

1.1 ..... moves to amend H.F. No. 3793 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "Section 1. Minnesota Statutes 2025 Supplement, section 103G.271, subdivision 5b, is  
1.4 amended to read:

1.5 Subd. 5b. **Large water appropriation projects; permit conditions.** (a) In issuing new  
1.6 or modified water-use permits to applicants ~~that meet the definition of a data center, as~~  
1.7 ~~defined in section 216B.02, subdivision 11,~~ whose proposed new or additional industrial  
1.8 or commercial consumptive use exceeds 100,000,000 gallons per year, or for ~~existing permits~~  
1.9 ~~where the permittee intends to provide more than 100,000,000 gallons of water per year to~~  
1.10 ~~a data center~~ a municipal water use when the industrial or commercial consumptive use is  
1.11 50 percent or more of the currently authorized annual appropriation volume, the ~~department~~  
1.12 ~~shall~~ commissioner must ensure that:

1.13 (1) public health, safety, and welfare are adequately protected;

1.14 (2) technologies or measures that promote water conservation, the efficient use of water,  
1.15 and watershed health, are reasonably considered, including but not limited to using water  
1.16 efficient fixtures and practices, recycling water before discharging, partnering with local  
1.17 water utilities to use discharged water ~~from the data center,~~ using reclaimed water, installing  
1.18 closed-loop systems, and supporting water restoration and replenishment in local watersheds;  
1.19 and

1.20 (3) water use conflicts are addressed as prescribed in Minnesota Rules, part 6115.0740.

1.21 (b) The commissioner ~~shall~~ must require an applicant to conduct an aquifer test as  
1.22 provided under section 103G.287, if the commissioner determines that the test results are  
1.23 necessary in order to ensure compliance with paragraph (a), clause (1).

2.1 Sec. 2. Minnesota Statutes 2024, section 103G.281, subdivision 3, is amended to read:

2.2 Subd. 3. **Report.** (a) Records of the amount of water appropriated or used must be kept  
2.3 for each installation. Except as provided under paragraph (c), the readings and the total  
2.4 amount of water appropriated must be reported annually to the commissioner on or before  
2.5 February 15 of the following year on forms provided by the commissioner.

2.6 (b) The records required under paragraph (a), must be submitted with the annual water-use  
2.7 permit processing fee in section 103G.271.

2.8 (c) Records for a municipal water use must be submitted by the 15th of each month on  
2.9 forms provided by the commissioner:

2.10 (1) when the commercial and industrial consumptive use exceeds 100,000,000 gallons  
2.11 per year; or

2.12 (2) if 50 percent or more of the consumptive use is for industrial or commercial use.

2.13 (d) The records submitted under paragraph (c) must be broken out by the priority uses  
2.14 under section 103G.261, paragraph (a), clauses (1) to (6).

2.15 Sec. 3. [103G.2875] PUBLIC NOTICE REQUIREMENTS.

2.16 (a) The commissioner must establish and maintain an electronic mailing list that allows  
2.17 a person to sign up to be notified of new or amended water-use permit applications that  
2.18 propose a:

2.19 (1) consumptive use that exceeds 100,000,000 gallons per year; or

2.20 (2) commercial or industrial use that is 50 percent or more of a municipal water use.

2.21 (b) The commissioner must notify all those who have signed up to be notified under this  
2.22 section.

2.23 Sec. 4. Minnesota Statutes 2024, section 116D.04, subdivision 16, is amended to read:

2.24 Subd. 16. **Groundwater; environmental assessment worksheets review.** (a) When  
2.25 an environmental assessment worksheet is required for a proposed action that has the  
2.26 potential to require a groundwater appropriation permit from the commissioner of natural  
2.27 resources, the board shall require that the environmental assessment worksheet include an  
2.28 assessment of the water resources available for appropriation.

2.29 (b) When an aquifer test is conducted under section 103G.271, subdivision 5b, paragraph  
2.30 (b), for a water-use permit identified in an environmental assessment worksheet or

- 3.1 environmental impact statement, the results of the test must be included and considered as
- 3.2 part of the environmental review process under this chapter."
- 3.3 Amend the title accordingly