORY CHANGES

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

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

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

Subd. 2a. Commercial herd. "Commercial herd" means a herd for which the owner manages the herd for profit or monetary gain and engages in transactions or exchanges for consideration, including sale, barter, the offer to sell, or possession with the intent to sell.
Sec. 3. Minnesota Statutes 2018, section 35.153, is amended by adding a subdivision to read:

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

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

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

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

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

(b) The Board of Animal Health shall register farmed Cervidae. The owner must submit the registration request on forms provided by the board. The forms must include sales receipts or other documentation of the origin of the Cervidae. The board shall provide copies of the registration information to the commissioner of natural resources upon request. The owner must keep written records of the acquisition and disposition of registered farmed Cervidae.
Sec. 6. Minnesota Statutes 2018, section 35.155, subdivision 7, is amended to read:

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

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

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

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

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

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

(b) If the facility experiences more than two escape incidents in any 12-month period, the board may revoke the facility's registration and the animals may be seized by the
commissioner of natural resources. After investigation and review of fence deficiencies, escapes, and other program requirements, the board may revoke the registration of a person who owns farmed Cervidae, and the animals may be seized by the commissioner of natural resources. Unless it would prohibit the operator from receiving federal indemnification payments, an enforcement officer, as defined in section 97A.015, subdivision 18, may destroy seized Cervidae 30 days after the registration revocation notice or following a final decision of a contested case hearing, whichever is later.

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

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

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

(c) All animals from farmed Cervidae herds that are over 16 months of age that die or are slaughtered must be tested for chronic wasting disease.

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

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

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

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

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

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

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

(2) local recreation grants under section 85.019; and
(3) enforcement and public education grants under sections 84.794, 84.803, 84.83, 84.927, 86B.701, 86B.705, and 87A.10.

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

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

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

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

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

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

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

(3) manage the sale, exchange, and commercial leasing of school trust lands, requiring returns of not less than fair market value, to maximize the revenues deposited in the permanent school trust fund and retain the value from the long-term appreciation of the school trust lands;
(4) manage the school trust lands to maximize the long-term economic return for the permanent school trust fund while maintaining sound natural resource conservation and management principles;

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

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

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

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

(d) When future management practices, policies, or designations or policies by the commissioner diminish or prohibit the long-term economic return on school trust land, the conflict must be resolved by compensating the permanent school fund through an exchange or purchase of the lands before designation or application of the policy as provided in section 92.122.
Sec. 13. Minnesota Statutes 2018, section 84.0273, is amended to read:

84.0273 ESTABLISHING BOUNDARY LINES RELATING TO CERTAIN STATE LANDHOLDINGS.

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

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

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

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

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

(1) plants on land classified for property tax purposes as class 2a or 2c agricultural land under section 273.13, or on ditches and roadways a ditch, or on an existing public road right-of-way as defined in section 84.92, subdivision 6a, except for ground not previously disturbed by construction or maintenance; and
(2) noxious weeds designated pursuant to sections 18.76 to 18.88 or to weeds otherwise
designated as troublesome by the Department of Agriculture.

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

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

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

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

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

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

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

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

(3) one representative nominated by Red Lake Nation;

(4) two independent scientists with expertise in wild rice research and plant-based aquatic
toxicity;
(5) one nonnative wild rice harvester;

(6) one representative from the ferrous mining industry;

(7) one representative from the nonferrous mining industry;

(8) one representative from a municipal wastewater discharger;

(9) one representative of an electric utility;

(10) one representative of a statewide labor organization;

(11) two representatives from an environmental nongovernmental organization; and

(12) one representative each from the Department of Natural Resources and the Minnesota Pollution Control Agency appointed by the commissioner of each entity to serve as an ex officio member.

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

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

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

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

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

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

(b) The council must recommend to the commissioners of natural resources and the Pollution Control Agency a shared monitoring protocol that includes biological, chemical, and hydrological factors affecting wild rice to assess the health of wild rice populations.
over time. The protocol must draw on existing resources such as the monitoring protocol
for wild rice developed by Minnesota Sea Grant, the lake survey and vegetation mapping
methodologies of the Department of Natural Resources, and the monitoring methodologies
of the 1854 Treaty Authority. The council must include recommendations on implementing
the protocol and must regularly prepare a report on protocol implementation.

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

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

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

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

(3) seed development;

(4) effective methods of controlling waterfowl predation; and

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

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

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

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

(2) coordinating an annual Wild Rice Week in which tribal chief executives and the
governor declare the first week of September Wild Rice Week; and
(3) recommending actions to raise awareness and increase enforcement of natural wild rice labeling laws, including those that require specified labeling for natural wild rice.

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

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

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

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

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

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

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

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

(b) A civil citation under paragraph (a) shall require restitution for damage to wetlands and impose a penalty of:

(1) $100 for the first offense;

(2) $200 for the second offense; and

(3) $500 for third and subsequent offenses.

(c) A conservation officer or other licensed peace officer may issue a civil citation to a person who operates an off-highway motorcycle, off-road vehicle, or all-terrain vehicle in violation of section 84.773, subdivision 2, clause (2) or (3). A civil citation under this paragraph shall require restitution for damage to wetlands and impose a penalty of:
(1) $100 for the first offense;  
(2) $500 for the second offense; and  
(3) $1,000 for third and subsequent offenses.  
(d) If the peace officer determines that there is damage to property requiring restitution,  
the commissioner must send a written explanation of the extent of the damage and the cost  
of the repair by first class mail to the address provided by the person receiving the citation  
within 15 days of the date of the citation.  
(e) An off-road vehicle or all-terrain vehicle that is equipped with a snorkel device and  
receives a civil citation under this section is subject to twice the penalty amounts in  
paragraphs (b) and (c).  

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

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

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

(1) owned and used by the United States, an Indian tribal government, the state, another  
state, or a political subdivision;  
(2) registered in another state or country that have not been within this state for more  
than 30 consecutive days;  
(3) registered under chapter 168, when operated on forest roads to gain access to a state  
forest campground;  
(4) used exclusively in organized track racing events;  
(5) operated on state or grant-in-aid trails by a nonresident possessing a nonresident  
off-highway motorcycle state trail pass;  
(6) operated by a person participating in an event for which the commissioner has  
issued a special use permit; or  
(7) operated on boundary trails and registered in another state or country providing  
equal reciprocal registration or licensing exemptions for registrants of this state.

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

Subd. 2. Purposes. (a) Subject to appropriation by the legislature, money in the  
off-highway motorcycle account may only be spent for:
(1) administration, enforcement, and implementation of sections 84.787 to 84.795;
(2) acquisition, maintenance, and development of off-highway motorcycle trails and use areas; and
(3) grants-in-aid to counties and municipalities to construct and maintain off-highway motorcycle trails and use areas; and
(4) grants for enforcement and public education to local law enforcement agencies.

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

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

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

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

(i) determine annual grant amounts based on a funding formula that includes consideration of historical costs, snowfall, use, and tourism;
(ii) make grant payments based on:
(A) successful completion of performance benchmarks;
(B) reimbursement of eligible expenditures; or
(C) a combination of subitems (A) and (B); and
(iii) assess penalties to nonperforming grant-in-aid recipients, which may include withholding grant payments or making the grantee or trail system ineligible for future grant-in-aid funding.
(2) for acquisition, development, and maintenance of state recreational snowmobile trails;

(3) for snowmobile safety programs; and

(4) for the administration and enforcement of sections 84.81 to 84.91 and appropriated grants to local law enforcement agencies.

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

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

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

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

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

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

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

(5) Specifications relating to snowmobile mufflers.

(6) A comprehensive snowmobile information and safety education and training program, including but not limited to the preparation and dissemination of snowmobile information and safety advice to the public, the training of snowmobile operators, and the issuance of snowmobile safety certificates to snowmobile operators who successfully complete the snowmobile safety education and training course. For the purpose of administering such program and to defray expenses of training and certifying snowmobile operators, the commissioner shall collect a fee from each person who receives the youth or adult training. The commissioner shall collect a fee, to include a $1 issuing fee for licensing agents, for issuing a duplicate snowmobile safety certificate. The commissioner shall establish both fees in a manner that neither significantly overrecovers nor underrecovers costs, including overhead costs, involved in providing the services. The fees are not subject to the rulemaking provisions of chapter 14 and section 14.386 does not apply. The fees may be established by the commissioner notwithstanding section 16A.1283. The fees, except for the issuing fee for licensing agents under this subdivision, shall be deposited in the snowmobile trails
and enforcement account in the natural resources fund and the amount thereof, except for
the electronic licensing system commission established by the commissioner under section
84.027, subdivision 15, and issuing fees collected by the commissioner, is appropriated
annually to the Enforcement Division of the Department of Natural Resources for the
administration of such programs. In addition to the fee established by the commissioner,
instructors may charge each person any fee paid by the instructor for the person's online
training course and up to the established fee amount for class materials and expenses. The
commissioner shall cooperate with private organizations and associations, private and public
corporations, and local governmental units in furtherance of the program established under
this clause. School districts may cooperate with the commissioner and volunteer instructors
to provide space for the classroom portion of the training. The commissioner shall consult
with the commissioner of public safety in regard to training program subject matter and
performance testing that leads to the certification of snowmobile operators.

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

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

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

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

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

(b) A parent or guardian must be present at the hands-on training portion of the program
for when the youth who are six through is under ten years of age.
For the purpose of administering the program and to defray the expenses of training and certifying vehicle operators, the commissioner shall collect a fee from each person who receives the training for certification under paragraph (a), clause (1). The commissioner shall collect a fee, to include a $1 issuing fee for licensing agents, for issuing a duplicate all-terrain vehicle safety certificate. The commissioner shall establish both fees in a manner that neither significantly overrecovers nor underrecovers costs, including overhead costs, involved in providing the services. The fees are not subject to the rulemaking provisions of chapter 14 and section 14.386 does not apply. The fees may be established by the commissioner notwithstanding section 16A.1283. Fee proceeds, except for the issuing fee for licensing agents under this subdivision, shall be deposited in the all-terrain vehicle account in the natural resources fund and the amount thereof, except for the electronic licensing system commission established by the commissioner under section 84.027, subdivision 15, and issuing fees collected by the commissioner, is appropriated annually to the Enforcement Division of the Department of Natural Resources for the administration of the programs. In addition to the fee established by the commissioner, instructors may charge each person up to the established fee amount for class materials and expenses.

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

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

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

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

1. make a direct crossing of a public road right-of-way;

2. operate an all-terrain vehicle on a public road right-of-way in the state; or
(3) operate an all-terrain vehicle on public lands or waters, except as provided in paragraph (f).

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

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

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

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

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

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

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

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

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

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

(i) Notwithstanding paragraph (c), a nonresident at least 12 years old, but less than 16 years old, may make a direct crossing of a public road right-of-way of a trunk, county...
state-aid, or county highway or operate an all-terrain vehicle on public lands and waters or
state or grant-in-aid trails if:

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

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

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

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

and

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

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

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

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

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

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

(4) without a functioning stoplight if so equipped;

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

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

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

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

(9) with a snorkel device that has a raised air intake six inches or more above the vehicle
manufacturer's original air intake, except within the Iron Range Off-Highway Vehicle
Recreation Area as described in section 85.013, subdivision 12a, or other public off-highway vehicle recreation areas; or

(40) (9) in a manner that violates operation rules adopted by the commissioner.

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

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

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

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

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

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

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

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

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

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

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

(5) fish taken under this paragraph must meet all other size restrictions and requirements as established in rules; and
(6) all species listed under this paragraph shall be included in the person's daily limit as
established in rules, if applicable.

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

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

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

1. nontarget species must immediately be returned to the water;

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

3. gizzard shad taken under this paragraph may not be transported off the water body;

and

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

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

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

Article 3 Sec. 25.
This tagging requirement does not apply to commercial fishing equipment used in Lake Superior.

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

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

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

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

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

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

(c) This subdivision expires December 1, 2019.
Sec. 27. Minnesota Statutes 2018, section 84D.108, subdivision 2c, is amended to read:

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

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

(c) This subdivision expires December 1, 2019.

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

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

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

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

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

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

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

1. determine annual grant amounts based on a funding formula that includes consideration of historical costs, snowfall, use, and tourism;
2. make grant payments based on:
   i. successful completion of performance benchmarks;
   ii. reimbursement of eligible expenditures; or
   iii. a combination of items (i) and (ii); and
3. assess penalties to nonperforming grant-in-aid recipients, which may include withholding grant payments or making the grantee or trail system ineligible for future grant-in-aid funding.

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

**85.47 SPECIAL USE PERMITS; FEES.**

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

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

Subd. 17. *Additional powers.* (a) The board may establish a schedule of charges for admission to or for the use of the Minnesota Zoological Garden or any related facility.
Notwithstanding section 16A.1283, legislative approval is not required for the board to establish a schedule of charges for admission or use of the Minnesota Zoological Garden or related facilities. The board shall have a policy admitting elementary school children at a reduced charge when they are part of an organized school activity.

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

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

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

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

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

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

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

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

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

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

(3) a seaplane; or

(4) a paddleboard.

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

Subd. 1a. Canoes, kayaks, sailboards, paddleboards, paddleboats, or rowing shells. The fee for a watercraft license for a canoe, kayak, sailboard, paddleboard, paddleboat, or rowing shell over ten feet in length is $10.50.
Sec. 34. Minnesota Statutes 2018, section 89.71, is amended by adding a subdivision to read:

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

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

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

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

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

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

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

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

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

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

Subd. 3. Lease terms for compensating fund. With advice from the school trust lands director according to section 127A.353, subdivision 4, the commissioner may lease school
trust land to compensate the permanent school fund. Rental payments received under this subdivision:

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

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

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

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

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

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

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

(3) for roads or railroads;

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

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

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

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

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

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

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

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

93.25 ORES OTHER THAN IRON; LEASES.

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

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

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

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

Subd. 3. Notice to agencies; determination of surplus. The commissioner of natural
resources shall send written notice to all state departments, agencies and the University of
Minnesota, the Departments of Administration and Transportation, the Board of Water and
Soil Resources, the Office of School Trust Lands, the legal or land departments of the
University of Minnesota and Minnesota State Colleges and Universities, the Minnesota
Indian Affairs Council, and any other state department or agency that requests to receive
notices describing any lands or tracts which may be declared surplus. If a department
or agency or the University of Minnesota recipient of the notice desires custody of the lands
or tracts, it shall the recipient must submit a written request to the commissioner, no later
than four calendar weeks after mailing of the notice, setting forth in detail the reasons
for desiring to acquire, and its the intended use of, the land or tract. The commissioner shall
then determine whether any of the lands described in the certifications of the heads of the
departments or agencies so requested should be declared surplus and offered for sale or
otherwise disposed of by transferring custodial control to other requesting state departments
or agencies or to the Board of Regents of the University of Minnesota for educational
purposes, provided however that transfer to the Board of Regents shall is not be determinative
of tax exemption or immunity. If the commissioner determines that any of the lands are no
longer needed for state purposes, the commissioner shall make findings of fact, describe
the lands, declare the lands to be surplus state land, and state the reasons for the sale or
disposition of the lands.

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

94.10 SURVEYS, APPRAISALS, AND SALE.

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

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

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

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

(d) Before offering surplus state-owned lands that are located within the reservation boundary of a federally recognized Indian tribe for public sale or before offering the lands to an entity specified in paragraph (c), the lands must first be offered to the federally recognized Indian tribe with governing authority over the reservation where the lands are located. If the lands are located within the reservation boundary of a federally recognized tribe that is one of the six constituent tribes of the Minnesota Chippewa tribe, then the lands must be offered to both the Minnesota Chippewa tribe and the constituent tribe where the lands are located. The lands may be sold for not less than the appraised value of the lands.

To determine whether an Indian tribe desires to purchase the lands, the commissioner of natural resources must give a written notice to the governing body of the Indian tribe, and, when applicable, if the tribe is a member of the Minnesota Chippewa tribe, the Minnesota Chippewa tribe. If the Indian tribe desires to purchase the lands, the Indian tribe must notify the commissioner, in writing, of the intent to purchase the lands no later than two weeks after receiving the notice. If the Indian tribe notifies the commissioner of its intent to acquire the lands, the Indian tribe has up to two years from the date that the notice of intent to purchase the lands was submitted to begin paying for the lands in the manner provided by law.

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

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

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

(d) Except as provided under paragraph (e), parcels remaining unsold after the offering may be sold to anyone agreeing to pay at least 75 percent of the appraised value. The sale
shall must continue until all parcels are sold or until the commissioner orders a reappraisal or withdraws the remaining parcels from sale.

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

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

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

Subd. 25. Game fish. "Game fish" means walleye, sauger, yellow perch, channel catfish, flathead catfish; members of the pike family, Esocidae, including muskellunge and northern pike; members of the sunfish family, Centrarchidae, including largemouth bass, smallmouth bass, sunfish, rock bass, white crappie, black crappie, members of the temperate bass family, Percichthyidae, including white bass and yellow bass; members of the salmon and trout subfamily, Salmoninace, including Atlantic salmon, chinook salmon, coho salmon, pink salmon, kokanee salmon, lake trout, brook trout, brown trout, rainbow (steelhead) trout, and splake; members of the paddlefish family, Polyodontidae; members of the sturgeon family, Acipenseridae, including lake sturgeon and shovelnose sturgeon. Fish from the following families and species: Acipenseridae (lake sturgeon and shovelnose sturgeon), Anguillidae (American eel), Centrarchidae (black crappie; largemouth bass; rock bass; smallmouth bass; white crappie; and sunfishes, including bluegill, green sunfish, longear sunfish, orangespotted sunfish, pumpkinseed, and warmouth), Esocidae (muskellunge and northern pike), Gadidae (burbot), Ictaluridae (blue catfish, channel catfish, and flathead catfish), Moronidae (white bass and yellow bass), Percidae (sauger, walleye, and yellow perch), Polyodontidae (paddlefish), and Salmonidae (Atlantic salmon, brook trout, brown trout, chinook salmon, cisco (tullibee), coho salmon, kokanee salmon, lake trout, lake whitefish, pink salmon, and rainbow trout). "Game fish" includes hybrids of game fish.

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

Subd. 43. Rough fish. "Rough fish" means carp, buffalo, sucker, sheepshead, bowfin, burbot, cisco, gar, goldeye, and bullhead, except for any fish species listed as endangered, threatened, or of special concern in Minnesota Rules, chapter 6134.
Sec. 43. Minnesota Statutes 2018, section 97A.051, subdivision 2, is amended to read:

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

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

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

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

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

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

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

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

(c) The chairs of the Fisheries Oversight Committee and the Wildlife Oversight Committee, and four additional members from each committee, shall form a Budgetary Oversight Committee to coordinate the integration of the fisheries and wildlife oversight committee reports into an annual report to the legislature; recommend changes on a broad level in policies, activities, and revenue enhancements or reductions; and provide a forum to address issues that transcend the fisheries and wildlife oversight committees.
The Budgetary Oversight Committee shall develop recommendations for a biennial budget plan and report for expenditures on game and fish activities. By August 15 of each even-numbered year, the committee shall submit the budget plan recommendations to the commissioner and to the senate and house of representatives committees with jurisdiction over natural resources finance.

The chairs of the Fisheries Oversight Committee and the Wildlife Oversight Committee shall be chosen by their respective committees. The chair of the Budgetary Oversight Committee shall be appointed by the commissioner and may not be the chair of either of the other oversight committees.

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

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

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

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

(b) $16 from each annual deer license issued under section 97A.475, subdivisions 2, clauses (5), (6), and (7); 3, paragraph (a), clauses (2), (3), and (4); and 8, paragraph (b); $2 from each annual deer license and $2 issued under sections 97A.475, subdivisions 2, clauses (13), (14), and (15); and 3, paragraph (a), clauses (10), (11), and (12); and 97B.301, subdivision 4; $16 annually from the lifetime fish and wildlife trust fund, established in section 97A.4742, for each license issued to a person 18 years of age or older under section 97A.473, subdivision 4; and $2 annually from the lifetime fish and wildlife trust fund for each license issued to a person under 18 years of age shall be credited to the deer management account and is appropriated to the commissioner for deer habitat improvement or deer management programs.
(c) $1 from each annual deer license and each bear license and $1 annually from the
lifetime fish and wildlife trust fund, established in section 97A.4742, for each license issued
under section 97A.473, subdivision 4, shall be credited to the deer and bear management
account and is appropriated to the commissioner for deer- and bear-management programs,
including a computerized licensing system.

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

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

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

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

97A.126 WALK-IN ACCESS PROGRAM.

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

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

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

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

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

c) Any use of enrolled lands other than hunting according to this section is prohibited,
including:

1. harvesting bait, including minnows, leeches, and other live bait;
2. training dogs or using dogs for activities other than hunting; and
3. constructing or maintaining any building, dock, fence, billboard, sign, hunting blind,
or other structure, unless constructed or maintained by the landowner.

Sec. 47. [97A.138] INSECTICIDES IN WILDLIFE MANAGEMENT AREAS.

A person may not use a product containing an insecticide in a wildlife management area
if the insecticide is from the neonicotinoid class of insecticides. This section expires June
30, 2024.

Sec. 48. Minnesota Statutes 2018, section 97A.433, subdivision 4, is amended to read:

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

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

Sec. 49. Minnesota Statutes 2018, section 97A.433, subdivision 5, is amended to read:

Subd. 5. Mandatory separate selection. The commissioner must conduct a separate
selection for 20 percent of the elk licenses to be issued each year. Only individuals who
have applied at least ten times for an elk license and who have never received a license are
eligible for this separate selection. A person who is unsuccessful in a separate selection
under this subdivision must be included in the selection for the remaining licenses.
Sec. 50. Minnesota Statutes 2018, section 97A.475, subdivision 4, is amended to read:

Subd. 4. Small-game surcharge and donation. (a) Fees for annual licenses to take small game must be increased by a surcharge of $6.50, except licenses under subdivisions 2, clauses (18) and (19); and 3, paragraph (a), clauses (14) and (15). An additional commission may not be assessed on the surcharge and the following statement must be included in the annual small-game-hunting regulations: "This $6.50 surcharge is being paid by hunters for the acquisition and development of wildlife lands."

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

Sec. 51. Minnesota Statutes 2018, section 97A.505, subdivision 8, is amended to read:

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

Sec. 52. Minnesota Statutes 2018, section 97B.086, is amended to read:

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

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

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

(1) unloaded;

(2) in a gun case expressly made to contain a firearm that fully encloses the firearm by being zipped, snapped, buckled, tied, or otherwise fastened without any portion of the firearm exposed; and
(3) in the closed trunk of a motor vehicle.

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

(1) completely encased or unstrung; and

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

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

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

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

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

Sec. 53. Minnesota Statutes 2018, section 97B.106, subdivision 2, is amended to read:

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

(1) be fired from the shoulder;

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

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

(4) have a working safety; and

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

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

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

Sec. 54. Minnesota Statutes 2018, section 97B.426, is amended to read:

97B.426 BAITING BEAR; USE OF DRUM.

(a) Notwithstanding section 97B.425:

(1) a private landowner or person authorized by the private landowner may use a drum to bait bear on the person's private land; and
(2) a resident may use a drum to bait bear on public land after paying a $5 drum surcharge.

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

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

Sec. 55. Minnesota Statutes 2018, section 97B.516, is amended to read:

97B.516 PLAN FOR ELK MANAGEMENT.

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

(1) recognizes the value and uniqueness of elk;

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

(3) affords optimum recreational opportunities.

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

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

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

Sec. 56. Minnesota Statutes 2018, section 97B.722, is amended to read:

97B.722 POSSESSING FIREARMS; HUNTING TURKEY.

(a) While afield hunting turkeys, licensees may not have in possession or control:
(1) any firearm that is not a legal firearm as defined in paragraph (c); or

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

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

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

Sec. 57. Minnesota Statutes 2018, section 97B.731, subdivision 3, is amended to read:

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

Sec. 58. Minnesota Statutes 2018, section 97C.315, subdivision 1, is amended to read:

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

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

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

(3) two lines may be used on waters not subject to special regulations to take fish during the open-water season by a resident or nonresident angler who purchases a second-line endorsement for $5. The proceeds collected from the purchases of second-line endorsements must be deposited in the Walleye Stamp Account described in section 97A.075, subdivision 6, and must be spent on walleye stocking.

EFFECTIVE DATE. This section is effective March 1, 2020.

Sec. 59. Minnesota Statutes 2018, section 97C.345, is amended by adding a subdivision to read:

Subd. 3b. Cast nets for gizzard shad. (a) Cast nets may be used only to take gizzard shad for use as bait for angling from July 1 to November 30 as allowed under section 84D.03, subdivision 3.
(b) Cast nets used under this subdivision must be monofilament and may not exceed five feet in radius. Mesh size must be from three-eighths-inch to five-eighths-inch bar measure. A person may use up to two cast nets at one time.

Sec. 60. Minnesota Statutes 2018, section 97C.391, subdivision 1, is amended to read:

Subdivision 1. **General restrictions.** A person may not buy or sell fish taken from the waters of this state, except:

1. minnows;
2. rough fish excluding ciscoes;
3. smelt taken from Lake Superior and rivers and streams that flow into Lake Superior;
4. fish taken under licensed commercial fishing operations;
5. fish that are private aquatic life; and
6. fish lawfully taken and subject to sale from other states and countries.

Sec. 61. Minnesota Statutes 2018, section 97C.395, subdivision 2, is amended to read:

Subd. 2. **Continuous season for certain species.** For sunfish, white crappie, black crappie, yellow perch, catfish, rock bass, white bass, yellow bass, burbot, cisco (tullibee), lake whitefish, and rough fish, the open season is continuous.

Sec. 62. Minnesota Statutes 2018, section 97C.605, subdivision 2, is amended to read:

Subd. 2. **Turtle seller's license.** (a) A person may not take, possess, buy, or transport turtles for sale; sell turtles; or take turtles for sale using commercial equipment without a turtle seller's license, except as provided in subdivision 2c.

(b) Except for renewals, no new turtle seller's licenses may be issued after August 1, 2002.

(c) A turtle seller's license is transferable by the turtle seller licensee by making application to the commissioner. A turtle seller's license may be transferred only once under this paragraph and the transfer must be to a child of the person holding the turtle seller's license.

Sec. 63. Minnesota Statutes 2018, section 97C.815, subdivision 2, is amended to read:

Subd. 2. **Assignment.** (a) The commissioner shall assign licensed inland commercial fishing operators to commercial fishing areas and each operator shall be obligated to fish...
in the area that the commissioner has assigned to them. The commissioner's assignment shall be valid as long as the assigned operator continues to purchase a license, continues to provide an adequate removal effort in a good and professional manner, and is not convicted of two or more violations of laws or rules governing inland commercial fishing operations during any one license period. In the operator assignment, the commissioner shall consider the proximity of the operator to the area, the type and quantity of fish gear and equipment possessed, knowledge of the affected waters, and general ability to perform the work well.

(b) Area assignments must not restrict permits and contracts that the commissioner issues to governmental subdivisions and their subcontractors for invasive species control.

Sec. 64. Minnesota Statutes 2018, section 103B.3369, subdivision 5, is amended to read:

Subd. 5. Financial assistance. A base grant may be awarded to a county that provides a match utilizing a water implementation tax or other local source. A water implementation tax that a county intends to use as a match to the base grant must be levied at a rate sufficient to generate a minimum amount determined by the board. The board may award performance-based, watershed-based, or program-based grants or other financial assistance to local units of government that are responsible for implementing elements of applicable portions of watershed management plans, comprehensive plans, local water management plans, or comprehensive watershed management plans, developed or amended, adopted and approved, according to chapter 103B, 103C, or 103D. Upon request by a local government unit, the board may also award performance-based grants to local units of government to carry out TMDL implementation plans as provided in chapter 114D, if the TMDL implementation plan has been incorporated into the local water management plan according to the procedures for approving comprehensive plans, watershed management plans, local water management plans, or comprehensive watershed management plans under chapter 103B, 103C, or 103D, or if the TMDL implementation plan has undergone a public review process. Notwithstanding section 16A.41, the board may award performance-based, watershed-based, or program-based grants or other financial assistance on an advanced basis and may prescribe the amount of local match required. The fee authorized in section 40A.152 may be used as a local match or as a supplement to state funding to accomplish implementation of comprehensive plans, watershed management plans, local water management plans, or comprehensive watershed management plans under this chapter and chapter 103C or 103D. The board may enter into intergovernmental agreements to provide funding for water management to local governments.
Sec. 65. Minnesota Statutes 2018, section 103B.3369, subdivision 9, is amended to read:

Subd. 9. Performance-based Criteria. (a) The board must develop and utilize performance-based criteria for local water resources restoration, protection, and management programs and projects. The criteria may include but are not limited to science-based assessments, organizational capacity, priority resource issues, community outreach and support, partnership potential, potential for multiple benefits, and program and project delivery efficiency and effectiveness.

(b) Notwithstanding paragraph (a), the board may develop and use eligibility criteria for state grants or other financial assistance provided to local governments.

Sec. 66. Minnesota Statutes 2018, section 103B.611, subdivision 3, is amended to read:

Subd. 3. Powers. Subject to the provisions of chapters 97A, 103D, 103E, 103G, and 115, and the rules and regulations of the respective agencies and governing bodies vested with jurisdiction and authority under those chapters, the district has the following powers on Lake Minnetonka, excluding the area of public drainage ditches or watercourses connected to the lake:

(1) to regulate the types of boats permitted to use the lake and set service fees;

(2) to regulate, maintain, and police public beaches, public docks, and other public facilities for access to the lake within the territory of the municipalities, provided that a municipality may supersede the district's action under this clause by adopting an ordinance specifically referring to the district's action by one year after the district's action;

(3) to limit by rule the use of the lake at various times and the use of various parts of the lake;

(4) to regulate the speed of boats on the lake and the conduct of other activities on the lake to secure the safety of the public and the most general public use;

(5) to contract with other law enforcement agencies to police the lake and its shore;

(6) to regulate the construction, installation, and maintenance of permanent and temporary docks and moorings consistent with federal and state law;

(7) to regulate the construction and use of mechanical and chemical means of deicing the lake and to regulate mechanical and chemical means of removal of weeds and algae from the lake;

(8) to regulate the construction, configuration, size, location, and maintenance of commercial marinas and their related facilities including parking areas and sanitary facilities.
that affect activity below the ordinary high-water mark. The regulation shall authority under
this clause does not apply to land-based marina activities, including storage facilities, and
must be consistent with the applicable state statutes, municipal building codes, and zoning
ordinances where the marinas are located;

(9) to contract with other governmental bodies to perform any of the functions of the
district;

(10) to undertake research to determine the condition and development of the lake and
the water entering it and to transmit their studies to the Pollution Control Agency and other
interested authorities, and to develop a comprehensive program to eliminate pollution;

(11) to receive financial assistance from and join in projects or enter into contracts with
federal and state agencies for the study and treatment of pollution problems and
demonstration programs related to them; and

(12) to petition the board of managers of a watershed district in which the lake
conservation district is located for improvements under section 103D.705; a bond is not
required of the lake conservation district.

For purposes of this subdivision "watercourses connected to the lake" does not include
channels connecting portions of the lake to one another.

Sec. 67. Minnesota Statutes 2018, section 103B.801, subdivision 2, is amended to read:

Subd. 2. Program purposes. The purposes of the comprehensive watershed management
plan program under section 103B.101, subdivision 14, paragraph (a), are to:

(1) align local water planning purposes and procedures under this chapter and chapters
103C and 103D on watershed boundaries to create a systematic, watershed-wide,
science-based approach to watershed management;

(2) acknowledge and build off existing local government structure, water plan services,
and local capacity;

(3) incorporate and make use of data and information, including watershed restoration
and protection strategies under section 114D.26, which may serve to fulfill all or some of
the requirements under chapter 114D;

(4) solicit input and engage experts from agencies, citizens, and stakeholder groups;

(5) focus on implementation of prioritized and targeted actions capable of achieving
measurable progress; and
(6) serve as a substitute for a comprehensive plan, local water management plan, or
watershed management plan developed or amended, approved, and adopted, according to
this chapter or chapter 103C or 103D.

Sec. 68. Minnesota Statutes 2018, section 103B.801, subdivision 5, is amended to read:

Subd. 5. Timelines; administration. (a) The board shall develop and adopt, by June
30, 2016, a transition plan for development, approval, adoption, and coordination of plans
consistent with section 103A.212. The transition plan must include a goal of completing
statewide transition to comprehensive watershed management plans by 2025. The
metropolitan area may be considered for inclusion in the transition plan. The board may
amend the transition plan no more than once every two years.

(b) The board may use the authority under section 103B.3369, subdivision 9, to support
development or implementation of a comprehensive watershed management plan under this
section.

Sec. 69. [103C.332] SOIL AND WATER CONSERVATION DISTRICTS; DUTIES
AND SERVICES.

Subdivision 1. Duties. In addition to any other duty prescribed by law, soil and water
conservation districts must:

(1) respond to and provide technical and financial assistance to landowners to maintain
and improve the quality, quantity, distribution, and sustainability of natural resources,
including surface water, groundwater, soil, and ecological resources;

(2) provide technical assistance in implementing the soil erosion law under sections
103F.401 to 103F.48;

(3) arrange for employees to serve on technical evaluation panels to implement the
wetland laws as required under section 103G.2242;

(4) locally administer the reinvest in Minnesota reserve program under section 103F.515
and rules adopted thereunder, using knowledge of local resources to manage each easement
to maximize environmental benefits;

(5) participate in administering the Wetland Conservation Act as provided under sections
103G.221 to 103G.2375, either in an advisory capacity or as the designated local government
unit administering the program;
125.1 (6) participate in the local water management program under chapter 103B, either in an 
advisory capacity or as the designated local government unit administering the program;
125.2 (7) participate, as appropriate, in the comprehensive watershed management planning 
program under section 103B.801;
125.3 (8) participate in disaster response efforts as provided in chapter 12A;
125.4 (9) provide technical recommendations to the Department of Natural Resources on 
general permit applications under section 103G.301;
125.5 (10) provide technical assistance and local administration of the agricultural water quality 
certification program under sections 17.9891 to 17.993;
125.6 (11) provide technical assistance for the agricultural land preservation program under 
chapter 40A, where applicable;
125.7 (12) maintain compliance with section 15.99 for deadlines for agency action;
125.8 (13) coordinate with appropriate county officials on matters related to electing soil and 
water conservation district supervisors; and
125.9 (14) cooperate to the extent possible with federal, state, and local agencies and with 
private organizations to avoid duplicating and to enhance implementing public and private 
conservation initiatives within the jurisdiction of the district.

Subd. 2. Services provided. To carry out the duties under subdivision 1 and implement 
the soil and water conservation policy of the state as stated in section 103A.206, soil and 
water conservation districts provide a range of services, including but not limited to:

125.10 (1) performing administrative services, including comprehensive and annual work 
planning, administering grants, leveraging outside funding, establishing fiscal accountability 
measures, reporting accomplishments, human resources management, and staff and supervisor 
development;
125.11 (2) enter into cooperative agreements with the United States Department of Agriculture, 
Natural Resources Conservation Service, and other United States Department of Agriculture 
agencies to leverage federal technical and financial assistance;
125.12 (3) providing technical expertise, including knowledge of local resources, performing 
technical evaluations and certifications, assessing concerns, and providing oversight in 
surveying, designing, and constructing conservation practices;
125.13 (4) providing information and education outreach, including increasing landowner 
awareness and knowledge of soil and water conservation program opportunities to protect
soil and water resources and publicizing the benefits of soil and water conservation to the
general public;

(5) facilitating regulatory processes for impacted landowners and providing technical
review and comment on regulatory permits and development plans for regulations relating
to soil and water conservation;

(6) administering projects and programs, including but not limited to the nonpoint source
pollution abatement program; reinvest in Minnesota reserve conservation easements program;
disaster response; local water management and comprehensive watershed management
planning programs; and projects related to floodplains, lakes, streams and ditches, wetlands,
upland resources, and groundwater resources, to maintain and improve the quality, quantity,
distribution, and sustainability of natural resources, including surface water, groundwater,
soil, and ecological resources;

(7) monitoring and inventorying to collect data that provide a baseline understanding of
resource conditions and changes to the resources over time and analyzing and interpreting
the data to support program implementation; and

(8) maintaining a modern technology infrastructure that facilitates planning and projects,
including geographic information systems, modeling software, mobile workstations, survey
and design equipment and software, and other technology for linking landowners with
conservation plans.

Sec. 70. Minnesota Statutes 2018, section 103D.315, subdivision 8, is amended to read:

Subd. 8. Compensation. The compensation of managers for meetings and for
performance of other necessary duties may not exceed $75 $125 a day. Managers are entitled
to reimbursement for traveling and other necessary expenses incurred in the performance
of official duties.

Sec. 71. Minnesota Statutes 2018, section 103F.361, subdivision 2, is amended to read:

Subd. 2. Legislative intent. It is the intent of sections 103F.361 to 103F.377 to authorize
and direct the board and the counties, zoning authorities to implement the plan for the
Mississippi headwaters area.
Sec. 72. Minnesota Statutes 2018, section 103F.363, subdivision 1, is amended to read:

Subdivision 1. **Generally.** Sections 103F.361 to 103F.377 apply to the counties of Clearwater, Hubbard, Beltrami, Cass, Itasca, Aitkin, Crow Wing, and Morrison and all other zoning authorities.

Sec. 73. Minnesota Statutes 2018, section 103F.365, is amended by adding a subdivision to read:

**Subd. 5. Zoning authority.** "Zoning authority" means counties, organized townships, local and special governmental units, joint powers boards, councils, commissions, boards, districts, and all state agencies and departments wholly or partially within the corridor defined by the plan, excluding statutory or home rule charter cities.

Sec. 74. Minnesota Statutes 2018, section 103F.371, is amended to read:

103F.371 RESPONSIBILITIES OF OTHER GOVERNMENTAL UNITS.

(a) All local and special governmental units, councils, commissions, boards and districts and all state agencies and departments must exercise their powers so as to further the purposes of sections 103F.361 to 103F.377 and the plan. Land owned by the state, its agencies, and political subdivisions shall be administered in accordance with the plan. The certification procedure under section 103F.373 applies to all zoning authorities in the corridor defined by the plan.

(b) Actions that comply with the land use ordinance are consistent with the plan. Actions that do not comply with the ordinance may not be started until the board has been notified and given an opportunity to review and comment on the consistency of the action with this section.

Sec. 75. Minnesota Statutes 2018, section 103F.373, subdivision 1, is amended to read:

Subdivision 1. **Purpose.** To assure ensure that the plan is not nullified by unjustified exceptions in particular cases and to promote uniformity in the treatment of applications for exceptions, a review and certification procedure is established for the following categories of land use actions taken by the counties and zoning authorities directly or indirectly affecting land use within the area covered by the plan:

(1) the adoption or amendment of an ordinance regulating the use of land, including rezoning of particular tracts of land;

(2) the granting of a variance from provisions of the land use ordinance; and
Sec. 76. Minnesota Statutes 2018, section 103F.373, subdivision 3, is amended to read:

Subd. 3. Procedure for certification. A copy of the notices of public hearings or, when a hearing is not required, a copy of the application to consider an action of a type specified in subdivision 1, clauses (1) to (3), must be forwarded to the board by the county zoning authority at least 15 days before the hearing or meetings to consider the actions. The county zoning authority shall notify the board of its final decision on the proposed action within ten days of the decision. By 30 days after the board receives the notice, the board shall notify the county zoning authority and the applicant of its approval or disapproval of the proposed action.

Sec. 77. Minnesota Statutes 2018, section 103F.373, subdivision 4, is amended to read:

Subd. 4. Disapproval of actions. (a) If a notice of disapproval is issued by the board, the county zoning authority or the applicant may, within 30 days of the notice, file with the board a demand for a hearing. If a demand is not filed within the 30-day period, the disapproval becomes final.

(b) If a demand is filed within the 30-day period, a hearing must be held within 60 days of demand. The hearing must be preceded by two weeks' published notice. Within 30 days after the hearing, the board must:

(1) affirm its disapproval of the proposed action; or

(2) certify approval of the proposed action.

Sec. 78. Minnesota Statutes 2018, section 103G.2242, subdivision 14, is amended to read:

Subd. 14. Fees established. (a) Fees must be assessed for managing wetland bank accounts and transactions as follows:

(1) account maintenance annual fee: one percent of the value of credits not to exceed $500;

(2) account establishment, deposit, or transfer: 6.5 percent of the value of credits not to exceed $1,000 per establishment, deposit, or transfer; and

(3) withdrawal fee: 6.5 percent of the value of credits withdrawn.

(b) The board may establish fees at or based on costs to the agency below the amounts in paragraph (a) for single-user or other dedicated wetland banking accounts.
(c) Fees for single-user or other dedicated wetland banking accounts established pursuant to section 103G.005, subdivision 10i, clause (4), are limited to establishment of a wetland banking account and are assessed at the rate of 6.5 percent of the value of the credits not to exceed $1,000.

(d) The board may assess a fee to pay the costs associated with establishing conservation easements, or other long-term protection mechanisms prescribed in the rules adopted under subdivision 1, on property used for wetland replacement.

Sec. 79. Minnesota Statutes 2018, section 103G.241, subdivision 1, is amended to read:

Subdivision 1. Conditions to affect public waters. An agent or employee of another may not construct, reconstruct, remove, or make a change in a reservoir, dam, or waterway obstruction on a public water or in any manner change or diminish the course, current, or cross section of public waters unless the agent or employee has:

(1) obtained a signed statement from the property owner stating that the permits required for the work have been obtained or a permit is not required; and

(2) mailed or electronically transmitted a copy of the statement to the regional office of the Department of Natural Resources where the proposed work is located.

Sec. 80. Minnesota Statutes 2018, section 103G.241, subdivision 3, is amended to read:

Subd. 3. Form for compliance. The commissioner shall develop a form to be distributed to contractors' associations and county auditors to comply with this section. The form must include:

(1) a listing of the activities for which a permit is required;

(2) a description of the penalties for violating this chapter;

(3) the mailing addresses, electronic mail addresses, and telephone numbers of the regional offices of the Department of Natural Resources;

(4) a statement that water inventory maps completed according to section 103G.201 are on file with the auditors of the counties; and

(5) spaces for a description of the work and the names, mailing addresses, electronic mail addresses, and telephone numbers of the person authorizing the work and the agent or employee proposing to undertake it.
Sec. 81. Minnesota Statutes 2018, section 103G.271, subdivision 7, is amended to read:

Subd. 7. **Transferring permit.** (a) A water-use permit may be transferred to a successive owner of real property if the permittee conveys the real property where the source of water is located. The new owner must notify the commissioner immediately after the conveyance and request transfer of the permit. The commissioner must not deny the transfer of a permit if:

1. the permittee is in compliance with all permit conditions, as demonstrated by:
   1. (i) the permit being valid at the time of the real property transfer; and
   2. (ii) the permittee has complied with the total volume allowed under the water-use permit prior to transferring the real property; and
2. (2) the permit meets the requirements of sections 103G.255 to 103G.301.

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

**EFFECTIVE DATE.** This section is effective retroactively from January 1, 2010.

Sec. 82. Minnesota Statutes 2018, section 103G.271, is amended by adding a subdivision to read:

Subd. 8. **Management plans; economic impacts.** Before a management plan for appropriating water is prepared, the commissioner must provide estimates of the economic impact of any new restriction or policy on existing and future groundwater users and local governments in the affected area. Strategies to address economic impacts must be included in the plan.

Sec. 83. Minnesota Statutes 2018, section 103G.287, subdivision 1, is amended to read:

Subdivision 1. **Applications for groundwater appropriations; preliminary well-construction approval.** (a) Groundwater use permit applications are not complete until the applicant has supplied:

1. (1) a water well record as required by section 103I.205, subdivision 9, information on the subsurface geologic formations penetrated by the well and the formation or aquifer that will serve as the water source, and geologic information from test holes drilled to locate the site of the production well;
2. (2) the maximum daily, seasonal, and annual pumpage rates and volumes being requested;
(3) information on groundwater quality in terms of the measures of quality commonly specified for the proposed water use and details on water treatment necessary for the proposed use;

(4) the results of an aquifer test completed according to specifications approved by the commissioner. The test must be conducted at the maximum pumping rate requested in the application and for a length of time adequate to assess or predict impacts to other wells and surface water and groundwater resources. The permit applicant is responsible for all costs related to the aquifer test, including the construction of groundwater and surface water monitoring installations, and water level readings before, during, and after the aquifer test; and

(5) the results of any assessments conducted by the commissioner under paragraph (c).

(b) The commissioner may waive an application requirement in this subdivision if the information provided with the application is adequate to determine whether the proposed appropriation and use of water is sustainable and will protect ecosystems, water quality, and the ability of future generations to meet their own needs.

(c) The commissioner shall provide an assessment of a proposed well needing a groundwater appropriation permit. The commissioner shall evaluate the information submitted as required under section 103I.205, subdivision 1, paragraph (e), and determine whether the anticipated appropriation request is likely to meet the applicable requirements of this chapter. If the appropriation request is likely to meet applicable requirements, the commissioner shall provide the person submitting the information with a letter or electronically transmitted notice providing preliminary approval to construct the well and the requirements, including test-well information, that will be needed to obtain the permit.

(d) The commissioner must provide an applicant denied a groundwater use permit or issued a groundwater use permit that is reduced or restricted from the original request with all information the commissioner used in making the determination, including hydrographs, flow tests, aquifer tests, topographic maps, field reports, photographs, and proof of equipment calibration.

Sec. 84. Minnesota Statutes 2018, section 103G.287, subdivision 4, is amended to read:

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

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

(c) When designating a groundwater management area, the commissioner shall assemble an advisory team to assist in developing a groundwater management area plan for the area. The advisory team members shall be selected from public and private entities that have an interest in the water resources affected by the groundwater management area. A majority of the advisory team members shall be public and private entities that currently hold water-use permits for water appropriations from the affected water resources. The commissioner shall consult with the League of Minnesota Cities, the Association of Minnesota Counties, the Minnesota Association of Watershed Districts, and the Minnesota Association of Townships in appointing the local government representatives to the advisory team. The advisory team may also include representatives from the University of Minnesota, the Minnesota State Colleges and Universities, other institutions of higher learning in Minnesota, political subdivisions with jurisdiction over water issues, nonprofits with expertise in water, and federal agencies.

(d) Before designating a groundwater management area, the commissioner must provide estimates of the economic effect of any new restriction or policy on existing and future groundwater users and local governments in the affected area. Strategies to address economic impacts must be included in any plan.
Sec. 85. Minnesota Statutes 2018, section 103G.287, subdivision 5, is amended to read:

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

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

Sec. 86. Minnesota Statutes 2018, section 103G.289, is amended to read:

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

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

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

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

Sec. 87. Minnesota Statutes 2018, section 103G.311, subdivision 2, is amended to read:

Subd. 2. **Hearing notice.** (a) The hearing notice on an application must include:

(1) the date, place, and time fixed by the commissioner for the hearing;

(2) the waters affected, the water levels sought to be established, or control structures proposed; and

(3) the matters prescribed by sections 14.57 to 14.59 and rules adopted thereunder.

(b) A summary of the hearing notice must be published by the commissioner at the expense of the applicant or, if the proceeding is initiated by the commissioner in the absence of an applicant, at the expense of the commissioner.
The summary of the hearing notice must be:

1. published once a week for two successive weeks before the day of hearing in a legal newspaper published in the county where any part of the affected waters is located; and
2. mailed or electronically transmitted by the commissioner to the county auditor, the mayor of a municipality, the watershed district, and the soil and water conservation district affected by the application.

Sec. 88. Minnesota Statutes 2018, section 103G.311, subdivision 5, is amended to read:

Subd. 5. Demand for hearing. (a) If a hearing is waived and an order is made issuing or denying the permit, the applicant, the managers of the watershed district, the board of supervisors of the soil and water conservation district, or the governing body of the municipality may file a demand for hearing on the application. The demand for a hearing must be filed within 30 days after mailed or electronically transmitted notice of the order with the bond required by subdivision 6.

(b) The commissioner must give notice as provided in subdivision 2, hold a hearing on the application, and make a determination on issuing or denying the permit as though the previous order had not been made.

(c) The order issuing or denying the permit becomes final at the end of 30 days after mailed or electronically transmitted notice of the order to the applicant, the managers of the watershed district, the board of supervisors of the soil and water conservation district, or the governing body of the municipality, and an appeal of the order may not be taken if:

1. the commissioner waives a hearing and a demand for a hearing is not made; or
2. a hearing is demanded but a bond is not filed as required by subdivision 6.

Sec. 89. Minnesota Statutes 2018, section 103G.315, subdivision 8, is amended to read:

Subd. 8. Notice of permit order. Notice of orders made after hearing must be given by publication of the order once a week for two successive weeks in a legal newspaper in the county where the hearing was held and by mailing or electronically transmitting copies of the order to parties who entered an appearance at the hearing.
Sec. 90. Minnesota Statutes 2018, section 103G.408, is amended to read:

**103G.408 TEMPORARY DRAWDOWN OF PUBLIC WATERS.**

(a) The commissioner, upon consideration of recommendations and objections as provided in clause (2), item (iii), and paragraph (c), may issue a public-waters-work permit for the temporary drawdown of a public water when:

(1) the public water is a shallow lake to be managed for fish, wildlife, or ecological purposes by the commissioner and the commissioner has conducted a public hearing presenting a comprehensive management plan outlining how and when temporary drawdowns under this section will be conducted; or

(2) the permit applicant is a public entity and:

(i) the commissioner deems the project to be beneficial and makes findings of fact that the drawdown is in the public interest;

(ii) the permit applicant has obtained permission from at least 75 percent of the riparian landowners; and

(iii) the permit applicant has conducted a public hearing according to paragraph (d).

(b) In addition to the requirements in section 103G.301, subdivision 6, the permit applicant shall serve a copy of the application on each county, municipality, and watershed management organization, if one exists, within which any portion of the public water is located and on the lake improvement district, if one exists.

(c) A county, municipality, watershed district, watershed management organization, or lake improvement district required to be served under paragraph (b) or section 103G.301, subdivision 6, may file a written recommendation for the issuance of a permit or an objection to the issuance of a permit with the commissioner within 30 days after receiving a copy of the application.

(d) The hearing notice for a public hearing under paragraph (a), clause (2), item (iii), must:

(1) include the date, place, and time for the hearing;

(2) include the waters affected and a description of the proposed project;

(3) be mailed or electronically transmitted to the director, the county auditor, the clerk or mayor of a municipality, the lake improvement district if one exists, the watershed district or water management organization, the soil and water conservation district, and all riparian owners of record affected by the application; and
(4) be published in a newspaper of general circulation in the affected area.

(e) Periodic temporary drawdowns conducted under paragraph (a) shall are not be considered takings from riparian landowners.

(f) This section does not apply to public waters that have been designated for wildlife management under section 97A.101.

Sec. 91. Minnesota Statutes 2018, section 103G.615, subdivision 3a, is amended to read:

Subd. 3a. Invasive aquatic plant management permit. (a) "Invasive aquatic plant management permit" means an aquatic plant management permit as defined in rules of the Department of Natural Resources that authorizes the selective control of invasive aquatic plants to cause a significant reduction in the abundance of the invasive aquatic plant.

(b) The commissioner may waive the dated signature of approval requirement in rules of the Department of Natural Resources for invasive aquatic plant management permits if obtaining signatures would create an undue burden on the permittee or if the commissioner determines that aquatic plant control is necessary to protect natural resources.

(c) If the signature requirement is waived under paragraph (b) because obtaining signatures would create an undue burden on the permittee, the commissioner shall require an alternate form of landowner notification, including news releases or public notices in a local newspaper, a public meeting, or a mailing or electronic transmission to the most recent permanent physical or electronic mailing address of affected landowners. The notification must be given annually and must include: the proposed date of treatment, the target species, the method of control or product being used, and instructions on how the landowner may request that control not occur adjacent to the landowner's property.

(d) The commissioner may allow dated signatures of approval obtained for an invasive aquatic plant management permit to satisfy rules of the Department of Natural Resources to remain valid for three years if property ownership remains unchanged.

Sec. 92. Minnesota Statutes 2018, section 114D.15, is amended by adding a subdivision to read:

Subd. 3a. Comprehensive local water management plan. "Comprehensive local water management plan" has the meaning given under section 103B.3363, subdivision 3.
Sec. 93. Minnesota Statutes 2018, section 114D.15, is amended by adding a subdivision to read:

Subd. 3b. **Comprehensive watershed management plan.** "Comprehensive watershed management plan" has the meaning given under section 103B.3363, subdivision 3a.

Sec. 94. Minnesota Statutes 2018, section 114D.15, subdivision 7, is amended to read:

Subd. 7. **Restoration.** "Restoration" means actions, including effectiveness monitoring, that are taken to pursue, achieve, and maintain water quality standards for impaired waters in accordance with a TMDL that has been approved by the United States Environmental Protection Agency under federal TMDL requirements.

Sec. 95. Minnesota Statutes 2018, section 114D.15, subdivision 11, is amended to read:

Subd. 11. **TMDL implementation plan.** "TMDL implementation plan" means a document detailing restoration strategies or activities needed to meet the approved TMDL's pollutant load allocations for point and nonpoint sources. This could include a WRAPS, a comprehensive watershed management plan, a comprehensive local water management plan, or another document or strategy that the commissioner of the Pollution Control Agency determines to be, in whole or in part, sufficient to provide reasonable assurance of achieving applicable water quality standards.

Sec. 96. Minnesota Statutes 2018, section 114D.15, subdivision 13, is amended to read:

Subd. 13. **Watershed restoration and protection strategy or WRAPS.** "Watershed restoration and protection strategy" or "WRAPS" means a document summarizing scientific studies of a major watershed no larger than at approximately a hydrologic unit code 8 including the physical, chemical, and biological assessment of the water quality of the watershed; identification of impairments and water bodies in need of protection; identification of biotic stressors and sources of pollution, both point and nonpoint; TMDLs for the impairments; and an implementation table containing scale with strategies and actions designed to achieve and maintain water quality standards and goals.

Sec. 97. Minnesota Statutes 2018, section 114D.20, subdivision 2, is amended to read:

Subd. 2. **Goals for implementation.** The following goals must guide the implementation of this chapter:
(1) to identify impaired waters in accordance with federal TMDL requirements within ten years after May 23, 2006, and thereafter to ensure continuing evaluation of surface waters for impairments;

(2) to submit TMDLs to the United States Environmental Protection Agency for all impaired waters in a timely manner in accordance with federal TMDL requirements;

(3) to set a reasonable time to inform and support strategies for implementing restoration of each identified impaired water and protection activities in a reasonable time period;

(4) to systematically evaluate waters, to provide assistance and incentives to prevent waters from becoming impaired, and to improve the quality of waters that are listed as impaired but do not have an approved TMDL addressing the impairment;

(5) to promptly seek the delisting of waters from the impaired waters list when those waters are shown to achieve the designated uses applicable to the waters;

(6) to achieve compliance with federal Clean Water Act requirements in Minnesota;

(7) to support effective measures to prevent the degradation of groundwater according to the groundwater degradation prevention goal under section 103H.001; and

(8) to support effective measures to restore degraded groundwater.

Sec. 98. Minnesota Statutes 2018, section 114D.20, subdivision 3, is amended to read:

Subd. 3. Implementation policies. The following policies must guide the implementation of this chapter:

(1) develop regional and, multiple pollutant, or watershed TMDLs and TMDL implementation plans, and TMDLs and TMDL implementation plans for multiple pollutants or WRAPSS, where reasonable and feasible;

(2) maximize use of available organizational, technical, and financial resources to perform sampling, monitoring, and other activities to identify degraded groundwater and impaired waters, including use of citizen monitoring and citizen monitoring data used by the Pollution Control Agency in assessing water quality that meets the requirements in Appendix D of the Volunteer Surface Water Monitoring Guide, Minnesota established by the commissioner of the Pollution Control Agency (2003);

(3) maximize opportunities for restoration of degraded groundwater and impaired waters, by prioritizing and targeting of available programmatic, financial, and technical resources and by providing additional state resources to complement and leverage available resources;
(4) use existing regulatory authorities to achieve restoration for point and nonpoint sources of pollution where applicable, and promote the development and use of effective nonregulatory measures to address pollution sources for which regulations are not applicable;

(5) use restoration methods that have a demonstrated effectiveness in reducing impairments and provide the greatest long-term positive impact on water quality protection and improvement and related conservation benefits while incorporating innovative approaches on a case-by-case basis;

(6) identify for the legislature any innovative approaches that may strengthen or complement existing programs;

(7) identify and encourage implementation of measures to prevent surface waters from becoming impaired and to improve the quality of waters that are listed as impaired but have no approved TMDL addressing the impairment using the best available data and technology, and establish and report outcome-based performance measures that monitor the progress and effectiveness of protection and restoration measures;

(8) monitor and enforce cost-sharing contracts and impose monetary damages in an amount up to 150 percent of the financial assistance received for failure to comply; and

(9) identify and encourage implementation of measures to prevent groundwater from becoming degraded and measures that restore groundwater resources.

Sec. 99. Minnesota Statutes 2018, section 114D.20, subdivision 5, is amended to read:

Subd. 5. Priorities for scheduling and preparing WRAPSs and TMDLs. The commissioner of the Pollution Control Agency must seek recommendations from the Clean Water Council shall recommend, the commissioners of natural resources, health and agriculture, and the Board of Water and Soil Resources regarding priorities for scheduling and preparing WRAPSs and TMDLs and TMDL implementation plans, taking into account the severity. Recommendations must consider the causes of the impairment, the designated uses of those waters, and other applicable federal TMDL requirements. In recommending priorities, the council shall also give consideration to: surface water and groundwater interactions, protection of high-quality waters, waters and watersheds with declining water quality trends, and waters used as drinking water sources. Furthermore, consideration must be given to waters and watersheds:

(1) with impairments that pose have the greatest potential risk to human health;

(2) with impairments that pose have the greatest potential risk to threatened or endangered species;
with impairments that pose the greatest potential risk to aquatic health; (4) where other public agencies and participating organizations and individuals, especially local, basin-wide, watershed, or regional agencies or organizations, have demonstrated readiness to assist in carrying out the responsibilities, including availability and organization of human, technical, and financial resources necessary to undertake the work; and (5) where there is demonstrated coordination and cooperation among cities, counties, watershed districts, and soil and water conservation districts in planning and implementation of activities that will assist in carrying out the responsibilities.

Sec. 100. Minnesota Statutes 2018, section 114D.20, subdivision 7, is amended to read:

Subd. 7. Priorities for funding prevention actions. The Clean Water Council shall apply the priorities applicable under subdivision 6, as far as practicable, when recommending priorities for funding actions to prevent groundwater and surface waters from becoming degraded or impaired and to improve the quality of surface waters that are listed as impaired but do not have an approved TMDL.

Sec. 101. Minnesota Statutes 2018, section 114D.20, is amended by adding a subdivision to read:

Subd. 8. Alternatives; TMDL, TMDL implementation plan, or WRAPS. (a) If the commissioner of the Pollution Control Agency determines that a comprehensive watershed management plan or comprehensive local water management plan contains information that is sufficient and consistent with guidance from the United States Environmental Protection Agency under section 303(d) of the federal Clean Water Act, the commissioner may submit the plan to the Environmental Protection Agency according to federal TMDL requirements as an alternative to developing a TMDL.

(b) A TMDL implementation plan or a WRAPS, or portions thereof, are not needed for waters or watersheds when the commissioner of the Pollution Control Agency determines that a comprehensive watershed management plan, a comprehensive local water management plan, or a statewide or regional strategy published by the Pollution Control Agency meets the definition in section 114D.15, subdivision 11 or 13.

(c) The commissioner of the Pollution Control Agency may request that the Board of Water and Soil Resources conduct an evaluation of the implementation efforts under a comprehensive watershed management plan or comprehensive local water management plan.
plan when the commissioner makes a determination under paragraph (b). The board must conduct the evaluation in accordance with section 103B.102.

(d) The commissioner of the Pollution Control Agency may amend or revoke a determination made under paragraph (a) or (b) after considering the evaluation conducted under paragraph (c).

Sec. 102. Minnesota Statutes 2018, section 114D.20, is amended by adding a subdivision to read:

Subd. 9. Coordinating municipal and local water quality activities. A project, practice, or program for water quality improvement or protection that is conducted by a watershed management organization or a local government unit with a comprehensive watershed management plan or other water management plan approved according to chapter 103B, 103C, or 103D may be considered by the commissioner of the Pollution Control Agency as contributing to the requirements of a storm water pollution prevention plan (SWPPP) for a municipal separate storm sewer systems (MS4) permit unless the project, practice, or program was previously documented as contributing to a different SWPPP for an MS4 permit.

Sec. 103. Minnesota Statutes 2018, section 114D.26, is amended to read:

114D.26 WATERSHED RESTORATION AND PROTECTION STRATEGIES.

Subdivision 1. Contents. (a) The commissioner of the Pollution Control Agency shall develop watershed restoration and protection strategies. To ensure effectiveness and accountability in meeting the goals of this chapter, for the purposes of:

(1) summarizing the physical, chemical, and biological assessment of the water quality of the watershed;

(2) quantifying impairments and risks to water quality;

(3) describing the causes of impairments and pollution sources;

(4) consolidating TMDLs in a major watershed; and

(5) informing comprehensive local water management plans and comprehensive watershed management plans.

(b) Each WRAPS shall:

(1) identify impaired waters and waters in need of protection;
(2) identify biotic stressors causing impairments or threats to water quality;

(3) summarize TMDLs, watershed modeling outputs, and resulting pollution load allocations, wasteload allocations, and priority areas for targeting actions to improve water quality, identify areas with high pollutant-loading rates;

(4) identify point sources of pollution for which a national pollutant discharge elimination system permit is required under section 115.03;

(5) identify nonpoint sources of pollution for which a national pollutant discharge elimination system permit is not required under section 115.03, with sufficient specificity to prioritize and geographically locate watershed restoration and protection actions;

(6) describe the current pollution loading and load reduction needed for each source or source category to meet water quality standards and goals, including wasteload and load allocations from TMDLs;

(7) contain a plan for ongoing (4) in consultation with local governments and other state agencies, identify water quality monitoring needed to fill data gaps, determine changing conditions, and gauge implementation effectiveness; and

(8) contain an implementation table of strategies and actions that are capable of cumulatively achieving needed pollution load reductions for point and nonpoint sources, including identifying:

(i) water quality parameters of concern;

(ii) current water quality conditions;

(iii) water quality goals, strategies, and targets by parameter of concern; and

(iv) strategies and actions by parameter of concern and an example of the scale of adoptions needed for each, with a timeline to meet the water quality restoration or protection goals of this chapter.

(v) a timeline for achievement of water quality targets;

(vi) the governmental units with primary responsibility for implementing each watershed restoration or protection strategy; and

(vii) a timeline and interim milestones for achievement of watershed restoration or protection implementation actions within ten years of strategy adoption.

Subd. 1a. Coordination. To ensure effectiveness, efficiency, and accountability in meeting the goals of this chapter, the commissioner of the Pollution Control Agency, in
consultation with the Board of Water and Soil Resources and local government units, must
coordinate the schedule, budget, scope, and use of a WRAPS and related documents and
processes.

Subd. 2. **Reporting.** Beginning July 1, 2016, and every other year thereafter, the
commissioner of the Pollution Control Agency must report on its agency’s website the
progress toward implementation milestones and water quality goals for all adopted TMDLs
and, where available, WRAPSs.

Subd. 3. **Timelines; administration.** Each year, (a) The commissioner of the Pollution
Control Agency must complete WRAPSs for at least ten percent of watershed restoration
and protection strategies for the state's major watersheds. WRAPS shall be by June 30,
2023, unless the commissioner determines that a comprehensive watershed management
plan or comprehensive local water management plan, in whole or in part, meets the definition
in section 114D.15, subdivision 11 or 13. As needed, the commissioner must update the
strategies, in whole or in part, after consulting with the Board of Water and Soil Resources
and local government units.

(b) Watershed restoration and protection strategies are governed by the procedures for
approval and notice in section 114D.25, subdivisions 2 and 4, except that WRAPS need not be submitted to the United States Environmental Protection Agency.

Sec. 104. Minnesota Statutes 2018, section 114D.35, subdivision 1, is amended to read:

Subdivision 1. **Public and stakeholder participation.** (a) Public agencies and private
entities involved in implementing this chapter must encourage participation by the public and stakeholders, including local citizens, landowners and land
managers, and public and private organizations, in identifying impaired waters, in developing
TMDLs, in planning, priority setting, and implementing restoration of impaired waters, in
identifying degraded groundwater, and in protecting and restoring groundwater resources.

(b) In particular, the commissioner of the Pollution Control Agency shall make reasonable efforts to provide timely information to the public and to stakeholders about
impaired waters that have been identified by the agency. The agency shall seek broad and
early public and stakeholder participation in scoping the activities necessary to develop a
TMDL, including the scientific models, methods, and approaches to be used in TMDL
development, and to implement restoration pursuant to section 114D.15, subdivision 7 and
to inform and consult with the public and stakeholders in developing a WRAPS or TMDL.
(c) Public agencies and private entities using public funds that are involved in implementing restoration and protection identified in a comprehensive watershed management plan or comprehensive local water management plan must make efforts to inform, consult, and involve the public and stakeholders.

(d) The commissioner of the Pollution Control Agency and the Board of Water and Soil Resources must coordinate public and stakeholder participation in consultation with local government units. To the extent practicable, implementation of this chapter must be accomplished in cooperation with local, state, federal, and tribal governments and private-sector organizations.

Sec. 105. Minnesota Statutes 2018, section 114D.35, subdivision 3, is amended to read:

Subd. 3. Education. The Clean Water Council shall develop strategies for informing, educating, and encouraging the participation of citizens, stakeholders, and others regarding the identification of impaired waters, development of TMDLs, development of TMDL implementation plans, implementation of restoration for impaired waters, identification of degraded groundwater, and protection and restoration of groundwater resources this chapter. Public agencies shall be responsible for implementing the strategies.

Sec. 106. [114D.47] NONPOINT FUNDING ALTERNATIVE.

Notwithstanding section 114D.50, subdivision 3a, the Board of Water and Soil Resources may, by board order, establish alternative timelines or content for the priority funding plan for nonpoint sources under section 114D.50, subdivision 3a, and may use information from comprehensive watershed management plans or comprehensive local water management plans to estimate or summarize costs.

Sec. 107. Minnesota Statutes 2018, section 115.03, subdivision 1, is amended to read:

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

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

(b) (2) to investigate the extent, character, and effect of the pollution of the waters of this state and to gather data and information necessary or desirable in the administration or enforcement of pollution laws, and to make such classification of the waters of the state as it may deem advisable;
(3) to establish and alter such reasonable pollution standards for any waters of the state in relation to the public use to which they are or may be put as it shall deem necessary for the purposes of this chapter and, with respect to the pollution of waters of the state, chapter 116;

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

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

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

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

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

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

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

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

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

(8)(viii) notwithstanding any other provision of this chapter, and with respect to the
pollution of waters of the state, chapter 116, requiring the achievement of more stringent
limitations than otherwise imposed by effluent limitations in order to meet any applicable
water quality standard by establishing new effluent limitations, based upon section 115.01,
subdivision 13, clause (b), including alternative effluent control strategies for any point
source or group of point sources to insure the integrity of water quality classifications,
whenever the agency determines that discharges of pollutants from such point source or
sources, with the application of effluent limitations required to comply with any standard
of best available technology, would interfere with the attainment or maintenance of the
water quality classification in a specific portion of the waters of the state. Prior to
establishment of any such effluent limitation, the agency shall hold a public hearing to
determine the relationship of the economic and social costs of achieving such limitation or
limitations, including any economic or social dislocation in the affected community or
communities, to the social and economic benefits to be obtained and to determine whether
or not such effluent limitation can be implemented with available technology or other
alternative control strategies. If a person affected by such limitation demonstrates at such
hearing that, whether or not such technology or other alternative control strategies are
available, there is no reasonable relationship between the economic and social costs and
the benefits to be obtained, such limitation shall not become effective and shall be adjusted
as it applies to such person;

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

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

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

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

(h) to conduct such investigations, issue such notices, public and otherwise, and hold
such hearings as are necessary or which it may deem advisable for the discharge of its duties
under this chapter and, with respect to the pollution of waters of the state, under chapter
116, including, but not limited to, the issuance of permits, and to authorize any member,
employee, or agent appointed by it to conduct such investigations or, issue such notices and
hold such hearings;

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

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

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

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

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

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

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

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

Sec. 108. Minnesota Statutes 2018, section 115.03, subdivision 5, is amended to read:

Subd. 5. Agency authority; national pollutant discharge elimination system. (a) Notwithstanding any other provisions prescribed in or pursuant to this chapter and, with respect to the pollution of waters of the state, in chapter 116, or otherwise, the agency shall have the authority to perform any and all acts minimally necessary including, but not limited to, the establishment and application of standards, procedures, rules, orders, variances, stipulation agreements, schedules of compliance, and permit conditions, consistent with and, therefore not less stringent than the provisions of the Federal Water Pollution Control Act, as amended, applicable to the participation by the state of Minnesota in the national pollutant discharge elimination system (NPDES); provided that this provision shall not be construed as a limitation on any powers or duties otherwise residing with the agency pursuant to any provision of law.

(b) An activity that conveys or connects waters of the state without subjecting the transferred water to intervening industrial, municipal, or commercial use does not require a national pollutant discharge elimination system permit. This exemption does not apply to pollutants introduced by the activity itself to the water being transferred.

Sec. 109. Minnesota Statutes 2018, section 115.03, is amended by adding a subdivision to read:

Subd. 5e. Sugar beet storage. The commissioner must not require a sugar beet company that has a current national pollutant discharge elimination system permit or state disposal system permit to install an engineered liner for a storm water runoff pond at a remote storage site for sugar beets unless a risk assessment confirms that there is significant impact on groundwater and that an engineered liner is necessary to prevent, control, or abate water pollution. For purposes of this subdivision, "remote storage site for sugar beets" means an area where sugar beets are temporarily stored before delivery to a sugar beet processing facility and that is not located on land adjacent to the processing facility.

EFFECTIVE DATE. This section is effective the day following final enactment.
Sec. 110. Minnesota Statutes 2018, section 115.035, is amended to read:

**115.035 EXTERNAL PEER REVIEW OF WATER QUALITY STANDARDS.**

(a) When the commissioner convenes an external peer review panel during the promulgation or amendment of water quality standards, the commissioner must provide notice and take public comment on the charge questions for the external peer review panel and must allow written and oral public comment as part of the external peer review panel process. Every new or revised numeric water quality standard must be supported by a technical support document that provides the scientific basis for the proposed standard and that has undergone external, scientific peer review. Numeric water quality standards in which the agency is adopting, without change, a United States Environmental Protection Agency criterion that has been through peer review are not subject to this paragraph.

Documentation of the external peer review panel, including the name or names of the peer reviewer or reviewers, must be included in the statement of need and reasonableness for the water quality standard. If the commissioner does not convene an external peer review panel during the promulgation or amendment of water quality standards, the commissioner must state the reason an external peer review panel will not be convened in the statement of need and reasonableness.

(b) Every technical support document developed by the agency must be released in draft form for public comment before peer review and before finalizing the technical support document.

(c) The commissioner must provide public notice and information about the external peer review through the request for comments published at the beginning of the rulemaking process for the numeric water quality standard, and:

(1) the request for comments must identify the draft technical support document and where the document can be found;

(2) the request for comments must include a proposed charge for the external peer review and request comments on the charge;

(3) all comments received during the public comment period must be made available to the external peer reviewers; and

(4) if the agency is not soliciting external peer review because the agency is adopting a United States Environmental Protection Agency criterion without change, that must be noted in the request for comments.
(d) The purpose of the external peer review is to evaluate whether the technical support
document and proposed standard are based on sound scientific knowledge, methods, and
practices. The external peer review must be conducted according to the guidance in the
most recent edition of the United States Environmental Protection Agency's Peer Review
Handbook. Peer reviewers must not have participated in developing the scientific basis of
the standard. Peer reviewers must disclose any activities or circumstances that could pose
a conflict of interest or create an appearance of a loss of impartiality that could interfere
with an objective review.

(e) The type of review and the number of peer reviewers depends on the nature of the
science underlying the standard. A panel review must be used when the agency is developing
significant new science or science that expands significantly beyond current documented
scientific practices or principles.

(f) In response to the findings of the external peer review, the agency must revise the
draft technical support document as appropriate. The findings of the external peer review
must be documented and attached to the final technical support document, which must be
an exhibit as part of the statement of need and reasonableness in the rulemaking to adopt
the new or revised water quality standard. The agency must note changes in the final technical
support document made in response to the external peer review.

(g) By December 15 each year, the commissioner must post on the agency's
website a report identifying the water quality standards development work in progress or
completed in the past year, the lead agency scientist for each development effort, and
opportunities for public input.
Sec. 112. Minnesota Statutes 2018, section 115.455, is amended to read:

115.455 EFFLUENT LIMITATIONS; COMPLIANCE.

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

Sec. 113. Minnesota Statutes 2018, section 115.77, subdivision 1, is amended to read:

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

Sec. 114. Minnesota Statutes 2018, section 115.84, subdivision 2, is amended to read:

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

Sec. 115. Minnesota Statutes 2018, section 115.84, subdivision 3, is amended to read:

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

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

(c) Revenue from fees charged by the agency for certification shall must be credited to the environmental fund.
Sec. 116. Minnesota Statutes 2018, section 115A.51, is amended to read:

**115A.51 APPLICATION REQUIREMENTS.**

(a) Applications for assistance under the program shall demonstrate:

(1) that the project is conceptually and technically feasible;

(2) that affected political subdivisions are committed to implement the project, to provide necessary local financing, and to accept and exercise the government powers necessary to the project;

(3) that operating revenues from the project, considering the availability and security of sources of solid waste and of markets for recovered resources, together with any proposed federal, state, or local financial assistance, will be sufficient to pay all costs over the projected life of the project;

(4) that the applicant has evaluated the feasible and prudent alternatives to disposal, including using existing solid waste management facilities with reasonably available capacity sufficient to accomplish the goals of the proposed project, and has compared and evaluated the costs of the alternatives, including capital and operating costs, and the effects of the alternatives on the cost to generators;

(5) that the applicant has identified:

(i) waste management objectives in applicable county and regional solid waste management plans consistent with section 115A.46, subdivision 2, paragraphs (e) and (f), or 473.149, subdivision 1; and

(ii) other solid waste facilities identified in the county and regional plans; and

(6) that the applicant has conducted a comparative analysis of the project against existing public and private solid waste facilities, including an analysis of potential displacement of those facilities, to determine whether the project is the most appropriate alternative to achieve the identified waste management objectives that considers:

(i) conformity with approved county or regional solid waste management plans;

(ii) consistency with the state's solid waste hierarchy and section 115A.46, subdivision 2, paragraphs (e) and (f), or 473.149, subdivision 1; and

(iii) environmental standards related to public health, air, surface water, and groundwater.

(b) The commissioner may require completion of a comprehensive solid waste management plan conforming to the requirements of section 115A.46, before accepting an
Within five days of filing an application with the agency, the applicant must submit a copy of the application to each solid waste management facility mentioned in the portion of the application addressing the requirements of paragraph (a), clauses (5) and (6).

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

Sec. 117. Minnesota Statutes 2018, section 115B.421, is amended to read:

115B.421 CLOSED LANDFILL INVESTMENT FUND.

The closed landfill investment fund is established in the state treasury. The fund consists of money credited to the fund, and interest and other earnings on money in the fund. Beginning July 1, 2003, Funds must be deposited as described in section 115B.445, and if land enrolled in the closed landfill program is leased for the purpose of locating solar photovoltaic devices on the land, the lease proceeds must be deposited in the fund. The fund shall be managed to maximize long-term gain through the State Board of Investment. Money in the fund may only be spent by the commissioner after fiscal year 2020 in accordance with sections 115B.39 to 115B.444 as appropriated by law.

Sec. 118. [115B.55] TCE EMISSION RESPONSE ACCOUNT.

Subdivision 1. Definitions. (a) For purposes of this section and section 115B.56, the terms in this subdivision have the meanings given.

(b) "Settlement" means the stipulation agreement entered into on March 1, 2019, to resolve alleged unlawful TCE emissions by Water Gremlin Company.

(c) "TCE" means trichloroethylene.

(d) "TCE area of concern" includes the area in and near White Bear Township affected by unlawful emissions of TCE, as determined by the commissioner of the Pollution Control Agency.

Subd. 2. Establishment. The TCE emission response account is established as an account in the environmental fund. The account consists of the net proceeds of the civil penalty paid to the Pollution Control Agency as part of the settlement and earnings on the investment of money in the account. Money in the account may be invested through the State Board of Investment.

Subd. 3. Expenditures. Subject to appropriation by the legislature, money in the account may be spent to assess and address the effects of unlawful emissions of TCE in the TCE area of concern.
Sec. 119. [115B.56] TCE EMISSION STAKEHOLDERS.

The commissioner must work with the following stakeholders to identify and recommend to the legislature projects to receive funding from the TCE emission response account: a representative of the Minnesota Department of Health; a representative of the Minnesota Pollution Control Agency; an elected official from the city of Gem Lake; an elected official from the city of White Bear Lake; an elected official from White Bear Township; three individuals appointed by the Neighborhood Concerned Citizens Group serving the White Bear Township, White Bear Lake, and Gem Lake areas; an individual who is appointed by the Neighborhood Concerned Citizens Group who lives within half of one mile of the Water Gremlin facility that was the source of the TCE emissions described in the settlement; and a representative of Ramsey County, who shall be a nonvoting member. Stakeholder recommendations may include recommendations regarding:

1. the broad purposes or specific projects for which money in the TCE emission response account should be appropriated;
2. the need for additional testing, investigations, or research;
3. ways to improve communication between state and federal officials and local governments, citizens, and businesses when hazardous chemicals are actually or potentially released into a community;
4. policy or law changes that would facilitate a better response to future releases of hazardous chemicals; and
5. any other matter the stakeholders deem relevant.

Sec. 120. Minnesota Statutes 2018, section 116.03, subdivision 1, is amended to read:

Subdivision 1. Office. (a) The Office of Commissioner of the Pollution Control Agency is created and is under the supervision and control of the commissioner, who is appointed by the governor under the provisions of section 15.06.

(b) The commissioner may appoint a deputy commissioner and up to three assistant commissioners who shall be in the unclassified service.

(c) The commissioner shall make all decisions on behalf of the agency.

EFFECTIVE DATE. This section is effective the day following final enactment.
Sec. 121. Minnesota Statutes 2018, section 116.03, is amended by adding a subdivision to read:

Subd. 3a. **Grant administrative costs.** The commissioner of the Pollution Control Agency shall use no more than three percent of any grant money for administering grant programs, delivering technical services, providing fiscal oversight, and ensuring accountability. For purposes of this subdivision, "grant money" means any money to be disbursed as a grant or administered as a grant by the Pollution Control Agency, regardless of its source.

**EFFECTIVE DATE.** This section is effective the day following final enactment and applies to grants disbursed on or after that date.

Sec. 122. Minnesota Statutes 2018, section 116.07, subdivision 2, is amended to read:

Subd. 2. **Adopting standards.** (a) The Pollution Control Agency shall improve air quality by promoting, in the most practicable way possible, the use of energy sources and waste disposal methods which produce or emit the least air contaminants consistent with the agency's overall goal of reducing all forms of pollution. The agency shall also adopt standards of air quality, including maximum allowable standards of emission of air contaminants from motor vehicles, recognizing that due to because of variable factors, no single standard of purity of air is applicable to all areas of the state. In adopting standards, the Pollution Control Agency shall give due recognition to the fact that the quantity or characteristics of air contaminants or the duration of their presence in the atmosphere, which may cause air pollution in one area of the state, may cause less or not cause any air pollution in another area of the state, and it shall take into consideration in this connection such factors, including others which it may deem proper, as existing physical conditions, zoning classifications, topography, prevailing wind directions and velocities, and the fact that a standard of air quality which may be proper as to an essentially residential area of the state, may not be proper as to a highly developed industrial area of the state. Such standards of air quality shall must be premised upon scientific knowledge of causes as well as effects based on technically substantiated criteria and commonly accepted practices. No local government unit shall set standards of air quality which are more stringent than those set by the Pollution Control Agency. Consistent with this recognition of the variability of air contamination levels and conditions across the state, the agency must not apply or enforce a national or state ambient air quality standard as an applicable standard for an individual source under an individual facility permit issued according to Code of Federal Regulations,
title 40, part 70, unless the permittee is a temporary source issued a permit under United
States Code, title 42, section 7661c, paragraph (e).

(b) The Pollution Control Agency shall promote solid waste disposal control by
couraging the updating of collection systems, elimination of open dumps, and
improvements in incinerator practices. The agency shall also adopt standards for the control
of the collection, transportation, storage, processing, and disposal of solid waste and sewage
sludge for the prevention and abatement of water, air, and land pollution, recognizing that
due to because of variable factors, no single standard of control is applicable to all areas of
the state. In adopting standards, the Pollution Control Agency shall give due recognition to
the fact that elements of control which that may be reasonable and proper in densely
populated areas of the state may be unreasonable and improper in sparsely populated or
remote areas of the state, and it shall take into consideration in this connection such factors,
including others which that it may deem proper, as existing physical conditions, topography,
soils and geology, climate, transportation, and land use. Such standards of control shall
must be premised on technical criteria and commonly accepted practices.

(c) The Pollution Control Agency shall also adopt standards describing the maximum
levels of noise in terms of sound pressure level which that may occur in the outdoor
atmosphere, recognizing that due to because of variable factors no single standard of sound
pressure is applicable to all areas of the state. Such standards shall must give due
consideration to such factors as the intensity of noises, the types of noises, the frequency
with which noises recur, the time period for which noises continue, the times of day during
which noises occur, and such other factors as could affect the extent to which noises may
be injurious to human health or welfare, animal or plant life, or property, or could interfere
unreasonably with the enjoyment of life or property. In adopting standards, the Pollution
Control Agency shall give due recognition to the fact that the quantity or characteristics of
noise or the duration of its presence in the outdoor atmosphere, which may cause noise
pollution in one area of the state, may cause less or not cause any noise pollution in another
area of the state, and it shall take into consideration in this connection such factors, including
others which that it may deem proper, as existing physical conditions, zoning classifications,
topography, meteorological conditions, and the fact that a standard which that may be proper
in an essentially residential area of the state, may not be proper as to in a highly developed
industrial area of the state. Such noise standards shall must be premised upon scientific
knowledge as well as effects based on technically substantiated criteria and commonly
accepted practices. No local governing unit shall set standards describing the maximum
levels of sound pressure which are more stringent than those set by the Pollution Control Agency.

(d) The Pollution Control Agency shall adopt standards for the identification of hazardous waste and for the management, identification, labeling, classification, storage, collection, transportation, processing, and disposal of hazardous waste, recognizing that due to because of variable factors, a single standard of hazardous waste control may not be applicable to all areas of the state. In adopting standards, the Pollution Control Agency shall recognize that elements of control which may be reasonable and proper in densely populated areas of the state may be unreasonable and improper in sparsely populated or remote areas of the state. The agency shall consider existing physical conditions, topography, soils, and geology, climate, transportation, and land use. Standards of hazardous waste control must be premised on technical knowledge, and commonly accepted practices. Hazardous waste generator licenses may be issued for a term not to exceed five years. No local government unit shall set standards of hazardous waste control which are in conflict or inconsistent with those set by the Pollution Control Agency.

e) A person who generates less than 100 kilograms of hazardous waste per month is exempt from the following agency hazardous waste rules:

(1) rules relating to transportation, manifesting, storage, and labeling for photographic fixer and x-ray negative wastes that are hazardous solely because of silver content; and

(2) any rule requiring the generator to send to the agency or commissioner a copy of each manifest for the transportation of hazardous waste for off-site treatment, storage, or disposal, except that counties within the metropolitan area may require generators to provide manifests.

Nothing in this paragraph exempts the generator from the agency's rules relating to on-site accumulation or outdoor storage. A political subdivision or other local unit of government may not adopt management requirements that are more restrictive than this paragraph.

(f) In any rulemaking proceeding under chapter 14 to adopt standards for air quality, solid waste, or hazardous waste under this chapter, or standards for water quality under chapter 115, the statement of need and reasonableness must include:

(1) an assessment of any differences between the proposed rule and:

(i) existing federal standards adopted under the Clean Air Act, United States Code, title 42, section 7412(b)(2); the Clean Water Act, United States Code, title 33, sections 1312(a)
and 1313(c)(4); and the Resource Conservation and Recovery Act, United States Code, title
42, section 6921(b)(1);

(ii) similar standards in states bordering Minnesota; and

(iii) similar standards in states within the Environmental Protection Agency Region 5;

and

(2) a specific analysis of the need and reasonableness of each difference.

If the proposed standards in a rulemaking subject to this paragraph are more stringent than
comparable federal standards, the statement of need and reasonableness must, in addition
to the requirements of this paragraph, include documentation that the federal standard does
not provide adequate protection for public health and the environment.

(g) In any rulemaking proceeding under chapter 14 to adopt standards for air quality,
solid waste, or hazardous waste under this chapter or standards for water quality under
chapter 115, each standard must be expressed in a standard measurement unit of milliliter
(ml) for liquids and milligram (mg) for solids.

Sec. 123. Minnesota Statutes 2018, section 116.07, subdivision 4d, is amended to read:

Subd. 4d. Permit fees. (a) The agency may collect permit fees in amounts not greater
than those necessary to cover the reasonable costs of developing, reviewing, and acting
upon applications for agency permits and implementing and enforcing the conditions of the
permits pursuant to agency rules. Permit fees shall not include the costs of litigation.

The fee schedule must reflect reasonable and routine direct and indirect costs associated
with permitting, implementation, and enforcement. The agency may impose an additional
enforcement fee to be collected for a period of up to two years to cover the reasonable costs
of implementing and enforcing the conditions of a permit under the rules of the agency.
Water fees under this paragraph are subject to legislative approval under section 16A.1283.

Any money collected under this paragraph shall be deposited in the environmental fund.

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

160.9 (c) The agency shall set fees that:

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

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

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

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

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

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

(f) Permit applicants who wish to construct, reconstruct, or modify a project may offer to reimburse the agency for the costs of staff time or consultant services needed to expedite the preapplication process and permit development process through the final decision on the permit, including the analysis of environmental review documents. The reimbursement shall be in addition to permit application fees imposed by law. When the agency determines that it needs additional resources to develop the permit application in an expedited manner, and that expediting the development is consistent with permitting program priorities, the agency may accept the reimbursement. The commissioner must give the applicant an estimate of costs to be incurred by the commissioner. The estimate must include a brief description of the tasks to be performed, a schedule for completing the tasks, and the estimated cost for each task. The applicant and the commissioner must enter into a written agreement detailing the estimated costs for the expedited permit decision-making process to be incurred by the agency. The agreement must also identify staff anticipated to be assigned to the project.

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

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

Sec. 124. Minnesota Statutes 2018, section 116.07, is amended by adding a subdivision to read:

Subd. 13. **Unadopted rules.** (a) The commissioner of the Pollution Control Agency must not enforce or attempt to enforce an unadopted rule. For purposes of this subdivision, "unadopted rule" means a guideline, bulletin, criterion, manual standard, interpretive statement, or similar pronouncement if the guideline, bulletin, criterion, manual standard, interpretive statement, or similar pronouncement meets the definition of a rule as defined under section 14.02, subdivision 4, but has not been adopted according to the rulemaking process.
process provided under chapter 14. If an unadopted rule is challenged under section 14.381, the commissioner must overcome a presumption against the unadopted rule.

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

Sec. 125. Minnesota Statutes 2018, section 116.0714, is amended to read:

116.0714 NEW OPEN-AIR SWINE BASINS.

(a) The commissioner of the Pollution Control Agency or a county board shall not approve any permits for the construction of new open-air swine basins, except that existing facilities may use one basin of less than 1,000,000 gallons as part of a permitted waste treatment program for resolving pollution problems or to allow conversion of an existing basin of less than 1,000,000 gallons to a different animal type, provided all standards are met. This section expires June 30, 2022.

(b) This section does not apply to basins used solely for wastewater from truck-washing facilities.

Sec. 126. [116.385] TRICHLOROETHYLENE; BAN.

Subdivision 1. Definitions. For the purposes of this section, "trichloroethylene" means a chemical with the Chemical Abstract Services Registry Number of 79-01-6.

Subd. 2. Use ban. (a) Beginning January 1, 2021, an owner or operator of a facility required to have an air emissions permit issued by the Pollution Control Agency may not use trichloroethylene at its permitted facility, including in any manufacturing, processing, or cleaning processes. Cessation of use must be made enforceable in the air emissions permit for the facility or in an enforceable agreement by January 1, 2021.

(b) If additional time is needed to assess replacement chemicals or address impacts to facility operations, then by January 1, 2021, the commissioner may, at the commissioner's discretion, include a schedule of compliance in the facility's permit or enforceable agreement that requires compliance with this section before January 1, 2023. Owners or operators of facilities requesting additional time under this subdivision must demonstrate compliance with the health-based value and health risk limits for trichloroethylene, as established by the Department of Health. The commissioner must assess nearby regulated sources for...
trichloroethylene to determine whether additional restrictions should be included in the
schedule of compliance or permit.

(c) The commissioner may grant a variance under this section pursuant to section 116.07,
subdivision 5.

Subd. 3. Replacement chemicals. An owner or operator that must comply with this
section must replace trichloroethylene with a chemical demonstrated to be less toxic to
human health and approved by the commissioner of the Pollution Control Agency. If there
is more than one less-toxic replacement chemical, then the commissioner must approve the
option that is the least toxic to human health that is an effective replacement.

Subd. 4. Exceptions. The prohibition in subdivision 2 does not apply to any of the
following:

(1) processes that result in only trace amounts of trichloroethylene remaining after most
of it has been transformed into another substance or consumed;

(2) the use of trichloroethylene in closed systems so that no trichloroethylene is emitted
from the facility;

(3) holding trichloroethylene, or products containing trichloroethylene, for distribution
to a third party; or

(4) a medical or medical research facility.

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

Sec. 127. Minnesota Statutes 2018, section 116.993, subdivision 2, is amended to read:

Subd. 2. Eligible borrower. To be eligible for a loan under this section, a borrower
must:

(1) be a small business corporation, sole proprietorship, partnership, or association;

(2) be a potential emitter of pollutants to the air, ground, or water;

(3) need capital for equipment purchases that will meet or exceed environmental
regulations or need capital for site investigation and cleanup;

(4) have less than 50 full-time equivalent employees; and

(5) have an after tax profit of less than $500,000; and

(6) have a net worth of less than $1,000,000.
Sec. 128. Minnesota Statutes 2018, section 116.993, subdivision 6, is amended to read:

Subd. 6. Loan conditions. A loan made under this section must include:

1. an interest rate that is four percent or at or below one-half the prime rate, whichever is greater not to exceed five percent;
2. a term of payment of not more than seven years; and
3. an amount not less than $1,000 or exceeding $75,000.

Sec. 129. Minnesota Statutes 2018, section 116D.04, subdivision 2a, is amended to read:

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

(b) The board shall by rule establish categories of actions for which environmental impact statements and for which environmental assessment worksheets shall must be prepared as well as categories of actions for which no environmental review is required under this section. A mandatory environmental assessment worksheet is not required for the expansion of an ethanol plant, as defined in section 41A.09, subdivision 2a, paragraph (b), or the conversion of an ethanol plant to a biobutanol facility or the expansion of a biobutanol facility as defined in section 41A.15, subdivision 2d, based on the capacity of the expanded or converted facility to produce alcohol fuel, but must be required if the ethanol plant or biobutanol facility meets or exceeds thresholds of other categories of actions for which environmental assessment worksheets must be prepared. The responsible governmental unit for an ethanol plant or biobutanol facility project for which an environmental assessment worksheet is prepared is the state agency with the greatest responsibility for supervising or approving the project as a whole.

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

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

(e) An environmental assessment worksheet shall also be prepared for a proposed action whenever material evidence accompanying a petition by not less than 100 individuals who reside or own property in the state, submitted before the proposed project has received final approval by the appropriate governmental units, demonstrates that, because of the nature or location of a proposed action, there may be potential for significant environmental effects. Petitions requesting the preparation of an environmental assessment worksheet shall be submitted to the board. The chair of the board shall determine the appropriate responsible governmental unit and forward the petition to it. A decision on the need for an environmental assessment worksheet shall be made by the responsible governmental unit within 15 days after the petition is received by the responsible governmental unit. The board's chair may extend the 15-day period by not more than 15 additional days upon request of the responsible governmental unit.
(f) Except in an environmentally sensitive location where Minnesota Rules, part 166.24410.4300, subpart 29, item B, applies, the proposed action is exempt from environmental review under this chapter and rules of the board, if:

(1) the proposed action is:

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

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

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

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

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

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

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

(j) An environmental impact statement shall be prepared and its adequacy
determined within 280 days after notice of its preparation unless the time is extended by
consent of the parties or by the governor for good cause. The responsible governmental unit
shall determine the adequacy of an environmental impact statement, unless within 60 days
after notice is published that an environmental impact statement will be prepared, the board
chooses to determine the adequacy of an environmental impact statement. If an environmental
impact statement is found to be inadequate, the responsible governmental unit shall have
has 60 days to prepare an adequate environmental impact statement.

(k) The proposer of a specific action may include in the information submitted to the
responsible governmental unit a preliminary draft environmental impact statement under
this section on that action for review, modification, and determination of completeness and
adequacy by the responsible governmental unit. A preliminary draft environmental impact
statement prepared by the project proposer and submitted to the responsible governmental
unit shall identify or include as an appendix all studies and other sources of information
used to substantiate the analysis contained in the preliminary draft environmental impact
statement. The responsible governmental unit shall require additional studies, if needed,
and obtain from the project proposer all additional studies and information necessary for
the responsible governmental unit to perform its responsibility to review, modify, and
determine the completeness and adequacy of the environmental impact statement.
Sec. 130. Minnesota Statutes 2018, section 216G.01, subdivision 3, is amended to read:

Subd. 3. Pipeline. "Pipeline" means a pipeline owned or operated by a condemning authority, as defined in section 117.025, subdivision 4, located in this state which is used to transport natural or synthetic gas at a pressure of more than 90 pounds per square inch, or to transport crude petroleum or petroleum fuels or oil or their derivatives, coal, anhydrous ammonia or any mineral slurry to a distribution center or storage facility which is located within or outside of this state. "Pipeline" does not include a pipeline owned or operated by a natural gas public utility as defined in section 216B.02, subdivision 4.

Sec. 131. Minnesota Statutes 2018, section 282.01, subdivision 4, is amended to read:

Subd. 4. Sale; method; requirements; effects. (a) The sale authorized under subdivision 3 must be conducted by the county auditor at the county seat of the county in which the parcels lie, except that in St. Louis and Koochiching Counties, the sale may be conducted in any designated facility within the county. The sale must not be for less than the appraised value except as provided in subdivision 7a. The parcels must be sold for cash only, unless the county board of the county has adopted a resolution providing for their sale on terms, in which event the resolution controls with respect to the sale. When the sale is made on terms other than for cash only (1) a payment of at least ten percent of the purchase price must be made at the time of purchase, and the balance must be paid in no more than ten equal annual installments, or (2) the payments must be made in accordance with county board policy, but in no event may the board require more than 12 installments annually, and the contract term must not be for more than ten years. Standing timber or timber products must not be removed from these lands until an amount equal to the appraised value of all standing timber or timber products on the lands at the time of purchase has been paid by the purchaser. If a parcel of land bearing standing timber or timber products is sold at public auction for more than the appraised value, the amount bid in excess of the appraised value must be allocated between the land and the timber in proportion to their respective appraised values. In that case, standing timber or timber products must not be removed from the land until the amount of the excess bid allocated to timber or timber products has been paid in addition to the appraised value of the land. The purchaser is entitled to immediate possession, subject to the provisions of any existing valid lease made in behalf of the state.

(b) For sales occurring on or after July 1, 1982, the unpaid balance of the purchase price is subject to interest at the rate determined pursuant to section 549.09. The unpaid balance of the purchase price for sales occurring after December 31, 1990, is subject to interest at the rate determined in section 279.03, subdivision 1a. The interest rate is subject to change.
each year on the unpaid balance in the manner provided for rate changes in section 549.09
or 279.03, subdivision 1a, whichever, is applicable. Interest on the unpaid contract balance
on sales occurring before July 1, 1982, is payable at the rate applicable to the sale at the
time that the sale occurred.

(c) Notwithstanding subdivision 7, a county board may by resolution provide for the
listing and sale of individual parcels by other means, including through a real estate broker.
However, if the buyer under this paragraph could have repurchased a parcel of property
under section 282.012 or 282.241, that buyer may not purchase that same parcel of property
at the sale under this subdivision for a purchase price less than the sum of all taxes,
assessments, penalties, interest, and costs due at the time of forfeiture computed under
section 282.251, and any special assessments for improvements certified as of the date of
sale. This subdivision shall be liberally construed to encourage the sale and utilization of
tax-forfeited land in order to eliminate nuisances and dangerous conditions and to increase
compliance with land use ordinances.

Sec. 132. Laws 2012, chapter 236, section 28, subdivision 2, as amended by Laws 2016,
chapter 154, section 9, is amended to read:

Subd. 2. Method of sale. (a) The leaseholder of a leased parcel may purchase at private
sale the leased parcel and any other lands allocated to the parcel by the county under
subdivision 6 that is offered for sale under this section. The purchase price is the appraised
value of the land under subdivision 3 exclusive of improvements on it. To purchase a parcel,
a leaseholder must pay in cash to the county an amount equal to the appraised value of the
land within 180 days from the date of mailing to or service of notice of appraised value to
the leaseholder by the county. The 180-day period runs from the date of mailing of a copy
of the appraisal to the leaseholder at the address shown upon the most recent lease agreement
between the parties, exclusive of the date of mailing or service. The county may use any
alternative method of notice under the Minnesota Rules of Civil Procedure for the service
of a summons and complaint.

(b) If the leaseholder does not purchase the parcel so offered, the county may offer the
lands for sale under the provisions of Minnesota Statutes, section 282.01, subdivision 7. If
a person other than the leaseholder purchases the parcel, the purchaser must make payment
in full to the leaseholder in the manner provided in Minnesota Statutes, section 92.06,
subdivision 4, for the value of any improvements as determined under subdivision 3 or for
the value of any improvements as determined through negotiations.
(c) Failure of a purchaser to comply with the terms of payment voids the sale and the property may be reoffered for sale.

Sec. 133. Laws 2012, chapter 236, section 28, subdivision 9, as amended by Laws 2016, chapter 154, section 11, is amended to read:

Subd. 9. **Sunset.** This section expires seven ten years after the effective date.

Sec. 134. Laws 2013, chapter 114, article 4, section 105, as amended by Laws 2017, chapter 93, article 2, section 148, is amended to read:

Sec. 105. **RULES; SILICA SAND.**

(a) The commissioner of the Pollution Control Agency may adopt rules pertaining to the control of particulate emissions from silica sand projects. The rulemaking is exempt from Minnesota Statutes, section 14.125.

(b) The commissioner of natural resources shall adopt rules develop a model ordinance pertaining to the reclamation of silica sand mines. The rulemaking is exempt from Minnesota Statutes, section 14.125. Commissioner shall publish the model ordinance in the State Register.

(c) By January 1, 2014, the Department of Health shall adopt an air quality health-based value for silica sand.

(d) The Environmental Quality Board may amend its rules for environmental review, adopted under Minnesota Statutes, chapter 116D, for silica sand mining and processing to take into account the increased activity in the state and concerns over the size of specific operations. The Environmental Quality Board shall consider whether the requirements of Minnesota Statutes, section 116C.991, should remain part of the environmental review requirements for silica sand and whether the requirements should be different for different geographic areas of the state. The rulemaking is exempt from Minnesota Statutes, section 14.125.

Sec. 135. Laws 2017, chapter 93, article 2, section 155, as amended by Laws 2018, chapter 186, section 7, is amended to read:

Sec. 155. **SAND DUNES STATE FOREST MANAGEMENT.**

Subdivision 1. **Forest management.** When managing the Sand Dunes State Forest, the commissioner of natural resources must:
171.1 (1) not convert additional land to oak savanna or convert oak savanna to nonforest land
171.2 unless it is done as a result of a contract entered into before the effective date of this section
171.3 not convert land within the forest to nonforest land and shall, to the extent practicable,
171.4 manage the forest to maximize forest cover and forest habitats. Forest stands must consist
171.5 of multiple ages and multiple species to maximize forest health and resiliency;
171.6 (2) manage rare features by focusing on species associated with forest habitats, wetlands,
171.7 and small forest openings;
171.8 (2) (3) require all prairie seeds planted to be from native species of a local ecotype to
171.9 Sherburne or Benton County; and
171.10 (2) (4) comply with the Minnesota Forest Resources Council's guidelines for aesthetics
171.11 in residential areas.
171.12 Subd. 2. Prescribed burns; notification. At least 40 days before conducting a prescribed
171.13 burn, the commissioner must:
171.14 (1) publish a notice in a newspaper of general circulation in the area;
171.15 (2) notify the county and township in writing; and
171.16 (3) notify residents within a quarter mile of the prescribed burn in writing.
171.17 Subd. 3. School trust lands. Nothing in this section restricts the ability of the
171.18 commissioner or the school trust lands director from managing school trust lands within
171.19 the Sand Dunes State Forest for long-term economic return.
171.20 Subd. 4. Township road. If the commissioner of natural resources finds that any portion
171.21 of 233rd Avenue within the Sand Dunes State Forest is not owned by the township, the
171.22 commissioner must convey an easement over and across state-owned lands administered
171.23 by the commissioner to the township under Minnesota Statutes, section 84.63, for the width
171.24 of 233rd Avenue. Notwithstanding the fee and market value payment requirements in
171.25 Minnesota Statutes, section 84.63, the commissioner shall convey easements to the township
171.26 at no cost, for existing roads currently maintained by the township across state-owned land
171.27 administered by the commissioner, located in Township 34N, Range 27W, Sections 15, 17,
171.28 20, 29, and 35 of Sherburne County, if the township lacks easements for the roads. In
171.29 addition, notwithstanding the fee and market value payment requirements in Minnesota
171.30 Statutes, section 84.63, the commissioner shall convey an easement to the township at no
171.31 cost for the existing road maintained by the township in the Northeast Quarter of the
171.32 Southeast Quarter, Section 36, Township 34N, Range 27W, Sherburne County, if the
township lacks an easement for such road. The commissioner may make necessary changes to the legal description to correct errors and ensure accuracy.

Subd. 4a. Annual meetings. The commissioner of natural resources must hold annual meetings with local residents, stakeholders, and interested parties, including the school trust lands director, to discuss upcoming plans for Sand Dunes State Forest. The meetings must be informative and elicit input on proposed actions, including management options for school trust lands located within the boundaries of Sand Dunes State Forest.

Subd. 5. Sunset. This section expires two years from the day following final enactment January 1, 2025.

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

Sec. 136. ADDITION TO STATE PARK.

[85.012] [Subd. 23a.] Glendalough State Park, Otter Tail County. The following areas are added to Glendalough State Park, Otter Tail County:

(1) Government Lot 2, Section 12, Township 133 North, Range 40 West, Otter Tail County, Minnesota, subject to an existing conservation easement; and

(2) the West Half of the Southeast Quarter and Government Lots 2 and 3, Section 11, Township 133 North, Range 40 West, Otter Tail County, Minnesota, except that part of said Government Lot 2 platted as Walvatne Addition. Subject to an existing conservation easement.

Sec. 137. DELETION FROM STATE PARK.

[85.012] [Subd. 49.] St. Croix State Park, Pine County. The following area is deleted from St. Croix State Park, Pine County: that part of the North Half of the Northwest Quarter of Section 29 and that part of the Northeast Quarter of the Northeast Quarter of Section 30, Township 41 North, Range 17 West, Pine County, Minnesota, lying north of County Road 48.

Sec. 138. PRIVATE SALE OF SURPLUS STATE LAND BORDERING PUBLIC WATER; CARLTON COUNTY.

(a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the commissioner of natural resources may sell by private sale the surplus land bordering public water that is described in paragraph (c).
(b) The commissioner may make necessary changes to the legal description to correct
time errors and ensure accuracy.

(c) The land that may be sold is located in Carlton County and is described as:
Government Lot 6, Section 1, Township 48 North, Range 19 West.

(d) The land borders Perch Lake and is not contiguous to other state lands. The
Department of Natural Resources has determined that the land is not needed for natural
resource purposes and that the state's land management interests would be best served if
the land were sold to a federally recognized Indian tribe for land consolidation purposes.

Sec. 139. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC
WATER; CASS COUNTY.

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

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

(c) The land that may be sold is located in Cass County and is described as: Lot 7, Block
1, Dell's Sleepy Hollow, located in Section 22, Township 140 North, Range 29 West.

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

Sec. 140. PRIVATE SALE OF SURPLUS LAND BORDERING PUBLIC WATER;
HUBBARD COUNTY.

(a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the
commissioner of natural resources may sell by private sale the surplus lands bordering
public water that is described in paragraph (c) to Hubbard County for no consideration.

(b) The commissioner may make necessary changes to the legal descriptions to correct
time errors and ensure accuracy.

(c) The lands that may be conveyed are located in Hubbard County and are described
as:
(1) the East 285.00 feet of the West 660.00 feet of Government Lot 4 of Section 27, Township 141 North, Range 34 West. Including all riparian rights to the contained 2.3 acres, more or less; and

(2) that part of Government Lot 2 of Section 34, Township 141 North, Range 34 West, described as follows:

Commencing at the northwest corner of said Government Lot 2; thence South 89 degrees 27 minutes 15 seconds East, bearing assumed, along the north line of said Section 34 a distance of 375.18 feet to the point of beginning; thence continuing South 89 degrees 27 minutes 15 seconds East along said north line a distance of 285.13 feet; thence South 02 degrees 01 minutes 46 seconds East along a line parallel with and 660.00 feet from the west line of said Government Lot 2 a distance of 77.98 feet; thence North 88 degrees 02 degrees 01 minutes 46 seconds East along a line parallel with and 660.00 feet west of a previously established survey line a distance of 550.00 feet would intersect an angle iron previously used as the northeast corner of said Government Lot 2; thence South 01 degrees 45 minutes 12 seconds 650.18 feet to the boundary line as established by that certain agreement between Richard Dusbabek and Jean Dusbabek, husband and wife, and Donald S. Olson and Betty Jane Olson, husband and wife, and filed for record on May 10, 1982, in the office of the county recorder in Book 146 of Deeds, page 806; thence South 88 degrees 12 minutes 12 seconds West along said boundary line a distance of 179.39 feet; thence North 12 degrees 07 minutes 46 seconds West a distance of 663.07 feet; thence North 32 degrees 35 minutes 05 seconds West a distance of 101.91 feet to the point of beginning; containing 4.1 acres.

(d) The lands border Big Sand Lake. The Department of Natural Resources has determined that the lands are not needed for natural resource purposes and that the state's land management interests would best be served if the lands were conveyed to Hubbard County.

Sec. 141. PRIVATE SALE OF TAX-FORFEITED LAND; ITASCA COUNTY.

(a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or other law to the contrary, Itasca County may sell by private sale the tax-forfeited land described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make changes to the land description to correct errors and ensure accuracy.
(c) The land to be sold is located in Itasca County and is described as: the East 660 feet of the West 990 feet of the South 660 feet of the Southwest Quarter of the Southeast Quarter, Section 7, Township 55 North, Range 24 West.

(d) The county has determined that the county's land management interests would best be served if the lands were used for a new broadcast tower, transmitter, and transmission building.

Sec. 142. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC WATER; KANABEC COUNTY.

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

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

(c) The land that may be sold is located in Kanabec County and is described as: that part of the West 200 feet of the Northwest Quarter of Section 13, Township 42 North, Range 23 West, Kanabec County, Minnesota, lying northerly of the centerline of the Snake River.

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

Sec. 143. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC WATER; OTTER TAIL COUNTY.

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

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

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

Lots 25, 26, and 27 in Block 2 of Jackson and Mckee's Addition, according to the plat thereof, on file and of record in the Office of the Recorder, Otter Tail County, Minnesota, less and except that part of said Lot 27 in Block 2 of Jackson and Mckee's Addition, Otter
Tail County, Minnesota, South of the line between Government Lots 2 and 3, Section 14, Township 136, Range 38.

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

Sec. 144. CONVEYANCE OF STATE LAND; STEARNS COUNTY.

(a) Notwithstanding Minnesota Statutes, section 222.63, or any other law to the contrary, the commissioner of transportation may convey and quitclaim to a private party all right, title, and interest of the state of Minnesota, in the land described in paragraph (e).

(b) The conveyance may take place only upon conditions determined by the commissioner or transportation and is not subject to restrictions on disposition, sale, lease, or otherwise contained in Minnesota Statutes, section 222.63.

(c) The consideration for a conveyance made under this section shall be the fair market value of the land conveyed hereunder. Proceeds from the sale of real estate or buildings under this section shall be deposited in the rail bank maintenance account established in Minnesota Statutes, section 222.63, subdivision 8.

(d) The conveyance may reduce the width of the rail bank corridor to less than 100 feet, provided the conveyance does not reduce the width of the rail bank corridor to less than ten feet.

(e) The land to be conveyed is located in Stearns County and is described as:

That part of Tract A described below:

Tract A. Outlot "A," Railroad Ridge, according to the plat thereof on file and of record in the Office of the County Recorder in and for Stearns County, Minnesota; which lies northerly of a line run parallel with and distant 33 feet southerly of the northerly line of said Outlot "A" and westerly of the southerly extension of westerly right of way line of 5th Street as shown on said Railroad Ridge; together with that part of Tract A, herein before described, adjoining and southerly of the above described strip which lies northerly of a line run parallel with and distant 40 feet southerly of the northerly line of said Outlot "A" and westerly of the following described line: beginning at a point on the southerly line of said Outlot "A," distant 436.36 feet easterly of the southwest corner thereof; thence northerly at right angles from said southerly line for 50 feet and there terminating; containing 29,925 square feet, more or less.
EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 145. LEASE; TAX-FORFEITED LAND; ST. LOUIS COUNTY.

(a) Notwithstanding Minnesota Statutes, section 282.04, or other law to the contrary, St. Louis County may enter into a lease for the tax-forfeited lands described in paragraph (b) for consideration of more than $12,000 per year.

(b) The lands to be leased are located in St. Louis County and are described as:

(1) a 10.0-acre site in the Southeast Quarter, Section 15, Township 56 North, Range 17 West, to be used for a telecommunications tower and a 33-foot-wide strip of land, 16.5 feet on either side of the centerline in the Southeast Quarter, Section 15, and in the Southwest Quarter, Section 14, Township 56 North, Range 17 West, to be used for an access road to the tower site; and

(2) a 10.0-acre site in the West Half, Section 32, Township 60 North, Range 21 West, to be used for a telecommunications tower and a 33-foot-wide strip of land, 16.5 feet on either side of the centerline in the West Half, Section 32, Township 60 North, Range 21 West, to be used for an access road to the tower site.

Sec. 146. ACCESS TO TIMBER ON TAX-FORFEITED LAND; ST. LOUIS COUNTY.

(a) Notwithstanding Minnesota Statutes, section 160.83, or other law to the contrary, St. Louis County or its agents or assigns may operate vehicles used for timber harvesting and hauling or for transporting equipment and appurtenances incidental to timber harvesting, gravel, and other road-building materials for timber haul roads on designated rustic roads to access tax-forfeited lands for sustainable forest management.

(b) The tax-forfeited lands to be accessed are located in St. Louis County in Sections 26, 27, and 35, Township 53 North, Range 12 West.

(c) The rustic roads used for forest management must be immediately repaired if damaged and must be maintained in their preharvest condition.

(d) The county has determined that the county's sustainable forest management responsibilities would best be served by using existing public roads to access tax-forfeited land rather than building new roads.
Sec. 147. PRIVATE SALE OF TAX-FORFEITED LAND; ST. LOUIS COUNTY.

(a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or other law to the contrary, St. Louis County may sell by private sale the tax-forfeited lands described in paragraph (c).

(b) The conveyances must be in a form approved by the attorney general. The attorney general may make changes to the land descriptions to correct errors and ensure accuracy.

(c) The lands to be sold are located in St. Louis County and are described as:

(1) that part of the Southwest Quarter of the Southwest Quarter lying North of Norton Road and West of Howard Gniesen Road, except the easterly 95 feet of the westerly 890 feet and except the westerly 300 feet, Section 3, Township 50, Range 14 (parcel identification number 010-2710-00549);

(2) Lot 5, except the northerly three feet and except the southerly ten feet, West Duluth Fifth Division, Section 7, Township 49, Range 14 (parcel identification number 010-4510-06740);

(3) the Southeast Quarter of the Northeast Quarter, except 4.24 acres for the highway and except the part platted as Clayton Acres and except the highway right-of-way and except 6.44 acres of the adjacent plat and except the part North of Highway 169, Section 28, Township 57, Range 21 (parcel identification number 141-0050-05470);

(4) that part of the West 420 feet of the Southeast Quarter of the Northwest Quarter lying South of the northerly line of Government Lot 6, except that part beginning at the southwest corner; thence easterly along the southerly boundary 420 feet to a point; thence northerly and parallel with the westerly boundary of said Southeast Quarter of the Northwest Quarter 177.95 feet to a point; thence North 67 degrees 38 minutes 35 seconds West to a point on the westerly boundary of said Southeast Quarter of the Northwest Quarter; thence southerly along said westerly boundary approximately 364.12 feet to the point of beginning, Section 26, Township 57, Range 18 (parcel identification number 295-0017-00326);

(5) the South Half of the Northeast Quarter, Section 15, Township 56, Range 18 (parcel identification number 435-0010-02590);

(6) part of the East 400 feet of the Southeast Quarter, Section 14, Township 63, Range 12 (part of parcel identification number 465-0020-01965);

(7) part of the Northeast Quarter of the Southwest Quarter, Lots 2 and 3, Section 20, Township 54, Range 13 (part of parcel identification number 620-0010-03130); and
Sec. 148. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC WATER; WABASHA COUNTY.

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

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

(c) The land that may be sold is located in Wabasha County and is described as: Lot 4, Section 8, Township 109, Range 12, lying and being in the county of Wabasha, State of Minnesota.

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

Sec. 149. PRIVATE SALE OF SURPLUS STATE LAND BORDERING PUBLIC WATER; YELLOW MEDICINE COUNTY.

(a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the commissioner of natural resources may sell by private sale the surplus land bordering public water that is described in paragraph (c) to the United States for no consideration.

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

(c) The land that may be sold is located in Yellow Medicine County and is described as: the South 33.00 feet of the Northwest Quarter of the Northwest Quarter and that part of Government Lot 1, Section 22, Township 114 North, Range 41 West, Yellow Medicine County, Minnesota, described as follows:

Beginning at the southwest corner of said Government Lot 1; thence on an assumed bearing of North 01 degrees 09 minutes 07 seconds West along the west line of said
Government Lot 1 a distance of 33.00 feet; thence North 89 degrees 42 minutes 02
seconds East parallel with the south line of said Government Lot 1 a distance of 150.00
feet; thence North 00 degrees 17 minutes 58 seconds West 267.00 feet; thence North 89
degrees 42 minutes 02 seconds East 754 feet more or less, to the water's edge of Spellman
Lake; thence southwesterly along said water's edge 760 feet, more or less, to the south
line of said Government Lot 1; thence South 89 degrees 42 minutes 02 seconds West
along the south line of said Government Lot 1 a distance of 288 feet, more or less, to
the point of beginning; including all riparian rights to the contained 4.1 acres, more or
less.

(d) The land borders Spellman Lake and is not contiguous to other state lands but is
adjacent to a waterfowl production area. The Department of Natural Resources has
determined that the land would best be managed by the United States Fish and Wildlife
Services as part of a waterfowl production area.

Sec. 150. APPLICATION OF STORM WATER RULES TO TOWNSHIPS.

Until the Pollution Control Agency amends rules for storm water, Minnesota Rules, part
7090.1010, subpart 1, item B, subitem (1), only applies to the portions of a city, town, and
unorganized areas of counties that are designated as urbanized under Code of Federal
Regulations, title 40, section 122.26(2)(9)(i)(A), and other platted areas within that
jurisdiction.

Sec. 151. REINVEST IN FISH HATCHERIES CITIZEN-LEGISLATIVE

ADVISORY GROUP.

Subdivision 1. Advisory group established; duties. (a) A 12-member Reinvest in Fish
Hatcheries Citizen-Legislative Advisory Group is created to study the status of Minnesota's
fish hatchery system, the commissioner of natural resources' programs on stocking walleye
and other fish, and natural fish reproduction.

(b) The advisory group must study the public priorities and life cycle of Minnesota's
fish hatchery system and a cost-benefit analysis, consider issues of accountability and
transparency, and examine reviews and analyses of:

(1) the economics of Minnesota's fish- and angling-related activities and the tax revenue
to the state's general fund;

(2) any Department of Natural Resources surveys and polling of Minnesota angler
priorities;
(3) past and present fisheries long-range plans, legislative auditor reports, and other fisheries plans; and

(4) the status of the following proposed, closed, and currently operating Minnesota fish hatchery systems: Lanesboro, Crystal Springs, Bemidji, Brainerd, Detroit Lakes, French River, Glenwood, Grand Rapids, New London, Park Rapids, Peterson, Pike River, Spire Valley, St. Paul, Walker Lake, and Waterville.

The advisory group must prepare a plan and select fish hatchery sites for on-site visits and reviews.

The advisory group must implement an action plan, develop priorities for fish hatcheries, and review and recommend priorities of species for fish stocking to maximize statewide opportunities for angling.

The advisory group must study alternatives to current fish hatchery stocking, including private-sector stocking vendors.

Subd. 2. Consultation required. (a) The advisory group must consult with advisory committees of the commissioner of natural resources, game and fish oversight committees, and fishery-related interests, including but not limited to counties, lake associations, small businesses, resort owners, guides, and other industry-related interests.

(b) In developing recommendations, the advisory group must consult with the commissioner of natural resources, experts in managing a fishery, and affected stakeholders.

Subd. 3. Membership; appointments. (a) The Reinvest in Fish Hatcheries Citizen-Legislative Advisory Group has the following 12 members:

(1) the chair of the house of representatives Environment and Natural Resources Finance Division or a designee; a minority member of the Environment and Natural Resources Finance Division appointed by the minority leader of the house of representatives; two public members appointed by the speaker of the house; and two public members appointed by the minority leader of the house of representatives; and

(2) the chair of the senate Environment and Natural Resources Finance Committee or a designee; a minority member of the Environment and Natural Resources Finance Committee appointed by the minority leader of the senate; two public members appointed by the majority leader of the senate; and two public members appointed by the minority leader of the senate.

(b) Appointments to the advisory group must be made by November 1, 2019. If a vacancy occurs, the leader of the caucus in the body that appointed the vacating member or to which the member belonged must fill the vacancy.
Subd. 4. **Meetings; staff assistance.** (a) The chair of the senate committee with jurisdiction over environment and natural resources finance must convene the first meeting of the Reinvest in Fish Hatcheries Citizen-Legislative Advisory Group by December 15, 2019. The advisory group must elect cochairs, one who is a legislator and one who is a public member, from among the members at the first meeting. The authority to convene meetings shall alternate between the cochairs after each meeting. The Reinvest in Fish Hatcheries Citizen-Legislative Advisory Group must meet periodically.

(b) The Legislative Coordinating Commission must provide technical and administrative assistance to the advisory group upon request.

Subd. 5. **Compensation and expense reimbursement.** Public members of the advisory group shall be compensated and reimbursed for expenses as provided in Minnesota Statutes, section 15.059, subdivision 3.

Subd. 6. **Open meetings.** Meetings of the advisory group are subject to Minnesota Statutes, section 3.055.

Subd. 7. **Report to legislature.** The Reinvest in Fish Hatcheries Citizen-Legislative Advisory Group must submit a report to the chairs and ranking minority members of the legislative committees with jurisdiction over environment and natural resources policy and finance no later than January 31, 2021, describing its work and recommendations. The advisory group is encouraged to identify and include in the report any draft legislation, including statutory changes and appropriations from any fund, needed to implement the advisory group's recommendations.

Subd. 8. **Expiration.** This section expires June 30, 2021.

Sec. 152. **NO NEW ANTLER POINT RESTRICTIONS.**

The commissioner of natural resources may not impose an antler point restriction, other than that imposed by the definition of a "legal buck" in Minnesota Rules, part 6232.0200, subpart 6, unless the legislature approves the antler point restriction.

Sec. 153. **REDUCING APPROPRIATIONS FOR UNFILLED POSITIONS.**

Subdivision 1. **Reduction required.** The commissioner of management and budget must reduce general fund and nongeneral fund appropriations to the Department of Natural Resources, the Pollution Control Agency, and the Board of Water and Soil Resources for agency operations for the biennium ending June 30, 2021, for salary and benefits savings that result from any positions that have not been filled within 180 days of the posting of the
position. This section applies only to positions that are posted in fiscal years 2019, 2020, and 2021. Reductions made under this section must be reflected as reductions in agency base budgets for fiscal years 2022 and 2023. This section does not apply to seasonal employees and any positions that require law enforcement training.

Subd. 2. Reporting. The commissioner of management and budget must report to the chairs and ranking minority members of the senate and the house of representatives environment finance committees regarding the amount of reductions in spending by each agency under this section.

Sec. 154. WETLAND REPLACEMENT; FRAMEWORKS FOR IN-LIEU FEE PROGRAM.

The Board of Water and Soil Resources, in cooperation with the United States Army Corps of Engineers, may complete the planning frameworks and other program application requirements necessary for federal approval of an in-lieu fee program, as authorized under Minnesota Statutes, section 103G.2242, in the Red River basin and the greater than 80 percent area. The planning frameworks must contain a prioritization strategy for selecting and implementing mitigation activities based on a watershed approach that includes consideration of historic resource loss within watersheds and the extent to which mitigation can address priority watershed needs. The board must consider the recommendations of the report "Siting of Wetland Mitigation in Northeast Minnesota," dated March 7, 2014, and implementation of Minnesota Statutes, section 103B.3355, paragraphs (e) and (f), in developing proposed planning frameworks for applicable watersheds. When completing the work and pursuing approval of an in-lieu fee program, the board must do so consistent with the applicable requirements, stakeholder and agency review processes, and approval time frames in Code of Federal Regulations, title 33, part 332. Upon receiving federal approval, the board must submit any completed planning frameworks to the chairs and ranking minority members of the house of representatives and senate committees and divisions with jurisdiction over environment and natural resources.

Sec. 155. FIRST APPOINTMENTS AND FIRST MEETING FOR THE WILD RICE STEWARDSHIP COUNCIL.

Appointing authorities must make appointments to the Wild Rice Stewardship Council under Minnesota Statutes, section 84.1511, by September 1, 2019. The commissioner of natural resources shall convene the first meeting by October 15, 2019. The council shall select a chair at the first meeting.
Sec. 156. HILL-ANNEX MINE STATE PARK; MANAGEMENT AND OPERATION.

(a) The commissioner of natural resources must operate the Hill-Annex Mine State Park for the purposes it was established through June 30, 2021, and must during that time maintain at fiscal year 2016 levels, the level of service and hours of operation at the park. The commissioner must work with the group established under Laws 2017, chapter 93, article 2, section 156, to review park activities and the alternate operating model developed and identify options for sustainable and viable operation of the park site. The commissioner must submit recommendations to the chairs and ranking minority members of the house of representatives and senate committees and divisions with jurisdiction over the environment and natural resources by January 15, 2021.

(b) The commissioner of natural resources must work with the city of Calumet, other neighboring cities and townships, and other local units of government to identify and coordinate volunteers to supplement the Department of Natural Resources’ park operations to the extent allowable under state law and rules.

Sec. 157. AGGREGATE RECLAMATION GUIDANCE.

The commissioner of natural resources shall update the Department of Natural Resources aggregate reclamation handbook as recommended by the Aggregate Resources Task Force Final Report dated January 15, 2018.

Sec. 158. SOLAR GENERATION ON CLOSED LANDFILL PROPERTIES; STUDY.

(a) The Environmental Quality Board may contract with one or more independent consultants to conduct a study on the feasibility of locating solar photovoltaic devices on land that is enrolled in the Pollution Control Agency's closed landfill program established under Minnesota Statutes, section 115B.39 to 115B.445. The board, in collaboration with the Pollution Control Agency and the consultants, must create a subset of approximately two dozen closed landfill project sites displaying a variety of relevant legal and physical characteristics to be analyzed. For each site, the study must:

(1) examine the legal status of the site and any constraints that may prohibit or limit the installation of privately owned solar photovoltaic devices on the site as a result of law or the use of specific funding mechanisms to acquire or remediate the properties, including:

(i) general obligation bonds;

(ii) revenue from the remediation fund established in Minnesota Statutes, section 116.155; and
(iii) settlements from landfill-related insurance coverage;

(2) assess any other tax or financial barriers to the installation of solar photovoltaic devices on closed landfill properties;

(3) develop and evaluate strategies to overcome any barriers to the installation of solar photovoltaic devices identified in clauses (1) and (2);

(4) evaluate the extent to which the physical characteristics of the landfill and the contained waste may restrict the siting of solar photovoltaic devices and associated equipment;

(5) assess the potential and logistics for solar energy generation, including but not limited to:

   (i) solar insolation potential;

   (ii) proximity to substations; and

   (iii) proximity of the electricity generated to potential consumers, including public agencies, low-income communities, and areas where environmental justice concerns are present;

(6) describe the regulatory processes of local units of government that must issue approvals and permits for the project, in order to develop a successful strategy to obtain local approvals and permits; and

(7) develop a cost-benefit analysis of installing solar photovoltaic devices whose generated electricity is to be consumed by the adjacent community.

(b) By January 15, 2021, the Environmental Quality Board must submit the study containing findings and recommendations for subsequent action to the chairs and ranking minority members of the senate and house of representatives committees with primary jurisdiction over energy policy and finance.

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

Sec. 159. GRANT PROGRAM; FIREARMS SAFETY, ARCHERY, HUNTING, AND ANGLING IN SCHOOL PHYSICAL EDUCATION COURSES.

Subdivision 1. Program. (a) The commissioner of natural resources must create a grant program to increase firearms safety, trap shooting, archery, hunting, and angling activities in physical education courses in Minnesota school districts. A school must ensure that
activities funded under the program are consistent with required state standards for physical education.

(b) In developing the program, the commissioner must consult with members from each of the following groups: Leech Lake Band, Minnesota Chippewa Tribe; Red Lake Band of Chippewa Indians; Lower Sioux Indian Reservation; Prairie Island Sioux Indian Reservation; Shakopee Mdewakanton Sioux Indian Reservation; and Upper Sioux Indian Reservation. As practicable, the commissioner must incorporate recommendations from these groups in the grant program design.

Subd. 2. Eligibility. (a) A school district or American Indian-controlled tribal contract or grant school may apply to the commissioner of natural resources to participate in the program in the form and manner determined by the commissioner.

(b) The commissioner must seek geographic balance among schools selected for participation.

Subd. 3. Report. No later than January 15, 2021, the commissioner must report on program outcomes to the chairs and ranking minority members of the house of representatives and senate committees with jurisdiction over education and natural resources policy and finance. The report must be in writing.

Sec. 160. GRANTS FOR HIGH-SCHOOL FISHING LEAGUES; BASIC ANGLING CURRICULUM.

Subdivision 1. Grant program; high-school fishing leagues. The commissioner of natural resources must establish and administer a program to provide grants to nonprofit organizations operating fishing leagues for high schools to develop, expand, and increase youth participation in fishing leagues for high schools.

Subd. 2. Developing basic angling curriculum. The commissioner of natural resources must develop a basic angling curriculum that includes basic fishing techniques and information about aquatic invasive species, tournament etiquette, conservation, water safety, and related matters. The commissioner must make the basic angling curriculum available without cost to nonprofit organizations operating fishing leagues for high schools.

Sec. 161. STAMP DESIGN; RULE AMENDMENT.

The commissioner of natural resources shall amend Minnesota Rules, part 6290.0400, subpart 3, to:

(1) allow a contest entry to be created using nonphotographic digital media; and
(2) require a person submitting a contest entry to list all media used in the creation of the entry.

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

Sec. 162. WRIGHT REGIONAL WATER-RELATED EQUIPMENT INSPECTION PROGRAM.

By July 1, 2019, the Department of Natural Resources shall approve the expansion of the Wright County regional inspection pilot program to include nine lakes.

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

Sec. 163. REVISOR INSTRUCTION.

The revisor of statutes must change the reference in Minnesota Statutes, sections 127A.30, subdivision 2, and 287.22 from "section 92.121" to "section 92.122."

Sec. 164. REVISOR INSTRUCTION.

The revisor of statutes must change the reference in Minnesota Statutes, section 446A.073, subdivision 1, from "section 115.03, subdivision 1, paragraph (e), clause (8)" to "section 115.03, subdivision 1, paragraph (a), clause (5), item (viii)" and in Minnesota Statutes, section 446A.073, subdivision 2, from "section 115.03, subdivision 1, paragraph (f)" to "section 115.03, subdivision 1, paragraph (a), clause (6)."

Sec. 165. REPEALER.

(a) Minnesota Statutes 2018, section 92.121, is repealed.

(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.