

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

S.F. No. 4052

(SENATE AUTHORS: TOMASSONI and Bakk)

DATE
03/16/2022

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OFFICIAL STATUS
Introduction and first reading
Referred to Environment and Natural Resources Finance

1.1 A bill for an act
1.2 relating to natural resources; appropriating money for the Canisteo Flood Mitigation
1.3 Project to mitigate threats to public safety, property, and regional water quality.

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

1.5 Section 1. CANISTEO OPEN PIT MINE COMPLEX; APPROPRIATION.

1.6 (a) \$6,350,000 in fiscal year 2023 is appropriated from the general fund to the
1.7 commissioner of natural resources for acquiring land or easements and for permitting and
1.8 constructing publicly owned infrastructure to mitigate the imminent threat to public safety,
1.9 property, and regional water quality from the rising water at the Canisteo open pit mine
1.10 complex. Of this amount, \$850,000 is for operation and maintenance and is available until
1.11 June 30, 2063. This is a onetime appropriation.

1.12 (b) The commissioner must enter into a lease for this project for a term that is consistent
1.13 with meeting project needs and Minnesota Statutes, section 16A.695. A lease entered into
1.14 under this section must include a provision that provides for the amendment or termination
1.15 of the lease when:

1.16 (1) the commissioner of natural resources determines that the project is no longer needed
1.17 to serve the intended purpose or identifies a more effective alternative to the constructed
1.18 project; or

1.19 (2) mining operations are fully permitted to resume in all or part of the property acquired
1.20 or improved with state bond proceeds, consistent with Minnesota Statutes, section 16A.695.

1.21 (c) Upon substantial completion of the project authorized in this section and after written
1.22 notice to the commissioner of management and budget, the commissioner of natural resources

- 2.1 must use any money remaining in this appropriation to engineer, design, and construct water
- 2.2 mitigation infrastructure at the Hill Annex open pit mining complex.