

SENATE
STATE OF MINNESOTA
NINETY-SECOND SESSION

S.F. No. 814

(SENATE AUTHORS: RUUD and Hawj)

DATE	D-PG	OFFICIAL STATUS
02/11/2021	314	Introduction and first reading
		Referred to Environment and Natural Resources Policy and Legacy Finance
03/18/2021		Comm report: To pass as amended and re-refer to Environment and Natural Resources Finance

- 1.1 A bill for an act
- 1.2 relating to state government; modifying provisions for conveying state land
- 1.3 interests; adding to and deleting from state parks and recreation areas; authorizing
- 1.4 sales of certain state lands; directing commissioner of natural resources to reduce
- 1.5 walleye limit; prohibiting certain antler point restrictions; providing for watershed
- 1.6 management; establishing program for water quality and storage in Minnesota
- 1.7 River basin; repealing certain authority of the Pollution Control Agency related
- 1.8 to automobile emissions; modifying requirements of the statewide invasive species
- 1.9 management plan; modifying provisions for managing water and issuing permits
- 1.10 to appropriate water; establishing mattress recycling program; repealing recent
- 1.11 restrictions on spreading manure and prohibiting future restrictions; modifying
- 1.12 certain conditions on water appropriations and wells; modifying deadline to report
- 1.13 on funding for section 404 assumption; increasing soil and water conservation
- 1.14 district supervisor compensation; modifying requirements for importing minnows;
- 1.15 modifying application of storm water rules; modifying terms for certain timber
- 1.16 permits; modifying provisions related to certifiable fish diseases; modifying
- 1.17 reporting requirement on school trust lands; modifying certain provisions for
- 1.18 transporting snowmobiles; modifying definition of all-terrain vehicle; modifying
- 1.19 provisions for certain invasive species permits; modifying state park provisions;
- 1.20 providing for special-use permits in outdoor recreation system; providing for
- 1.21 regulation of possessing, propagating, and selling snakes, lizards, and salamanders;
- 1.22 modifying hunting and fishing provisions; modifying review and approval of local
- 1.23 regulation in Mississippi River Corridor Critical Area; modifying requirements
- 1.24 for exchanging wild rice leases; modifying certain accounts; establishing account
- 1.25 to invest financial assurance money from permits to mine; modifying certain
- 1.26 submission deadline; modifying provisions for state park permits; prohibiting
- 1.27 shooting at decoys from motor vehicles; establishing blaze orange or blaze pink
- 1.28 requirements for ground blinds; modifying restrictions on motorized decoys;
- 1.29 requiring rulemaking to make whole effluent toxicity requirements for dischargers
- 1.30 of effluent consistent statewide; providing for taking nuisance bear by wildlife
- 1.31 control operators; modifying provisions for easement stewardship accounts;
- 1.32 providing for conveying conservation easements; defining advanced recycling;
- 1.33 requiring reimbursement of certain land-transaction costs; establishing new state
- 1.34 forest; authorizing private sale of certain tax-forfeited, surplus, and other land;
- 1.35 allowing county boards to spend net proceeds from sale of tax-forfeited land for
- 1.36 certain purposes; modifying conditions to allow certain land transfers; appropriating
- 1.37 money; amending Minnesota Statutes 2020, sections 17.4982, subdivisions 6, 8,
- 1.38 9, 12, by adding subdivisions; 17.4985, subdivisions 2, 3, 5; 17.4986, subdivisions

2.1 2, 4; 17.4991, subdivision 3; 17.4992, subdivision 2; 17.4993, subdivision 1;
 2.2 84.027, subdivisions 13a, 18; 84.415, by adding a subdivision; 84.63; 84.631;
 2.3 84.82, subdivisions 1a, 7a; 84.92, subdivision 8; 84.946, subdivision 4; 84D.02,
 2.4 subdivision 3; 84D.11, subdivision 1a; 85.052, subdivisions 1, 2; 85.053,
 2.5 subdivision 2; 85.054, subdivision 1; 85.43; 89.021, by adding a subdivision;
 2.6 89.17; 92.50, by adding a subdivision; 92.502; 97A.015, subdivision 29; 97A.401,
 2.7 subdivision 1, by adding a subdivision; 97A.421, subdivision 1, by adding a
 2.8 subdivision; 97A.505, subdivision 3b; 97B.036; 97B.055, subdivision 2; 97B.071;
 2.9 97B.086; 97B.311; 97B.415; 97B.811, subdivision 4a; 97C.005, subdivision 3;
 2.10 97C.211, subdivision 2a; 97C.342, subdivision 2; 97C.515, subdivision 2; 97C.805,
 2.11 subdivision 2; 97C.836; 103A.212; 103B.103; 103C.315, subdivision 4; 103G.271,
 2.12 subdivisions 4a, 7, by adding subdivisions; 103G.287, subdivisions 4, 5; 103G.289;
 2.13 115A.03, subdivisions 25, 25d, 27, 28, 34, 35, 36, by adding subdivisions; 116.06,
 2.14 subdivision 22; 116.07, subdivisions 2, 7; 116G.07, by adding a subdivision;
 2.15 116G.15, by adding a subdivision; 127A.353, subdivision 4; 282.08; Laws 2016,
 2.16 chapter 154, sections 16; 48; Laws 2019, First Special Session chapter 4, article
 2.17 1, section 2, subdivision 9; article 3, section 109, as amended; proposing coding
 2.18 for new law in Minnesota Statutes, chapters 11A; 84; 92; 103F; 115A; repealing
 2.19 Minnesota Statutes 2020, sections 85.0505, subdivision 3; 85.0507; 85.054,
 2.20 subdivision 19; 97C.515, subdivisions 4, 5; Laws 2013, chapter 121, section 53;
 2.21 Minnesota Rules, part 6232.0350.

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

2.23 Section 1. **[11A.236] ACCOUNT TO INVEST FINANCIAL ASSURANCE MONEY**
 2.24 **FROM PERMITS TO MINE.**

2.25 Subdivision 1. Establishment; appropriation. (a) The State Board of Investment, when
 2.26 requested by the commissioner of natural resources, may invest money collected by the
 2.27 commissioner as part of financial assurance provided under a permit to mine issued under
 2.28 chapter 93. The State Board of Investment may establish one or more accounts into which
 2.29 money may be deposited for the purposes of this section, subject to the policies and
 2.30 procedures of the State Board of Investment. Use of any money in the account is restricted
 2.31 to the financial assurance purposes identified in sections 93.46 to 93.51 and rules adopted
 2.32 thereunder and as authorized under any trust fund agreements or other conditions established
 2.33 under a permit to mine.

2.34 (b) Money in an account established under paragraph (a) is appropriated to the
 2.35 commissioner for the purposes for which the account is established under this section.

2.36 Subd. 2. Account maintenance and investment. The commissioner of natural resources
 2.37 may deposit money in the appropriate account and may withdraw money from the appropriate
 2.38 account for the financial assurance purposes identified in sections 93.46 to 93.51 and rules
 2.39 adopted thereunder and as authorized under any trust fund agreements or other conditions
 2.40 established under the permit to mine for which the financial assurance is provided, subject
 2.41 to the policies and procedures of the State Board of Investment. Investment strategies related
 2.42 to an account established under this section must be determined jointly by the commissioner

3.1 of natural resources and the executive director of the State Board of Investment. The
 3.2 authorized investments for an account are the investments authorized under section 11A.24
 3.3 that are made available for investment by the State Board of Investment. Investment
 3.4 transactions must be at a time and in a manner determined by the executive director of the
 3.5 State Board of Investment. Decisions to withdraw money from the account must be
 3.6 determined by the commissioner of natural resources, subject to the policies and procedures
 3.7 of the State Board of Investment. Investment earnings must be credited to the appropriate
 3.8 account for financial assurance under the identified permit to mine. An account may be
 3.9 terminated by the commissioner of natural resources at any time, so long as the termination
 3.10 is in accordance with applicable statutes, rules, trust fund agreements, or other conditions
 3.11 established under the permit to mine, subject to the policies and procedures of the State
 3.12 Board of Investment.

3.13 Sec. 2. Minnesota Statutes 2020, section 17.4982, subdivision 6, is amended to read:

3.14 Subd. 6. **Certifiable diseases.** "Certifiable diseases" includes any of the following
 3.15 expressed as clinical symptoms or based on the presence of the pathogen: channel catfish
 3.16 virus, *Renibacterium salmoninarum* (bacterial kidney disease), *Aeromonas salmonicida*
 3.17 (bacterial furunculosis), *Yersinia ruckeri* (enteric redmouth disease), *Edwardsiella ictaluri*
 3.18 (enteric septicemia of catfish), infectious hematopoietic necrosis virus, infectious pancreatic
 3.19 necrosis virus, *Myxobolus cerebralis* (whirling disease), *Tetracapsuloides bryosalmonae*
 3.20 (proliferative kidney disease), viral hemorrhagic septicemia virus, epizootic epitheliotropic
 3.21 virus, *Ceratomyxa shasta* (ceratomyxosis), and any emergency fish disease.

3.22 Sec. 3. Minnesota Statutes 2020, section 17.4982, subdivision 8, is amended to read:

3.23 Subd. 8. **Containment facility.** "Containment facility" means a licensed facility for
 3.24 salmonids, catfish, or species on the ~~viral hemorrhagic septicemia (VHS) susceptible list~~
 3.25 ~~published by the United States Department of Agriculture, Animal and Plant Health~~
 3.26 ~~Inspection Services, VHS-susceptible-species list that complies with clauses (1), (3), and~~
 3.27 ~~(4), or clauses (2), (3), and (4):~~

3.28 (1) disinfects its effluent to the standards in section 17.4991 before the effluent is
 3.29 discharged to public waters;

3.30 (2) does not discharge to public waters or to waters of the state directly connected to
 3.31 public waters;

3.32 (3) raises aquatic life that is prohibited from being released into the wild and must be
 3.33 kept in a facility approved by the commissioner unless processed for food consumption;

4.1 (4) contains aquatic life requiring a fish health inspection prior to transportation.

4.2 Sec. 4. Minnesota Statutes 2020, section 17.4982, subdivision 9, is amended to read:

4.3 Subd. 9. **Emergency fish disease.** "Emergency fish disease" means designated fish
4.4 diseases or pathogens not already present in this state that could impact populations of
4.5 aquatic life if inadvertently released by infected aquatic life, including channel catfish virus,
4.6 viral hemorrhagic septicemia virus, infectious hematopoietic necrosis virus, infectious
4.7 pancreatic necrosis virus, whirling disease, ceratomyxosis, proliferative kidney disease, and
4.8 epizootic epitheliotropic virus disease.

4.9 Sec. 5. Minnesota Statutes 2020, section 17.4982, subdivision 12, is amended to read:

4.10 Subd. 12. **Fish health inspection.** (a) "Fish health inspection" means an on-site,
4.11 statistically based sampling, collection, and testing of fish in accordance with processes in
4.12 the Fish Health Blue Book or the Diagnostic Manual for Aquatic Animal Diseases, published
4.13 by the International Office of Epizootics (OIE) to test for causative pathogens. The samples
4.14 for inspection must be collected by a fish health inspector or a fish collector in cooperation
4.15 with the producer. Testing of samples must be done by an approved laboratory.

4.16 (b) The inspection for viral hemorrhagic septicemia (VHS), infectious pancreatic necrosis
4.17 (IPN), and infectious hematopoietic necrosis (IHN) in salmonids and for VHS in
4.18 nonsalmonids must include at a minimum viral testing of ovarian fluids at the 95 percent
4.19 confidence level of detecting two percent incidence of disease.

4.20 (c) The inspection for certifiable diseases and pathogens for wild fish must follow the
4.21 guidelines of the Fish Health Blue Book or the Diagnostic Manual for Aquatic Animal
4.22 Diseases.

4.23 Sec. 6. Minnesota Statutes 2020, section 17.4982, is amended by adding a subdivision to
4.24 read:

4.25 Subd. 21a. **VHS-susceptible species.** "VHS-susceptible species" are aquatic species
4.26 that are natural hosts for viral hemorrhagic septicemia according to the Fish Health Blue
4.27 Book or the book's successor.

5.1 Sec. 7. Minnesota Statutes 2020, section 17.4982, is amended by adding a subdivision to
5.2 read:

5.3 Subd. 21b. **VHS-susceptible-species list.** "VHS-susceptible-species list" is the
5.4 VHS-susceptible species listed in the Fish Health Blue Book that are found in or that can
5.5 survive in the Great Lakes region.

5.6 Sec. 8. Minnesota Statutes 2020, section 17.4985, subdivision 2, is amended to read:

5.7 Subd. 2. **Bill of lading.** (a) A state-issued bill of lading is required for:

5.8 (1) intrastate transportation of aquatic life other than salmonids, catfish, or species on
5.9 the ~~official list of viral hemorrhagic septicemia susceptible species published by the United~~
5.10 ~~States Department of Agriculture, Animal and Plant Health Inspection Services,~~
5.11 VHS-susceptible-species list between licensed private fish hatcheries, aquatic farms, or
5.12 aquarium facilities licensed for the species being transported if the aquatic life is being
5.13 transported into a watershed where it is not currently present, if walleyes whose original
5.14 source is south of marked State Highway 210 are being transported to a facility north of
5.15 marked State Highway 210, or if the original source of the aquatic life is outside Minnesota
5.16 and contiguous states; and

5.17 (2) stocking ~~of~~ waters other than public waters with aquatic life other than salmonids,
5.18 catfish, or species on the ~~official list of viral hemorrhagic septicemia susceptible species~~
5.19 ~~published by the United States Department of Agriculture, Animal and Plant Health~~
5.20 ~~Inspection Services~~ VHS-susceptible-species list.

5.21 (b) When aquatic life is transported under paragraph (a), a copy of the bill of lading
5.22 must be submitted to the regional fisheries manager at least 72 hours before the transportation.

5.23 (c) For transportation and stocking of waters that are not public waters:

5.24 (1) a bill of lading must be submitted to the regional fisheries manager 72 hours before
5.25 transporting fish for stocking;

5.26 (2) a bill of lading must be submitted to the regional fisheries manager within five days
5.27 after stocking if the waters to be stocked are confirmed by telecopy or telephone prior to
5.28 stocking by the regional fisheries office not to be public waters; or

5.29 (3) a completed bill of lading may be submitted to the regional fisheries office by telecopy
5.30 prior to transporting fish for stocking. Confirmation that the waters to be stocked are not
5.31 public waters may be made by returning the bill of lading by telecopy or in writing, in which
5.32 cases additional copies need not be submitted to the Department of Natural Resources.

6.1 (d) Bill of lading forms may only be issued by the Department of Natural Resources in
 6.2 St. Paul, and new bill of lading forms may not be issued until all previously issued forms
 6.3 have been returned.

6.4 Sec. 9. Minnesota Statutes 2020, section 17.4985, subdivision 3, is amended to read:

6.5 Subd. 3. **Exemptions for transportation permits and bills of lading.** (a) A state-issued
 6.6 bill of lading or transportation permit is not required by an aquatic farm licensee for
 6.7 ~~importation of~~ importing animals not on the ~~official list of viral hemorrhagic septicemia~~
 6.8 ~~susceptible species published by the United States Department of Agriculture, Animal and~~
 6.9 ~~Plant Health Inspection Services; transportation of~~ VHS-susceptible-species list, transporting
 6.10 animals not on the ~~official list of viral hemorrhagic septicemia susceptible species published~~
 6.11 ~~by the United States Department of Agriculture, Animal and Plant Health Inspection Services;~~
 6.12 ~~or export for~~ VHS-susceptible-species list, or exporting the following:

6.13 (1) minnows taken under an aquatic farm license in this state and transported intrastate;

6.14 (2) aquarium or ornamental fish including goldfish and tropical, subtropical, and saltwater
 6.15 species that cannot survive in the waters of the state, which may be imported or transported
 6.16 if accompanied by shipping documents;

6.17 (3) fish or fish eggs that have been processed for use as food, bait, or other purposes
 6.18 unrelated to fish propagation;

6.19 (4) live fish from a licensed aquatic farm, which may be transported directly to an outlet
 6.20 for processing or for other food purposes if accompanied by shipping documents;

6.21 (5) fish being exported if accompanied by shipping documents;

6.22 (6) sucker eggs, sucker fry, or fathead minnows transported intrastate for bait propagation
 6.23 or feeding of cultural aquatic life, except that if either species becomes listed on the ~~official~~
 6.24 ~~list of viral hemorrhagic septicemia susceptible species published by the United States~~
 6.25 ~~Department of Agriculture, Animal and Plant Health Inspection Services~~
 6.26 VHS-susceptible-species list, then a transportation permit is required;

6.27 (7) species of fish that are found within the state used in connection with public shows,
 6.28 exhibits, demonstrations, or fishing pools for periods not exceeding 14 days;

6.29 (8) fish being transported through the state if accompanied by shipping documents; or

6.30 (9) intrastate transportation of aquatic life between or within licensed private fish
 6.31 hatcheries, aquatic farms, or aquarium facilities licensed for the species being transported,
 6.32 except where required in subdivision 2 and except that salmonids, catfish, or species on the

7.1 ~~official list of viral hemorrhagic septicemia susceptible species published by the United~~
7.2 ~~States Department of Agriculture, Animal and Plant Health Inspection Services,~~
7.3 VHS-susceptible-species list may only be transferred or transported intrastate without a
7.4 transportation permit if they had no record of bacterial kidney disease or viral hemorrhagic
7.5 septicemia at the time they were imported into the state and if they have had a fish health
7.6 inspection within the preceding year that has shown no certifiable diseases to be present.

7.7 Aquatic life being transferred between licensed private fish hatcheries, aquatic farms,
7.8 or aquarium facilities must be accompanied by shipping documents and salmonids, catfish,
7.9 or species on the ~~official list of viral hemorrhagic septicemia susceptible species published~~
7.10 ~~by the United States Department of Agriculture, Animal and Plant Health Inspection Services,~~
7.11 VHS-susceptible-species list being transferred or transported intrastate without a
7.12 transportation permit must be accompanied by a copy of their most recent fish health
7.13 inspection.

7.14 (b) Shipping documents required under paragraph (a) must show the place of origin,
7.15 owner or consignee, destination, number, and species.

7.16 Sec. 10. Minnesota Statutes 2020, section 17.4985, subdivision 5, is amended to read:

7.17 Subd. 5. **Permit application.** An application for a transportation permit must be made
7.18 on forms provided by the commissioner. An incomplete application must be rejected. An
7.19 application for a transportation permit for salmonids, catfish, or species on the ~~official list~~
7.20 ~~of viral hemorrhagic septicemia susceptible species published by the United States~~
7.21 ~~Department of Agriculture, Animal and Plant Health Inspection Services,~~
7.22 VHS-susceptible-species list; their eggs; or their sperm must be accompanied by certification
7.23 that the source of the eggs or sperm are free of certifiable diseases, except that eggs with
7.24 enteric redmouth, whirling disease, or furunculosis may be imported, transported, or stocked
7.25 following treatment approved by the commissioner, and fish with bacterial kidney disease
7.26 or viral hemorrhagic septicemia may be imported, transported, or stocked into areas where
7.27 the disease has been identified as being present. A copy of the transportation permit showing
7.28 the date of certification inspection must accompany the shipment of fish while in transit
7.29 and must be available for inspection by the commissioner. By 14 days after a completed
7.30 application is received, the commissioner must approve or deny the importation permits as
7.31 provided in this section.

8.1 Sec. 11. Minnesota Statutes 2020, section 17.4986, subdivision 2, is amended to read:

8.2 Subd. 2. **Licensed facilities.** (a) The commissioner shall issue transportation permits to
8.3 import:

8.4 (1) indigenous and naturalized species except trout, salmon, catfish, or species on the
8.5 ~~official list of viral hemorrhagic septicemia susceptible species published by the United~~
8.6 ~~States Department of Agriculture, Animal and Plant Health Inspection Services,~~
8.7 VHS-susceptible-species list and sperm from any source to a standard facility;

8.8 (2) trout, salmon, catfish, or species on the ~~official list of viral hemorrhagic septicemia~~
8.9 ~~susceptible species published by the United States Department of Agriculture, Animal and~~
8.10 ~~Plant Health Inspection Services,~~ VHS-susceptible-species list from a nonemergency enzootic
8.11 disease area to a containment facility if the fish are certified within the previous year to be
8.12 free of certifiable diseases, except that eggs with enteric redmouth, whirling disease, or
8.13 furunculosis may be imported following treatment approved by the commissioner, and fish
8.14 with bacterial kidney disease or viral hemorrhagic septicemia may be imported into areas
8.15 where the disease has been identified as being present; and

8.16 (3) trout, salmon, catfish, or species on the ~~official list of viral hemorrhagic septicemia~~
8.17 ~~susceptible species published by the United States Department of Agriculture, Animal and~~
8.18 ~~Plant Health Inspection Services,~~ VHS-susceptible-species list from a facility in a
8.19 nonemergency enzootic disease area with a disease-free history of three years or more to a
8.20 standard facility, except that eggs with enteric redmouth, whirling disease, or furunculosis
8.21 may be imported following treatment approved by the commissioner, and fish with bacterial
8.22 kidney disease or viral hemorrhagic septicemia may be imported into areas where the disease
8.23 has been identified as being present.

8.24 (b) If a source facility in a nonemergency enzootic disease area cannot demonstrate a
8.25 history free from disease, aquatic life may only be imported into a quarantine facility.

8.26 Sec. 12. Minnesota Statutes 2020, section 17.4986, subdivision 4, is amended to read:

8.27 Subd. 4. **Disease-free history.** Disease-free histories required under this section must
8.28 include the results of a fish health inspection. When disease-free histories of more than one
8.29 year are required for importing salmonids, catfish, or species on the ~~official list of viral~~
8.30 ~~hemorrhagic septicemia susceptible species published by the United States Department of~~
8.31 ~~Agriculture, Animal and Plant Health Inspection Services~~ VHS-susceptible-species list, the
8.32 disease history must be of consecutive years that include the year previous to, or the year
8.33 of, the transportation request.

9.1 Sec. 13. Minnesota Statutes 2020, section 17.4991, subdivision 3, is amended to read:

9.2 Subd. 3. **Fish health inspection.** (a) An aquatic farm propagating salmonids, catfish,
9.3 or species on the ~~viral hemorrhagic septicemia (VHS) susceptible list published by the~~
9.4 ~~United States Department of Agriculture, Animal and Plant Health Inspection Services,~~
9.5 VHS-susceptible-species list and having an effluent discharge from the aquatic farm into
9.6 public waters must have a fish health inspection conducted at least once every 12 months
9.7 by a certified fish health inspector. Testing must be conducted according to laboratory
9.8 methods of the Fish Health Blue Book or the Diagnostic Manual for Aquatic Animal
9.9 Diseases, published by the International Office of Epizootics (OIE).

9.10 (b) An aquatic farm propagating any species on the VHS susceptible list and having an
9.11 effluent discharge from the aquatic farm into public waters must test for VHS virus using
9.12 the guidelines of the Fish Health Blue Book or the Diagnostic Manual for Aquatic Animal
9.13 Diseases. The commissioner may, by written order published in the State Register, prescribe
9.14 alternative testing time periods and methods from those prescribed in the Fish Health Blue
9.15 Book or the OIE Diagnostic Manual if the commissioner determines that biosecurity measures
9.16 will not be compromised. These alternatives are not subject to the rulemaking provisions
9.17 of chapter 14 and section 14.386 does not apply. The commissioner must provide reasonable
9.18 notice to affected parties of any changes in testing requirements.

9.19 (c) Results of fish health inspections must be provided to the commissioner for all fish
9.20 that remain in the state. All data used to prepare and issue a fish health certificate must be
9.21 maintained for three years by the issuing fish health inspector, approved laboratory, or
9.22 accredited veterinarian.

9.23 (d) A health inspection fee must be charged based on each lot of fish sampled. The fee
9.24 by check or money order payable to the Department of Natural Resources must be prepaid
9.25 or paid at the time a bill or notice is received from the commissioner that the inspection and
9.26 processing of samples is completed.

9.27 (e) Upon receipt of payment and completion of inspection, the commissioner shall notify
9.28 the operator and issue a fish health certificate. The certification must be made according to
9.29 the Fish Health Blue Book or the Diagnostic Manual for Aquatic Animal Diseases by a
9.30 person certified as a fish health inspector.

9.31 (f) All aquatic life in transit or held at transfer stations within the state may be inspected
9.32 by the commissioner. This inspection may include the collection of stock for purposes of
9.33 pathological analysis. Sample size necessary for analysis will follow guidelines listed in
9.34 the Fish Health Blue Book or the Diagnostic Manual for Aquatic Animal Diseases.

10.1 (g) Salmonids, catfish, or species on the VHS susceptible list must have a fish health
 10.2 inspection before being transported from a containment facility, unless the fish are being
 10.3 transported directly to an outlet for processing or other food purposes or unless the
 10.4 commissioner determines that an inspection is not needed. A fish health inspection conducted
 10.5 for this purpose need only be done on the lot or lots of fish that will be transported. The
 10.6 commissioner must conduct a fish health inspection requested for this purpose within five
 10.7 working days of receiving written notice. Salmonids and catfish may be immediately
 10.8 transported from a containment facility to another containment facility once a sample has
 10.9 been obtained for a health inspection or once the five-day notice period has expired.

10.10 Sec. 14. Minnesota Statutes 2020, section 17.4992, subdivision 2, is amended to read:

10.11 Subd. 2. **Restriction on the sale of fish.** (a) Except as provided in paragraph (b), species
 10.12 on the ~~official list of viral hemorrhagic septicemia susceptible species published by the~~
 10.13 ~~United States Department of Agriculture, Animal and Plant Health Inspection Services,~~
 10.14 VHS-susceptible-species list must be free of viral hemorrhagic septicemia and species of
 10.15 the family salmonidae or ictaluridae, except bullheads, must be free of certifiable diseases
 10.16 if sold for stocking or transfer to another aquatic farm.

10.17 (b) The following exceptions apply to paragraph (a):

10.18 (1) eggs with enteric redmouth, whirling disease, or furunculosis may be transferred
 10.19 between licensed facilities or stocked following treatment approved by the commissioner;

10.20 (2) fish with bacterial kidney disease or viral hemorrhagic septicemia may be transferred
 10.21 between licensed facilities or stocked in areas where the disease has been identified as being
 10.22 present; and

10.23 (3) the commissioner may allow transfer between licensed facilities or stocking of fish
 10.24 with enteric redmouth or furunculosis when the commissioner determines that doing so
 10.25 would pose no threat to the state's aquatic resources.

10.26 Sec. 15. Minnesota Statutes 2020, section 17.4993, subdivision 1, is amended to read:

10.27 Subdivision 1. **Taking from public waters.** (a) Under an aquatic farm license, a licensee
 10.28 may take only minnow sperm, minnow eggs, and live minnows for aquatic farm purposes
 10.29 from ~~public waters that have~~ a water body if:

10.30 (1) the water body has been tested for viral hemorrhagic septicemia ~~when~~ and the testing
 10.31 indicates the disease is not present; or

11.1 (2) the water body is located within a viral-hemorrhagic-septicemia-free zone posted on
 11.2 the Department of Natural Resources website.

11.3 (b) A licensee may take sucker eggs and sperm only in approved waters with a sucker
 11.4 egg license endorsement as provided by section 17.4994.

11.5 Sec. 16. Minnesota Statutes 2020, section 84.027, subdivision 13a, is amended to read:

11.6 Subd. 13a. ~~Game and fish~~ Natural resources expedited permanent rules. (a) In
 11.7 addition to the authority granted in subdivision 13, the commissioner of natural resources
 11.8 may adopt rules under section 14.389 that are authorized under:

11.9 (1) chapters 97A, 97B, and 97C to describe zone or permit area boundaries, to designate
 11.10 fish spawning beds or fish preserves, to select hunters or anglers for areas, to provide for
 11.11 registration of game or fish, to prevent or control wildlife disease, or to correct errors or
 11.12 omissions in rules that do not have a substantive effect on the intent or application of the
 11.13 original rule; ~~or~~

11.14 (2) section 84D.12 to designate prohibited invasive species, regulated invasive species,
 11.15 and unregulated nonnative species; or

11.16 (3) section 116G.15 to change the placement and boundaries of land use districts
 11.17 established in the Mississippi River Corridor Critical Area.

11.18 (b) The commissioner of natural resources may adopt rules under section 14.389 that
 11.19 are authorized under chapters 97A, 97B, and 97C, for purposes in addition to those listed
 11.20 in paragraph (a), clause (1), subject to the notice and public hearing provisions of section
 11.21 14.389, subdivision 5.

11.22 Sec. 17. Minnesota Statutes 2020, section 84.027, subdivision 18, is amended to read:

11.23 Subd. 18. **Permanent school fund authority; reporting.** (a) The commissioner of
 11.24 natural resources has the authority and responsibility to administer school trust lands under
 11.25 sections 92.122 and 127A.31. The commissioner shall ~~biannually~~ biennially report to the
 11.26 Legislative Permanent School Fund Commission and the legislature on the management of
 11.27 the school trust lands that shows how the commissioner has and will continue to achieve
 11.28 the following goals:

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

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

12.3 (3) manage the sale, exchange, and commercial leasing of school trust lands, requiring
12.4 returns of not less than fair market value, to maximize the revenues deposited in the
12.5 permanent school trust fund and retain the value from the long-term appreciation of the
12.6 school trust lands;

12.7 (4) manage the school trust lands to maximize the long-term economic return for the
12.8 permanent school trust fund while maintaining sound natural resource conservation and
12.9 management principles;

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

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

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

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

13.1 (d) When management practices, policies, or designations by the commissioner diminish
 13.2 or prohibit the long-term economic return on school trust land, the conflict must be resolved
 13.3 as provided in section 92.122.

13.4 Sec. 18. Minnesota Statutes 2020, section 84.415, is amended by adding a subdivision to
 13.5 read:

13.6 Subd. 8. **Reimbursing costs.** In addition to fees specified in this section or in rules
 13.7 adopted by the commissioner, the applicant must reimburse the state for costs incurred for
 13.8 cultural resources review, monitoring, or other services provided by the Minnesota Historical
 13.9 Society under contract with the commissioner of natural resources or the State Historic
 13.10 Preservation Office of the Department of Administration in connection with the license
 13.11 application, preparing the license terms, or constructing the utility line.

13.12 Sec. 19. **[84.625] CONVEYANCE OF CONSERVATION EASEMENTS.**

13.13 Notwithstanding any law to the contrary, the commissioner of natural resources may,
 13.14 on state-owned lands administered by the commissioner and on behalf of the state, convey
 13.15 conservation easements as defined in section 84C.01, upon such terms and conditions,
 13.16 including reversion in the event of nonuse, as the commissioner may determine. Any terms
 13.17 and conditions obligating the state to incur costs related to monitoring or maintaining a
 13.18 conservation easement must acknowledge the state is liable for the costs only to the extent
 13.19 of an available appropriation according to section 16A.138.

13.20 Sec. 20. Minnesota Statutes 2020, section 84.63, is amended to read:

13.21 **84.63 CONVEYANCE OF INTERESTS IN LANDS TO STATE AND, FEDERAL,**
 13.22 **AND TRIBAL GOVERNMENTS.**

13.23 (a) Notwithstanding any existing law to the contrary, the commissioner of natural
 13.24 resources is hereby authorized on behalf of the state to convey to the United States, to a
 13.25 federally recognized Indian Tribe, or to the state of Minnesota or any of its subdivisions,
 13.26 upon state-owned lands under the administration of the commissioner of natural resources,
 13.27 permanent or temporary easements for specified periods or otherwise for trails, highways,
 13.28 roads including limitation of right of access from the lands to adjacent highways and roads,
 13.29 flowage for development of fish and game resources, stream protection, flood control, and
 13.30 necessary appurtenances thereto, such conveyances to be made upon such terms and
 13.31 conditions including provision for reversion in the event of non-user as the commissioner
 13.32 of natural resources may determine.

14.1 (b) In addition to the fee for the market value of the easement, the commissioner of
14.2 natural resources shall assess the applicant the following fees:

14.3 (1) an application fee of \$2,000 to cover reasonable costs for reviewing the application
14.4 and preparing the easement; and

14.5 (2) a monitoring fee to cover the projected reasonable costs for monitoring the
14.6 construction of the improvement for which the easement was conveyed and preparing special
14.7 terms and conditions for the easement. The commissioner must give the applicant an estimate
14.8 of the monitoring fee before the applicant submits the fee.

14.9 (c) The applicant shall pay these fees to the commissioner of natural resources. The
14.10 commissioner shall not issue the easement until the applicant has paid in full the application
14.11 fee, the monitoring fee, and the market value payment for the easement.

14.12 (d) Upon completion of construction of the improvement for which the easement was
14.13 conveyed, the commissioner shall refund the unobligated balance from the monitoring fee
14.14 revenue. The commissioner shall not return the application fee, even if the application is
14.15 withdrawn or denied.

14.16 (e) Money received under paragraph (b) must be deposited in the land management
14.17 account in the natural resources fund and is appropriated to the commissioner of natural
14.18 resources to cover the reasonable costs incurred for issuing and monitoring easements.

14.19 (f) A county or joint county regional railroad authority is exempt from all fees specified
14.20 under this section for trail easements on state-owned land.

14.21 (g) In addition to fees specified in this section, the applicant must reimburse the state
14.22 for costs incurred for cultural resources review, monitoring, or other services provided by
14.23 the Minnesota Historical Society under contract with the commissioner of natural resources
14.24 or the State Historic Preservation Office of the Department of Administration in connection
14.25 with the easement application, preparing the easement terms, or constructing the trail,
14.26 highway, road, or other improvements.

14.27 **EFFECTIVE DATE.** This section is effective the day following final enactment, except
14.28 that paragraph (g) is effective July 1, 2021.

14.29 Sec. 21. Minnesota Statutes 2020, section 84.631, is amended to read:

14.30 **84.631 ROAD EASEMENTS ACROSS STATE LANDS.**

14.31 (a) Except as provided in section 85.015, subdivision 1b, the commissioner of natural
14.32 resources, on behalf of the state, may convey a road easement across state land under the

15.1 commissioner's jurisdiction to a private person requesting an easement for access to property
15.2 owned by the person only if the following requirements are met: (1) there are no reasonable
15.3 alternatives to obtain access to the property; and (2) the exercise of the easement will not
15.4 cause significant adverse environmental or natural resource management impacts.

15.5 (b) The commissioner shall:

15.6 (1) require the applicant to pay the market value of the easement;

15.7 (2) limit the easement term to 50 years if the road easement is across school trust land;

15.8 (3) provide that the easement reverts to the state in the event of nonuse; and

15.9 (4) impose other terms and conditions of use as necessary and appropriate under the
15.10 circumstances.

15.11 (c) An applicant shall submit an application fee of \$2,000 with each application for a
15.12 road easement across state land. The application fee is nonrefundable, even if the application
15.13 is withdrawn or denied.

15.14 (d) In addition to the payment for the market value of the easement and the application
15.15 fee, the commissioner of natural resources shall assess the applicant a monitoring fee to
15.16 cover the projected reasonable costs for monitoring the construction of the road and preparing
15.17 special terms and conditions for the easement. The commissioner must give the applicant
15.18 an estimate of the monitoring fee before the applicant submits the fee. The applicant shall
15.19 pay the application and monitoring fees to the commissioner of natural resources. The
15.20 commissioner shall not issue the easement until the applicant has paid in full the application
15.21 fee, the monitoring fee, and the market value payment for the easement.

15.22 (e) Upon completion of construction of the road, the commissioner shall refund the
15.23 unobligated balance from the monitoring fee revenue.

15.24 (f) Fees collected under paragraphs (c) and (d) must be credited to the land management
15.25 account in the natural resources fund and are appropriated to the commissioner of natural
15.26 resources to cover the reasonable costs incurred under this section.

15.27 (g) In addition to fees specified in this section, the applicant must reimburse the state
15.28 for costs incurred for cultural resources review, monitoring, or other services provided by
15.29 the Minnesota Historical Society under contract with the commissioner of natural resources
15.30 or the State Historic Preservation Office of the Department of Administration in connection
15.31 with the easement application, preparing the easement terms, or constructing the road.

16.1 Sec. 22. Minnesota Statutes 2020, section 84.82, subdivision 1a, is amended to read:

16.2 Subd. 1a. **General requirements.** A person may not operate ~~or transport~~ a snowmobile
16.3 unless the snowmobile has been registered under this section. A person may not sell a
16.4 snowmobile without furnishing the buyer a bill of sale on a form prescribed by the
16.5 commissioner.

16.6 Sec. 23. Minnesota Statutes 2020, section 84.82, subdivision 7a, is amended to read:

16.7 Subd. 7a. **Collector snowmobiles; limited use.** The commissioner may issue a special
16.8 permit to a person or organization to operate ~~or transport~~ a collector snowmobile without
16.9 registration in parades or organized group outings, such as races, rallies, and other
16.10 promotional events and for up to ten days each year for personal transportation. The
16.11 commissioner may impose a reasonable restriction on a permittee and may revoke, amend,
16.12 suspend, or modify a permit for cause.

16.13 Sec. 24. Minnesota Statutes 2020, section 84.92, subdivision 8, is amended to read:

16.14 Subd. 8. **All-terrain vehicle or vehicle.** "All-terrain vehicle" or "vehicle" means a
16.15 motorized vehicle with: (1) not less than three, but not more than six ~~low pressure or~~
16.16 ~~non-pneumatic~~ tires; (2) a total dry weight of 2,000 pounds or less; and (3) a total width
16.17 from outside of tire rim to outside of tire rim that is 65 inches or less. All-terrain vehicle
16.18 includes a class 1 all-terrain vehicle and class 2 all-terrain vehicle. All-terrain vehicle does
16.19 not include a golf cart, mini-truck, dune buggy, or go-cart or a vehicle designed and used
16.20 specifically for lawn maintenance, agriculture, logging, or mining purposes.

16.21 Sec. 25. Minnesota Statutes 2020, section 84.946, subdivision 4, is amended to read:

16.22 Subd. 4. **Priorities; report.** The commissioner of natural resources must establish
16.23 priorities for natural resource asset preservation and replacement projects. By ~~January 15~~
16.24 March 1 each year, the commissioner must submit to the commissioner of management and
16.25 budget a list of the projects that have been paid for with money from a natural resource
16.26 asset preservation and replacement appropriation during the preceding calendar year.

16.27 Sec. 26. Minnesota Statutes 2020, section 84D.02, subdivision 3, is amended to read:

16.28 Subd. 3. **Management plan.** By December 31, 2021, and every ten years thereafter, the
16.29 commissioner ~~shall~~ must prepare ~~and maintain~~ a long-term plan, which may include specific
16.30 plans for individual species and actions, for the statewide management of invasive species
16.31 of aquatic plants and wild animals. The plan must address:

- 17.1 (1) coordinated detection and prevention of accidental introductions;
- 17.2 (2) coordinated dissemination of information about invasive species of aquatic plants
17.3 and wild animals among resource management agencies and organizations;
- 17.4 (3) a coordinated public education and awareness campaign;
- 17.5 (4) coordinated control of selected invasive species of aquatic plants and wild animals
17.6 on lands and public waters;
- 17.7 (5) participation by lake associations, local citizen groups, and local units of government
17.8 in the development and implementation of local management efforts;
- 17.9 (6) a reasonable and workable inspection requirement for watercraft and equipment
17.10 including those participating in organized events on the waters of the state;
- 17.11 (7) the closing of points of access to infested waters, if the commissioner determines it
17.12 is necessary, for a total of not more than seven days during the open water season for control
17.13 or eradication purposes;
- 17.14 (8) maintaining public accesses on infested waters to be reasonably free of aquatic
17.15 macrophytes; and
- 17.16 (9) notice to travelers of the penalties for violation of laws relating to invasive species
17.17 of aquatic plants and wild animals.

17.18 Sec. 27. Minnesota Statutes 2020, section 84D.11, subdivision 1a, is amended to read:

17.19 Subd. 1a. **Permit for invasive carp.** The commissioner may issue a permit to
17.20 departmental divisions for tagging bighead, black, grass, or silver carp for research or
17.21 control. Under the permit, the carp may be released into the water body from which the carp
17.22 was captured. ~~This subdivision expires December 31, 2021.~~

17.23 Sec. 28. Minnesota Statutes 2020, section 85.052, subdivision 1, is amended to read:

17.24 Subdivision 1. **Authority to establish.** (a) The commissioner may establish, by written
17.25 order, provisions for the use of state parks for the following:

17.26 (1) special parking space for automobiles or other motor-driven vehicles in a state park
17.27 or state recreation area;

17.28 (2) special parking spurs, campgrounds for automobiles, sites for tent camping, other
17.29 types of lodging, camping, or day use facilities, and special auto trailer coach parking spaces,
17.30 for the use of the individual charged for the space or facility; and

18.1 ~~(3) improvement and maintenance of golf courses already established in state parks, and~~
 18.2 ~~charging reasonable use fees; and~~

18.3 ~~(4)~~ (3) providing water, sewer, and electric service to trailer or tent campsites and charging
 18.4 a reasonable use fee.

18.5 (b) Provisions established under paragraph (a) are exempt from section 16A.1283 and
 18.6 the rulemaking provisions of chapter 14. Section 14.386 does not apply.

18.7 (c) For the purposes of this subdivision, "lodging" means an enclosed shelter, room, or
 18.8 building with furnishings for overnight use.

18.9 Sec. 29. Minnesota Statutes 2020, section 85.052, subdivision 2, is amended to read:

18.10 Subd. 2. **State park ~~pageants~~ special events.** (a) The commissioner may stage state
 18.11 ~~park pageants~~ special events in a state park, municipal park, or on other land near or adjoining
 18.12 a state park and charge an entrance or use fee for the ~~pageant~~ special event. All receipts
 18.13 from the ~~pageants~~ special events must be used in the same manner as though the ~~pageants~~
 18.14 special events were conducted in a state park.

18.15 (b) The commissioner may establish, by written order, state park ~~pageant~~ special event
 18.16 areas to hold historical or other ~~pageants~~ special events conducted by the commissioner of
 18.17 a state agency or other public agency. Establishment of the areas is exempt from the
 18.18 rulemaking provisions of chapter 14, and section 14.386 does not apply.

18.19 Sec. 30. Minnesota Statutes 2020, section 85.053, subdivision 2, is amended to read:

18.20 Subd. 2. **Requirement.** Except as provided in section 85.054, a motor vehicle may not
 18.21 enter a state park, state recreation area, or state wayside over 50 acres in area, without a
 18.22 state park permit issued under this section or a state parks and trails plate issued under
 18.23 section 168.1295. Except for vehicles permitted under subdivisions 7, paragraph (a), clause
 18.24 (2), and 8, the state park permit must be affixed to the lower right corner windshield of the
 18.25 motor vehicle and must be completely affixed by its own adhesive to the windshield, or the
 18.26 commissioner may, by written order, provide an alternative means to display and validate
 18.27 state park permits. A motor vehicle owner or lessee is responsible for ensuring the owner's
 18.28 or lessee's vehicle has a state park permit, and the commissioner may issue warnings and
 18.29 citations under section 84.0835 to the owner or lessee of a vehicle not in compliance.

19.1 Sec. 31. Minnesota Statutes 2020, section 85.054, subdivision 1, is amended to read:

19.2 Subdivision 1. **State Park Open House Days.** (a) A state park permit is not required
 19.3 for a motor vehicle to enter a state park, state monument, state recreation area, or state
 19.4 wayside, on four days each calendar year at each park, which the commissioner shall
 19.5 designate as State Park Open House Days. The commissioner may designate two consecutive
 19.6 days as State Park Open House Days, if the open house is held in conjunction with a special
 19.7 ~~pageant~~ event described in section 85.052, subdivision 2.

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

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

19.12 (d) On State Park Open House Days, registered overnight guests in state parks and state
 19.13 recreation areas are exempt from the requirements for a state park permit under section
 19.14 85.053 until after the camping or lodging check-out time of the following day in the park
 19.15 where the overnight stay occurred.

19.16 Sec. 32. Minnesota Statutes 2020, section 85.43, is amended to read:

19.17 **85.43 DISPOSITION OF RECEIPTS; PURPOSE.**

19.18 ~~(a)~~ Fees from cross-country-ski passes shall be deposited in the state treasury and credited
 19.19 to a cross-country-ski account in the natural resources fund and, except for the electronic
 19.20 licensing system commission established by the commissioner under section 84.027,
 19.21 subdivision 15, are appropriated to the commissioner of natural resources for ~~the following~~
 19.22 ~~purposes:~~

19.23 (1) grants-in-aid for cross-country-ski trails to:

19.24 (i) counties and municipalities for construction and maintenance of cross-country-ski
 19.25 trails; and

19.26 (ii) special park districts as provided in section 85.44 for construction and maintenance
 19.27 of cross-country-ski trails; ~~and~~

19.28 (2) ~~administration of~~ administering the cross-country-ski trail grant-in-aid program;
 19.29 and

19.30 (3) developing and maintaining state cross-country-ski trails.

20.1 ~~(b) Development and maintenance of state cross-country-ski trails are eligible for funding~~
20.2 ~~from the cross-country-ski account if the money is appropriated by law.~~

20.3 **EFFECTIVE DATE.** This section is effective retroactively from July 1, 2019.

20.4 Sec. 33. Minnesota Statutes 2020, section 89.021, is amended by adding a subdivision to
20.5 read:

20.6 Subd. 42a. **Riverlands State Forest.**

20.7 Sec. 34. Minnesota Statutes 2020, section 89.17, is amended to read:

20.8 **89.17 LEASES AND PERMITS.**

20.9 (a) Notwithstanding the permit procedures of chapter 90, the commissioner may grant
20.10 and execute, in the name of the state, leases and permits for the use of any forest lands under
20.11 the authority of the commissioner for any purpose that in the commissioner's opinion is not
20.12 inconsistent with the maintenance and management of the forest lands, on forestry principles
20.13 for timber production. Every such lease or permit is revocable at the discretion of the
20.14 commissioner at any time subject to such conditions as may be agreed on in the lease. The
20.15 approval of the commissioner of administration is not required upon any such lease or
20.16 permit. No such lease or permit for a period exceeding 21 years shall be granted except with
20.17 the approval of the Executive Council.

20.18 (b) Public access to the leased land for outdoor recreation is the same as access would
20.19 be under state management.

20.20 (c) Notwithstanding section 16A.125, subdivision 5, after deducting the reasonable costs
20.21 incurred for preparing and issuing the lease, all remaining proceeds from leasing school
20.22 trust land and university land for roads on forest lands must be deposited into the respective
20.23 permanent fund for the lands.

20.24 (d) The commissioner may require a performance bond, security deposit, or other form
20.25 of security for removing any improvements or personal property left on the leased premises
20.26 by the lessee upon termination or cancellation of the lease.

20.27 (e) In addition to other payments required by this section, the applicant must reimburse
20.28 the state for costs incurred for cultural resources review, monitoring, or other services
20.29 provided by the Minnesota Historical Society under contract with the commissioner of
20.30 natural resources or the State Historic Preservation Office of the Department of
20.31 Administration in connection with reviewing the lease request, preparing the lease terms,
20.32 or monitoring construction of improvements on the leased premises.

21.1 Sec. 35. Minnesota Statutes 2020, section 92.50, is amended by adding a subdivision to
21.2 read:

21.3 Subd. 4. Reimbursing costs. In addition to other payments required by this section, the
21.4 applicant must reimburse the state for costs incurred for cultural resources review, monitoring,
21.5 or other services provided by the Minnesota Historical Society under contract with the
21.6 commissioner of natural resources or the State Historic Preservation Office of the Department
21.7 of Administration in connection with reviewing the lease request, preparing the lease terms,
21.8 or constructing improvements on the leased premises.

21.9 Sec. 36. Minnesota Statutes 2020, section 92.502, is amended to read:

21.10 **92.502 LEASE OF TAX-FORFEITED AND STATE LANDS.**

21.11 (a) Notwithstanding section 282.04 or other law to the contrary, St. Louis County may
21.12 enter a 30-year lease of tax-forfeited land for a wind energy project.

21.13 (b) The commissioner of natural resources may enter a 30-year lease of land administered
21.14 by the commissioner for a wind energy project.

21.15 (c) The commissioner of natural resources may enter a 30-year lease of land administered
21.16 by the commissioner for recreational trails and facilities. The commissioner may assess the
21.17 lease applicant a monitoring fee to cover the projected reasonable costs of monitoring
21.18 construction of the recreational trail or facility and preparing special terms and conditions
21.19 of the license to ensure proper construction. The commissioner must give the applicant an
21.20 estimate of the monitoring fee before the applicant is required to submit the fee. Upon
21.21 completion of construction of the trail or facility, the commissioner must refund the
21.22 unobligated balance from the monitoring fee revenue.

21.23 (d) Notwithstanding section 282.04 or other law to the contrary, Lake and St. Louis
21.24 Counties may enter into 30-year leases of tax-forfeited land for recreational trails and
21.25 facilities.

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

21.27 Sec. 37. **[92.503] CONSERVATION PLANNING LEASES.**

21.28 The commissioner of natural resources may lease state-owned lands as defined in section
21.29 92.01 for a term not to exceed 21 years for the purpose of investigating, analyzing, and
21.30 developing conservation easements that provide ecosystem services benefits. Leases granted
21.31 under this section are not subject to section 92.50, subdivision 1, paragraph (b), with respect

22.1 to Executive Council approval for commercial leases or section 92.50, subdivision 1,
 22.2 paragraph (d).

22.3 Sec. 38. Minnesota Statutes 2020, section 97A.015, subdivision 29, is amended to read:

22.4 Subd. 29. **Minnows.** "Minnows" means: (1) members of the minnow family, Cyprinidae,
 22.5 except carp and goldfish; (2) members of the mudminnow family, Umbridae; (3) members
 22.6 of the sucker family, Catostomidae, ~~not over 12 inches in length~~; (4) bullheads, ciscoes,
 22.7 lake whitefish, goldeyes, and mooneyes, not over seven inches long; (5) leeches; and (6)
 22.8 tadpole madtoms (willow cats) and stonecats.

22.9 Sec. 39. Minnesota Statutes 2020, section 97A.401, subdivision 1, is amended to read:

22.10 Subdivision 1. **Commissioner's authority.** The commissioner may issue special permits
 22.11 for the activities in this section. A special permit may be issued in the form of a general
 22.12 permit to a governmental subdivision or to the general public to conduct one or more
 22.13 activities under subdivisions 2 to ~~7~~ 8.

22.14 Sec. 40. Minnesota Statutes 2020, section 97A.401, is amended by adding a subdivision
 22.15 to read:

22.16 Subd. 8. **Snakes, lizards, and salamanders.** The commissioner must prescribe conditions
 22.17 and may issue permits to breed, propagate, and sell snakes, lizards, and salamanders. A
 22.18 snake, lizard, or salamander that is obtained from a permitted breeder or that was possessed
 22.19 before August 1, 2021, may be possessed as a pet.

22.20 Sec. 41. Minnesota Statutes 2020, section 97A.421, subdivision 1, is amended to read:

22.21 Subdivision 1. **General.** (a) The annual license of a person convicted of a violation of
 22.22 the game and fish laws relating to the license or wild animals covered by the license is void
 22.23 when:

22.24 (1) a second conviction occurs within three years under a license to trap fur-bearing
 22.25 animals, take small game, or to take fish by angling or spearing;

22.26 (2) a ~~third~~ second conviction occurs within ~~one year~~ three years under a minnow dealer's
 22.27 license;

22.28 (3) a second conviction occurs within three years for violations of section 97A.425 that
 22.29 do not involve falsifications or intentional omissions of information required to be recorded,
 22.30 or attempts to conceal unlawful acts within the records;

23.1 (4) two or more misdemeanor convictions occur within a three-year period under a
 23.2 private fish hatchery license;

23.3 (5) the conviction occurs under a license not described in clause (1), (2), or (4) or is for
 23.4 a violation of section 97A.425 not described in clause (3); or

23.5 (6) the conviction is related to assisting a person in the illegal taking, transportation, or
 23.6 possession of wild animals, when acting as a hunting or angling guide.

23.7 (b) Except for big-game licenses and as otherwise provided in this section, for one year
 23.8 after the conviction the person may not obtain the kind of license or take wild animals under
 23.9 a lifetime license, issued under section 97A.473 or 97A.474, relating to the game and fish
 23.10 law violation.

23.11 Sec. 42. Minnesota Statutes 2020, section 97A.421, is amended by adding a subdivision
 23.12 to read:

23.13 **Subd. 3b. Issuance after conviction; night vision or thermal imaging equipment. (a)**
 23.14 A person who is convicted of a violation under paragraph (b) and who possessed night
 23.15 vision or thermal imaging equipment during the violation may not obtain a hunting license
 23.16 or hunt wild animals for five years from the date of conviction.

23.17 (b) The revocation under this subdivision applies to convictions for:

23.18 (1) trespassing;

23.19 (2) hunting game in closed season;

23.20 (3) hunting game in closed hours;

23.21 (4) possessing night vision or thermal imaging equipment while taking wild animals in
 23.22 violation of section 97B.086; or

23.23 (5) possessing unlawful firearms in deer zones in violation of section 97B.041.

23.24 Sec. 43. Minnesota Statutes 2020, section 97A.505, subdivision 3b, is amended to read:

23.25 Subd. 3b. **Wild animals taken on Red Lake Reservation lands ~~within Northwest~~**
 23.26 **~~Angle.~~** Wild animals taken and tagged on the Red Lake Reservation lands in accordance
 23.27 with the Red Lake Band's Conservation Code ~~on the Red Lake Reservation lands in~~
 23.28 ~~Minnesota north of the 49th parallel shall be~~ and all applicable federal law are considered
 23.29 lawfully taken and possessed under state law. Possessing wild animals harvested under this
 23.30 subdivision is in addition to any state limits.

24.1 Sec. 44. Minnesota Statutes 2020, section 97B.036, is amended to read:

24.2 **97B.036 CROSSBOW HUNTING DURING FIREARMS SEASON.**

24.3 Notwithstanding section 97B.035, subdivisions 1 and 2, a person may take deer, bear,
 24.4 or turkey by crossbow during the respective ~~regular~~ firearms seasons. The transportation
 24.5 requirements of section 97B.051 apply to crossbows during the ~~regular~~ firearms deer, bear,
 24.6 or turkey season. Crossbows must meet the requirements of section 97B.106, subdivision
 24.7 2. A person taking deer, bear, or turkey by crossbow under this section must have a valid
 24.8 ~~firearms~~ license to take the respective game by firearm. This section does not allow the use
 24.9 of a crossbow by licensed muzzleloader hunters during the muzzleloader firearms deer
 24.10 season under section 97B.311.

24.11 Sec. 45. Minnesota Statutes 2020, section 97B.055, subdivision 2, is amended to read:

24.12 Subd. 2. **Restrictions related to motor vehicles.** (a) A person may not take a wild
 24.13 animal with a firearm or by archery from a motor vehicle except as permitted in this section.

24.14 (b) A person may not shoot at a decoy of a wild animal that is placed by a licensed peace
 24.15 officer by:

24.16 (1) discharging a firearm from a motor vehicle; or

24.17 (2) discharging an arrow from a bow from a motor vehicle.

24.18 (c) Notwithstanding section 97B.091, a person may transport a bow uncased while in a
 24.19 motorized watercraft and may take rough fish while in the boat as provided in section
 24.20 97C.376, subdivision 3.

24.21 Sec. 46. Minnesota Statutes 2020, section 97B.071, is amended to read:

24.22 **97B.071 CLOTHING AND GROUND BLIND REQUIREMENTS; BLAZE**
 24.23 **ORANGE OR BLAZE PINK.**

24.24 (a) Except as provided in rules adopted under paragraph ~~(e)~~ (d), a person may not hunt
 24.25 or trap during the open season where deer may be taken by firearms under applicable laws
 24.26 and ordinances, unless the visible portion of the person's cap and outer clothing above the
 24.27 waist, excluding sleeves and gloves, is blaze orange or blaze pink. Blaze orange or blaze
 24.28 pink includes a camouflage pattern of at least 50 percent blaze orange or blaze pink within
 24.29 each foot square. This section does not apply to migratory-waterfowl hunters on waters of
 24.30 this state or in a stationary shooting location or to trappers on waters of this state.

25.1 (b) Except as provided in rules adopted under paragraph (d) and in addition to the
 25.2 requirements under paragraph (a), during the open season where deer may be taken by
 25.3 firearms under applicable laws and ordinances, a person in a fabric or synthetic ground
 25.4 blind on public land must have:

25.5 (1) a blaze orange or blaze pink safety covering on the top of the blind visible for 360
 25.6 degrees around the blind; or

25.7 (2) at least 144 square inches of blaze orange or blaze pink material on each side of the
 25.8 blind.

25.9 ~~(b)~~ (c) Except as provided in rules adopted under paragraph ~~(e)~~ (d), and in addition to
 25.10 the ~~requirement~~ requirements in ~~paragraph~~ paragraphs (a) and (b), a person may not take
 25.11 small game other than turkey, migratory birds, raccoons, and predators, except while trapping,
 25.12 unless a visible portion of at least one article of the person's clothing above the waist is
 25.13 blaze orange or blaze pink. This paragraph does not apply to a person when in a stationary
 25.14 location while hunting deer by archery or when hunting small game by falconry.

25.15 ~~(e)~~ (d) The commissioner may, by rule, prescribe an alternative color in cases where
 25.16 ~~paragraph (a) or (b)~~ paragraphs (a) to (c) would violate the Religious Freedom Restoration
 25.17 Act of 1993, Public Law 103-141.

25.18 ~~(d)~~ (e) A violation of paragraph ~~(b)~~ (c) ~~shall~~ does not result in a penalty, but is punishable
 25.19 only by a safety warning.

25.20 Sec. 47. Minnesota Statutes 2020, section 97B.086, is amended to read:

25.21 **97B.086 POSSESSING NIGHT VISION OR THERMAL IMAGING EQUIPMENT.**

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

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

25.26 (1) unloaded;

25.27 (2) in a gun case expressly made to contain a firearm that fully encloses the firearm by
 25.28 being zipped, snapped, buckled, tied, or otherwise fastened without any portion of the
 25.29 firearm exposed; and

25.30 (3) in the closed trunk of a motor vehicle.

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

26.1 (1) completely encased or unstrung; and

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

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

26.5 (e) This section does not apply to night vision, night vision enhanced with an infrared
26.6 illuminator, or thermal imaging equipment possessed by:

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

26.8 (2) a person taking coyote or fox as provided under section 97B.075 and rules adopted
26.9 under section 97B.605, but the equipment must not be possessed during the regular firearms
26.10 deer season.

26.11 Sec. 48. Minnesota Statutes 2020, section 97B.311, is amended to read:

26.12 **97B.311 DEER SEASONS AND RESTRICTIONS.**

26.13 (a) Except as provided under paragraph (c), the commissioner may, by rule, prescribe
26.14 restrictions and designate areas where deer may be taken, including hunter selection criteria
26.15 for special hunts established under section 97A.401, subdivision 4. The commissioner may,
26.16 by rule, prescribe the open seasons for deer within the following periods:

26.17 (1) taking with firearms, other than muzzle-loading firearms, between November 1 and
26.18 December 15;

26.19 (2) taking with muzzle-loading firearms between September 1 and December 31; and

26.20 (3) taking by archery between September 1 and December 31.

26.21 (b) Notwithstanding paragraph (a), the commissioner may establish special seasons
26.22 within designated areas at any time of year.

26.23 (c) The commissioner may not impose an antler point restriction other than that imposed
26.24 under Minnesota Rules, part 6232.0200, subpart 6.

26.25 Sec. 49. Minnesota Statutes 2020, section 97B.415, is amended to read:

26.26 **97B.415 TAKING BEAR TO PROTECT PROPERTY; SPECIAL PERMIT FOR**
26.27 **TAKING NUISANCE BEAR.**

26.28 (a) A person may take a bear at any time to protect the person's property. The person
26.29 must report the bear taken to a conservation officer within 48 hours. The bear may be
26.30 disposed of as prescribed by the commissioner.

27.1 (b) The commissioner must issue a bear control special permit according to section
 27.2 97A.401 for wildlife control operators to take nuisance bear by live trapping and relocating
 27.3 the bear. When a bear is trapped and released, an enforcement officer or a wildlife manager
 27.4 must approve the release location. The commissioner must provide specific training to
 27.5 wildlife control operators who are issued a permit under this paragraph, including a refresher
 27.6 course every five years. The commissioner may not charge a fee for the bear control special
 27.7 permit or training. A wildlife control operator with a special permit issued under this
 27.8 paragraph may use remote surveillance equipment to monitor live traps.

27.9 Sec. 50. Minnesota Statutes 2020, section 97B.811, subdivision 4a, is amended to read:

27.10 Subd. 4a. **Restrictions on certain motorized decoys.** ~~From the opening day of the duck~~
 27.11 ~~season through the Saturday nearest October 8, a person may not use a motorized decoy,~~
 27.12 ~~or other motorized device designed to attract migratory waterfowl.~~ During the remainder
 27.13 ~~of the duck season,~~ the commissioner may, by rule, designate all or any portion of a wetland
 27.14 or lake closed to the use of motorized decoys or motorized devices designed to attract
 27.15 migratory waterfowl. ~~On water bodies and lands fully contained within wildlife management~~
 27.16 ~~area boundaries, a person may not use motorized decoys or motorized devices designed to~~
 27.17 ~~attract migratory waterfowl at any time during the duck season.~~

27.18 Sec. 51. Minnesota Statutes 2020, section 97C.005, subdivision 3, is amended to read:

27.19 Subd. 3. **Seasons, limits, and other rules.** The commissioner may, in accordance with
 27.20 the procedures in subdivision 2, paragraphs (c) and (e), or by rule under chapter 14, establish
 27.21 open seasons, limits, methods, and other requirements for taking fish on special management
 27.22 waters. The commissioner may, by written order published in the State Register, amend
 27.23 daily, possession, or size limits to make midseason adjustments based on available harvest,
 27.24 angling pressure, and population data to manage the fisheries in the 1837 Ceded Territory
 27.25 in compliance with the court orders in Mille Lacs Band of Chippewa v. Minnesota, 119 S.
 27.26 Ct. 1187 (1999) and in the state waters of Upper Red Lake. The midseason adjustments in
 27.27 daily, possession, or size limits are not subject to the rulemaking provisions of chapter 14
 27.28 and section 14.386 does not apply. Before the written order is effective, the commissioner
 27.29 shall attempt to notify persons or groups of persons affected by the written order by public
 27.30 announcement, posting, and other appropriate means as determined by the commissioner.

27.31 Sec. 52. Minnesota Statutes 2020, section 97C.211, subdivision 2a, is amended to read:

27.32 Subd. 2a. **Acquiring fish.** (a) A private fish hatchery may not obtain fish outside of the
 27.33 state unless the fish or the source of the fish are approved by the commissioner. The

28.1 commissioner may apply more stringent requirements to fish or a source of fish from outside
 28.2 the state than are applied to fish and sources of fish from within the state. The commissioner
 28.3 must either approve or deny the acquisition within 30 days after receiving a written request
 28.4 for approval. ~~Minnows acquired must be processed and not released into public waters,~~
 28.5 ~~except as provided in section 97C.515, subdivision 4.~~ A request may be for annual
 28.6 acquisition.

28.7 (b) If the commissioner denies approval, a written notice must be submitted to the
 28.8 applicant stating the reasons for the denial and the commissioner must:

28.9 (1) designate approved sources to obtain the desired fish or fish eggs; or

28.10 (2) sell the fish or fish eggs from state fish hatcheries at fair market value.

28.11 Sec. 53. Minnesota Statutes 2020, section 97C.342, subdivision 2, is amended to read:

28.12 Subd. 2. **Bait restrictions.** (a) Frozen or dead fish on the official list of viral hemorrhagic
 28.13 septicemia susceptible species published by the United States Department of Agriculture,
 28.14 Animal and Plant Health Inspection Services VHS-susceptible-species list under section
 28.15 17.4982, subdivision 21b; cisco (all *Coregonus*, including lake herring and tullibee); and
 28.16 smelt (all *Osmerus*, *Spirincus*, *Hypomesus*, and *Allosmerus*) being used as bait in waters of
 28.17 the state must originate from water bodies certified disease-free. A water body is certified
 28.18 as disease-free if:

28.19 (1) the water body has been tested for viral hemorrhagic septicemia and the testing
 28.20 indicates the disease is not present; or

28.21 (2) the water body is located within a viral-hemorrhagic-septicemia-free zone posted on
 28.22 the Department of Natural Resources website.

28.23 (b) Certification for ~~these~~ individually tested water bodies is valid for one year from the
 28.24 date of test results. Certification of water bodies within a viral-hemorrhagic-septicemia-free
 28.25 zone posted on the Department of Natural Resources website is valid for the dates included
 28.26 in the posting. A viral-hemorrhagic-septicemia-free certification is also referred to as a fish
 28.27 health certification.

28.28 Sec. 54. Minnesota Statutes 2020, section 97C.515, subdivision 2, is amended to read:

28.29 Subd. 2. **Permit for ~~transportation~~ importation.** (a) A person may ~~transport~~ import
 28.30 live minnows ~~through~~ into the state with a permit from the commissioner. ~~The permit must~~
 28.31 state the name and address of the person, the number and species of minnows, the point of
 28.32 entry into the state, the destination, and the route through the state. ~~The permit is not valid~~

29.1 ~~for more than 12 hours after it is issued. A person must not import minnows into the state~~
 29.2 ~~except as provided in this section.~~

29.3 ~~(b) Minnows transported under this subdivision must be in a tagged container. The tag~~
 29.4 ~~number must correspond with tag numbers listed on the minnow transportation permit.~~

29.5 ~~(c) The commissioner may require the person transporting minnow species found on~~
 29.6 ~~the official list of viral hemorrhagic septicemia susceptible species published by the United~~
 29.7 ~~States Department of Agriculture, Animal and Plant Health Inspection Services, to provide~~
 29.8 ~~health certification for viral hemorrhagic septicemia. The certification must disclose any~~
 29.9 ~~incidentally isolated replicating viruses, and must be dated within the 12 months preceding~~
 29.10 ~~transport.~~

29.11 ~~(b) Minnows must be certified as healthy according to standards of the World~~
 29.12 ~~Organisation for Animal Health or the Fish Health Section Blue Book of the American~~
 29.13 ~~Fisheries Society.~~

29.14 ~~(c) Minnows must be certified free of viral hemorrhagic septicemia, infectious~~
 29.15 ~~hematopoietic necrosis, infectious pancreatic necrosis, spring viremia of carp virus, fathead~~
 29.16 ~~minnow nidovirus, and Heterosporis within the past 12 months.~~

29.17 ~~(d) Minnows must originate from a biosecure facility that has tested negative for invasive~~
 29.18 ~~species in the past 12 months.~~

29.19 ~~(e) Only a person that holds a minnow dealer's license issued under section 97C.501,~~
 29.20 ~~subdivision 2, may obtain a permit to import minnows.~~

29.21 ~~(f) The following information must be available to the commissioner upon request for~~
 29.22 ~~each load of imported minnows:~~

29.23 ~~(1) the date minnows were imported;~~

29.24 ~~(2) the number of pounds or gallons imported;~~

29.25 ~~(3) the facility name from which the minnows originated; and~~

29.26 ~~(4) a fish health certificate for the minnows.~~

29.27 ~~(g) Minnows may be imported to feed hatchery fish if the requirements in paragraphs~~
 29.28 ~~(a) to (f) are met.~~

29.29 Sec. 55. Minnesota Statutes 2020, section 97C.805, subdivision 2, is amended to read:

29.30 Subd. 2. **Restrictions.** (a) ~~The~~ Netting of lake whitefish and ciscoes is subject to the
 29.31 restrictions in this subdivision.

- 30.1 (b) A person may not use:
- 30.2 (1) more than ~~two nets~~ one net;
- 30.3 (2) a net more than 100 feet long; or
- 30.4 (3) a net more than three feet wide.
- 30.5 (c) The mesh size of the ~~nets~~ net may not be less than:
- 30.6 (1) 1-3/4 inches, stretch measure, for nets used to take ciscoes; and
- 30.7 (2) 3-1/2 inches, stretch measure, for all other nets.
- 30.8 (d) A net may not be set in water, including ice thickness, deeper than six feet.
- 30.9 (e) The commissioner may designate waters where nets may be set so that portions of
- 30.10 the net extend into water deeper than six feet under conditions prescribed by the
- 30.11 commissioner to protect game fish. A pole or stake must project at least two feet above the
- 30.12 surface of the water or ice at one end of ~~each~~ the net.
- 30.13 (f) A net may not be set within 50 feet of another net.
- 30.14 (g) A person may not have angling equipment in possession while netting lake whitefish
- 30.15 or ciscoes.

30.16 Sec. 56. Minnesota Statutes 2020, section 97C.836, is amended to read:

30.17 **97C.836 LAKE SUPERIOR LAKE TROUT; EXPANDED ASSESSMENT**

30.18 **HARVEST.**

30.19 The commissioner shall provide for taking of lake trout by licensed commercial operators

30.20 in Lake Superior management zones MN-3 and MN-2 for expanded assessment and sale.

30.21 The commissioner shall authorize expanded assessment taking and sale of lake trout in Lake

30.22 Superior management zone MN-3 beginning annually in 2007 and zone MN-2 beginning

30.23 annually in 2010. Total assessment taking and sale may not exceed 3,000 lake trout in zone

30.24 MN-3 and 2,000 lake trout in zone MN-2 and may be reduced when necessary to protect

30.25 the lake trout population or to manage the effects of invasive species or fish disease. Taking

30.26 lake trout for expanded assessment and sale shall be allowed from June 1 to September 30,

30.27 but may end earlier in the respective zones if the quotas are reached. The quotas must be

30.28 reassessed at the expiration of the current ten-year Fisheries Management Plan for the

30.29 Minnesota Waters of Lake Superior ~~dated September 2006~~.

31.1 Sec. 57. Minnesota Statutes 2020, section 103A.212, is amended to read:

31.2 **103A.212 WATERSHED MANAGEMENT POLICY.**

31.3 Subdivision 1. Purpose. The quality of life of every Minnesotan depends on water.
 31.4 Minnesota's rivers, lakes, streams, wetlands, and groundwater provide a foundation for
 31.5 drinking water and the state's recreational, municipal, commercial, industrial, agricultural,
 31.6 environmental, aesthetic, and economic well-being. The legislature finds that it is in the
 31.7 public interest to manage groundwater and surface water resources from the perspective of
 31.8 aquifers, watersheds, and river basins to achieve protection, preservation, enhancement,
 31.9 and restoration of the state's valuable groundwater and surface water resources.

31.10 Subd. 2. Coordination and cooperation. In implementing the policy under this section,
 31.11 state agencies and local and regional governments with authority over local water
 31.12 management, conservation, land use, land management, and development plans must take
 31.13 into consideration the manner in which their plans are consistent with the policy. To the
 31.14 extent practicable, state agencies and local and regional governments must endeavor to enter
 31.15 into formal and informal agreements and arrangements to jointly use staff and educational,
 31.16 technical, and financial resources to deliver programs or conduct activities to achieve the
 31.17 purposes of the policy.

31.18 Sec. 58. Minnesota Statutes 2020, section 103B.103, is amended to read:

31.19 **103B.103 EASEMENT STEWARDSHIP ACCOUNTS.**

31.20 Subdivision 1. **Accounts established; sources.** (a) The water and soil conservation
 31.21 easement stewardship account and the mitigation easement stewardship account are created
 31.22 in the special revenue fund. The accounts consist of money credited to the accounts and
 31.23 interest and other earnings on money in the accounts. The State Board of Investment must
 31.24 manage the accounts to maximize long-term gain.

31.25 (b) Revenue from contributions and money appropriated for any purposes of the account
 31.26 as described in subdivision 2 must be deposited in the water and soil conservation easement
 31.27 stewardship account. Revenue from contributions, wetland ~~banking~~ mitigation fees designated
 31.28 for stewardship purposes by the board, easement stewardship payments authorized under
 31.29 subdivision 3, and money appropriated for any purposes of the account as described in
 31.30 subdivision 2 must be deposited in the mitigation easement stewardship account.

31.31 Subd. 2. **Appropriation; purposes of accounts.** (a) Five percent of the balance on July
 31.32 1 each year in the water and soil conservation easement stewardship account and five percent
 31.33 of the balance on July 1 each year in the mitigation easement stewardship account are

32.1 annually appropriated to the board and may be spent only to cover the costs of managing
 32.2 easements held by the board, including costs associated with:

32.3 (1) repairing or replacing structures;

32.4 (2) maintaining vegetation and hydrology;

32.5 (3) monitoring;

32.6 (4) landowner contacts;

32.7 (5) records storage and management;

32.8 (6) processing landowner notices;

32.9 (7) requests for approval or amendments;

32.10 (8) enforcement; and

32.11 (9) legal services associated with easement management activities.

32.12 (b) When the amount appropriated under paragraph (a) is not sufficient to cover the
 32.13 costs of easements held by the board, the board may use money from the mitigation easement
 32.14 stewardship account and the water and soil conservation easement stewardship account to
 32.15 cover costs associated with:

32.16 (1) legal compliance costs;

32.17 (2) repairing or replacing structures; and

32.18 (3) maintaining vegetation and hydrology.

32.19 (c) In addition to the amounts appropriated under paragraph (a), up to 25 percent of the
 32.20 balance on July 1 each year in the water and soil conservation easement stewardship account
 32.21 and 25 percent of the balance on July 1 each year in the mitigation easement stewardship
 32.22 account are annually appropriated to the board for the purposes of paragraph (b). In
 32.23 consultation with the commissioner of management and budget, the board must establish a
 32.24 process, including criteria, for the use of money appropriated under this paragraph. The
 32.25 board must include a summary of how money appropriated under this paragraph in the prior
 32.26 two fiscal years was used in the report required under section 103B.101, subdivision 9,
 32.27 paragraph (a), clause 7.

32.28 Subd. 3. **Financial contributions.** The board shall seek a financial contribution to the
 32.29 water and soil conservation easement stewardship account for each conservation easement
 32.30 acquired by the board. The board shall seek a financial contribution or assess an easement
 32.31 stewardship payment to the mitigation easement stewardship account for each wetland

33.1 ~~banking~~ mitigation easement acquired by the board. Unless otherwise provided by law, the
 33.2 board shall determine the amount of the contribution or payment, which must be an amount
 33.3 calculated to earn sufficient money to meet the costs of managing the easement at a level
 33.4 that neither significantly overrecovers nor underrecovers the costs. In determining the
 33.5 amount of the financial contribution, the board shall consider:

33.6 (1) the estimated annual staff hours needed to manage the conservation easement, taking
 33.7 into consideration factors such as easement type, size, location, and complexity;

33.8 (2) the average hourly wages for the class or classes of state and local employees expected
 33.9 to manage the easement;

33.10 (3) the estimated annual travel expenses to manage the easement;

33.11 (4) the estimated annual miscellaneous costs to manage the easement, including supplies
 33.12 and equipment, information technology support, and aerial flyovers;

33.13 (5) the estimated annualized costs of legal services, including the cost to enforce the
 33.14 easement in the event of a violation; ~~and~~

33.15 (6) the estimated annualized costs for repairing or replacing structures and maintaining
 33.16 vegetation and hydrology; and

33.17 ~~(6)~~ (7) the expected rate of return on investments in the account.

33.18 Sec. 59. Minnesota Statutes 2020, section 103C.315, subdivision 4, is amended to read:

33.19 Subd. 4. **Compensation.** A supervisor shall receive compensation for services up to \$75
 33.20 \$125 per day, and may be reimbursed for expenses, including traveling expenses, necessarily
 33.21 incurred in the discharge of duties. A supervisor may be reimbursed for the use of the
 33.22 supervisor's own automobile in the performance of official duties at a rate up to the maximum
 33.23 tax-deductible mileage rate permitted under the federal Internal Revenue Code.

33.24 Sec. 60. [103F.05] MINNESOTA RIVER BASIN WATER QUALITY AND
 33.25 STORAGE PROGRAM.

33.26 Subdivision 1. Definitions. For the purposes of this section:

33.27 (1) "board" means the Board of Water and Soil Resources; and

33.28 (2) "local units of government" has the meaning given under section 103B.305,
 33.29 subdivision 5.

34.1 Subd. 2. **Establishment.** The board may establish a program to provide financial
 34.2 assistance to local units of government located in the Minnesota River basin to control water
 34.3 volume and rates for the purpose of protecting infrastructure and improving water quality
 34.4 and related public benefits.

34.5 Subd. 3. **Financial assistance.** (a) The board may provide financial assistance to local
 34.6 units of government to cover the costs of water storage projects and other water quality
 34.7 practices consistent with a plan approved according to chapter 103B, 103C, or 103D. Eligible
 34.8 costs include costs for site acquisition, design, engineering, and construction. The board
 34.9 may acquire conservation easements under sections 103F.501 to 103F.531 as necessary to
 34.10 implement a project or practice under this section.

34.11 (b) The board must enter into agreements with local units of government receiving
 34.12 financial assistance under this section. The agreements must specify the terms of state and
 34.13 local cooperation, including the financial arrangement for constructing any structures and
 34.14 assuring maintenance of the structures after completion.

34.15 (c) The board may adopt procedures based on section 103C.501 for cost-sharing contracts
 34.16 needed to implement this subdivision.

34.17 Subd. 4. **Local match.** The board may require a local match and may adjust match
 34.18 requirements if federal funds are available for the project.

34.19 Subd. 5. **Technical assistance.** (a) The board may employ or contract with an engineer
 34.20 or hydrologist to work on the technical implementation of the program established under
 34.21 this section.

34.22 (b) When implementing the program, the board must:

34.23 (1) assist local units of government in achieving the purposes of the program;

34.24 (2) review and analyze projects and project sites; and

34.25 (3) evaluate the effectiveness of completed projects constructed under the program.

34.26 (c) The board may enter into cooperative agreements with the commissioner of natural
 34.27 resources, the Natural Resources Conservation Service of the United States Department of
 34.28 Agriculture, and other agencies as needed to analyze hydrological and engineering
 34.29 information on proposed sites.

34.30 Subd. 6. **Requirements.** (a) A local unit of government applying for financial assistance
 34.31 under this section must provide a copy of a resolution or other documentation of the local
 34.32 unit of government's support for the project. The documentation must include provisions

35.1 for local funding and management, the proposed method of obtaining necessary land rights
 35.2 for the proposed project, and an assignment of responsibility for maintaining any structures
 35.3 or practices upon completion of the project.

35.4 (b) A local unit of government, with the assistance of the board, must evaluate the
 35.5 environmental and other benefits that are reasonably expected upon completing the proposed
 35.6 project. The evaluation must be submitted to the board before the final design.

35.7 Subd. 7. **Interstate cooperation.** The board may enter into or approve working
 35.8 agreements with neighboring states or their political subdivisions to accomplish projects
 35.9 consistent with the program established in this section.

35.10 Subd. 8. **Federal aid availability.** The board must regularly complete an analysis of the
 35.11 availability of federal funds and programs to supplement or complement state and local
 35.12 efforts consistent with the purposes of this section.

35.13 Sec. 61. Minnesota Statutes 2020, section 103G.271, subdivision 4a, is amended to read:

35.14 Subd. 4a. **Mt. Simon-Hinckley aquifer.** ~~(a)~~ The commissioner may not issue new
 35.15 water-use permits that will appropriate water from the Mt. Simon-Hinckley aquifer ~~in a~~
 35.16 ~~metropolitan county, as defined in section 473.121, subdivision 4,~~ unless the appropriation
 35.17 is for potable water use, there are no feasible or practical alternatives to this source, and a
 35.18 water conservation plan is incorporated with the permit.

35.19 ~~(b) The commissioner shall terminate all permits authorizing appropriation and use of~~
 35.20 ~~water from the Mt. Simon-Hinckley aquifer for once-through systems in a metropolitan~~
 35.21 ~~county, as defined in section 473.121, subdivision 4, by December 31, 1992.~~

35.22 Sec. 62. Minnesota Statutes 2020, section 103G.271, is amended by adding a subdivision
 35.23 to read:

35.24 Subd. 4b. **Bulk transport or sale.** (a) To maintain the supply of drinking water for future
 35.25 generations and except as provided under paragraph (b), the commissioner may not issue
 35.26 a new water-use permit to appropriate water in excess of one million gallons per year for
 35.27 bulk transport or sale of water for consumptive use to a location more than 50 miles from
 35.28 the point of the proposed appropriation.

35.29 (b) Paragraph (a) does not apply to a water-use permit for a public water supply, as
 35.30 defined under section 144.382, subdivision 4, issued to a local unit of government, rural
 35.31 water district established under chapter 116A, or Tribal unit of government if:

35.32 (1) the use is solely for the public water supply;

36.1 (2) the local unit of government, rural water district established under chapter 116A, or
36.2 Tribal unit of government has a property interest at the point of the appropriation;

36.3 (3) the communities that will use the water are located within 100 miles of the point of
36.4 appropriation; and

36.5 (4) the requirements in sections 103G.265, 103G.285, and 103G.287 are met.

36.6 Sec. 63. Minnesota Statutes 2020, section 103G.271, subdivision 7, is amended to read:

36.7 Subd. 7. **Transferring permit.** (a) A water-use permit may be transferred to a successive
36.8 owner of real property if the permittee conveys the real property where the source of water
36.9 is located. The new owner must notify the commissioner immediately after the conveyance
36.10 and request transfer of the permit. The commissioner must not deny the transfer of a permit
36.11 if the permittee is in compliance with all permit conditions and the permit meets the
36.12 requirements of sections 103G.255 to 103G.301.

36.13 (b) When transferring a permit, the commissioner must not require additional conditions
36.14 on the permit, reduce the appropriation, reduce the term, or require any testing.

36.15 Sec. 64. Minnesota Statutes 2020, section 103G.271, is amended by adding a subdivision
36.16 to read:

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

36.22 Sec. 65. Minnesota Statutes 2020, section 103G.287, subdivision 4, is amended to read:

36.23 Subd. 4. **Groundwater management areas.** (a) The commissioner may designate
36.24 groundwater management areas and limit total annual water appropriations and uses within
36.25 a designated area to ensure sustainable use of groundwater that protects ecosystems, water
36.26 quality, and the ability of future generations to meet their own needs. Water appropriations
36.27 and uses within a designated management area must be consistent with a groundwater
36.28 management area plan approved by the commissioner that addresses water conservation
36.29 requirements and water allocation priorities established in section 103G.261. During
36.30 development of a groundwater management area plan, the commissioner and employees
36.31 and agents of the department may disseminate information related to the timing, location,
36.32 and agendas of meetings related to the plan, but must otherwise limit public information

37.1 related to the groundwater management area plan to direct factual responses to public and
37.2 media inquiries. At least 30 days prior to implementing or modifying a groundwater
37.3 management area plan under this subdivision, the commissioner shall consult with the
37.4 advisory team established in paragraph (c).

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

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

37.26 (d) Before designating a groundwater management area, the commissioner must provide
37.27 estimates of the economic effect of any new restriction or policy on existing and future
37.28 groundwater users and local governments in the affected area. Strategies to address economic
37.29 impacts must be included in any plan.

37.30 Sec. 66. Minnesota Statutes 2020, section 103G.287, subdivision 5, is amended to read:

37.31 Subd. 5. **Sustainability standard.** (a) The commissioner may issue water-use permits
37.32 for appropriation from groundwater only if the commissioner determines that the groundwater
37.33 use is sustainable to supply the needs of future generations and the proposed use will not

38.1 harm ecosystems, degrade water, or reduce water levels beyond the reach of public water
38.2 supply and private domestic wells constructed according to Minnesota Rules, chapter 4725.

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

38.5 Sec. 67. Minnesota Statutes 2020, section 103G.289, is amended to read:

38.6 **103G.289 WELL INTERFERENCE; ~~WELL SEALING VALIDATION;~~**
38.7 **CONTESTED CASE.**

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

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

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

38.18 Sec. 68. Minnesota Statutes 2020, section 115A.03, is amended by adding a subdivision
38.19 to read:

38.20 Subd. 1a. **Advanced recycling.** "Advanced recycling" means a manufacturing process
38.21 for converting post-use polymers and recovered feedstocks into basic hydrocarbon raw
38.22 materials, feedstocks, chemicals, liquid fuels, and other products like waxes and lubricants
38.23 through processes that include pyrolysis, gasification, depolymerization, catalytic cracking,
38.24 reforming, hydrogenation, solvolysis, and other similar technologies. The recycled products
38.25 produced at advanced recycling facilities include but are not limited to monomers, oligomers,
38.26 plastics, plastics and chemical feedstocks, basic and unfinished chemicals, crude oil, naphtha,
38.27 liquid transportation fuels, waxes, lubricants, coatings, and other basic hydrocarbons.
38.28 Advanced recycling is not processing, treatment, resource recovery, incineration, or waste
38.29 management.

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

39.1 Sec. 69. Minnesota Statutes 2020, section 115A.03, is amended by adding a subdivision
39.2 to read:

39.3 Subd. 1b. **Advanced recycling facility.** "Advanced recycling facility" means a facility
39.4 that receives, stores, and converts post-use polymers and recovered feedstocks it receives
39.5 using advanced recycling. An advanced recycling facility is a manufacturing facility subject
39.6 to applicable agency manufacturing regulations for air, water, waste, and land use. An
39.7 advanced recycling facility is not a solid waste facility, waste facility, or resource recovery
39.8 facility.

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

39.10 Sec. 70. Minnesota Statutes 2020, section 115A.03, is amended by adding a subdivision
39.11 to read:

39.12 Subd. 7b. **Depolymerization.** "Depolymerization" means a manufacturing process where
39.13 post-use polymers are broken into smaller molecules such as monomers and oligomers or
39.14 raw, intermediate, or final products, plastics and chemical feedstocks, basic and unfinished
39.15 chemicals, crude oil, naphtha, liquid transportation fuels, waxes, lubricants, coatings, and
39.16 other basic hydrocarbons.

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

39.18 Sec. 71. Minnesota Statutes 2020, section 115A.03, is amended by adding a subdivision
39.19 to read:

39.20 Subd. 10b. **Gasification.** "Gasification" means a manufacturing process through which
39.21 recovered feedstocks are heated and converted into a fuel-gas mixture in an oxygen-deficient
39.22 atmosphere and the mixture is converted into valuable raw materials and intermediate and
39.23 final products, including but not limited to plastic monomers, chemicals, waxes, lubricants,
39.24 chemical feedstocks, crude oil, diesel, gasoline, diesel and gasoline blend stocks, home
39.25 heating oil, and other fuels including ethanol and transportation fuel, that are returned to
39.26 economic utility in the form of raw materials, products, or fuels.

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

39.28 Sec. 72. Minnesota Statutes 2020, section 115A.03, is amended by adding a subdivision
39.29 to read:

39.30 Subd. 24c. **Post-use polymers.** "Post-use polymers" means plastic that:

39.31 (1) is derived from any industrial, commercial, agricultural, or domestic activities;

40.1 (2) is not mixed with solid waste or hazardous waste on site or during processing at the
40.2 advanced recycling facility;

40.3 (3) is used or intended to be used as a feedstock for manufacturing crude oil, fuels,
40.4 feedstocks, blend stocks, raw materials, or other intermediate products or final products
40.5 using advanced recycling;

40.6 (4) has been sorted from solid waste and other regulated waste but may contain residual
40.7 amounts of solid waste such as organic material and incidental contaminants or impurities
40.8 such as paper labels and metal rings; and

40.9 (5) is processed at an advanced recycling facility or held at an advanced recycling facility
40.10 before processing.

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

40.12 Sec. 73. Minnesota Statutes 2020, section 115A.03, is amended by adding a subdivision
40.13 to read:

40.14 Subd. 24d. **Pyrolysis.** "Pyrolysis" means a manufacturing process through which post-use
40.15 polymers are heated in an oxygen-deficient atmosphere until melted and thermally
40.16 decomposed and then cooled, condensed, and converted into valuable raw materials and
40.17 intermediate and final products, including but not limited to plastic monomers, chemicals,
40.18 waxes, lubricants, chemical feedstocks, crude oil, diesel, gasoline, diesel and gasoline blend
40.19 stocks, home heating oil, and other fuels including ethanol and transportation fuel, that are
40.20 returned to economic utility in the form of raw materials, products, or fuels.

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

40.22 Sec. 74. Minnesota Statutes 2020, section 115A.03, subdivision 25, is amended to read:

40.23 Subd. 25. **Processing.** "Processing" means the treatment of waste after collection and
40.24 before disposal. Processing includes but is not limited to reduction, storage, separation,
40.25 exchange, resource recovery, physical, chemical, or biological modification, and transfer
40.26 from one waste facility to another. Processing does not include advanced recycling.

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

40.28 Sec. 75. Minnesota Statutes 2020, section 115A.03, subdivision 25d, is amended to read:

40.29 Subd. 25d. **Refuse-derived fuel.** "Refuse-derived fuel" means a product resulting from
40.30 the processing of mixed municipal solid waste in a manner that reduces the quantity of
40.31 noncombustible material present in the waste, reduces the size of waste components through

41.1 shredding or other mechanical means, and produces a fuel suitable for combustion in existing
 41.2 or new solid fuel-fired boilers. Fuels produced using advanced recycling are not
 41.3 refuse-derived fuels.

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

41.5 Sec. 76. Minnesota Statutes 2020, section 115A.03, is amended by adding a subdivision
 41.6 to read:

41.7 Subd. 25e. **Recovered feedstock.** "Recovered feedstock" means one or more of the
 41.8 following materials that has been processed so that it may be used as feedstock in an advanced
 41.9 recycling facility:

41.10 (1) post-use polymers; and

41.11 (2) materials for which the United States Environmental Protection Agency has made
 41.12 a nonwaste determination under Code of Federal Regulations, title 40, section 241.3(c), or
 41.13 has otherwise determined are feedstocks and not solid waste.

41.14 Recovered feedstock does not include unprocessed municipal solid waste. Recovered
 41.15 feedstock is not mixed with solid waste or hazardous waste on site or during processing at
 41.16 an advanced recycling facility.

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

41.18 Sec. 77. Minnesota Statutes 2020, section 115A.03, subdivision 27, is amended to read:

41.19 Subd. 27. **Resource recovery.** "Resource recovery" means the reclamation for sale, use,
 41.20 or reuse of materials, substances, energy, or other products contained within or derived from
 41.21 waste. Resource recovery does not include advanced recycling.

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

41.23 Sec. 78. Minnesota Statutes 2020, section 115A.03, subdivision 28, is amended to read:

41.24 Subd. 28. **Resource recovery facility.** "Resource recovery facility" means a waste
 41.25 facility established and used primarily for resource recovery, including related and
 41.26 appurtenant facilities such as transmission facilities and transfer stations primarily serving
 41.27 the resource recovery facility. An advanced recycling facility is not a resource recovery
 41.28 facility.

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

42.1 Sec. 79. Minnesota Statutes 2020, section 115A.03, is amended by adding a subdivision
42.2 to read:

42.3 Subd. 32e. **Solvolysis.** "Solvolysis" means a manufacturing process through which
42.4 post-use polymers are reacted with the aid of solvents while heated at low temperatures or
42.5 pressurized, or both, to make useful products while allowing additives and contaminants to
42.6 be separated. The products of solvolysis include but are not limited to monomers,
42.7 intermediates, and valuable raw materials. The process includes but is not limited to
42.8 hydrolysis, aminolysis, ammonolysis, methanolysis, and glycolysis.

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

42.10 Sec. 80. Minnesota Statutes 2020, section 115A.03, subdivision 34, is amended to read:

42.11 Subd. 34. **Waste.** "Waste" means solid waste, sewage sludge, and hazardous waste.
42.12 Waste does not include post-use polymers or recovered feedstocks.

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

42.14 Sec. 81. Minnesota Statutes 2020, section 115A.03, subdivision 35, is amended to read:

42.15 Subd. 35. **Waste facility.** "Waste facility" means all property, real or personal, including
42.16 negative and positive easements and water and air rights, which is or may be needed or
42.17 useful for the processing or disposal of waste, except property for the collection of the waste
42.18 and property used primarily for the manufacture of scrap metal or paper. Waste facility
42.19 includes but is not limited to transfer stations, processing facilities, and disposal sites and
42.20 facilities. An advanced recycling facility is not a waste facility.

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

42.22 Sec. 82. Minnesota Statutes 2020, section 115A.03, subdivision 36, is amended to read:

42.23 Subd. 36. **Waste management.** "Waste management" means activities which are intended
42.24 to affect or control the generation of waste and activities which provide for or control the
42.25 collection, processing and disposal of waste. Waste management does not include advanced
42.26 recycling.

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

42.28 Sec. 83. **[115A.143] MATTRESS RECYCLING.**

42.29 Subdivision 1. **Definitions.** (a) For purposes of this section, the terms in this subdivision
42.30 have the meanings given.

43.1 (b) "Brand" means a name, symbol, word, or mark that attributes a mattress to the
43.2 producer of the mattress.

43.3 (c) "Covered entity" means a political subdivision of the state, mattress retailer, permitted
43.4 transfer station, waste-to-energy facility, health care facility, educational facility, military
43.5 base, or commercial or nonprofit lodging establishment that possesses a discarded mattress
43.6 that was used and discarded in this state. Covered entity does not include a renovator,
43.7 refurbisher, or person that only transports a discarded mattress.

43.8 (d) "Discarded mattress" means a mattress that a consumer discarded, intends to discard,
43.9 or abandoned in the state, but does not include a mattress that cannot be safely recycled
43.10 because it is contaminated by putrescible solid waste or is substantially soiled, is infested
43.11 with bedbugs, or poses a risk to worker health or equipment, which mattress should be
43.12 disposed of through the existing solid waste system.

43.13 (e) "Energy recovery" means the process by which all or a portion of solid waste materials
43.14 are processed or combusted to use the heat content or other forms of energy derived from
43.15 the solid waste materials.

43.16 (f) "Foundation" means any ticking-covered structure that is used to support a mattress
43.17 and that is composed of one or more of the following: a constructed frame, foam, or a box
43.18 spring, whether stationary, adjustable, or foldable. Foundation does not include any bed
43.19 frame or base made of wood, metal, or other material that rests upon the floor and that serves
43.20 as a brace for a mattress.

43.21 (g) "Mattress" means any resilient material or combination of materials that is enclosed
43.22 by ticking, used alone or in combination with other products, and that is intended or promoted
43.23 for sleeping upon. Mattress includes any foundation and any used or renovated mattress.
43.24 Mattress does not include any mattress pad; mattress topper; sleeping bag; pillow; car bed;
43.25 carriage; basket; dressing table; stroller; playpen; infant carrier; lounge pad; crib or bassinet
43.26 mattress; crib bumper; liquid or gaseous filled ticking, including any water bed and any air
43.27 mattress that does not contain upholstery material between the ticking and the mattress core;
43.28 or upholstered furniture, including a sleeper sofa.

43.29 (h) "Mattress core" means the principal support system that is present in a mattress,
43.30 including but not limited to springs, foam, air bladder, water bladder, or resilient filling.

43.31 (i) "Mattress recycling council" or "council" means the nonprofit organization created
43.32 by producers or created by any trade association that represents producers who account for
43.33 a majority of mattress production in the United States to design, submit, and implement the
43.34 mattress stewardship program described in subdivision 2.

44.1 (j) "Mattress stewardship fee" means the amount added to the purchase price of a mattress
44.2 sold to a consumer or to an ultimate end user in this state that is necessary to cover the cost
44.3 of collecting, transporting, and processing discarded mattresses by the council according
44.4 to the mattress stewardship program.

44.5 (k) "Mattress stewardship program" or "program" means the statewide program described
44.6 in subdivision 2 and implemented according to the mattress stewardship plan developed
44.7 under subdivision 2.

44.8 (l) "Mattress topper" means an item that contains resilient filling, with or without ticking,
44.9 that is intended to be used with or on top of a mattress.

44.10 (m) "Performance goal" means a metric proposed by the council to annually measure
44.11 the performance of the mattress stewardship program, taking into consideration technical
44.12 and economic feasibilities, in achieving continuous, meaningful improvement in the rate
44.13 of mattress recycling in the state and any other specified goal of the program.

44.14 (n) "Producer" means a person who manufactures or renovates a mattress that is sold,
44.15 offered for sale, or distributed in the state under the producer's own name or brand. Producer
44.16 includes:

44.17 (1) the owner of a trademark or brand under which a mattress is sold, offered for sale,
44.18 or distributed in this state, whether or not the trademark or brand is registered in this state;
44.19 and

44.20 (2) a person who imports a mattress into the United States that is sold or offered for sale
44.21 in this state and that is manufactured or renovated by a person who does not have a presence
44.22 in the United States.

44.23 (o) "Recycling" means a process in which discarded mattresses, components, and
44.24 by-products may lose their original identity or form as they are transformed into new, usable,
44.25 or marketable materials. Recycling does not include using destructive incineration.

44.26 (p) "Renovate" or "renovation" means altering a mattress for resale, including any one
44.27 or a combination of the following: replacing the ticking or filling, adding additional filling,
44.28 or replacing components with new or recycled materials. Renovate or renovation does not
44.29 include:

44.30 (1) stripping a mattress of its ticking or filling without adding new material;

44.31 (2) sanitizing or sterilizing a mattress without otherwise altering the mattress; or

45.1 (3) a renovator altering a mattress for a person who retains the altered mattress for
 45.2 personal use, in accordance with chapter 325F.

45.3 (q) "Renovator" means a person who renovates discarded mattresses to resell the
 45.4 mattresses to consumers.

45.5 (r) "Retailer" means a person who sells mattresses to a consumer or to an ultimate end
 45.6 user in this state or offers mattresses to a consumer in this state.

45.7 (s) "Sale" means transfer of title of a mattress for consideration to a consumer or an
 45.8 ultimate end user in the state, including but not limited to by means of a sales outlet, catalog,
 45.9 website, or similar electronic means.

45.10 (t) "Sanitizing" means directly applying chemicals to a mattress to kill human
 45.11 disease-causing pathogens.

45.12 (u) "Sterilizing" means mitigating deleterious substances or organisms, including human
 45.13 disease-causing pathogens, fungi, and insects, from a mattress or filling material using a
 45.14 chemical or heat process.

45.15 (v) "Ticking" means the outermost layer of fabric or material of a mattress. Ticking does
 45.16 not include any layer of fabric or material quilted together with, or otherwise attached to,
 45.17 the outermost layer of fabric or material of a mattress.

45.18 (w) "Upholstery material" means all material, loose or attached, between the ticking and
 45.19 the core of a mattress.

45.20 Subd. 2. **Mattress recycling council; required plan.** (a) Within 180 days after the
 45.21 effective date of this section, each producer or the producer's designee must join the mattress
 45.22 recycling council. Within 180 days after the effective date of this section, the council must
 45.23 submit a plan for approval by the commissioner to establish a statewide mattress stewardship
 45.24 program, as described in this paragraph. Retailers may participate in the council. The mattress
 45.25 stewardship program must, to the extent technologically feasible and economically practical:

45.26 (1) provide for free, convenient, and accessible statewide opportunities for receiving
 45.27 discarded mattresses from any person in the state with a discarded mattress that was used
 45.28 and discarded in the state, including but not limited to participating covered entities that
 45.29 accumulate and segregate a minimum of 100 discarded mattresses for collection at one time;

45.30 (2) provide for free collection of discarded mattresses from transfer stations that
 45.31 accumulate and segregate fewer than 50 mattresses, provided the transfer stations require
 45.32 the collection due to space or permit requirements;

46.1 (3) provide for council-financed end-of-life management for discarded mattresses
46.2 collected according to clauses (1) and (2);

46.3 (4) provide suitable storage containers at or make other mutually agreeable storage and
46.4 transport arrangements for permitted transfer stations for segregated, discarded mattresses,
46.5 at no cost to the municipality, provided the transfer station makes space available for the
46.6 purpose and imposes no fee for placement of the storage container on the transfer station's
46.7 premises;

46.8 (5) provide that the council will conduct research as needed related to improving used
46.9 mattress collection, dismantling, and recycling operations, including pilot programs to test
46.10 new processes, methods, or equipment on a local, regional, or otherwise limited basis; and

46.11 (6) include a mattress stewardship fee that is sufficient to cover the costs of operating
46.12 and administering the program.

46.13 (b) The plan submitted according to paragraph (a) must:

46.14 (1) identify each producer participating in the program;

46.15 (2) describe the fee structure for the program;

46.16 (3) establish performance goals for the first two years of the program;

46.17 (4) identify proposed facilities to be used by the program;

46.18 (5) set convenience goals and a timeline for implementing and achieving convenient
46.19 access to the program;

46.20 (6) detail how the program will promote recycling discarded mattresses consistent with
46.21 the state's solid waste management hierarchy; and

46.22 (7) include a description of public education regarding the program.

46.23 (c) The council must set the amount of the mattress stewardship fee that is added to the
46.24 purchase price of a mattress at the point of sale. The council must establish and implement
46.25 a fee structure that covers but does not exceed the costs of developing the plan described
46.26 in paragraph (b), operating and administering the program described in paragraph (a), and
46.27 maintaining a financial reserve sufficient to operate the program over multiple years in a
46.28 fiscally prudent and responsible manner. The council must set the fee as a flat rate and not
46.29 as a percentage of the purchase price. The council must maintain all records relating to the
46.30 program for not less than three years.

46.31 (d) Under the program, recycling is preferred over any other disposal method for
46.32 mattresses, to the extent that recycling is technologically feasible and economically practical.

47.1 (e) The commissioner must approve the plan for establishing the mattress stewardship
47.2 program if the plan meets the requirements of paragraphs (a) to (d). No later than 90 days
47.3 after the council submits the plan according to this section, the commissioner must make a
47.4 determination whether to approve the plan. Before making the determination, the
47.5 commissioner must post the plan on the agency's website and solicit public comments on
47.6 the plan. If the commissioner disapproves the plan because the plan does not meet the
47.7 requirements of paragraphs (a) to (d), the commissioner must describe the reasons for the
47.8 disapproval in a notice of determination that the commissioner provides to the council. The
47.9 council must revise and resubmit the plan to the commissioner no later than 45 days after
47.10 receiving notice of the commissioner's disapproval. No later than 45 days after receiving
47.11 the revised plan, the commissioner must review and approve or disapprove the revised plan
47.12 and provide a notice of determination to the council. The council may resubmit a revised
47.13 plan to the commissioner for approval no more than twice. If the council fails to submit a
47.14 plan that is acceptable to the commissioner because it does not meet the requirements of
47.15 paragraphs (a) to (d), the commissioner must modify a submitted plan to make it conform
47.16 to the requirements of paragraphs (a) to (d) and approve it. No later than 180 days after
47.17 approval of a plan according to this paragraph, the council must implement the mattress
47.18 stewardship program. Regardless of when the program begins, the program's fiscal year
47.19 begins January 1.

47.20 (f) The council must submit any proposed substantial change to the program to the
47.21 commissioner for approval. If the commissioner does not disapprove a proposed substantial
47.22 change within 90 days of receiving notice of the proposed substantial change, the proposed
47.23 substantial change is deemed approved. For purposes of this paragraph, "substantial change"
47.24 means:

47.25 (1) a change in the processing facilities to be used for discarded mattresses collected
47.26 under the program; or

47.27 (2) a material change to the system for collecting mattresses.

47.28 (g) Within 90 days after the end of the program's second fiscal year, the council must
47.29 submit updated performance goals to the commissioner that are based on the experience of
47.30 the program during the first two years of the program.

47.31 (h) The council must notify the commissioner of other material changes to the program
47.32 on an ongoing basis, without resubmitting the plan to the commissioner for approval. Material
47.33 changes include but are not limited to a change in the composition, officers, or contact
47.34 information of the council.

48.1 (i) Within 90 days after the end of the program's second fiscal year and every two years
48.2 thereafter, the council must propose a mattress stewardship fee for all mattresses sold in
48.3 this state. The council may propose a change to the mattress stewardship fee more frequently
48.4 than once every two years if the council determines the change is needed to avoid funding
48.5 shortfalls or excesses for the mattress stewardship program. Any proposed mattress
48.6 stewardship fee must be reviewed by an auditor to ensure that the assessment does not
48.7 exceed the cost to fund the mattress stewardship program described in paragraph (a) and to
48.8 maintain financial reserves sufficient to operate the program over multiple years in a fiscally
48.9 prudent and responsible manner. Not later than 60 days after the council proposes a mattress
48.10 stewardship fee, the auditor must render an opinion to the commissioner as to whether the
48.11 proposed mattress stewardship fee is reasonable to achieve the goals set forth in this section.
48.12 If the auditor concludes that the mattress stewardship fee is reasonable, then the proposed
48.13 fee goes into effect. If the auditor concludes that the mattress stewardship fee is not
48.14 reasonable, the auditor must provide the council with written notice explaining the auditor's
48.15 opinion. No later than 60 days after the council receives the auditor's opinion, the council
48.16 may either propose a new mattress stewardship fee or provide written comments on the
48.17 auditor's opinion. If the auditor concludes that the fee is not reasonable, the commissioner
48.18 must decide, based on the auditor's opinion and any comments provided by the council,
48.19 whether to approve the proposed mattress stewardship fee. The council must select the
48.20 auditor. The cost of any work performed by the auditor under this paragraph and paragraph
48.21 (k) must be paid by the mattress stewardship fee.

48.22 (j) Not later than October 15 each year, the council must submit an annual report to the
48.23 commissioner for the most recently completed fiscal year. The commissioner must post the
48.24 annual report on the agency's website. The report must include:

48.25 (1) the tonnage of mattresses collected under the program from:

48.26 (i) transfer stations;

48.27 (ii) retailers; and

48.28 (iii) all other covered entities;

48.29 (2) the tonnage of mattresses diverted for recycling;

48.30 (3) the weight of mattress materials recycled, as indicated by the weight of each of the
48.31 commodities sold to secondary markets;

48.32 (4) the weight of mattress materials sent for disposal at:

48.33 (i) waste-to-energy facilities;

- 49.1 (ii) landfills; and
- 49.2 (iii) any other facilities;
- 49.3 (5) a summary of the public education that supports the program;
- 49.4 (6) an evaluation of the effectiveness of methods and processes used to achieve
- 49.5 performance goals of the program; and
- 49.6 (7) recommendations for any changes to the program.
- 49.7 (k) Two years after the program is implemented according to paragraph (e) and every
- 49.8 three years thereafter or upon the request of the commissioner, but not more frequently than
- 49.9 once a year, the council must cause an audit of the program to be conducted by an auditor
- 49.10 as described in paragraph (i). The audit must review the accuracy of the council's data
- 49.11 concerning the program and provide any other information requested by the commissioner,
- 49.12 consistent with the requirements of this section, provided the request does not require the
- 49.13 disclosure of proprietary information or trade or business secrets. The council must pay for
- 49.14 the audit. The council must maintain all records relating to the program for at least three
- 49.15 years.

49.16 Subd. 3. **Charging fee; producer participation.** Upon implementation of the mattress

49.17 stewardship program, each manufacturer, renovator, retailer, or distributor that sells a

49.18 mattress to a consumer or to an ultimate end user in the state must add the mattress

49.19 stewardship fee to the purchase price for the mattress and must remit the fee collected to

49.20 the council. In each transaction, the fee must appear on the invoice and must be accompanied

49.21 by a brief description of the fee. The council must determine the rules and procedures

49.22 necessary to implement collection of the fee in a fair, efficient, and lawful manner. Any

49.23 producer who fails to participate in the program must not sell mattresses in this state.

49.24 Subd. 4. **Receipt of discarded mattresses.** Upon implementation of the mattress

49.25 stewardship program according to subdivision 2, paragraph (e), a covered entity that

49.26 participates in the program must not charge for the receipt of discarded mattresses that are

49.27 discarded in this state, except that covered entities may charge a fee for providing the service

49.28 of collecting mattresses and may restrict the acceptance of mattresses by number, source,

49.29 or physical condition.

49.30 Sec. 84. Minnesota Statutes 2020, section 116.06, subdivision 22, is amended to read:

49.31 Subd. 22. **Solid waste.** "Solid waste" means garbage, refuse, sludge from a water supply

49.32 treatment plant or air contaminant treatment facility, and other discarded waste materials

49.33 and sludges, in solid, semisolid, liquid, or contained gaseous form, resulting from industrial,

50.1 commercial, mining, and agricultural operations; and from community activities, but does
50.2 not include:

50.3 (1) hazardous waste;

50.4 (2) animal waste used as fertilizer;

50.5 (3) earthen fill, boulders, or rock;

50.6 (4) concrete diamond grinding and saw slurry associated with the construction,
50.7 improvement, or repair of a road when deposited on the road project site in a manner that
50.8 is in compliance with best management practices and rules of the agency;

50.9 (5) sewage sludge;

50.10 (6) solid or dissolved material in domestic sewage or other common pollutants in water
50.11 resources, such as silt, dissolved or suspended solids in industrial wastewater effluents or
50.12 discharges ~~which~~ that are point sources subject to permits under section 402 of the Federal
50.13 Water Pollution Control Act, as amended, or dissolved materials in irrigation return flows;
50.14 ~~or~~

50.15 (7) source, special nuclear, or by-product material as defined by the Atomic Energy Act
50.16 of 1954, as amended; or

50.17 (8) post-use polymers or recovered feedstocks converted at an advanced recycling facility
50.18 or held at an advanced recycling facility before being converted.

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

50.20 Sec. 85. Minnesota Statutes 2020, section 116.07, subdivision 2, is amended to read:

50.21 Subd. 2. **Adopting standards.** (a) The Pollution Control Agency shall improve air
50.22 quality by promoting, in the most practicable way possible, the use of energy sources and
50.23 waste disposal methods which produce or emit the least air contaminants consistent with
50.24 the agency's overall goal of reducing all forms of pollution. The agency shall also adopt
50.25 standards of air quality, not including maximum allowable standards of emission of air
50.26 contaminants from motor vehicles, recognizing that due to variable factors, no single standard
50.27 of purity of air is applicable to all areas of the state. In adopting standards the Pollution
50.28 Control Agency shall give due recognition to the fact that the quantity or characteristics of
50.29 air contaminants or the duration of their presence in the atmosphere, which may cause air
50.30 pollution in one area of the state, may cause less or not cause any air pollution in another
50.31 area of the state, and it shall take into consideration in this connection such factors, including
50.32 others which it may deem proper, as existing physical conditions, zoning classifications,

51.1 topography, prevailing wind directions and velocities, and the fact that a standard of air
51.2 quality which may be proper as to an essentially residential area of the state, may not be
51.3 proper as to a highly developed industrial area of the state. Such standards of air quality
51.4 shall be premised upon scientific knowledge of causes as well as effects based on technically
51.5 substantiated criteria and commonly accepted practices. No local government unit shall set
51.6 standards of air quality which are more stringent than those set by the Pollution Control
51.7 Agency.

51.8 (b) The Pollution Control Agency shall promote solid waste disposal control by
51.9 encouraging the updating of collection systems, elimination of open dumps, and
51.10 improvements in incinerator practices. The agency shall also adopt standards for the control
51.11 of the collection, transportation, storage, processing, and disposal of solid waste and sewage
51.12 sludge for the prevention and abatement of water, air, and land pollution, recognizing that
51.13 due to variable factors, no single standard of control is applicable to all areas of the state.
51.14 In adopting standards, the Pollution Control Agency shall give due recognition to the fact
51.15 that elements of control which may be reasonable and proper in densely populated areas of
51.16 the state may be unreasonable and improper in sparsely populated or remote areas of the
51.17 state, and it shall take into consideration in this connection such factors, including others
51.18 which it may deem proper, as existing physical conditions, topography, soils and geology,
51.19 climate, transportation, and land use. Such standards of control shall be premised on technical
51.20 criteria and commonly accepted practices.

51.21 (c) The Pollution Control Agency shall also adopt standards describing the maximum
51.22 levels of noise in terms of sound pressure level which may occur in the outdoor atmosphere,
51.23 recognizing that due to variable factors no single standard of sound pressure is applicable
51.24 to all areas of the state. Such standards shall give due consideration to such factors as the
51.25 intensity of noises, the types of noises, the frequency with which noises recur, the time
51.26 period for which noises continue, the times of day during which noises occur, and such
51.27 other factors as could affect the extent to which noises may be injurious to human health
51.28 or welfare, animal or plant life, or property, or could interfere unreasonably with the
51.29 enjoyment of life or property. In adopting standards, the Pollution Control Agency shall
51.30 give due recognition to the fact that the quantity or characteristics of noise or the duration
51.31 of its presence in the outdoor atmosphere, which may cause noise pollution in one area of
51.32 the state, may cause less or not cause any noise pollution in another area of the state, and
51.33 it shall take into consideration in this connection such factors, including others which it
51.34 may deem proper, as existing physical conditions, zoning classifications, topography,
51.35 meteorological conditions and the fact that a standard which may be proper in an essentially

52.1 residential area of the state, may not be proper as to a highly developed industrial area of
52.2 the state. Such noise standards shall be premised upon scientific knowledge as well as effects
52.3 based on technically substantiated criteria and commonly accepted practices. No local
52.4 governing unit shall set standards describing the maximum levels of sound pressure which
52.5 are more stringent than those set by the Pollution Control Agency.

52.6 (d) The Pollution Control Agency shall adopt standards for the identification of hazardous
52.7 waste and for the management, identification, labeling, classification, storage, collection,
52.8 transportation, processing, and disposal of hazardous waste, recognizing that due to variable
52.9 factors, a single standard of hazardous waste control may not be applicable to all areas of
52.10 the state. In adopting standards, the Pollution Control Agency shall recognize that elements
52.11 of control which may be reasonable and proper in densely populated areas of the state may
52.12 be unreasonable and improper in sparsely populated or remote areas of the state. The agency
52.13 shall consider existing physical conditions, topography, soils, and geology, climate,
52.14 transportation and land use. Standards of hazardous waste control shall be premised on
52.15 technical knowledge, and commonly accepted practices. Hazardous waste generator licenses
52.16 may be issued for a term not to exceed five years. No local government unit shall set
52.17 standards of hazardous waste control which are in conflict or inconsistent with those set by
52.18 the Pollution Control Agency.

52.19 (e) A person who generates less than 100 kilograms of hazardous waste per month is
52.20 exempt from the following agency hazardous waste rules:

52.21 (1) rules relating to transportation, manifesting, storage, and labeling for photographic
52.22 fixer and x-ray negative wastes that are hazardous solely because of silver content; and

52.23 (2) any rule requiring the generator to send to the agency or commissioner a copy of
52.24 each manifest for the transportation of hazardous waste for off-site treatment, storage, or
52.25 disposal, except that counties within the metropolitan area may require generators to provide
52.26 manifests.

52.27 Nothing in this paragraph exempts the generator from the agency's rules relating to on-site
52.28 accumulation or outdoor storage. A political subdivision or other local unit of government
52.29 may not adopt management requirements that are more restrictive than this paragraph.

52.30 (f) In any rulemaking proceeding under chapter 14 to adopt standards for air quality,
52.31 solid waste, or hazardous waste under this chapter, or standards for water quality under
52.32 chapter 115, the statement of need and reasonableness must include:

52.33 (1) an assessment of any differences between the proposed rule and:

53.1 (i) existing federal standards adopted under the Clean Air Act, United States Code, title
 53.2 42, section 7412(b)(2); the Clean Water Act, United States Code, title 33, sections 1312(a)
 53.3 and 1313(c)(4); and the Resource Conservation and Recovery Act, United States Code, title
 53.4 42, section 6921(b)(1);

53.5 (ii) similar standards in states bordering Minnesota; and

53.6 (iii) similar standards in states within the Environmental Protection Agency Region 5;
 53.7 and

53.8 (2) a specific analysis of the need and reasonableness of each difference.

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

53.10 Sec. 86. Minnesota Statutes 2020, section 116.07, subdivision 7, is amended to read:

53.11 Subd. 7. **Counties; processing applications for animal lot permits.** (a) Any Minnesota
 53.12 county board may, by resolution, with approval of the Pollution Control Agency, assume
 53.13 responsibility for processing applications for permits required by the Pollution Control
 53.14 Agency under this section for livestock feedlots, poultry lots or other animal lots. The
 53.15 responsibility for permit application processing, if assumed by a county, may be delegated
 53.16 by the county board to any appropriate county officer or employee.

53.17 (b) For the purposes of this subdivision, the term "processing" includes:

53.18 (1) the distribution to applicants of forms provided by the Pollution Control Agency;

53.19 (2) the receipt and examination of completed application forms, and the certification,
 53.20 in writing, to the Pollution Control Agency either that the animal lot facility for which a
 53.21 permit is sought by an applicant will comply with applicable rules and standards, or, if the
 53.22 facility will not comply, the respects in which a variance would be required for the issuance
 53.23 of a permit; and

53.24 (3) rendering to applicants, upon request, assistance necessary for the proper completion
 53.25 of an application.

53.26 (c) For the purposes of this subdivision, the term "processing" may include, at the option
 53.27 of the county board, issuing, denying, modifying, imposing conditions upon, or revoking
 53.28 permits pursuant to the provisions of this section or rules promulgated pursuant to it, subject
 53.29 to review, suspension, and reversal by the Pollution Control Agency. The Pollution Control
 53.30 Agency shall, after written notification, have 15 days to review, suspend, modify, or reverse
 53.31 the issuance of the permit. After this period, the action of the county board is final, subject
 53.32 to appeal as provided in chapter 14. For permit applications filed after October 1, 2001,

54.1 section 15.99 applies to feedlot permits issued by the agency or a county pursuant to this
54.2 subdivision.

54.3 (d) For the purpose of administration of rules adopted under this subdivision, the
54.4 commissioner and the agency may provide exceptions for cases where the owner of a feedlot
54.5 has specific written plans to close the feedlot within five years. These exceptions include
54.6 waiving requirements for major capital improvements.

54.7 (e) For purposes of this subdivision, a discharge caused by an extraordinary natural event
54.8 such as a precipitation event of greater magnitude than the 25-year, 24-hour event, tornado,
54.9 or flood in excess of the 100-year flood is not a "direct discharge of pollutants."

54.10 (f) In adopting and enforcing rules under this subdivision, the commissioner shall
54.11 cooperate closely with other governmental agencies.

54.12 (g) The Pollution Control Agency shall work with the Minnesota Extension Service, the
54.13 Department of Agriculture, the Board of Water and Soil Resources, producer groups, local
54.14 units of government, as well as with appropriate federal agencies such as the Natural
54.15 Resources Conservation Service and the Farm Service Agency, to notify and educate
54.16 producers of rules under this subdivision at the time the rules are being developed and
54.17 adopted and at least every two years thereafter.

54.18 (h) The Pollution Control Agency shall adopt rules governing the issuance and denial
54.19 of permits for livestock feedlots, poultry lots or other animal lots pursuant to this section.
54.20 Pastures are exempt from the rules authorized under this paragraph. ~~No feedlot permit shall
54.21 include any terms or conditions that impose any requirements related to any pastures owned
54.22 or utilized by the feedlot operator other than restrictions under a manure management plan.~~
54.23 A feedlot permit is not required for livestock feedlots with more than ten but less than 50
54.24 animal units; provided they are not in shoreland areas. A livestock feedlot permit does not
54.25 become required solely because of a change in the ownership of the buildings, grounds, or
54.26 feedlot. These rules apply both to permits issued by counties and to permits issued by the
54.27 Pollution Control Agency directly. No feedlot permit issued by the Pollution Control Agency
54.28 shall include terms or conditions that:

54.29 (1) impose requirements related to pastures owned or used by the feedlot operator other
54.30 than restrictions under a manure management plan;

54.31 (2) prohibit application of solid manure during February and March;

54.32 (3) require establishing a cover crop as a condition of allowing application of manure
54.33 in September; or

55.1 (4) require implementing nitrogen best management practices as a condition of allowing
55.2 application of manure in October.

55.3 (i) The Pollution Control Agency shall exercise supervising authority with respect to
55.4 the processing of animal lot permit applications by a county.

55.5 (j) Any new rules or amendments to existing rules proposed under the authority granted
55.6 in this subdivision, or to implement new fees on animal feedlots, must be submitted to the
55.7 members of legislative policy and finance committees with jurisdiction over agriculture and
55.8 the environment prior to final adoption. The rules must not become effective until 90 days
55.9 after the proposed rules are submitted to the members.

55.10 (k) Until new rules are adopted that provide for plans for manure storage structures, any
55.11 plans for a liquid manure storage structure must be prepared or approved by a registered
55.12 professional engineer or a United States Department of Agriculture, Natural Resources
55.13 Conservation Service employee.

55.14 (l) A county may adopt by ordinance standards for animal feedlots that are more stringent
55.15 than standards in Pollution Control Agency rules.

55.16 (m) After January 1, 2001, a county that has not accepted delegation of the feedlot permit
55.17 program must hold a public meeting prior to the agency issuing a feedlot permit for a feedlot
55.18 facility with 300 or more animal units, unless another public meeting has been held with
55.19 regard to the feedlot facility to be permitted.

55.20 (n) After the proposed rules published in the State Register, volume 24, number 25, are
55.21 finally adopted, the agency may not impose additional conditions as a part of a feedlot
55.22 permit, unless specifically required by law or agreed to by the feedlot operator.

55.23 (o) For the purposes of feedlot permitting, a discharge from land-applied manure or a
55.24 manure stockpile that is managed according to agency rule must not be subject to a fine for
55.25 a discharge violation.

55.26 (p) For the purposes of feedlot permitting, manure that is land applied, or a manure
55.27 stockpile that is managed according to agency rule, must not be considered a discharge into
55.28 waters of the state, unless the discharge is to waters of the state, as defined by section
55.29 103G.005, subdivision 17, except type 1 or type 2 wetlands, as defined in section 103G.005,
55.30 subdivision 17b, and does not meet discharge standards established for feedlots under agency
55.31 rule.

55.32 (q) Unless the upgrade is needed to correct an immediate public health threat under
55.33 section 145A.04, subdivision 8, or the facility is determined to be a concentrated animal

56.1 feeding operation under Code of Federal Regulations, title 40, section 122.23, in effect on
56.2 April 15, 2003, the agency may not require a feedlot operator:

56.3 (1) to spend more than \$3,000 to upgrade an existing feedlot with less than 300 animal
56.4 units unless cost-share money is available to the feedlot operator for 75 percent of the cost
56.5 of the upgrade; or

56.6 (2) to spend more than \$10,000 to upgrade an existing feedlot with between 300 and
56.7 500 animal units, unless cost-share money is available to the feedlot operator for 75 percent
56.8 of the cost of the upgrade or \$50,000, whichever is less.

56.9 (r) A feedlot operator who stores and applies up to 100,000 gallons per calendar year of
56.10 private truck wash wastewater resulting from trucks that transport animals or supplies to
56.11 and from the feedlot does not require a permit to land-apply industrial by-products if the
56.12 feedlot operator stores and applies the wastewater in accordance with Pollution Control
56.13 Agency requirements for land applications of industrial by-product that do not require a
56.14 permit.

56.15 (s) A feedlot operator who holds a permit from the Pollution Control Agency to
56.16 land-apply industrial by-products from a private truck wash is not required to have a certified
56.17 land applicator apply the private truck wash wastewater if the wastewater is applied by the
56.18 feedlot operator to cropland owned or leased by the feedlot operator or by a commercial
56.19 animal waste technician licensed by the commissioner of agriculture under chapter 18C.
56.20 For purposes of this paragraph and paragraph (r), "private truck wash" means a truck washing
56.21 facility owned or leased, operated, and used only by a feedlot operator to wash trucks owned
56.22 or leased by the feedlot operator and used to transport animals or supplies to and from the
56.23 feedlot.

56.24 **EFFECTIVE DATE.** This section is effective retroactively from February 1, 2021.

56.25 Sec. 87. Minnesota Statutes 2020, section 116G.07, is amended by adding a subdivision
56.26 to read:

56.27 **Subd. 4. Exemption; Mississippi River Corridor Critical Area.** Plans and regulations
56.28 of local units of government within the Mississippi River Corridor Critical Area are exempt
56.29 from subdivisions 1 to 3 and are subject to section 116G.15, subdivision 8.

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

57.1 Sec. 88. Minnesota Statutes 2020, section 116G.15, is amended by adding a subdivision
57.2 to read:

57.3 Subd. 8. **Reviewing and approving local plans and regulations.** (a) In the Mississippi
57.4 River Corridor Critical Area, the commissioner of natural resources is responsible for
57.5 carrying out the duties of the board and the Metropolitan Council is responsible for carrying
57.6 out the duties of the regional development commission under sections 116G.07 to 116G.10.
57.7 Notwithstanding sections 116G.07, subdivisions 2 and 3, and 116G.10, subdivision 3, the
57.8 responsibilities and procedures for reviewing and approving local plans and regulations in
57.9 the Mississippi River Corridor Critical Area, and amendments thereto, are subject to this
57.10 subdivision.

57.11 (b) Within 60 days of receiving a draft plan from a local unit of government, the
57.12 commissioner, in coordination with the Metropolitan Council, must review the plan to
57.13 determine the plan's consistency with:

57.14 (1) this section;

57.15 (2) Minnesota Rules, chapter 6106; and

57.16 (3) the local unit of government's comprehensive plan.

57.17 (c) Within 60 days of receiving draft regulations from a local unit of government, the
57.18 commissioner must review the regulations to determine the regulations' consistency with:

57.19 (1) Minnesota Rules, chapter 6106; and

57.20 (2) the commissioner-approved plan adopted by the local unit of government under
57.21 paragraph (b).

57.22 (d) Upon review of a draft plan and regulations under paragraphs (b) and (c), the
57.23 commissioner must:

57.24 (1) conditionally approve the draft plan and regulations by written decision; or

57.25 (2) return the draft plan and regulations to the local unit of government for modification,
57.26 along with a written explanation of the need for modification.

57.27 (i) When the commissioner returns a draft plan and regulations to the local unit of
57.28 government for modification, the local unit of government must revise the draft plan and
57.29 regulations within 60 days after receiving the commissioner's written explanation and must
57.30 resubmit the revised draft plan and regulations to the commissioner.

58.1 (ii) The Metropolitan Council and the commissioner must review the revised draft plan
 58.2 and regulations upon receipt from the local unit of government as provided under paragraphs
 58.3 (b) and (c).

58.4 (iii) If the local unit of government or the Metropolitan Council requests a meeting, a
 58.5 final revision need not be made until a meeting is held with the commissioner on the draft
 58.6 plan and regulations. The request extends the 60-day time limit specified in item (i) until
 58.7 after the meeting is held.

58.8 (e) Only plans and regulations receiving final approval from the commissioner have the
 58.9 force and effect of law. The commissioner must grant final approval under this section only
 58.10 if:

58.11 (1) the plan is an element of a comprehensive plan that is authorized by the Metropolitan
 58.12 Council according to sections 473.175 and 473.858; and

58.13 (2) the local unit of government adopts a plan and regulations that are consistent with
 58.14 the draft plan and regulations conditionally approved under paragraph (d).

58.15 (f) The local unit of government must implement and enforce the commissioner-approved
 58.16 plan and regulations after the plan and regulations take effect.

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

58.18 Sec. 89. Minnesota Statutes 2020, section 127A.353, subdivision 4, is amended to read:

58.19 Subd. 4. **Duties; powers.** (a) The school trust lands director shall:

58.20 (1) take an oath of office before assuming any duties as the director;

58.21 (2) evaluate the school trust land asset position;

58.22 (3) determine the estimated current and potential market value of school trust lands;

58.23 (4) advise the governor, Executive Council, commissioner of natural resources, and the
 58.24 Legislative Permanent School Fund Commission on the management of school trust lands,
 58.25 including:

58.26 (i) Department of Natural Resources school trust land management plans;

58.27 (ii) leases of school trust lands;

58.28 (iii) royalty agreements on school trust lands;

58.29 (iv) land sales and exchanges;

58.30 (v) cost certification; and

- 59.1 (vi) revenue generating options;
- 59.2 (5) propose to the Legislative Permanent School Fund Commission legislative changes
59.3 that will improve the asset allocation of the school trust lands;
- 59.4 (6) develop a ten-year strategic plan and a 25-year framework for management of school
59.5 trust lands, in conjunction with the commissioner of natural resources, that is updated every
59.6 five years and implemented by the commissioner, with goals to:
- 59.7 (i) retain core real estate assets;
- 59.8 (ii) increase the value of the real estate assets and the cash flow from those assets;
- 59.9 (iii) rebalance the portfolio in assets with high performance potential and the strategic
59.10 disposal of selected assets;
- 59.11 (iv) establish priorities for management actions; ~~and~~
- 59.12 (v) balance revenue enhancement and resource stewardship; and
- 59.13 (vi) advance strategies on school trust lands to capitalize on ecosystem services markets;
- 59.14 (7) submit to the Legislative Permanent School Fund Commission for review an annual
59.15 budget and management plan for the director; and
- 59.16 (8) keep the beneficiaries, governor, legislature, and the public informed about the work
59.17 of the director by reporting to the Legislative Permanent School Fund Commission in a
59.18 public meeting at least once during each calendar quarter.
- 59.19 (b) In carrying out the duties under paragraph (a), the school trust lands director shall
59.20 have the authority to:
- 59.21 (1) direct and control money appropriated to the director;
- 59.22 (2) establish job descriptions and employ up to five employees in the unclassified service,
59.23 within the limitations of money appropriated to the director;
- 59.24 (3) enter into interdepartmental agreements with any other state agency;
- 59.25 (4) enter into joint powers agreements under chapter 471;
- 59.26 (5) evaluate and initiate real estate development projects on school trust lands with the
59.27 advice of the Legislative Permanent School Fund Commission in order to generate long-term
59.28 economic return to the permanent school fund;
- 59.29 (6) serve as temporary trustee of school trust land for school trust lands subject to
59.30 proposed or active eminent domain proceedings; and

60.1 (7) submit recommendations on strategies for school trust land leases, sales, or exchanges
60.2 to the commissioner of natural resources and the Legislative Permanent School Fund
60.3 Commission.

60.4 Sec. 90. Minnesota Statutes 2020, section 282.08, is amended to read:

60.5 **282.08 APPORTIONMENT OF PROCEEDS TO TAXING DISTRICTS.**

60.6 The net proceeds from the sale or rental of any parcel of forfeited land, or from the sale
60.7 of products from the forfeited land, must be apportioned by the county auditor to the taxing
60.8 districts interested in the land, as follows:

60.9 (1) the portion required to pay any amounts included in the appraised value under section
60.10 282.01, subdivision 3, as representing increased value due to any public improvement made
60.11 after forfeiture of the parcel to the state, but not exceeding the amount certified by the
60.12 appropriate governmental authority must be apportioned to the governmental subdivision
60.13 entitled to it;

60.14 (2) the portion required to pay any amount included in the appraised value under section
60.15 282.019, subdivision 5, representing increased value due to response actions taken after
60.16 forfeiture of the parcel to the state, but not exceeding the amount of expenses certified by
60.17 the Pollution Control Agency or the commissioner of agriculture, must be apportioned to
60.18 the agency or the commissioner of agriculture and deposited in the fund from which the
60.19 expenses were paid;

60.20 (3) the portion of the remainder required to discharge any special assessment chargeable
60.21 against the parcel for drainage or other purpose whether due or deferred at the time of
60.22 forfeiture, must be apportioned to the governmental subdivision entitled to it; and

60.23 (4) any balance must be apportioned as follows:

60.24 (i) The county board may annually by resolution set aside no more than 30 percent of
60.25 the receipts remaining to be used for forest development on tax-forfeited land and dedicated
60.26 memorial forests, to be expended under the supervision of the county board. It must be
60.27 expended only on projects improving the health and management of the forest resource.

60.28 (ii) The county board may annually by resolution set aside no more than 20 percent of
60.29 the receipts remaining to be used for the acquisition and maintenance of county parks or
60.30 recreational areas as defined in sections 398.31 to 398.36, to be expended under the
60.31 supervision of the county board.

61.1 (iii) The county board may by resolution set aside up to 100 percent of the receipts
 61.2 remaining to be used:

61.3 (A) according to section 282.09, subdivision 2;

61.4 (B) for remediating contamination at tax-forfeited properties; or

61.5 (C) for correcting blighted conditions at tax-forfeited properties.

61.6 An election made under this item is effective for a minimum of five years, unless the county
 61.7 board specifies a shorter duration.

61.8 (iv) Any balance remaining must be apportioned as follows: county, 40 percent; town
 61.9 or city, 20 percent; and school district, 40 percent, provided, however, that in unorganized
 61.10 territory that portion which would have accrued to the township must be administered by
 61.11 the county board of commissioners.

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

61.13 Sec. 91. Laws 2016, chapter 154, section 16, is amended to read:

61.14 Sec. 16. **EXCHANGE OF STATE LAND; AITKIN, BELTRAMI, AND**
 61.15 **KOOCHICHING COUNTIES.**

61.16 (a) Notwithstanding the riparian restrictions in Minnesota Statutes, section 94.342,
 61.17 subdivision 3, and subject to the valuation restrictions described in paragraph (c), the
 61.18 commissioner of natural resources may, with the approval of the Land Exchange Board as
 61.19 required under the Minnesota Constitution, article XI, section 10, and according to the
 61.20 remaining provisions of Minnesota Statutes, sections 94.342 to 94.347, exchange the
 61.21 state-owned land leased for farming wild rice described in paragraph (b).

61.22 (b) The state land that may be exchanged is held under the following state leases for
 61.23 farming of wild rice:

61.24 (1) Lease LAGR001305, covering 175.1 acres in Aitkin County;

61.25 (2) Lease LMIS010040, covering 107.1 acres in Beltrami County;

61.26 (3) Lease LMIS010096, covering 137.4 acres in Beltrami County; and

61.27 (4) Lease LAGR001295, covering 264.40 acres in Koochiching County.

61.28 (c) For the appraisal of the land, no improvements paid for by the lessee shall be included
 61.29 in the estimate of market value.

62.1 (d) Additional adjoining state lands may be added to the exchanges if mutually agreed
 62.2 upon by the commissioner and the exchange partner to avoid leaving unmanageable parcels
 62.3 of land in state ownership after an exchange or to meet county zoning standards or other
 62.4 regulatory needs for the wild rice farming operations.

62.5 (e) The state land administered by the commissioner of natural resources in Koochiching
 62.6 County borders the Lost River. The lands to be exchanged are not required to provide at
 62.7 least equal opportunity for access to waters by the public, but the lands must be at least
 62.8 equal in value and have the potential to generate revenue for the school trust lands.

62.9 (f) Notwithstanding Minnesota Statutes, section 94.343, subdivision 8a, lessees must
 62.10 pay to the commissioner all costs, as determined by the commissioner, that are associated
 62.11 with each exchange transaction, including valuation expenses; legal fees; survey expenses;
 62.12 costs of title work, advertising, and public hearings; transactional staff costs; and closing
 62.13 costs.

62.14 Sec. 92. Laws 2016, chapter 154, section 48, is amended to read:

62.15 Sec. 48. **EXCHANGE OF STATE LAND; ST. LOUIS COUNTY.**

62.16 Subdivision 1. Exchange of land. (a) Notwithstanding the riparian restrictions in
 62.17 Minnesota Statutes, section 94.342, subdivision 3, the commissioner of natural resources
 62.18 may, with the approval of the Land Exchange Board as required under the Minnesota
 62.19 Constitution, article XI, section 10, and according to the remaining provisions of Minnesota
 62.20 Statutes, sections 94.342 to 94.347, exchange the riparian land described in paragraph (b).

62.21 (b) The state land that may be exchanged is located in St. Louis County and is described
 62.22 as: Government Lot 5, Section 35, Township 64 North, Range 12 West.

62.23 (c) The state land administered by the commissioner of natural resources borders Low
 62.24 Lake. The land to be exchanged is forest land that includes areas bordering the Whiteface
 62.25 River. While the land does not provide at least equal opportunity for access to waters by
 62.26 the public, the land to be acquired by the commissioner in the exchange will improve access
 62.27 to adjacent state forest lands.

62.28 Subd. 2. Gifts of land. Notwithstanding Minnesota Statutes, section 94.342 or 94.343,
 62.29 or any other law to the contrary, the Land Exchange Board may consider a gift of land from
 62.30 the exchange partner pursuant to Minnesota Statutes, section 84.085, subdivision 1, paragraph
 62.31 (d), in addition to land proposed for exchange with the state land referenced in subdivision

63.1 1, paragraph (b), in determining whether the proposal is in the best interests of the school
 63.2 trust.

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

63.4 Sec. 93. Laws 2019, First Special Session chapter 4, article 1, section 2, subdivision 9, is
 63.5 amended to read:

63.6	Subd. 9. Environmental Quality Board	1,774,000	1,274,000
------	---	-----------	-----------

63.7	Appropriations by Fund		
------	------------------------	--	--

63.8		2020	2021	
63.9	General	1,081,000	1,081,000	
63.10	Environmental	393,000	193,000	
63.11	Remediation	300,000	-0-	

63.12 (a) \$200,000 the first year is from the
 63.13 environmental fund to begin to develop and
 63.14 assemble the material required under Code of
 63.15 Federal Regulations, title 40, section 233.10,
 63.16 to have the state of Minnesota assume the
 63.17 section 404 permitting program of the Federal
 63.18 Clean Water Act. The Board may execute
 63.19 contracts or interagency agreements to
 63.20 facilitate developing the required agreements
 63.21 and materials. By February 1, ~~2021~~ 2022, the
 63.22 board must submit a report on the additional
 63.23 funding necessary to secure section 404
 63.24 assumption and the additional funding needed
 63.25 to fully implement the state-assumed program
 63.26 to the chairs and ranking minority members
 63.27 of the legislative committees and divisions
 63.28 with jurisdiction over the environment and
 63.29 natural resources. This is a onetime
 63.30 appropriation and is available until June 30,
 63.31 2022.

63.32 (b) \$300,000 the first year is from the
 63.33 remediation fund to conduct a study of the
 63.34 potential to deploy solar photovoltaic devices

64.1 on closed landfill program sites. This is a
 64.2 onetime appropriation. By December 1, 2020,
 64.3 the board, in consultation with the Pollution
 64.4 Control Agency and the commissioners of
 64.5 administration, commerce, and management
 64.6 and budget, must provide to the chairs and
 64.7 ranking minority members of the legislative
 64.8 committees and divisions with jurisdiction
 64.9 over environment and natural resources policy
 64.10 and finance and energy policy and finance a
 64.11 report on the use of properties in the state's
 64.12 closed landfill program for solar energy
 64.13 production. The report must include:

64.14 (1) identification and assessment of properties
 64.15 in the closed landfill program with the highest
 64.16 potential for solar energy production;

64.17 (2) identification of potential barriers to solar
 64.18 energy production and potential ways to
 64.19 address those barriers; and

64.20 (3) policy recommendations that would
 64.21 facilitate solar energy production on closed
 64.22 landfill program sites in a manner that would
 64.23 contribute to state and local government
 64.24 sustainability goals.

64.25 **EFFECTIVE DATE.** This section is effective retroactively from January 31, 2021.

64.26 Sec. 94. Laws 2019, First Special Session chapter 4, article 3, section 109, as amended
 64.27 by Laws 2020, chapter 83, article 1, section 100, is amended to read:

64.28 Sec. 109. **APPLYING STORM WATER RULES TO CITIES AND TOWNSHIPS.**

64.29 Until the Pollution Control Agency amends rules for storm water, Minnesota Rules, part
 64.30 7090.1010, subpart 1, item B, subitem (1), applies only to the portions of a city, ~~a town,~~
 64.31 ~~and unorganized areas of counties~~ or township that are designated as urbanized under Code
 64.32 of Federal Regulations, title 40, section 122.26 (a)(9)(i)(A), and other platted areas within
 64.33 ~~that jurisdiction~~ those jurisdictions.

65.1 Sec. 95. ADDITIONS TO STATE PARKS.

65.2 Subdivision 1. [85.012] [Subd. 18.] Fort Snelling State Park, Dakota County. The
65.3 following areas are added to Fort Snelling State Park, Dakota County:

65.4 (1) that part of Section 28, Township 28 North, Range 23 West, Dakota County,
65.5 Minnesota, bounded by the Dakota County line along the Minnesota River and the following
65.6 described lines:

65.7 Beginning at the intersection of the south line of Lot 18 of Auditor's Subdivision Number
65.8 29 of Mendota, according to the plat on file in the Office of the Dakota County Recorder,
65.9 with the westerly right-of-way line of the existing Sibley Memorial Highway; thence
65.10 northerly along said westerly right-of-way line to the north line of said Lot 18; thence
65.11 westerly along the north line of said Lot 18 to the easterly right-of-way line of the
65.12 Chicago and Northwestern Railroad; thence northerly and northeasterly along said
65.13 easterly right-of-way to the east line of said Section 28;

65.14 (2) that part of Section 33, Township 28 North, Range 23 West, Dakota County,
65.15 Minnesota, lying westerly of the easterly right-of-way of the Chicago and Northwestern
65.16 Railroad;

65.17 (3) that part of Government Lot 6 of Section 33, Township 28 North, Range 23 West,
65.18 Dakota County, Minnesota, lying East of the easterly right-of-way of the Chicago and
65.19 Northwestern Railroad and West of the westerly right-of-way of Sibley Memorial Highway
65.20 and North of the South 752 feet of said Government Lot 6;

65.21 (4) the North 152 feet of the South 752 feet of that part of Government Lot 6 of Section
65.22 33, Township 28 North, Range 23 West, Dakota County, Minnesota, lying East of the
65.23 easterly right-of-way of the Chicago and Northwestern Railroad and West of the westerly
65.24 right-of-way of Sibley Memorial Highway;

65.25 (5) the North 270 feet of the South 600 feet of that part of Government Lot 6 lying
65.26 between the westerly right-of-way of Sibley Memorial Highway and the easterly right-of-way
65.27 of the Chicago and Northwestern Railroad in Section 33, Township 28 North, Range 23
65.28 West, Dakota County, Minnesota;

65.29 (6) that part of the South 20 rods of Government Lot 6 of Section 33, Township 28
65.30 North, Range 23 West, Dakota County, Minnesota, lying East of the easterly right-of-way
65.31 of the Chicago and Northwestern Railroad and West of the westerly right-of-way of Sibley
65.32 Memorial Highway, excepting therefrom that part described as follows:

66.1 Commencing at the southeast corner of said Government Lot 6; thence North 89 degrees
66.2 56 minutes 54 seconds West assumed bearing along the south line of said Government
66.3 Lot 6 a distance of 260.31 feet to the point of beginning of the property to be described;
66.4 thence continue North 89 degrees 56 minutes 54 seconds West a distance of 71.17 feet;
66.5 thence northwesterly a distance of 37.25 feet along a nontangential curve concave to
66.6 the East having a radius of 4,098.00 feet and a central angle of 00 degrees 31 minutes
66.7 15 seconds the chord of said curve bears North 23 degrees 31 minutes 27 seconds West;
66.8 thence northerly a distance of 127.39 feet along a compound curve concave to the East
66.9 having a radius of 2,005.98 feet and a central angle of 03 degrees 38 minutes 19 seconds;
66.10 thence North 70 degrees 22 minutes 29 seconds East not tangent to said curve a distance
66.11 of 65.00 feet; thence southerly a distance of 123.26 feet along a nontangential curve
66.12 concave to the East having a radius of 1,940.98 feet and a central angle of 03 degrees
66.13 38 minutes 19 seconds the chord of said curve bears South 21 degrees 26 minutes 40
66.14 seconds East; thence southerly a distance of 65.42 feet to the point of beginning along
66.15 a compound curve concave to the East having a radius of 4,033.00 feet and a central
66.16 angle of 00 degrees 55 minutes 46 seconds;

66.17 (7) that part of Government Lot 5 of Section 33, Township 28 North, Range 23 West,
66.18 Dakota County, Minnesota, lying East of the easterly right-of-way of the Chicago and
66.19 Northwestern Railroad and West of the westerly right-of-way of Sibley Memorial Highway,
66.20 excepting therefrom that part described as follows:

66.21 Commencing at the southeast corner of said Government Lot 5; thence North 89 degrees
66.22 56 minutes 18 seconds West assumed bearing along the south line of said Government
66.23 Lot 5 a distance of 70.48 feet to the point of beginning of the property to be described;
66.24 thence continue North 89 degrees 56 minutes 18 seconds West along said south line of
66.25 Government Lot 5 a distance of 40.01 feet; thence North 01 degree 30 minutes 25 seconds
66.26 East a distance of 6.08 feet; thence northerly a distance of 185.58 feet along a tangential
66.27 curve concave to the West having a radius of 4,427.00 feet and a central angle of 02
66.28 degrees 24 minutes 07 seconds; thence South 89 degrees 06 minutes 18 seconds West
66.29 not tangent to said curve a distance of 25.00 feet; thence North 00 degrees 53 minutes
66.30 42 seconds West a distance of 539.13 feet; thence northerly a distance of 103.77 feet
66.31 along a tangential curve concave to the West having a radius of 1,524.65 feet and a
66.32 central angle of 03 degrees 53 minutes 59 seconds; thence northerly a distance of 159.33
66.33 feet along a compound curve concave to the West having a radius of 522.45 feet and a
66.34 central angle of 17 degrees 28 minutes 23 seconds; thence northwesterly a distance of
66.35 86.78 feet along a tangential curve concave to the West having a radius of 1,240.87 feet

67.1 and a central angle of 04 degrees 00 minutes 25 seconds; thence North 26 degrees 16
67.2 minutes 30 seconds West tangent to said curve a distance of 92.39 feet; thence
67.3 northwesterly a distance of 178.12 feet along a tangential curve concave to the East
67.4 having a radius of 4,098.00 feet and a central angle of 02 degrees 29 minutes 25 seconds
67.5 to a point on the north line of said Government Lot 5 which is 331.48 feet from the
67.6 northeast corner thereof as measured along said north line; thence South 89 degrees 56
67.7 minutes 54 seconds East along said north line of Government Lot 5 a distance of 71.17
67.8 feet; thence southeasterly a distance of 146.53 feet along a nontangential curve concave
67.9 to the East having a radius of 4,033.00 feet and a central angle of 02 degrees 04 minutes
67.10 54 seconds the chord of said curve bears South 25 degrees 14 minutes 03 seconds East;
67.11 thence South 26 degrees 16 minutes 30 seconds East tangent to said curve a distance of
67.12 92.39 feet; thence southerly a distance of 91.33 feet along a tangential curve concave
67.13 to the West having a radius of 1,305.87 feet and a central angle of 04 degrees 00 minutes
67.14 25 seconds; thence southerly a distance of 179.15 feet along a tangential curve concave
67.15 to the West having a radius of 587.45 feet and a central angle of 17 degrees 28 minutes
67.16 23 seconds; thence southerly a distance of 108.20 feet along a compound curve concave
67.17 to the West having a radius of 1,589.65 feet and a central angle of 03 degrees 53 minutes
67.18 59 seconds; thence South 00 degrees 53 minutes 42 seconds East tangent to said curve
67.19 a distance of 539.13 feet; thence southerly a distance of 187.26 feet along a tangential
67.20 curve concave to the West having a radius of 4,467.00 feet and a central angle of 02
67.21 degrees 24 minutes 07 seconds; thence South 01 degree 30 minutes 25 seconds West
67.22 tangent to said curve a distance of 5.07 feet to the point of beginning; and

67.23 (8) that part of Government Lot 4 of Section 33, Township 28 North, Range 23 West,
67.24 Dakota County, Minnesota, lying East of the easterly right-of-way of the Chicago and
67.25 Northwestern Railroad and northerly of the following described line:

67.26 Commencing at the southeast corner of said Government Lot 4; thence North 89 degrees
67.27 55 minutes 42 seconds West assumed bearing along the south line of said Government
67.28 Lot 4 a distance of 312.44 feet to corner B205, MNDOT Right-of-Way Plat No. 19-93,
67.29 according to the recorded map thereof; thence continue North 89 degrees 55 minutes 42
67.30 seconds West along said south line of Government Lot 4 a distance of 318.00 feet to the
67.31 easterly right-of-way of Chicago and Northwestern Railroad; thence northerly along
67.32 said railroad right-of-way a distance of 387.97 feet along a nontangential curve concave
67.33 to the West having a radius of 2,963.54 feet and a central angle of 07 degrees 30 minutes
67.34 03 seconds, the chord of said curve bears North 00 degrees 42 minutes 41 seconds East;
67.35 thence North 03 degrees 02 minutes 21 seconds West tangent to said curve along said

68.1 railroad right-of-way a distance of 619.45 feet to the point of beginning of the line to
 68.2 be described; thence North 89 degrees 35 minutes 27 seconds East a distance of 417.92
 68.3 feet; thence North 18 degrees 18 minutes 58 seconds East a distance of 317.52 feet to a
 68.4 point on the north line of said Government Lot 4 which is 135.00 feet from the northeast
 68.5 corner thereof as measured along said north line and there terminating.

68.6 Subd. 2. [85.012] [Subd. 38A.] Lake Vermilion-Soudan Underground Mine State
 68.7 Park, St. Louis County. The following areas are added to Lake Vermilion-Soudan
 68.8 Underground Mine State Park, St. Louis County, and are designated as the Granelda Unit:

68.9 (1) Lot 3 of Section 28 and Lot 5 of Section 29 in Township 63 North of Range 17, all
 68.10 West of the 4th Principal Meridian, according to the United States Government Survey
 68.11 thereof;

68.12 (2) the Northeast Quarter of the Southwest Quarter, the Northwest Quarter, the Southeast
 68.13 Quarter of the Northeast Quarter, the Northeast Quarter of the Northeast Quarter, and Lots
 68.14 numbered 1, 2, 3, and 4 of Section 29 in Township 63 North of Range 17, all West of the
 68.15 4th Principal Meridian, according to the United States Government survey thereof;

68.16 (3) Lots 1 and 2 of Section 32 in Township 63 North of Range 17, all West of the 4th
 68.17 Principal Meridian, according to the United States Government Survey thereof; and

68.18 (4) Lot 4 of Section 23 in Township 63 North of Range 18, all West of the 4th Principal
 68.19 Meridian, according to the United States Government Survey thereof.

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

68.21 Sec. 96. **ADDITION TO STATE RECREATION AREA.**

68.22 [85.013] [Subd. 12a.] Iron Range Off-Highway Vehicle Recreation Area, St. Louis
 68.23 County. The following area is added to Iron Range Off-Highway Vehicle Recreation Area,
 68.24 St. Louis County: that part of the South Half of the Northwest Quarter of Section 15,
 68.25 Township 58 North, Range 17 West, St. Louis County, Minnesota, lying northerly of the
 68.26 following described line:

68.27 Commencing at the West quarter corner of said Section 15; thence North 01 degree 24
 68.28 minutes 27 seconds West, bearing assumed, along the west line of said South Half of
 68.29 the Northwest Quarter a distance of 1,034.09 feet to a 3/4-inch rebar with plastic cap
 68.30 stamped "MN DNR LS 44974" (DM) and the point of beginning; thence South 62 degrees
 68.31 44 minutes 07 seconds East 405.24 feet to a DM; thence South 82 degrees 05 minutes
 68.32 24 seconds East 314.95 feet to a DM; thence South 86 degrees 18 minutes 01 second
 68.33 East 269.23 feet to a DM; thence North 81 degrees 41 minutes 24 seconds East 243.61

69.1 feet to a DM; thence North 71 degrees 48 minutes 05 seconds East 478.17 feet to a DM;
 69.2 thence North 60 degrees 53 minutes 38 seconds East 257.32 feet to a DM; thence South
 69.3 09 degrees 16 minutes 07 seconds East 179.09 feet to a DM; thence South 49 degrees
 69.4 16 minutes 00 seconds East 127.27 feet to a DM; thence South 50 degrees 16 minutes
 69.5 11 seconds East 187.13 feet to a DM; thence South 67 degrees 11 minutes 35 seconds
 69.6 East 189.33 feet to a DM; thence South 67 degrees 13 minutes 16 seconds East 209.43
 69.7 feet to a DM; thence South 80 degrees 39 minutes 19 seconds East 167.59 feet to a DM
 69.8 on the east line of said South Half of the Northwest Quarter, and there terminating.

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

69.10 **Sec. 97. DELETIONS FROM STATE PARKS.**

69.11 Subdivision 1. [85.012] [Subd. 18.] **Fort Snelling State Park, Dakota County.** The
 69.12 following areas are deleted from Fort Snelling State Park, Dakota County:

69.13 (1) all of Section 33, Township 28 North, Range 23 West of the 4th Principal Meridian
 69.14 lying westerly of the westerly right-of-way line of the existing Minnesota Trunk Highway
 69.15 No. 13, excepting the right-of-way owned by the Chicago and Northwestern railway
 69.16 company; and

69.17 (2) all of Section 28, Township 28 North, Range 23 West of the 4th Principal Meridian
 69.18 bounded by the Dakota County line along the Minnesota River and the following described
 69.19 lines: Beginning at the south line of said Section 28 at its intersection with the westerly
 69.20 right-of-way line of the existing Minnesota Trunk Highway No. 13; thence northerly along
 69.21 the said westerly right-of-way line of existing Minnesota Trunk Highway No. 13 to the
 69.22 southerly right-of-way line of existing Minnesota Trunk Highway Nos. 55 and 100; thence
 69.23 along the existing southerly right-of-way line of Minnesota Trunk Highway Nos. 55 and
 69.24 100 to the westerly right-of-way line owned by the Chicago and Northwestern railway
 69.25 company; thence northeasterly along the said westerly right-of-way line of the Chicago and
 69.26 Northwestern railway to the east line of said Section 28, excepting therefrom the right-of-way
 69.27 owned by the Chicago and Northwestern railway company.

69.28 Subd. 2. [85.012] [Subd. 43.] **Minneopa State Park, Blue Earth County.** The following
 69.29 area is deleted from Minneopa State Park, Blue Earth County: a tract of land located in the
 69.30 Northwest Quarter of the Northwest Quarter of Section 21, Township 108 North, Range 27
 69.31 West of the Fifth Principal Meridian, Blue Earth County, Minnesota, more particularly
 69.32 described as follows:

70.1 Commencing at the northwest corner of said Section 21; thence on an assumed bearing
 70.2 of South 01 degree 31 minutes 27 seconds East, along the west line of the Northwest
 70.3 Quarter of the Northwest Quarter of said Section 21, a distance of 545.00 feet, to the
 70.4 south line of the North 545.00 feet of the Northwest Quarter of the Northwest Quarter
 70.5 of said Section 21, also being the south line of Minneopa Cemetery and the point of
 70.6 beginning of the tract to be herein described; thence North 88 degrees 22 minutes 26
 70.7 seconds East, along said south line of Minneopa Cemetery, a distance of 228.95 feet;
 70.8 thence southwesterly 58.5 feet, more or less, to the intersection of the west line of Block
 70.9 188 and the northerly line of the railroad right-of-way, said point of intersection being
 70.10 31.90 feet distant, measured at right angles from the south line of said Minneopa
 70.11 Cemetery; thence continue southwesterly along said railroad right-of-way 187 feet, more
 70.12 or less, to a point on the west line of the Northwest Quarter of the Northwest Quarter of
 70.13 said Section 21; thence North 01 degree 31 minutes 27 seconds West, along said west
 70.14 line to the point of beginning.

70.15 Subd. 3. [85.012] [Subd. 60.] William O'Brien State Park, Washington County. The
 70.16 following areas are deleted from William O'Brien State Park, Washington County:

70.17 (1) those parts of Section 25, Township 32 North, Range 20 West, Washington County,
 70.18 Minnesota, described as follows:

70.19 The West two rods of the Southwest Quarter of the Northeast Quarter, the West two
 70.20 rods of the North two rods of the Northwest Quarter of the Southeast Quarter, and the
 70.21 East two rods of the Southeast Quarter of the Northwest Quarter; and

70.22 (2) the East two rods over and across the Northeast Quarter of the Northwest Quarter,
 70.23 excepting therefrom the North 200 feet of said Northeast Quarter of the Northwest Quarter.
 70.24 Also, the West 2 rods of the Northwest Quarter of the Northeast Quarter, excepting therefrom
 70.25 the North 266 feet of said Northwest Quarter of the Northeast Quarter. Also, the South 66
 70.26 feet of the North 266 feet of that part of said Northwest Quarter of the Northeast Quarter
 70.27 lying southwesterly of the existing public road known as 199th Street North.

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

70.29 Sec. 98. **PRIVATE SALE OF SURPLUS STATE LAND; CASS COUNTY.**

70.30 (a) Notwithstanding Minnesota Statutes, sections 94.09 to 94.16, the commissioner of
 70.31 natural resources may sell by private sale the surplus land that is described in paragraph (c).

70.32 (b) The commissioner may make necessary changes to the legal description to correct
 70.33 errors and ensure accuracy.

71.1 (c) The land to be conveyed is located in Cass County and is described as: the westerly
71.2 20.00 feet of the West Half of the Northeast Quarter, Section 16, Township 139 North,
71.3 Range 30 West, Cass County, Minnesota. The Grantor, its employees and agents only,
71.4 reserves a perpetual easement for ingress and egress over and across the above described
71.5 land.

71.6 (d) The Department of Natural Resources has determined that the land is not needed for
71.7 natural resource purposes and that the state's land management interests would best be
71.8 served if the land was returned to private ownership.

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

71.10 Sec. 99. **PRIVATE SALE OF SURPLUS STATE LAND; LAKE OF THE WOODS**
71.11 **COUNTY.**

71.12 (a) Notwithstanding Minnesota Statutes, sections 94.09 to 94.16, the commissioner of
71.13 natural resources may sell by private sale the surplus land that is described in paragraph (c).

71.14 (b) The commissioner may make necessary changes to the legal description to correct
71.15 errors and ensure accuracy.

71.16 (c) The land to be conveyed is located in Lake of the Woods County and is described
71.17 as: a strip of land lying in Government Lot 3, Section 5, Township 163 North, Range 34
71.18 West of the Fifth Principal Meridian, Lake of the Woods County, Minnesota; said strip of
71.19 land being 33.00 feet in width lying 16.50 feet on each side of the following described
71.20 centerline:

71.21 Commencing at the southeast corner of said Government Lot 3; thence North 00 degrees
71.22 09 minutes 28 seconds West, assumed bearing, along the east line of said Government
71.23 Lot 3, a distance of 690 feet, more or less, to the south line of that particular tract of land
71.24 deeded to the State of Minnesota according to Document No. 75286, on file and of record
71.25 in the Office of the Recorder, Lake of the Woods County, Minnesota; thence South 89
71.26 degrees 50 minutes 32 seconds West, along said south line of that particular tract of
71.27 land, a distance of 200.00 feet; thence South 00 degrees 09 minutes 28 seconds East,
71.28 parallel with the east line of said Government Lot 3, a distance of 40.00 feet; thence
71.29 South 89 degrees 50 minutes 32 seconds West, a distance of 16.50 feet to the point of
71.30 beginning of the centerline to be herein described; thence South 00 degrees 09 minutes
71.31 28 seconds East, parallel with the east line of said Government Lot 3, a distance of 650.5
71.32 feet, more or less, to the south line of said Government Lot 3 and said centerline there
71.33 terminating.

72.1 (d) The Department of Natural Resources has determined that the land is not needed for
 72.2 natural resource purposes and that the state's land management interests would best be
 72.3 served if the land was returned to private ownership.

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

72.5 Sec. 100. **PRIVATE SALE OF SURPLUS STATE LAND; ST. LOUIS COUNTY.**

72.6 (a) Notwithstanding Minnesota Statutes, sections 94.09 to 94.16, the commissioner of
 72.7 natural resources may convey the surplus land that is described in paragraph (c) to a local
 72.8 unit of government for no consideration.

72.9 (b) The commissioner may make necessary changes to the legal description to correct
 72.10 errors and ensure accuracy.

72.11 (c) The land to be conveyed is located in St. Louis County and is described as: that part
 72.12 of the Southwest Quarter of the Northwest Quarter of Section 27, Township 52 North, Range
 72.13 17 West, St. Louis County, Minnesota, described as follows:

72.14 Commencing at the quarter corner between Sections 27 and 28 of said Township 52
 72.15 North, Range 17 West; thence running East 624 feet; thence North 629 feet to the point
 72.16 of beginning; thence North 418 feet; thence East 208 feet; thence South 418 feet; thence
 72.17 West 208 feet to the point of beginning.

72.18 (d) The Department of Natural Resources has determined that the land is not needed for
 72.19 natural resource purposes and that the state's land management interests would best be
 72.20 served if the land were conveyed to a local unit of government.

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

72.22 Sec. 101. **PRIVATE SALE OF TAX-FORFEITED LANDS; ST. LOUIS COUNTY.**

72.23 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or
 72.24 other law to the contrary, St. Louis County may sell by private sale the tax-forfeited lands
 72.25 described in paragraph (c).

72.26 (b) The conveyances must be in a form approved by the attorney general. The attorney
 72.27 general may make changes to the land descriptions to correct errors and ensure accuracy.

72.28 (c) The lands to be sold are located in St. Louis County and are described as:

72.29 (1) Lot 5, Block 9, including part of vacated Seafield Street adjacent, Bristol Beach 1st
 72.30 Division, Duluth (parcel 010-0300-01030); and

73.1 (2) that part of the Southeast Quarter of the Northwest Quarter, Township 58, Range
 73.2 15, Section 5, lying northerly of the northerly right-of-way line of the town of White road
 73.3 running in an east-west direction connecting County Road No. 138 with State Highway No.
 73.4 135 and lying westerly of the following described line: commencing at the northeast corner
 73.5 of Government Lot 3; thence South 89 degrees 46 minutes 22 seconds West along the north
 73.6 line of Government Lot 3 558.28 feet; thence South 27 degrees 50 minutes 01 second West
 73.7 102.75 feet; thence South 41 degrees 51 minutes 46 seconds West 452.29 feet; thence South
 73.8 28 degrees 19 minutes 22 seconds West 422.74 feet; thence South 30 degrees 55 minutes
 73.9 42 seconds West 133.79 feet; thence southwesterly 210.75 feet along a tangential curve
 73.10 concave to the southeast having a radius of 300 feet and a central angle of 40 degrees 15
 73.11 minutes 00 seconds; thence South 09 degrees 19 minutes 19 seconds East tangent to said
 73.12 curve 100.30 feet, more or less, to the north line of said Southeast Quarter of the Northwest
 73.13 Quarter; thence North 89 degrees 09 minutes 31 seconds East along said north line 40.44
 73.14 feet to the point of beginning of the line; thence South 09 degrees 19 minutes 19 seconds
 73.15 East 148 feet, more or less, to said right-of-way line and said line there terminating. Surface
 73.16 only (parcel 570-0021-00112).

73.17 (d) The county has determined that the county's land management interests would best
 73.18 be served if the lands were returned to private ownership.

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

73.20 Sec. 102. **PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
 73.21 **WATER; WADENA COUNTY.**

73.22 (a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural
 73.23 resources may sell by public sale the surplus land bordering public water that is described
 73.24 in paragraph (c).

73.25 (b) The commissioner may make necessary changes to the legal description to correct
 73.26 errors and ensure accuracy.

73.27 (c) The land that may be sold is located in Wadena County and is described as: the
 73.28 Northeast Quarter of the Southwest Quarter of Section 26, Township 136 North, Range 34
 73.29 West, Wadena County, Minnesota, except that part described as follows:

73.30 Beginning at the northeast corner of said Northeast Quarter of the Southwest Quarter;
 73.31 thence West 10 rods; thence South 8 rods; thence East 10 rods; thence North 8 rods to
 73.32 the point of beginning and there terminating.

74.1 (d) The land borders the Redeye River. The Department of Natural Resources has
 74.2 determined that the land is not needed for natural resource purposes and that the state's land
 74.3 management interests would best be served if the land were returned to private ownership.

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

74.5 Sec. 103. **RIVERLANDS STATE FOREST; BOUNDARIES.**

74.6 **[89.021] [Subd. 42a.] Riverlands State Forest.** The following areas are designated as
 74.7 the Riverlands State Forest:

74.8 (1) those parts of Carlton County in Township 49 North, Range 16 West, described as
 74.9 follows:

74.10 (i) Government Lots 4, 5, and 6, the westerly 50 feet of Government Lot 3, the easterly
 74.11 50 feet of Government Lot 8, and Government Lot 7 except that part conveyed to the State
 74.12 of Minnesota for highway right-of-way, Section 30;

74.13 (ii) Government Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12 and all of Government Lot
 74.14 14 except the North 890 feet of the West 765 feet and except the railroad right-of-way,
 74.15 Section 31; and

74.16 (iii) the South Half of the Northwest Quarter and the Southwest Quarter of Section 32;

74.17 (2) those parts of St. Louis County in Township 50 North, Range 17 West, described as
 74.18 follows:

74.19 (i) Government Lots 1, 2, 3, and 6 and the Southeast Quarter of the Northwest Quarter
 74.20 of Section 7;

74.21 (ii) Government Lots 1, 2, and 3, that part of the Northeast Quarter of the Northeast
 74.22 Quarter lying south of Township Road 5703, the Northwest Quarter of the Northwest
 74.23 Quarter, the Northeast Quarter of the Southeast Quarter, the Southwest Quarter of the
 74.24 Southeast Quarter, the Southeast Quarter of the Northeast Quarter, the Northwest Quarter
 74.25 of the Southeast Quarter, and the Southeast Quarter of the Southeast Quarter, Section 15;

74.26 (iii) Government Lots 1, 2, 3, and 4, Section 16;

74.27 (iv) Government Lots 1, 2, 3, and 4, Section 17;

74.28 (v) Government Lots 1 and 2, Section 18;

74.29 (vi) Government Lots 3, 7, 8, and 9, Section 22;

74.30 (vii) that part of the Southwest Quarter of the Southwest Quarter lying within 50 feet of
 74.31 the St. Louis River in Section 23;

75.1 (viii) Government Lots 11 and 12 and that part of Government Lot 6 lying South of the
75.2 North 700 feet, except the railroad right-of-way, Section 26; and

75.3 (ix) Government Lot 3 in Section 27;

75.4 (3) those parts of St. Louis County in Township 50 North, Range 18 West, described as
75.5 follows:

75.6 (i) Government Lots 2, 3, 4, 7, 9, and 10, the Southwest Quarter of the Northeast Quarter,
75.7 the Southeast Quarter of the Northwest Quarter, the Northwest Quarter of the Southeast
75.8 Quarter, the Northeast Quarter of the Southwest Quarter, reserving a 66-foot-wide access
75.9 easement across Government Lot 2 for access to Grantor's property in Section 31, Township
75.10 51 North, Range 17 West, and that part of Government Lot 6, Section 1, and Government
75.11 Lot 6, Section 2, described as follows:

75.12 Commencing at an iron pin at the centerline curve point of Trunk Highway No. 2, being
75.13 the Minnesota Department of Transportation Station No. 2637 + 00, said point bears
75.14 North 76 degrees 18 minutes 00 seconds West, assumed bearing 762.00 feet from the
75.15 point of intersection of the tangent of said Trunk Highway No. 2, being an
75.16 aluminum-capped monument on the cap of which are stamped the figures "2644 62.0"
75.17 and the letters "PI," "Minn Highway Dept. Monument," thence South 13 degrees 42
75.18 minutes 00 seconds West 100.00 feet along the prolongation of the radial line from said
75.19 curve point, to the southerly right-of-way line of said Trunk Highway No. 2, the point
75.20 of beginning of the tract to be herein described; thence easterly 622.50 feet along said
75.21 southerly right-of-way line, along a nontangential curve, concave to the North, having
75.22 a radius of 5,830.00 feet, a central angle of 6 degrees 07 minutes 04 seconds, and the
75.23 chord of said curve bears South 79 degrees 21 minutes 32 seconds East; thence South
75.24 26 degrees 25 minutes 57 seconds West 284.19 feet; thence South 88 degrees 07 minutes
75.25 14 seconds West 769 feet, more or less, to the shore of the St. Louis River; thence
75.26 northerly along said shore to its intersection with a line that bears North 76 degrees 18
75.27 minutes 00 seconds West from the point of beginning; thence South 76 degrees 18
75.28 minutes 00 seconds East 274 feet, more or less, to the point of beginning, Section 1; and

75.29 (ii) Government Lot 1, Section 12;

75.30 (4) those parts of St. Louis County in Township 51 North, Range 17 West, described as
75.31 follows:

75.32 (i) Government Lots 3, 4, 5, 6, and 8, Section 3;

76.1 (ii) Government Lots 1, 2, 3, 4, 5, 6, 7, 8, and 9 and the Northwest Quarter of the
76.2 Northeast Quarter, Southeast Quarter of the Northwest Quarter, and East Half of the Southeast
76.3 Quarter, Section 9;

76.4 (iii) Government Lots 1, 2, 5, and 8 and the Southwest Quarter of the Southeast Quarter,
76.5 Section 16;

76.6 (iv) Government Lots 2, 3, 4, 5, 6, 7, 8, and 9 and the Southeast Quarter of the Southeast
76.7 Quarter of the Northwest Quarter of the Northwest Quarter, Section 20;

76.8 (v) Government Lot 1 and the Southwest Quarter of the Southwest Quarter, Section 29;

76.9 (vi) Government Lots 4, 5, 6, 7, 8, 9, 10, 11, and 12 and the Northeast Quarter of
76.10 Southwest Quarter, Section 30; and

76.11 (vii) Government Lots 1, 2, 3, 4, 5, and 6, Section 31;

76.12 (5) those parts of St. Louis County in Township 51 North, Range 18 West, described as
76.13 follows:

76.14 (i) Government Lots 1 and 2, Section 27;

76.15 (ii) Government Lot 1, Section 28, except railroad right-of-way;

76.16 (iii) Government Lots 2, 3, and 4, Section 28;

76.17 (iv) Government Lots 3 and 4, Section 29;

76.18 (v) Government Lots 2, 3, and 4, Section 30;

76.19 (vi) Government Lots 3 and 4, Section 35; and

76.20 (vii) Government Lots 1, 2, 3, 4, 5, 6, 7, and 8 and the Northeast Quarter of the Northwest
76.21 Quarter, Northeast Quarter of the Southeast Quarter, Southeast Quarter of the Southeast
76.22 Quarter, and Southwest Quarter of the Southeast Quarter, Section 36, reserving a
76.23 66-foot-wide access easement across Government Lots 5 and 6 and the Southwest Quarter
76.24 of the Southeast Quarter for access to Grantor's property in Section 31, Township 51 North,
76.25 Range 17 West;

76.26 (6) those parts of St. Louis County in Township 51 North, Range 19 West, described as
76.27 follows:

76.28 (i) that part of Government Lots 1, 2, and 3, Section 26, lying North of the St. Louis
76.29 River and Government Lot 7, Section 28;

76.30 (ii) Government Lot 8, Section 28, lying northerly of G.N. right-of-way and Government
76.31 Lot 5, Section 30;

- 77.1 (iii) Government Lots 7 and 10, Section 30, except right-of-way;
- 77.2 (iv) Government Lot 9, Section 30; and
- 77.3 (v) Government Lot 1, Section 31, lying northerly of the northerly railroad right-of-way
- 77.4 line;
- 77.5 (7) those parts of St. Louis County in Township 51 North, Range 20 West, described as
- 77.6 follows:
- 77.7 (i) Government Lot 2, Section 16;
- 77.8 (ii) Government Lot 8, Section 22;
- 77.9 (iii) Government Lot 3, Section 26;
- 77.10 (iv) Government Lots 1, 2, 3, and 4, Section 36; and
- 77.11 (v) Government Lots 6, 7, and 8, Section 36, except railroad right-of-way;
- 77.12 (8) those parts of St. Louis County in Township 52 North, Range 15 West, described as
- 77.13 follows:
- 77.14 (i) Government Lots 3, 4, 5, and 6, Section 16;
- 77.15 (ii) Government Lots 1, 2, 3, 4, 5, 7, and 8, Section 17, and Government Lot 6, Section
- 77.16 17, except the West 330 feet; and
- 77.17 (iii) Government Lots 3, 4, 5, 6, and 7, Section 19;
- 77.18 (9) those parts of St. Louis County in Township 52 North, Range 16 West, described as
- 77.19 follows:
- 77.20 (i) Government Lots 1, 2, 3, 4, and 5 and the Southeast Quarter of the Southeast Quarter,
- 77.21 Northeast Quarter of the Southwest Quarter, and Southwest Quarter of the Southwest Quarter,
- 77.22 Section 21;
- 77.23 (ii) Government Lots 2, 3, 4, 5, 6, 7, 8, 9, and 10 and the Northeast Quarter of the
- 77.24 Northwest Quarter and Northwest Quarter of the Northwest Quarter, Section 22;
- 77.25 (iii) Government Lot 3, Section 23;
- 77.26 (iv) Government Lot 2, Section 24;
- 77.27 (v) Government Lots 1, 4, 5, 6, 7, 8, 9, and 10, Section 25;
- 77.28 (vi) Government Lot 1, Section 26;
- 77.29 (vii) Government Lots 2 and 7, Section 26;

78.1 (viii) Government Lots 3 and 4, Section 27, reserving unto Grantor and Grantor's
78.2 successors and assigns a 66-foot-wide access road easement across said Government Lot 3
78.3 for the purpose of access to Grantor's or Grantor's successors or assigns land and Grantor's
78.4 presently owned land that may be sold, assigned, or transferred in Government Lot 1, Section
78.5 27, said access road being measured 33 feet from each side of the centerline of that road
78.6 that is presently existing at various widths and running in a generally
78.7 southwesterly-northeasterly direction;

78.8 (ix) Government Lots 1 and 2, Section 28;

78.9 (x) Government Lots 1, 2, 3, and 5 and the Northeast Quarter of the Northeast Quarter
78.10 and Southwest Quarter of the Northeast Quarter, Section 29;

78.11 (xi) Government Lots 1, 2, 3, and 4, Section 31, reserving unto Grantor and Grantor's
78.12 successors and assigns a 66-foot-wide access road easement across said Government Lots
78.13 1, 2, and 3 for the purpose of access to Grantor's or Grantor's successors or assigns land and
78.14 Grantor's presently owned lands that may be sold, assigned, or transferred in Government
78.15 Lot 4, Section 29, said access road being measured 33 feet from each side of the centerline
78.16 of that road that is presently existing at various widths and running in a generally East-West
78.17 direction and any future extensions thereof as may be reasonably necessary to provide the
78.18 access contemplated herein;

78.19 (xii) Government Lots 5, 7, 8, and 9, Section 31;

78.20 (xiii) Government Lots 1 and 2, an undivided two-thirds interest in the Northeast Quarter
78.21 of the Northwest Quarter, an undivided two-thirds interest in the Southeast Quarter of the
78.22 Northwest Quarter, and an undivided two-thirds interest in the Southwest Quarter of the
78.23 Northwest Quarter, Section 32, reserving unto Grantor and Grantor's successors and assigns
78.24 an access road easement across the West 66 feet of the North 66 feet of said Government
78.25 Lot 1 for the purpose of access to Grantor's or Grantor's successors or assigns land and
78.26 Grantor's presently owned land that may be sold, assigned, or transferred in Government
78.27 Lot 4, Section 29; and

78.28 (xiv) Northeast Quarter of Northeast Quarter, Section 35;

78.29 (10) those parts of St. Louis County in Township 52 North, Range 17 West, described
78.30 as follows:

78.31 (i) the Southwest Quarter of the Southeast Quarter and Southeast Quarter of the Southwest
78.32 Quarter, Section 24, reserving unto Grantor and Grantor's successors and assigns a
78.33 66-foot-wide access road easement across said Southwest Quarter of the Southeast Quarter

79.1 for the purpose of access to Grantor's or Grantor's successors or assigns land and Grantor's
79.2 presently owned land that may be sold, assigned, or transferred in Government Lot 4, Section
79.3 29, Township 52 North, Range 16 West, said access road being measured 33 feet from each
79.4 side of the centerline of that road that is presently existing at various widths and running in
79.5 a generally North-South direction;

79.6 (ii) Government Lots 2, 3, 4, 5, and 7 and the Southwest Quarter of the Northeast Quarter,
79.7 Section 25, reserving unto Grantor and Grantor's successors and assigns a 66-foot-wide
79.8 access road easement across said Government Lots 2 and 5 for the purpose of access to
79.9 Grantor's or Grantor's successors or assigns land and Grantor's presently owned land that
79.10 may be sold, assigned, or transferred in Government Lot 6, Section 25, said access road
79.11 being measured 33 feet from each side of the centerline of that road that is presently existing
79.12 at various widths and running in a generally northwesterly-southeasterly direction and any
79.13 future extensions thereof as may be reasonably necessary to provide the access contemplated
79.14 herein;

79.15 (iii) Government Lots 2, 4, 5, and 6 and all that part of Government Lot 3 lying East of
79.16 U.S. Highway 53, Section 26, reserving unto Grantor and Grantor's successors and assigns
79.17 a 66-foot-wide access road easement across said Government Lots 2 and 3 for the purpose
79.18 of access to Grantor's or Grantor's successors or assigns land and Grantor's presently owned
79.19 land that may be sold, assigned, or transferred in Government Lot 1, Section 26, said access
79.20 road being measured 33 feet from each side of the centerline of that road that is presently
79.21 existing at various widths and running in a generally southwesterly-northeasterly direction
79.22 and reserving unto Grantor and Grantor's successors and assigns a 66-foot-wide access road
79.23 easement across said Government Lots 4, 5, and 6 for the purpose of access to Grantor's or
79.24 Grantor's successors or assigns land and Grantor's presently owned land that may be sold,
79.25 assigned, or transferred in Government Lot 6, Section 25, said access road being measured
79.26 33 feet from each side of the centerline of that road that is presently existing at various
79.27 widths and running in a generally southwesterly-northeasterly direction and any future
79.28 extensions thereof as may be reasonably necessary to provide the access contemplated
79.29 herein; and

79.30 (iv) Government Lots 1, 2, and 3, Section 36, reserving unto Grantor and Grantor's
79.31 successors and assigns an access road easement across the West 66 feet of said Government
79.32 Lot 2 for the purpose of access to Grantor's or Grantor's successors or assigns land and
79.33 Grantor's presently owned land that may be sold, assigned, or transferred in the Southwest
79.34 Quarter of the Northeast Quarter, Section 36;

80.1 (11) those parts of St. Louis County in Township 52 North, Range 19 West, described
80.2 as follows:

80.3 (i) Government Lot 1, Section 16;

80.4 (ii) Government Lots 1 and 2, Section 17; and

80.5 (iii) Government Lot 1, Section 19;

80.6 (12) those parts of St. Louis County in Township 52 North, Range 20 West, described
80.7 as follows:

80.8 (i) Government Lots 2, 3, and 4, Section 13;

80.9 (ii) Government Lot 6, Section 24;

80.10 (iii) that part of Government Lot 8, Section 24, described as follows:

80.11 Commencing at the West Quarter corner of said Section 24, which is also the northwest
80.12 corner of Government Lot 8; thence South 01 degree 36 minutes 01 second East (bearing
80.13 assigned) 1,230.11 feet along the west line of Government Lot 8 to the centerline of St.
80.14 Louis County Highway 29 and the point of beginning; thence North 46 degrees 59
80.15 minutes 59 seconds East along said centerline 445.91 feet; thence South 43 degrees 00
80.16 minutes 01 second East 82.57 feet to an iron pipe monument on the westerly bank of
80.17 the St. Louis River; thence continuing South 43 degrees 00 minutes 01 second East 30
80.18 feet, more or less, to the water's edge of the St. Louis River; thence southwesterly along
80.19 said water's edge to the west line of said Government Lot 8; thence North 01 degree 36
80.20 minutes 01 second West along the west line of said Government Lot 8 to the point of
80.21 beginning;

80.22 (iv) Government Lots 3, 4, and 5 and the Southeast Quarter of the Southwest Quarter,
80.23 Section 26; and

80.24 (v) Government Lots 1, 2, 3, and 4, Section 34;

80.25 (13) those parts of St. Louis County in Township 53 North, Range 13 West, described
80.26 as follows:

80.27 (i) all that part of the Northwest Quarter of the Northwest Quarter lying North and West
80.28 of the Little Cloquet River, Section 4;

80.29 (ii) Government Lots 1, 2, 3, 4, and 5, the Northeast Quarter of the Northeast Quarter,
80.30 Northwest Quarter of the Northeast Quarter, Southwest Quarter of the Northeast Quarter,
80.31 Northeast Quarter of the Northwest Quarter, Southeast Quarter of the Northwest Quarter,

- 81.1 Northeast Quarter of the Southwest Quarter, and Southwest Quarter of the Northwest Quarter,
 81.2 Section 5;
- 81.3 (iii) Government Lots 1, 2, and 4 and the Northwest Quarter of the Southeast Quarter,
 81.4 Southeast Quarter of the Southeast Quarter, Southwest Quarter of the Southeast Quarter,
 81.5 Southeast Quarter of the Southwest Quarter, and Southwest Quarter of the Southwest Quarter,
 81.6 Section 6;
- 81.7 (iv) Government Lots 1, 2, 3, 4, 5, 6, and 7 and the Northwest Quarter of the Northeast
 81.8 Quarter, Northeast Quarter of the Northwest Quarter, Northwest Quarter of the Northwest
 81.9 Quarter, Southeast Quarter of the Northwest Quarter, Southwest Quarter of the Northwest
 81.10 Quarter, Southeast Quarter of the Southeast Quarter, and Northeast Quarter of the Southwest
 81.11 Quarter, Section 7;
- 81.12 (v) Government Lots 1 and 2 and the Northeast Quarter of the Northeast Quarter,
 81.13 Northwest Quarter of the Northeast Quarter, Southeast Quarter of the Northeast Quarter,
 81.14 Southwest Quarter of the Northeast Quarter, Northeast Quarter of the Southwest Quarter,
 81.15 Northwest Quarter of the Southwest Quarter, and Southwest Quarter of the Southwest
 81.16 Quarter, Section 8;
- 81.17 (vi) the Northeast Quarter of the Northwest Quarter, Northwest Quarter of the Northwest
 81.18 Quarter, Southeast Quarter of the Northwest Quarter, and Southwest Quarter of the Northwest
 81.19 Quarter, Section 17;
- 81.20 (vii) Government Lots 1 and 4, Section 29;
- 81.21 (viii) Government Lots 1 and 2 and the Northeast Quarter of the Northeast Quarter,
 81.22 Northwest Quarter of the Northeast Quarter, Southeast Quarter of the Northeast Quarter,
 81.23 Northeast Quarter of the Northwest Quarter, Northwest Quarter of the Northwest Quarter,
 81.24 Southeast Quarter of the Northwest Quarter, and Southwest Quarter of the Northwest Quarter,
 81.25 Section 30; and
- 81.26 (ix) Government Lots 1, 2, 3, and 4, Section 31;
- 81.27 (14) Government Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10, Section 36, Township 53 North,
 81.28 Range 14 West, St. Louis County;
- 81.29 (15) those parts of St. Louis County in Township 53 North, Range 18 West, described
 81.30 as follows:
- 81.31 (i) Government Lots 3, 6, 7, and 8, Section 6; and
- 81.32 (ii) Government Lots 1 and 2, Section 7;

82.1 (16) those parts of St. Louis County in Township 53 North, Range 19 West, described
82.2 as follows:

82.3 (i) all that part of Government Lot 5 lying within 50 feet of the St. Louis River, Section
82.4 5, and Government Lots 1, 2, 5, 6, 7, and 8, Section 12;

82.5 (ii) Government Lots 1, 2, 3, 5, 8, and 9, Section 13;

82.6 (iii) all that portion of Government Lot 1, Section 23, that lies within 50 feet of the East
82.7 bank of the Whiteface River at mean stage of water;

82.8 (iv) all that portion of Government Lots 2, 4, and 5, Section 23, that lies within 50 feet
82.9 of the West bank of the Whiteface River at mean stage of water;

82.10 (v) all that part of Government Lot 7, Section 23, lying West of the former DM&IR
82.11 railroad right-of-way;

82.12 (vi) Government Lots 8 and 10, Section 23;

82.13 (vii) all that part of the Northwest Quarter of the Southeast Quarter, Section 23, lying
82.14 West of the former DM&IR railroad right-of-way;

82.15 (viii) Government Lots 5, 7, and 8, Section 31; and

82.16 (ix) Government Lot 5, Section 33;

82.17 (17) those parts of St. Louis County in Township 54 North, Range 13 West, described
82.18 as follows:

82.19 (i) Government Lots 1, 4, 5, 6, and 7, Section 20;

82.20 (ii) Government Lots 3, 4, 6, 7, and 8 and the Southeast Quarter of the Southwest Quarter,
82.21 Section 21;

82.22 (iii) Government Lots 1, 2, 3, 4, 5, and 7, Section 29;

82.23 (iv) Government Lots 1, 2, 3, 4, 9, and 10, Section 30; and

82.24 (v) Government Lots 5, 6, and 7 and the Northeast Quarter of the Northeast Quarter,
82.25 Northwest Quarter of the Northeast Quarter, Southwest Quarter of the Northeast Quarter,
82.26 Southeast Quarter of the Northwest Quarter, and Northwest Quarter of the Southeast Quarter,
82.27 Section 31;

82.28 (18) those parts of St. Louis County in Township 54 North, Range 16 West, described
82.29 as follows:

83.1 (i) Government Lots 2, 3, and 4 and the Northwest Quarter of the Southwest Quarter,
 83.2 Southeast Quarter of the Northwest Quarter, Southeast Quarter of the Northeast Quarter,
 83.3 and Southwest Quarter of the Northeast Quarter, Section 1;

83.4 (ii) Government Lots 1, 2, 3, 4, 6, 7, and 8 and the Northwest Quarter of the Southeast
 83.5 Quarter, Northeast Quarter of the Southeast Quarter, Southwest Quarter of the Southeast
 83.6 Quarter, Southeast Quarter of the Southeast Quarter, Southeast Quarter of the Southwest
 83.7 Quarter, and Southeast Quarter of the Northeast Quarter, Section 2;

83.8 (iii) all that part of Government Lot 9 lying South of the Whiteface River and West of
 83.9 County Road 547, also known as Comstock Lake Road, Section 3; and

83.10 (iv) Government Lots 3 and 4 and the Southeast Quarter of the Northeast Quarter and
 83.11 Southwest Quarter of the Northeast Quarter, Section 10;

83.12 (19) those parts of St. Louis County in Township 54 North, Range 18 West, described
 83.13 as follows:

83.14 (i) the South Half of the Southwest Quarter, except the railroad right-of-way, Section
 83.15 15;

83.16 (ii) Government Lot 2, except the North 660 feet of the East 990 feet, Section 16;

83.17 (iii) Government Lots 1, 3, 4, 5, 6, 7, and 8, Section 16;

83.18 (iv) Government Lot 3, Section 20;

83.19 (v) Government Lots 1, 2, 3, 4, and 5, Section 21;

83.20 (vi) Government Lots 1, 4, 5, and 7, Section 22;

83.21 (vii) those parts of Government Lots 2 and 9, except railroad right-of-way, Section 22;

83.22 (viii) all that part of Government Lot 6, Section 22, lying West of the Duluth Mesaba
 83.23 and Northern Railway Company's right-of-way;

83.24 (ix) Government Lot 9, Section 22, except the following parcels:

83.25 (A) beginning at a point where the south line of company road, called Kelsey Road,
 83.26 intersects with the west line of the right-of-way of the Duluth, Missabe and Northern Railway
 83.27 on the Northeast Quarter of the Southeast Quarter, Section 22, Township 54, Range 18;
 83.28 thence West along the south line of said company road 627 feet; thence South 348 1/3 feet;
 83.29 thence East 627 feet to the west line of the right-of-way of the Duluth, Missabe and Northern
 83.30 Railway; thence North on the west line of said right-of-way 348 1/3 feet to commencement;

84.1 (B) beginning at the quarter corner between Sections 22 and 23, Township 54, Range
 84.2 18; thence running North along the section line 114 feet, 6 inches, to the south line of Kelsey
 84.3 Road; thence northwesterly along the south line of Kelsey Road 348 feet, 8 inches, to the
 84.4 boundary of the right-of-way of the Duluth, Missabe and Northern Railway, thence South
 84.5 along the easterly boundary of the right-of-way of the Duluth, Missabe and Northern Railway
 84.6 274 feet to the quarter line on Section 22; thence easterly along said quarter line 304 feet,
 84.7 6 inches, to the point of beginning; and

84.8 (C) commencing at the southwest corner of Riverside Cemetery as recorded in "P" of
 84.9 Plats, Page 15; thence easterly along the south line of said cemetery to a point where said
 84.10 cemetery line intersects the westerly line of Highway No. 7, also known as Mesaba Trunk
 84.11 Highway; thence southerly along the westerly line of said Highway No. 7 to a point where
 84.12 said westerly line of said Highway No. 7 intersects the south line of Lot 9, Section 22,
 84.13 Township 54, Range 18; thence westerly along the southerly line of said Lot 9 to a point
 84.14 where the southerly line intersects the easterly line of the DM & N Railway Company's
 84.15 right-of-way; thence northerly along the easterly side of said DM & N Railway Company's
 84.16 right-of-way to beginning;

84.17 (x) Government Lots 2, 3, 4, 5, 6, 7, and 8, Section 29;

84.18 (xi) Government Lots 5 and 6, Section 30; and

84.19 (xii) Government Lots 3, 4, 5, 6, 9, 10, 11, and 12, Section 31;

84.20 (20) those parts of St. Louis County in Township 54 North, Range 19 West, described
 84.21 as follows:

84.22 (i) Government Lots 5, 6, 7, 8, and 9, Section 5;

84.23 (ii) Government Lots 1, 2, 3, 4, 5, 6, 7, and 8, Section 8;

84.24 (iii) Government Lots 1, 2, 3, 4, 5, 6, 7, and 8, Section 20;

84.25 (iv) Government Lots 2 and 3, Section 29;

84.26 (v) Government Lot 1, Section 32;

84.27 (vi) Government Lot 5, except the South 1,320 feet, Section 32; and

84.28 (vii) Government Lot 2, Section 33;

84.29 (21) those parts of St. Louis County in Township 55 North, Range 15 West, described
 84.30 as follows:

84.31 (i) Governments Lot 1 and 2, Section 11;

- 85.1 (ii) Government Lot 9, except Highway 4 right-of-way, Section 11;
- 85.2 (iii) Government Lot 10, except Highway 4 right-of-way, Section 11;
- 85.3 (iv) Government Lots 2, 3, 4, 5, 6, and 7, Section 15;
- 85.4 (v) Government Lots 2, 3, 5, 6, 7, and 8 and the Northeast Quarter of Southwest Quarter,
85.5 Section 21;
- 85.6 (vi) the Southwest Quarter of the Northeast Quarter, reserving unto Grantor and Grantor's
85.7 successors and assigns a 66-foot-wide access easement across said Southwest Quarter of
85.8 the Northeast Quarter for the purpose of access to Grantor's or Grantor's successors or
85.9 assigns land and Grantor's presently owned land that may be sold, assigned, or transferred
85.10 in Government Lot 4, Section 21, Township 55 North, Range 15 West, said access road
85.11 being measured 33 feet on each side of the centerline of that road that is presently existing
85.12 and known as the Whiteface Truck Trail, Section 21;
- 85.13 (vii) Government Lots 1, 2, and 3, Section 22;
- 85.14 (viii) Government Lots 1 and 2 and the Northeast Quarter of the Northwest Quarter,
85.15 Section 28;
- 85.16 (ix) Government Lots 1, 4, 6, 8, and 9 and the Northeast Quarter of the Northeast Quarter,
85.17 Northeast Quarter of the Southeast Quarter, and Northwest Quarter of the Southwest Quarter,
85.18 Section 29;
- 85.19 (x) Government Lots 3 and 4 and the Northeast Quarter of the Southeast Quarter,
85.20 Northeast Quarter of the Southwest Quarter, and Southeast Quarter of the Southwest Quarter,
85.21 Section 30;
- 85.22 (xi) Government Lots 2, 3, 4, 5, 6, 8, 9, 10, and 11 and the Northeast Quarter of the
85.23 Southwest Quarter, Section 31; and
- 85.24 (xii) Government Lot 1, Section 32;
- 85.25 (22) those parts of St. Louis County in Township 55 North, Range 16 West, described
85.26 as follows:
- 85.27 (i) the Southwest Quarter of the Southeast Quarter, reserving unto Grantor and Grantor's
85.28 successors and assigns a 66-foot-wide access road easement across said Southwest Quarter
85.29 of the Southeast Quarter for the purpose of access to Grantor's or Grantor's successors or
85.30 assigns land and Grantor's presently owned land that may be sold, assigned, or transferred
85.31 in Government Lot 5, Section 1, Township 54 North, Range 16 West, Section 35; and

86.1 (ii) the Southeast Quarter of the Southeast Quarter, reserving unto Grantor and Grantor's
86.2 successors and assigns a 66-foot-wide access road easement across said Southeast Quarter
86.3 of the Southeast Quarter for the purpose of access to Grantor's or Grantor's successors or
86.4 assigns land and Grantor's presently owned land that may be sold, assigned, or transferred
86.5 in Government Lot 5, Section 1, Township 54 North, Range 16 West, Section 35;

86.6 (23) those parts of St. Louis County in Township 55 North, Range 19 West, described
86.7 as follows:

86.8 (i) an undivided two-thirds interest in Government Lot 1, Section 2;

86.9 (ii) Government Lots 2, 9, 10, and 12, Section 2;

86.10 (iii) Government Lot 11, Section 2, except railroad right-of-way;

86.11 (iv) Government Lots 1, 2, 3, 4, and 6, Section 10;

86.12 (v) Government Lot 4, Section 11;

86.13 (vi) Government Lots 1, 2, 6, 7, and 13, Section 15;

86.14 (vii) Government Lots 1 and 2, Section 16;

86.15 (viii) Government Lots 1 and 3 and the Southeast Quarter of the Northeast Quarter and
86.16 Southwest Quarter of the Northeast Quarter, Section 22;

86.17 (ix) Government Lots 3, 4, 5, 6, 7, and 8 and the Northeast Quarter of the Northwest
86.18 Quarter, Section 29;

86.19 (x) Government Lot 6, Section 30; and

86.20 (xi) Government Lots 4, 7, 8, 9, and 10, Section 31;

86.21 (24) those parts of St. Louis County in Township 56 North, Range 17 West, described
86.22 as follows:

86.23 (i) Government Lots 2 and 8 and the Northwest Quarter of the Southeast Quarter and
86.24 Northeast Quarter of the Southwest Quarter, Section 3;

86.25 (ii) Government Lots 4, 5, 6, 7, and 9, Section 3; and

86.26 (iii) Government Lots 6 and 9, that part of Government Lot 8 lying North of Highway
86.27 No. 53, and that part of Government Lot 7 lying West of Highway No. 53, Section 4;

86.28 (25) those parts of St. Louis County in Township 56 North, Range 18 West, described
86.29 as follows:

86.30 (i) Government Lots 5 and 6, Section 2;

87.1 (ii) Government Lots 5, 7, and 9 and the Northeast Quarter of the Southwest Quarter,
87.2 Section 3;

87.3 (iii) all that part of Government Lot 11, except the following described parcel of land:

87.4 Beginning at a point that is located 958 feet North of the southeast corner of said
87.5 Government Lot 11, which corner is also the southeast corner of said Section 3, and 33
87.6 feet West of the east line of said Lot 11; thence running North parallel with the east line
87.7 of said Lot 11 a distance of 700.5 feet to a point; thence southwesterly to a point that is
87.8 331.5 feet West and 1226 feet North of the southeast corner of said Lot 11; thence
87.9 southerly parallel with the east line of said lot, a distance of 268 feet to a point; thence
87.10 easterly a distance of 298.5 feet to the place of beginning, Section 3;

87.11 (iv) Government Lot 12, Section 3, except the following described parcels of land:

87.12 (A) commencing at a point along the East and West One-Quarter line of said Section 3,
87.13 which point is 33 feet West of the East One-Quarter corner of said Section 3, said point
87.14 being on the west right-of-way line of County Highway No. 7; thence westerly along said
87.15 quarter line for a distance of 300 feet to a point; thence southerly at right angles and parallel
87.16 to the highway right-of-way in question for a distance of 300 feet to a point; thence easterly
87.17 for a distance of 300 feet to a point in the west right-of-way line of County Highway No.
87.18 7; thence northerly along the west right-of-way line of County Highway No. 7 for a distance
87.19 of 300 feet to the point of beginning;

87.20 (B) commencing at the East Quarter corner of said Section 3; thence westerly along the
87.21 East/West Quarter line of said Section 3 a distance of 33.00 feet to the westerly right-of-way
87.22 line of County Highway No. 7; thence continuing westerly along said East/West Quarter
87.23 line a distance of 300.00 feet to the point of beginning; thence southerly, parallel with the
87.24 westerly right-of-way line of County Highway No. 7 a distance of 400.00 feet; thence
87.25 westerly, parallel with said East/West Quarter line to the easterly right-of-way line of the
87.26 DM&IR Railroad; thence northerly along said easterly right-of-way line to said East/West
87.27 Quarter line; thence easterly along said East/West Quarter line to the point of beginning;
87.28 and

87.29 (C) the East 33 feet of the North 300 feet of said Government Lot 12;

87.30 (v) the Southeast Quarter of the Southeast Quarter, Section 4;

87.31 (vi) the Southeast Quarter of the Southeast Quarter, Section 7;

87.32 (vii) Government Lots 6 and 7, Section 8;

87.33 (viii) Government Lots 1 and 2, Section 9;

- 88.1 (ix) Government Lots 2 and 3, Section 17;
- 88.2 (x) Government Lots 5, 6, 7, 9, 10, 11, 12, and 13 and the Southeast Quarter of the
- 88.3 Northwest Quarter, Section 18;
- 88.4 (xi) Government Lots 6, 7, 8, 9, 11, and 12 and the Northeast Quarter of the Northwest
- 88.5 Quarter, Section 19;
- 88.6 (xii) Government Lots 1, 5, 8, and 9, Section 20;
- 88.7 (xiii) Government Lots 4, 5, 6, 7, and 8 and Government Lot 3, except for 1.0 acre for
- 88.8 cemetery, Section 29;
- 88.9 (xiv) Government Lot 9, Section 30;
- 88.10 (xv) Government Lots 1, 2, 3, 6, 8, 9, 10, and 11, Section 31; and
- 88.11 (xvi) Government Lots 1 and 2, Section 32;
- 88.12 (26) those parts of St. Louis County in Township 56 North, Range 19 West, described
- 88.13 as follows:
- 88.14 (i) Government Lot 1, Section 35;
- 88.15 (ii) Government Lot 2, Section 35; and
- 88.16 (iii) Government Lots 1, 2, 3, 4, 5, 6, 7, 8, and 9 and the Southeast Quarter of the
- 88.17 Southeast Quarter and Southwest Quarter of the Northeast Quarter, Section 36;
- 88.18 (27) those parts of St. Louis County in Township 57 North, Range 16 West, described
- 88.19 as follows:
- 88.20 (i) the Southeast Quarter of the Northwest Quarter, Northwest Quarter of the Northeast
- 88.21 Quarter, Southwest Quarter of the Southwest Quarter, and Northeast Quarter of the Southwest
- 88.22 Quarter, Section 12; and
- 88.23 (ii) the Southeast Quarter of the Northwest Quarter, Section 15; and
- 88.24 (28) those parts of St. Louis County in Township 57 North, Range 17 West, described
- 88.25 as follows:
- 88.26 (i) the Northeast Quarter of the Southwest Quarter and Southwest Quarter of the
- 88.27 Southwest Quarter, Section 25; and
- 88.28 (ii) the Southeast Quarter of the Southeast Quarter and the Northeast Quarter of the
- 88.29 Southeast Quarter, Section 26.

89.1 Sec. 104. PRIVATE SALE OF TAX-FORFEITED LAND; AITKIN COUNTY.

89.2 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or
89.3 other law to the contrary, Aitkin County may sell by private sale the tax-forfeited land
89.4 described in paragraph (c).

89.5 (b) The conveyance must be in a form approved by the attorney general. The attorney
89.6 general may make changes to the land description to correct errors and ensure accuracy.

89.7 (c) The land to be sold is located in Aitkin County and is described as:

89.8 The North Half of the Northeast Quarter of the Northeast Quarter lying East of 275th
89.9 Avenue in Section 11, Township 47 North, Range 25 West, Aitkin County, Minnesota
89.10 (part of parcel 15-0-017700).

89.11 (d) The county has determined that the county's land management interests would best
89.12 be served if the land was returned to private ownership.

89.13 Sec. 105. GOODHUE COUNTY; LAND TRANSFERS.

89.14 Subdivision 1. Land transfers. (a) Notwithstanding Minnesota Statutes, section 373.01,
89.15 subdivision 1, Goodhue County may sell, lease, or otherwise convey county-owned land
89.16 that abuts Lake Byllesby to adjoining property owners who after the transfer will have direct
89.17 access to Lake Byllesby. Any sale, lease, or other conveyance must be for the market value
89.18 of the property as appraised by the county. A sale, lease, or other conveyance under this
89.19 section must reserve to the county mineral rights according to Minnesota Statutes, section
89.20 373.01, and flowage easements relating to water levels of Lake Byllesby.

89.21 (b) This section does not apply to any county-owned land that has been developed by
89.22 the county as public parkland.

89.23 Subd. 2. Effective date; local approval. This section is effective the day after the
89.24 governing body of Goodhue County and its chief clerical officer comply with Minnesota
89.25 Statutes, section 645.021, subdivisions 2 and 3.

89.26 Sec. 106. PRIVATE SALE OF TAX-FORFEITED LANDS; ITASCA COUNTY.

89.27 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or
89.28 other law to the contrary, Itasca County may sell by private sale the tax-forfeited lands
89.29 described in paragraph (c).

89.30 (b) The conveyances must be in a form approved by the attorney general. The attorney
89.31 general may make changes to the land descriptions to correct errors and ensure accuracy.

90.1 (c) The lands to be sold are located in Itasca County and are described as:

90.2 (1) all that part of Government Lot 2, Section 27, Township 145 North, Range 26 West,
 90.3 lying northeasterly of the northeasterly right-of-way line of CSAH 39 and northwesterly of
 90.4 the following described line: Commencing at the northwest corner of said Government Lot
 90.5 2; thence South 89 degrees 21 minutes East, along the north line of said Government Lot
 90.6 2 a distance of 286 feet, more or less, to a point on the northeasterly right-of-way line of
 90.7 the CSAH 39 right-of-way; thence South 51 degrees 01 minute East, 260.41 feet to the point
 90.8 of beginning of the line to be described; thence North 42 degrees 11 minutes East to intersect
 90.9 the water's edge of Ball Club Lake and there said line terminates; and

90.10 (2) the South two rods of the East 16 rods of Government Lot 14, Section 4, Township
 90.11 60 North, Range 26 West of the Fourth Principle Meridian, containing approximately 0.20
 90.12 acres.

90.13 (d) The county has determined that the county's land management interests would best
 90.14 be served if the lands were returned to private ownership.

90.15 Sec. 107. PRIVATE SALE OF SURPLUS LAND BORDERING PUBLIC WATERS;
 90.16 ROSEAU COUNTY.

90.17 (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the
 90.18 commissioner of natural resources may sell by private sale the surplus island located in
 90.19 public water that is described in paragraph (d) to a local unit of government for less than
 90.20 market value.

90.21 (b) The commissioner may make necessary changes to the legal description to correct
 90.22 errors and ensure accuracy.

90.23 (c) The land described in paragraph (d) may be sold by quit claim deed and the
 90.24 conveyance must provide that the land described in paragraph (d) be used for the public
 90.25 and reverts to the state if the local unit of government fails to provide for public use or
 90.26 abandons the public use of the land. The conveyance is subject to a flowage easement held
 90.27 by the United States of America.

90.28 (d) The land that may be conveyed is located in Roseau County and is described as: an
 90.29 unsurveyed island located in the approximate center of the South Half of the Southeast
 90.30 Quarter of Section 29, Township 163 North, Range 36 West, Roseau County, Minnesota;
 90.31 said island contains 6.7 acres, more or less (parcel identification number 563199100).

90.32 (e) The island is located in Warroad River and was created after statehood when dredge
 90.33 spoils were deposited on a sandbar in the Warroad River. The Department of Natural

91.1 Resources has determined that the land is not needed for natural resource purposes, the
 91.2 conveyance would further the public interest, and the state's land management interests
 91.3 would best be served if the land was conveyed to a local unit of government for a public
 91.4 park and other public use.

91.5 **Sec. 108. PRIVATE SALE OF TAX-FORFEITED LANDS; ST. LOUIS COUNTY.**

91.6 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or
 91.7 other law to the contrary, St. Louis County may sell by private sale the tax-forfeited lands
 91.8 described in paragraph (c).

91.9 (b) The conveyances must be in a form approved by the attorney general. The attorney
 91.10 general may make changes to the land descriptions to correct errors and ensure accuracy.

91.11 (c) The lands to be sold are located in St. Louis County and are described as:

91.12 (1) the South Half of the North Half of the South Half of the Southwest Quarter of the
 91.13 Northwest Quarter, except the East 470 feet and except the part taken for a road, Township
 91.14 50 North, Range 15 West, Section 29 (parcel identification number 395-0010-08713);

91.15 (2) the East 271 feet of the West 371 feet of the North 669.94 feet of the Northwest
 91.16 Quarter of the Northwest Quarter of Section 34, Township 61 North, Range 15 West of the
 91.17 Fourth Principal Meridian. Together with the West 100 feet of the North 669.94 feet of the
 91.18 Northwest Quarter of the Northwest Quarter of Section 34, Township 61 North, Range 15
 91.19 West of the Fourth Principal Meridian, which lies South of the North 300 feet thereof (part
 91.20 of parcel identification number 410-0024-00550);

91.21 (3) the West 371 feet of the Northwest Quarter of the Northwest Quarter of Section 34,
 91.22 Township 61 North, Range 15 West of the Fourth Principal Meridian, which lies South of
 91.23 the North 669.94 feet thereof (part of parcel identification number 410-0024-00550); and

91.24 (4) the Northeast Quarter, except the Southwest Quarter, and the North Half of the
 91.25 Northwest Quarter, Township 52 North, Range 19 West, Section 24 (part of parcel
 91.26 identification number 470-0010-03830).

91.27 (d) The county has determined that the county's land management interests would best
 91.28 be served if the lands were returned to private ownership.

91.29 **Sec. 109. ST. LOUIS COUNTY; LAND LEASE.**

91.30 Subdivision 1. **St. Louis County; lease.** Notwithstanding Minnesota Statutes, sections
 91.31 16A.695 and 282.04, St. Louis County may lease property legally described as part of

92.1 Government Lot 5 except the lake portion of Embarrass Mine, Township 58, Range 15
 92.2 West, Section 5, for use as a water intake and water treatment project under Laws 2018,
 92.3 chapter 214, article 1, section 22, subdivision 6, for consideration of more than \$12,000 per
 92.4 year and for a period exceeding ten years.

92.5 Subd. 2. **Department of Natural Resources; lease.** Notwithstanding Minnesota Statutes,
 92.6 section 92.50, or other law to the contrary, the commissioner may lease property in Township
 92.7 58, Range 15, Section 5, for use as a water intake and water treatment project under Laws
 92.8 2018, chapter 214, article 1, section 22, subdivision 6, for a period exceeding 21 years,
 92.9 including a lease term of 40 years.

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

92.11 Sec. 110. **PRIVATE SALE OF TAX-FORFEITED LAND; BELTRAMI COUNTY.**

92.12 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or
 92.13 other law to the contrary, Beltrami County may sell by private sale the tax-forfeited lands
 92.14 described in paragraph (c).

92.15 (b) The conveyances must be in a form approved by the attorney general. The attorney
 92.16 general may make changes to the land descriptions to correct errors and ensure accuracy.

92.17 (c) The lands to be sold are located in Beltrami County and are described as:

92.18 (1) the East 285 feet of the North 55 feet of the South Half of the Southeast Quarter,
 92.19 Section 13, Township 149 North, Range 32 West of the Fifth Principle Meridian (parcel
 92.20 identification number 16.00170.00);

92.21 (2) Lot 6, Block 12, Plat of Redby, Section 19, Township 151 North, Range 33 West
 92.22 (parcel identification number 36.00027.00);

92.23 (3) Lot 7, Block 16, Plat of Redby, Section 20, Township 151 North, Range 33 West
 92.24 (parcel identification number 36.00052.00);

92.25 (4) Lot 8, Block 16, Plat of Redby, Section 20, Township 151 North, Range 33 West
 92.26 (parcel identification number 36.00053.00);

92.27 (5) Lot 9, Block 16, Plat of Redby, Section 20, Township 151 North, Range 33 West
 92.28 (parcel identification number 36.00054.00);

92.29 (6) Lots 10, 11, and 12, Block 16, Plat of Redby, Section 20, Township 151 North,
 92.30 Range 33 West (parcel identification number 36.00055.00);

93.1 (7) the southerly 200 feet of vacated Block 28, Plat of Redby, less the northerly 75 feet
 93.2 of the westerly 150 feet thereof and less the easterly 170 feet thereof, Section 20, Township
 93.3 151 North, Range 33 West (parcel identification number 36.00077.00);

93.4 (8) Lot 4, Block 29, Plat of Redby, Section 20, Township 151 North, Range 33 West
 93.5 (parcel identification number 36.00081.00); and

93.6 (9) Lot 1, Block 62, Plat of Redby, Section 19, Township 151 North, Range 33 West
 93.7 (parcel identification number 36.00148.00).

93.8 (d) The county has determined that the county's land management interests would best
 93.9 be served if the lands were returned to private ownership.

93.10 **Sec. 111. PRIVATE SALE OF SURPLUS LAND BORDERING PUBLIC WATER;**
 93.11 **SHERBURNE COUNTY.**

93.12 (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the
 93.13 commissioner of natural resources may sell by private sale the surplus land bordering public
 93.14 water that is described in paragraph (c) to a local unit of government for less than market
 93.15 value.

93.16 (b) The commissioner may make necessary changes to the legal description to correct
 93.17 errors and ensure accuracy.

93.18 (c) The land that may be sold is located in Sherburne County and is described as: that
 93.19 part of Government Lot 3, Section 24, Township 33 North, Range 28 West, described as
 93.20 follows:

93.21 The East 400 feet of Government Lot 3, Section 24, Township 33 North, Range 28 West,
 93.22 according to the United States Government survey thereof.

93.23 (d) The land borders Big Lake. The Department of Natural Resources has determined
 93.24 that the land is not needed for natural resource purposes and that the state's land management
 93.25 interests would best be served if the land were conveyed to a local unit of government.

93.26 **Sec. 112. RULEMAKING; WALLEYE AND SAUGER POSSESSION LIMIT.**

93.27 (a) By March 1, 2022, the commissioner of natural resources must amend Minnesota
 93.28 Rules, part 6262.0200, subpart 1, item F, to provide that the daily and possession limit for
 93.29 walleye and sauger in all inland waters is six in aggregate and no more than four may be
 93.30 walleye.

94.1 (b) The commissioner may use the good cause exemption under Minnesota Statutes,
94.2 section 14.388, subdivision 1, clause (3), to adopt rules under this section, and Minnesota
94.3 Statutes, section 14.386, does not apply, except as provided under Minnesota Statutes,
94.4 section 14.388.

94.5 Sec. 113. **AMENDING FEEDLOT PERMITS.**

94.6 The commissioner of the Pollution Control Agency must, when necessary, amend all
94.7 general and individual permits for feedlots to conform with Minnesota Statutes, section
94.8 116.07, subdivision 7, paragraph (h).

94.9 **EFFECTIVE DATE.** This section is effective retroactively from February 1, 2021.

94.10 Sec. 114. **TIMBER PERMITS; ADDRESSING MARKET CHANGES.**

94.11 (a) Notwithstanding Minnesota Statutes, section 90.151, all unexpired timber permits
94.12 issued before January 1, 2021, are extended two years beyond the expiration date specified
94.13 in the permit.

94.14 (b) Notwithstanding Minnesota Statutes, chapter 90, the holder of a permit to cut and
94.15 remove timber issued under Minnesota Statutes, chapter 90, before January 1, 2021, may
94.16 surrender the permit for cancellation to the commissioner of natural resources for a full
94.17 refund of the permit down payment and security deposit if:

94.18 (1) the timber authorized to be cut under the permit is comprised of at least 25 percent
94.19 spruce, balsam, or birch; and

94.20 (2) the permit holder has not begun cutting timber under the permit.

94.21 (c) Notwithstanding Minnesota Statutes, chapter 90, when the holder of a permit to cut
94.22 and remove timber issued under Minnesota Statutes, chapter 90, has begun cutting timber
94.23 under the permit, the permit holder may surrender the permit for cancellation to the
94.24 commissioner of natural resources under the terms of paragraph (d) if the timber authorized
94.25 to be cut under the permit is comprised of at least 25 percent spruce, balsam, or birch.

94.26 (d) To be eligible for surrender under paragraph (c), the permit must have been issued
94.27 before January 1, 2021. The permit holder is liable to the state for the scaled value of the
94.28 timber cut and is entitled to a refund of the permit down payment only to the extent the
94.29 amount exceeds the amount due the state. Surrender under paragraph (c) is not a default for
94.30 purposes of Minnesota Statutes, section 90.161. The permit holder is entitled to a return of
94.31 the security deposit if the permit holder's financial obligations to the state are fulfilled

95.1 according to a statement issued by the commissioner of natural resources under Minnesota
95.2 Statutes, section 90.181.

95.3 Sec. 115. **WHOLE EFFLUENT TOXICITY RULEMAKING.**

95.4 (a) By January 31, 2022, the commissioner of the Pollution Control Agency must adopt
95.5 rules on:

95.6 (1) evaluating and applying whole effluent toxicity (WET) as water-quality-based effluent
95.7 limitations and permit conditions for discharges occurring outside the Lake Superior basin;
95.8 and

95.9 (2) the applicability and standards for acute and chronic mixing zones.

95.10 (b) Rules adopted under this section must be substantially identical to Minnesota Rules,
95.11 parts 7052.0210, subparts 1 and 2, and 7052.0240, so that, to the greatest extent possible,
95.12 dischargers in all parts of the state are subject to the same mixing zones requirements and
95.13 acute and chronic WET requirements for establishing permit conditions.

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

95.15 Sec. 116. **INTERIM PROVISIONS.**

95.16 (a) From the effective date of this act until the rules under section 115 are adopted, to
95.17 the extent allowable under the federal Clean Water Act or other federal laws, this section
95.18 applies to discharges occurring outside the Lake Superior basin.

95.19 (b) If a whole effluent toxicity test, as defined under Minnesota Rules, part 7050.0218,
95.20 subpart 3, item AAA, is performed on the effluent of a point source discharger and results
95.21 in less than 50 percent mortality of the test organisms or if a demonstration is provided
95.22 under Minnesota Rules, part 7052.0210, subpart 1, that 0.3 acute toxic units can be met at
95.23 the edge of an approved acute mixing zone, the effluent must not be considered acutely
95.24 toxic or lethal to aquatic organisms unless the commissioner of the Pollution Control Agency
95.25 finds that the test species do not represent sensitive organisms in the affected surface water
95.26 body or the whole effluent toxicity test was performed on a sample not representative of
95.27 the effluent quality.

95.28 (c) The commissioner of the Pollution Control Agency must establish whole effluent
95.29 toxicity mixing zones and whole effluent toxicity water-quality-based effluent limitations
95.30 and permit conditions according to Minnesota Rules, parts 7052.0210, subparts 1 and 2,
95.31 and 7052.0240.

96.1 (d) The antibacksliding provisions of Minnesota Rules, part 7001.1080, subpart 9, do
96.2 not apply to new or revised permit conditions established under paragraph (c).

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

96.4 Sec. 117. **REPEALER.**

96.5 (a) Minnesota Statutes 2020, sections 85.0505, subdivision 3; 85.0507; 85.054,
96.6 subdivision 19; and 97C.515, subdivisions 4 and 5, are repealed.

96.7 (b) Laws 2013, chapter 121, section 53, is repealed.

96.8 (c) Minnesota Rules, part 6232.0350, is repealed.

85.0505 FOOD AND BEVERAGE SERVICE IN STATE PARKS.

Subd. 3. **Fort Ridgely State Park.** The commissioner of public safety, with the approval of the commissioner of natural resources, may issue to a concessionaire, lessee, or person holding a contract with the Department of Natural Resources an on-sale license for the sale of intoxicating liquor at the Fort Ridgely State Park golf course. The annual fee for the license issued pursuant to this subdivision shall be set by the commissioner of public safety at an amount comparable to the fee charged by the surrounding counties for a similar license. All provisions of chapter 340A not inconsistent with this subdivision shall apply to the sale of intoxicating liquor at the Fort Ridgely State Park golf course.

85.0507 FORT RIDGELY GOLF COURSE; GOLF CARTS.

The commissioner may by contract, concession agreement, or lease authorize the use of golf carts on the golf course at Fort Ridgely State Park.

85.054 STATE PARK PERMIT EXEMPTIONS.

Subd. 19. **Fort Ridgely golf course.** The commissioner may by contract, concession agreement, or lease waive a state park permit and associated fee for motor vehicle entry or parking for persons playing golf at the Fort Ridgely State Park golf course provided that the contract, concession agreement, or lease payment to the state is set, in part, to compensate the state park system for the loss of the state park fees.

97C.515 IMPORTED MINNOWS.

Subd. 4. **Private fish hatchery or aquatic farm.** Live minnows used for feeding fish at a licensed private fish hatchery or aquatic farm must be obtained within the state. Dead minnows may be imported for feeding hatchery or aquatic farm fish according to section 97C.341, paragraph (d).

Subd. 5. **Special permits.** (a) The commissioner may issue a special permit, without a fee, to allow a person with a private fish hatchery license, which private fish hatchery has been designated as a containment facility under section 17.4982, subdivision 8, to import live minnows from other states for export. A containment facility for the purposes of this section applies to live minnows imported for later export and does not need to comply with section 17.4982, subdivision 8, clause (4). The permit shall include conditions necessary to avoid spreading aquatic invasive species and fish pathogens. Permits shall not be issued to containment facilities located within a 25-year floodplain.

(b) An applicant for a permit under this subdivision shall submit to the commissioner sufficient information to identify potential threats to native plant and animal species and an evaluation of the feasibility of the proposal. The permit may include reasonable restrictions on importation, transportation, possession, containment, disease certification, and disposal of minnows to ensure that native species are protected. The permit may have a term of up to two years and may be modified, suspended, or revoked by the commissioner for cause, including violation of a condition of the permit.

(c) The premises, property, vehicles, private aquatic life, and equipment that are part of a containment facility permitted under this subdivision are subject to reasonable and necessary inspections at reasonable times by a fish health specialist delegated by the commissioner. The owner, operator, or designee may be present when inspections are conducted. During the inspection, a representative sample of imported minnows may be collected for the purpose of fish pathogen or invasive species screening.

(d) The commissioner may require the applicant to furnish evidence of financial responsibility at the time of application for a permit under this section, as prescribed by the commissioner.

Laws 2013, chapter 121, section 53

Sec. 53. ANTLER POINT RESTRICTIONS.

The commissioner of natural resources may not impose an antler point restriction in areas outside the Series 300 deer permit areas, other than that imposed under Minnesota Rules, part 6232.0200, subpart 6, unless the legislature approves the antler point restriction.

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.