

S.F. No. 814, 1st Engrossment – Environment Policy Omnibus Bill (Delete Everything Amendment)

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Section 1 [Investment of Financial Assurance Money Under Permit to Mine] allows the State Board of Investment to invest money collected as part of the financial assurance provided under a permit to mine and appropriates that money to the commissioner of natural resources for financial assurance purposes.

Section 2 [Certifiable Fish Disease Definition] amends the definition of a certifiable fish disease to include cases where an enumerated disease is expressed through clinical symptoms or through the presence of a disease pathogen.

Section 3 [Conforming Change] makes a statutory change to conform to the new VHS-susceptible species definitions in sections 6 and 7.

Section 4 [Emergency Fish Disease Definition] amends the definition of an emergency fish disease definition to include the presence of pathogens.

Section 5 [Fish Health Inspection] amends the requirements for wild fish inspection so that it includes a reference to the fact that such inspections also searching for pathogens.

Section 6 [VHS-Susceptible Species Definition] defines VHS-susceptible species as aquatic species that are natural hosts for viral hemorrhagic septicemia.

Section 7 [VHS-Susceptible Species List Definition] defines the VHS-susceptible species list as VHS-susceptible species listed in the Fish Health Blue Book that are found in or that can survive in the Great Lakes region.

Sections 8 through 15 [Conforming Changes] make statutory changes to conform to the new VHS-susceptible species definitions in sections 6 and 7.

Section 16 [Expedited Rulemaking for Mississippi River Corridor Critical Area] authorizes the Department of Natural Resources (DNR) to use expediting rulemaking to set the placement and boundaries of land use districts established in the Mississippi River Corridor Critical Area.

Section 17 [School Trust Land Reporting] changes the reporting frequency on the management of school trust lands from biannually (twice yearly) to biennially (once each biennium).

Section 18 [Reimbursement of DNR Costs – Utility Licenses] requires an applicant for a license to permitting the passage of utilities over state lands or waters to reimburse the Department of Natural Resources (DNR) for certain costs associated with reviewing the application and issuing the license.

Section 19 [Conveyance of Conservation Easements] allows the DNR to convey conservation easements on state-owned land.

Section 20 [Easement Conveyance to Tribal Governments/Reimbursement of DNR Costs] allows the DNR to convey easements for trails, highways, or roads to federally recognized Indian tribes. Requires a state, federal, or tribal applicant for an easement on state-owned land to reimburse the DNR for certain costs associated with reviewing the application and issuing the easement.

Section 21 [Reimbursement of DNR Costs – Road Easements to Private Parties] requires private persons who apply for road easements over state-owned land to reimburse the DNR for certain costs associated with reviewing the application and issuing the easement.

Section 22 & 23 [Transporting Unregistered Snowmobiles] repeal prohibition on transportation of unregistered snowmobiles.

Section 24 [Definition of ATV] amends the definition of all-terrain vehicle to remove outdated references to low pressure or non-pneumatic tires.

Section 25 [Asset Preservation Activity Reporting Date] changes to March 1 from January 15 the date by which the commissioner of natural resources must submit to the commissioner of management and budget a list of projects paid for with money from a natural resource asset preservation and replacement appropriation during the preceding calendar year.

Section 26 [Revision of DNR AIS Plan] requires DNR to revise the state’s aquatic invasive species plan by December 31, 2021, and every ten years thereafter.

Section 27 [Repeal Invasive Carp Tagging Sunset] repeals sunset of authority for DNR to issue permits to tag and release invasive carp.

Section 28 [Repeal of Golf Course Authority] removes authority for the commissioner of natural resources to establish provisions for the improvement and maintenance of golf courses already established in state parks and for the charging of reasonable use fees.

Section 29 [State Park Statute Nomenclature] modernizes state park statute nomenclature.

Section 30 [Owner of Vehicle Responsible for State Park Permit] makes the owner of a vehicle entering a state park responsible for the permit.

Section 31 [State Park Open House Day Application to Overnight Guests] clarifies that on state park open house days, registered guests are exempt from state park permit requirements until camping or lodging check-out time the following day.

Section 32 [Appropriation of Cross-Country-Ski Account Money for Trails] statutorily appropriates money in the cross-country-ski account for developing and maintaining state cross-country-ski trails.

Section 33 [Riverlands State Forest] statutorily establishes Riverlands State Forest.

Section 34 [Reimbursement of DNR Costs – Leases of Forest Lands] requires applicants for leases of and permits on state forest lands to reimburse the DNR for certain costs associated with reviewing the application and issuing the lease.

Section 35 [Reimbursement of DNR Costs – Leases of Certain Lands] requires applicants for leases of state-owned land to remove sand, gravel, clay, rock, marl, peat, and black dirt; to store ore, waste materials from mines, or rock and tailings from ore milling plants; for roads or railroads; to compensate the permanent school fund according to section 92.122; or for other uses consistent with the interests of the state to reimburse the DNR for certain costs associated with reviewing the application and issuing the lease.

Section 36 [Monitoring Fee for Leased Recreational Trails] allows DNR to charge an easement construction monitoring fee to recreational trail lessees.

Section 37 [Conservation Planning Leases] authorizes DNR to lease state-owned land for 21 years for conservation planning purposes.

Section 38 [Minnow Definition Modification] expands the statutory definition of minnow to include members of the sucker family (Catostomidae) that are greater than 12 inches in length.

Section 39 [Conforming Change] makes a conforming change related to section 40.

Section 40 [DNR Regulation of Snake, Lizard, and Salamander Trade] directs the commissioner of natural resources to prescribe conditions and issue permits to breed, propagate, and sell snakes, lizards, and salamanders.

Section 41 [Minnow Dealer Violations] redefines minnow dealer convictions to be consistent with other game and fish violations.

Section 42 [Revocation of Hunting Privileges for Certain Violations] revokes hunting privileges for five years if night or thermal vision equipment was in possession during specific violations, including taking wild animals in closed season, closed hours, or while trespassing.

Section 43 [Red Lake Band Code Governs Taking of Animals on Reservation Lands] ensures that Red Lake Band's Conservation Code governs the taking and tagging of wild animals on Red Lake Reservation lands.

Section 44 [Crossbows Prohibited During Muzzleloader Deer Season] clarifies that crossbows may not be used during muzzleloader deer season.

Section 45 [Shooting at Decoys from Motor Vehicles] prohibits shooting a decoy of a wild animal placed by a peace officer by discharging a firearm or an arrow from a bow from a motor vehicle.

Section 46 [Blaze Orange/Pink Required for Persons in Ground Blinds] requires a person in a fabric or synthetic ground blind on public land during the open season where deer may be taken by firearms to have a blaze orange or blaze pink on top of the blind and on each side of the blind.

Section 47 [Infrared Illuminators] allows infrared illuminators to be used to enhance night vision equipment and prohibits night vision equipment from being used to take coyote or fox during the regular firearms deer season.

Section 48 [No New Antler Point Restrictions] prohibits new antler point restrictions.

Section 49 [Nuisance Bears] requires the DNR to issue permits for wildlife control operators to take nuisance bear by live tracking and relocation.

Section 50 [Repeal of Duck Decoy Prohibitions] repeals prohibition on using duck decoys during early duck season and at any time in WMAs. Instead, the commissioner of natural resources has authority to designate by rule all or any portion of a wetland or lake closed to the use of decoys.

Section 51 [Upper Red Lake Is a Special Management Water] defines Upper Red Lake as a special management water.

Section 52 [Repeal of Minnow Importation Ban] repeals a prohibition on importing minnows for release into public waters.

Section 53 [Conforming Change] makes statutory changes to conform to the new VHS-susceptible species definitions in sections 6 and 7.

Section 54 [Importation Permit; Minnow Health Requirements] authorizes a minnow dealer who has obtained a permit from the commissioner of natural resources (DNR) to import minnows into the state. Imposes various requirements related to the health of imported minnows. Enumerates information required to be made available to the DNR upon request.

Section 55 [Netting of Lake Whitefish and Cisco] limits the number of allowable nets for lake whitefish and cisco to one.

Section 56 [Lake Superior Management Plan] removes the Lake Superior Management Plan specific due date for reassessing annual quotas and replaces it with a requirement that the quotas be reassessed every 10 years.

Section 57 [Water Management Policy Coordination] requires coordination and cooperation with respect to water management policy between state, local, and regional, governments with authority over local water management, conservation, land use, and land management. Requires entrance into agreements to share resources where feasible.

Section 58 [Easement Stewardship Accounts Modifications] expands permissible uses of the water and soil conservation easement stewardship account the mitigation easement stewardship account and annually statutorily appropriates up to 25% of the balance in each for certain purposes.

Section 59 [SWCD Supervisor Compensation] raises SWCD supervisor maximum compensation from \$75 to \$125 per day.

Section 60 [Minnesota River Basin Water Quality and Storage Program] establishes a program to provide financial assistance to local units of government located in the Minnesota River basin to control water volume and rates for the purpose of protecting infrastructure and improving water quality and related public benefits.

Section 61 [Prohibition on Appropriating Water from Mt. Simon-Hinckley Aquifer] expands to all counties the prohibition on issuing water appropriations permits from the Mt. Simon-Hinckley aquifer. The exception for appropriations for potable water use under a water conservation plan remains in place.

Section 62 [Prohibition on Bulk Transfer of Water] prohibits DNR from issuing water appropriations permits for more than 1 million gallons per year for transfer or consumption more than 50 miles away from the point of appropriation.

Section 63 [Transfer of Water Use Permits] When a water use permit is transferred as part of the conveyance of real property, this section prohibits the Department of Natural Resources (DNR) from imposing additional conditions on the permit, reducing the amount of the appropriation, reducing the term, or requiring testing.

Section 64 [Analysis of Economic Impact of Water Appropriations Plans] requires DNR to provide estimates of the economic impact of any new restriction or policy on existing and future groundwater users and local governments before a water management plan for appropriating water is prepared.

Section 65 [Groundwater Management Area Plan Development] limits the types of information that may be disseminated about the development of a groundwater management area plan to information about meetings related to plan development and factual responses to public and media inquiries. Requires that economic impacts be identified and strategies to address them included in any groundwater management area plan.

Section 66 [Definition of Sustainable] defines “sustainable” for purposes of groundwater management areas as a use that does not result in a change in hydrologic regime of more than 20 percent relative to the August median stream flow.

Section 67 [Well Interference and Testing] requires the commissioner to take into account the condition of a well when validating a well interference claim. Authorizes parties ordered to contribute to an affected well owner to file a contested case petition.

Sections 68 through 73 [Advanced Recycling Definitions] statutorily defines various terms related to advanced recycling, a manufacturing process for converting post-use polymers and recovered feedstocks into other products.

Section 74 [Advanced Recycling Is Not Waste Processing] excludes advanced recycling from the definition of waste processing.

Section 75 [Fuels Produced Using Advanced Recycling] excludes fuels produced using advanced recycling from the definition of refuse-derived fuels.

Section 76 [Recovered Feedstock Definition] defines recovered feedstock for purposes of advanced recycling.

Section 77 [Advanced Recycling Is Not Waste Recovery] excludes advanced recycling from the definition of waste recovery.

Section 78 [Advanced Recycling Facilities Are Not Waste Recovery Facilities] excludes advanced recycling facilities from the definition of waste recovery facilities.

Section 79 [Solvolysis Definition] defines solvolysis for purposes of advanced recycling.

Section 80 [Advanced Recycling Feedstock Is Not Waste] excludes materials that can be used as advanced recycling feedstock from the definition of waste.

Section 81 [Advanced Recycling Facilities Are Not Waste Facilities] excludes an advanced recycling facility from the definition of a waste facility.

Section 82 [Advanced Recycling Is Not Waste Management] excludes advanced recycling from the definition of waste management.

Section 83 [Discarded Mattress Stewardship Program] creates a framework for creating a discarded mattress stewardship that would facilitate the statewide collection and disposal of used mattresses.

Section 84 [Advanced Recycling Materials Are Not Solid Waste] excludes materials used in connection with advanced recycling from the definition of solid waste.

Section 85 [Repeal of Vehicle Emissions Standards Authority] repeals the authority of the PCA to adopt vehicle emissions standards.

Section 86 [Manure Spreading Changes Repeal] repeals recent changes introduced to the feedlot general permit and prohibits those changes in future permits.

Sections 87 & 88 [Mississippi River Corridor Critical Area Changes] exempt plans and local regulations in the Mississippi River Corridor Critical Area from the review and approval procedures that ordinarily apply and replaces those requirements with a more streamlined review and approval process.

Section 89 [School Trust Lands Strategic Plans] requires the strategic plans and frameworks developed by the school trust lands director to advance strategies on school trust lands to capitalize on ecosystem services markets.

Section 90 [Use of Proceeds from Sales of Tax-Forfeited Lands] allows counties to use receipts from sales or rentals of forfeited lands for maintenance and upkeep at tax-forfeited properties.

Section 91 [Wild Rice Lease Exchanges] makes wild rice lessees responsible for all costs associated with certain land exchanges authorized in the 2016.

Section 92 [Consideration of Gifts of Land] allows the land exchange board to consider gifts of land when evaluating whether a proposed land exchange is in the best interests of the school trust.

Section 93 [Section 404 Assumption Reporting Date] pushes back by one year the date by which 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.

Section 94 [Storm Water Rule Technical Correction] makes a technical correction to a 2019 storm water law.

Section 95 [Additions to State Parks] adds land to the statutory boundaries of Fort Snelling State Park (Dakota County) and Lake Vermillion-Soudan Underground Mine State Park (St. Louis County).

Section 96 [Addition to State Recreation Area] adds land to the statutory boundaries of Iron Range Off-Highway Vehicle Recreation Area (St. Louis County).

Section 97 [Deletions from State Parks] removes land from the statutory boundaries of Fort Snelling State Park (Dakota County), Minneopa State Park (Blue Earth County), and William O'Brien State Park (Washington County).

Sections 98 through 101 [Private Sales of Surplus & Tax-Forfeited Land] authorize private sales of surplus land in Cass, Lake of the Woods, St. Louis County,

Section 102 [Private Sale of Surplus Land Bordering Water in Wadena County] authorizes private sale of surplus land bordering water in Wadena County.

Section 103 [Boundaries of Riverlands State Forest] sets the statutory boundaries of Riverlands State Forest.

Section 104 [Private Sale of Tax-Forfeited Land; Aitkin County] authorizes private sale of tax-forfeited land in Aitkin County.

Section 105 [Goodhue County Land Transfers] authorizes sale of county-owned land that abuts Lake Byllesby to adjoining property owners.

Section 106 [Private Sale of Tax-Forfeited Land; Itasca County] authorizes private sale of tax-forfeited land in Itasca County.

Section 107 [Private Sale of Surplus Land Bordering Water; Roseau County] authorizes private sale of surplus land bordering public waters in Roseau County.

Section 108 [Private Sale of Tax-Forfeited Lands; St. Louis County] authorizes private sale of tax-forfeited lands in St. Louis County.

Section 109 [St. Louis County Land Lease] authorizes a lease for a water intake and treatment facility for a longer term than is otherwise allowed.

Section 110 [Private Sale of Tax-Forfeited Land; Beltrami County] authorizes private sale of tax-forfeited land in Beltrami County.

Section 111 [Private Sale of Surplus Land Bordering Water in Sherburne County] authorizes private sale of surplus land bordering water in Sherburne County.

Section 112 [Walleye Limit] requires the DNR to reduce to 4 the daily and possession limit for walleye on inland waters.

Section 113 [Amending of Feedlot Permits] requires PCA to amend feedlot permits where needed to comply with the statutory changes enacted in section 86.

Section 114 [Timber Permit Extensions; Refunds] extends certain timber permits for two years and allows for surrendering of a timber permit and a full or partial refund under certain circumstances.

Section 115 [Whole Effluent Toxicity] requires the PCA to adopt rules to whole effluent toxicity measures in a uniform manner statewide.

Section 116 [Interim Provisions] imposes interim provisions related to whole effluent toxicity that are to remain in place until PCA adopts rules pursuant to section 115.

Section 117 [Repealer] repeals statutes and rules related to DNR operation of golf courses, minnows, and antler point restrictions.