

- 6 Supplemental application and monitoring fee.** Amends § 84.415, subd. 6. Modifies the supplemental application fees for utility crossings of public water and lands so they are both \$2,000 and requires the commissioner to increase efficiencies and otherwise reduce department costs if the fees are not sufficient to cover the costs of processing the applications. The current fees are \$1,500 for a public water crossing and \$4,500 for a public land crossing.
- 7 Off-highway vehicle seasonal restrictions.** Amends § 84.777, subd. 2. Eliminates the commissioner's responsibility to establish seasons for off-highway vehicle (OHV) use on state lands and prohibits a person from operating an OHV on state forest lands during the firearms deer hunting season.
- 8 Exemptions.** Amends § 84.788, subd. 2. Exempts off-highway motorcycles owned by Indian tribal governments from registration requirements.
- 9 Prohibitions on youthful operators.** Amends § 84.793, subd. 1. Provides an exemption from the off-highway motorcycle (OHM) safety certificate requirements for nonresident youth who have completed an off-road safety course offered by the Motorcycle Safety Foundation or another state.
- 10 Exemptions.** Amends § 84.798, subd. 2. Exempts off-road vehicles owned by Indian tribal governments from registration requirements.
- 11 Fees for registration.** Amends § 84.82, subd. 3. Establishes a onetime fee of \$6 for the registration of collector snowmobiles (those at least 25 years old).
- 12 Exemptions.** Amends § 84.82, subd. 6. Exempts snowmobiles owned by Indian tribal governments from registration requirements.
- 13 Exemption; collector unlimited snowmobile use.** Adds § 84.82, subd. 6a. Allows snowmobiles that are at least 25 years old to be registered at the exempt registration fee established in the previous section and states that the registration is valid until the ownership of the snowmobile is transferred.
- 14 Sticker required; fee.** Adds § 84.8205, subd. 1. Exempts snowmobiles owned by Indian tribal governments from snowmobile trail sticker requirements.
- 15 Class 1 all-terrain vehicle.** Amends § 84.92, subd. 9. Increases the maximum weight on a class 1 ATV from 900 to 1,000 pounds.
- 16 Class 2 all-terrain vehicle.** Amends § 84.92, subd.10. Increases the maximum weight on a class 2 ATV from 1,500 to 1,800 pounds.
- 17 Exemptions.** Amends § 84.922, subd. 1a. Exempts ATVs owned by Indian tribal governments from registration requirements.
- 18 Collector unlimited use; exempt registration.** Adds § 84.922, subd. 2b. Allows ATVs that are at least 25 years old to be registered at the exempt registration fee established in the next section and states that the registration is valid until the ownership of the ATV is transferred.
- 19 Fees for registration.** Amends § 84.922, subd. 5. Establishes a onetime fee of \$6 for the registration of collector ATVs (those at least 25 years old).

- 20 Program established.** Amends § 84.925, subd. 1. Allows ATV safety training instructors to charge an amount up to the established fee for class materials and expenses in addition to the fee for the class. Currently the instructor is allowed to charge “the cost of class materials and expenses.”
- 21 Prohibitions on youthful operators.** Amends 84.9256, subd. 1. Removes a requirement that an adult accompanying a youth ATV operator also be on an ATV. Permits a nonresident that is at least 12 year old but less than 16 years old to make a direct crossing of a public road right-of-way or operate an ATV on public lands, waters, or state/grant-in-aid trails if the youth has evidence of completing an ATV safety course offered by the ATV Safety Institute or another state and the youth is accompanied by an adult with a valid driver’s license.
- 22 Pass required; fee.** Amends 84.9275, subd. 1. Exempts a nonresident operating an ATV that is registered by the state under the state’s ATV registration requirements from the nonresident state trail pass requirements.
- 23 Operation on roads and rights-of-way.** Amends § 84.928, subd. 1. Permits an ATV to be operated on public road right-of ways that are part of grant-in-aid trails by exempting such trails from existing restrictions.
- 24 Organized contests, use of highways and public lands and waters.** Amends § 84.928, subd. 5. Permits a person under the age of 12 to operate an ATV in an organized contest on public lands or waters if the ATV has an engine capacity of 90cc or less and the person can properly reach and control the handle bars and reach the foot pegs while sitting upright on the seat of the ATV and is supervised by an adult.
- 25 Persons leaving public waters.** Adds § 84D.10, subd. 4. Requires a person leaving any public waters to drain water from bait containers and other boating related equipment (excluding marine sanitary systems) before transporting a watercraft on public roads. (This is currently required under Minnesota Rules for those leaving infested waters.)
- 26 Civil penalties.** Amends § 84D.13, subd. 5. Makes technical changes required as a result of the previous section.
- 27 Arrowhead Region Trails, in Cook, Lake, St. Louis, Pine, Carlton, Koochiching, and Itasca Counties.** Amends § 85.015, subd. 13. Moves the Minnesota-Wisconsin Trail originating in Duluth to the Arrowhead regional trails (currently part of the Willard Munger trail system).
- 28 Willard Munger Trail System, Chisago, Ramsey, Pine, St. Louis, Carlton, and Washington Counties.** Amends § 85.015, subd. 14. Deletes a segment of the Willard Munger trail system moved to the Arrowhead regional trail system in the previous section.
- 29 Deposit of fees.** Amends § 85.052, subd. 4. Deposits funds from sales, rentals, or leases of natural resources within state parks, recreation areas, and waysides that are currently being deposited in the general fund to the state parks working capital account (established under section 85.22).
- 30 Free entrance; disabled veterans.** Amends § 85.053, subd. 10. Provides free daily state park permit to any resident veteran with a service-connected disability.

- 31 **Exemption.** Amends § 85.22, subd. 5. Technical.
- 32 **Areas marked.** Amends § 85.32, subd. 1. Adds the Blue Earth River to the water trails system.
- 33 **Exemptions.** Amends § 85.41, subd. 3. Adds an exemption for participants in school-sanctioned and nonprofit youth activities from cross-country ski trail pass requirements.
- 34 **User fee; validity.** Amends § 85.42. Increases cross-country ski trail pass fees as follows: the annual pass would increase to \$19 (from \$14); the three year pass would increase to \$54 (from \$39); and the day pass would increase to \$5 (from \$4). (A \$1 issuing fee required per pass under section 85.41, subdivision 5, would still apply and is not included in these totals).
- 35 **Disposition of receipts; purpose.** Amends § 85.43. Modifies the use of ski trail pass receipts to include the development and maintenance of state cross-country ski trails if the money is appropriated by law and clarifies existing provisions providing grants-in-aid to include counties, municipalities, and special park districts for the construction and maintenance of cross-country ski trails.
- 36 **Horse pass.** Amends § 85.46. Makes technical changes to the horse pass requirements.
- 37 **Master plan required.** Amends § 86A.09, subd. 1. Exempts scientific and natural areas from master plan requirements.
- 38 **Exemptions.** Amends § 86B.301, subd. 2. Exempts watercraft owned by Indian tribal governments from registration requirements upon written approval by the U.S. Coast Guard.
- 39 **Permission required.** Amends § 88.17, subd. 1. Permits a general burning permit to be adopted by a county board in counties determined by the commissioner of natural resources to either not be wildfire areas (wildfire areas are defined as those having areas of 1,000, or more, contiguous acres of trees, brush, grasslands, or other vegetative material where the potential for wildfire exists) or that otherwise have low potential for damage to life and property from wildfires. The general permit allows any county resident to openly burn (provided the burning conforms with existing laws) without the need for an individual permit. Requires a county adopting a general permit to adopt an ordinance that specifies, at a minimum, the time when fires may be started and burned and prohibits the ordinance from being less restrictive than state law. Permits the general permit to be cancelled by mutual agreement of the commissioner and county board.
- 40 **Special permits.** Amends § 88.17, subd. 3. Requires applications for permits to operate permanent open burning sites to include the dimensions of the site and burn pile areas, hours and dates of operations, and provisions for smoke management. Requires the commissioner to revoke permits or order actions to mitigate threats to public health, safety, and the environment when permit conditions are violated.
- 41 **Charge for service; receipts to special revenue fund.** Amends § 88.79, subd. 2. Requires fees established by the commissioner of natural resources for forest management services provided to private landowners owning 1000 acres or less of forest land be established by written order published in the State Register.

- 42 Leases and permits.** Amends § 89.17. Modifies existing authority of the commissioner of natural resources to lease state forest lands by allowing leases to be granted for a period of up to 50 years (currently limited to ten) and requiring that public access to the lands for outdoor recreation remain the same as it would be under state management. (These modifications would allow flexibility to the commissioner similar to a pilot program established in last session (section 88.795) that is repealed later on in this bill.)
- 43 Reoffering unsold timber.** Amends § 90.041 subd. 2. Permits the commissioner of natural resources to reoffer timber that did not sell at public auction at another public auction below appraised value provided another 30-day notice is made.
- 44 Intermediate auction sales; maximum lots of 3,000 cords.** Amends § 90.121. Limits bidders participating in intermediate timber auctions to those who employ 30 or fewer employees working in the timber or wood products industry (currently the limit is 20 employees). Establishes a procedure for other bidders and the commissioner of natural resources to resolve disputes over whether a bidder meets this employee threshold requirement by requiring workers' compensation insurance payment history from the Department of Labor and Industry and Department of Employment and Economic Development to be used in making final determinations.
- 45 Auction sale procedure.** Amends § 90.14. Modifies the amount of time a timber bidder awarded a bid through a sealed bid process has to submit a down payment by requiring that the payment be received or postmarked within 14 days of the sealed bid being opened (currently the payment is required within ten business days of receiving a written award). Modifies a requirement for a bid guarantee payment (which is equal to 15 percent of the total purchase price minus the down payment) to apply only when there is a bid increase in excess of \$5,000 of the appraised value.
- 46 Peace officer training account.** Adds § 97A.072. Establishes a peace officer training account in the game and fish fund to receive a portion of the surcharges currently assessed to criminal and traffic offenders that are currently being credited to the game and fish funds. Provides a statutory appropriation of these funds to the commissioner of natural resources for peace officer training for DNR employees licensed to enforce game and fish laws.
- 47 Jurisdiction.** Amends § 103A.305. Technical (related to repeal of section 103G.295).
- 48 District boundary adjustments.** Adds § 103F.325, subd. 6. Allows the commissioner to amend the boundaries of wild and scenic river systems designated by the commissioner by issuing an order. Requires the commissioner to give public notice of the change at least 30 days prior to the order and consider comments received on the proposed change. States that the change is effective 30 days following the issuance of the order and permits a local government to contest the order. States that acreage limits under the section still apply to boundary amendments.
- 49 Compliance of ordinances with system.** Amends § 103F.335, subd. 1. Permits local units of government to “substantially” comply with standards and criteria within wild, scenic, and recreational river management plans.
- 50 Public waters inventory.** Amends § 103G.201. Removes a requirement that lists (in addition to maps that would still be required) of public waters be provided by the DNR as

part of the public waters inventory.

51 Permit restriction during summer months. Amends § 103G.271, subd. 3. Technical (related to repeal of section 103G.295).

52 Monitoring to evaluate impacts from appropriations. Amends § 103G.282.

Subd. 1. Monitoring equipment. Allows the commissioner to require the installation and maintenance of monitoring equipment to evaluate impacts from permitted water appropriations and proposed projects.

Subd. 2. Measuring devices required. Requires monitoring equipment to be equipped with automated measuring devices to measure water levels, flows and conditions. Allows the commissioner to determine the frequency of measurements.

Subd. 3. Reports and costs. Requires records of the measurements be kept and reported annually to the commissioner by February 15 of the following year. States that the costs of the monitoring installations, measurements, and reporting is the responsibility of the owner or person in charge of the permitted project or proposed project and that monitoring costs for water resources supplying more than one appropriator may be distributed among all users within the area.

53 Trout streams. Amends § 103G.285, subd. 5. Technical.

54 Groundwater appropriations. Adds § 103G.287. Establishes groundwater appropriation procedures (in part meant to replace an obsolete section dealing with agricultural irrigation appropriations that is repealed in this bill (section 103G.295)).

Subd. 1. Applications for groundwater appropriations. Specifies what is required on groundwater use permit applications. Allows the commissioner to waive an application requirement if the use of the water is sustainable.

Subd. 2. Relationship to surface water resources. States that ground water appropriations that have potential impacts on surface waters are subject to the surface water appropriation requirements under section 103G.285.

Subd. 3. Protection of groundwater supplies. Allows the commissioner to establish groundwater appropriation limits and requires the commissioner to consider groundwater sustainability when establishing those limits.

Subd. 4. Groundwater management areas. Allows the commissioner to designate groundwater management areas and limit appropriations and uses within those areas to ensure water sustainability. Requires these appropriations and uses to be consistent with a plan approved by the commissioner that addresses water conservation requirements and follows the water allocation priorities established in section 103G.261.

Subd. 5. Interference with other wells. Allows the commissioner to issue water use permits for groundwater only if the commissioner determines that the groundwater use is sustainable and would not reduce water levels beyond the reach of public water supplies and private domestic wells.

- 55 **Filing application.** Amends § 103G.301, subd. 6. Removes a requirement that general water permit applications include proof of service.
- 56 **Exception.** Amends § 103G.305, subd. 2. Technical (related to repeal of section 103G.295).
- 57 **Limitations on permits.** Amends § 103G.315, subd. 11. Technical (related to repeal of section 103G.295).
- 58 **Removal of hazardous dams.** Amends § 103G.515, subd. 5. Allows the commissioner to pay the entire cost of removing a dam if it is the lowest cost solution.
- 59 **Removing sunken logs from public waters prohibited.** Adds § 103G.651. Prohibits the commissioner from issuing leases or permits for the removal of sunken logs from public waters (in 2001 the legislature passed a moratorium on issuing new permits for the removal of sunken logs (Laws 2001, 1st spec. sess. ch. 2., § 159)).
- 60 **Subsurface sewage treatment systems implementation and enforcement task force.** Adds § 115.55, subd. 13. Establishes a subsurface sewage implementation and enforcement task force to work in collaboration with the Pollution Control Agency (PCA) on subsurface sewage treatment system (SSTS) implementation and enforcement methods and requires the PCA to develop protocols and a checklist for county inspectors, field staff, and others to use in implementing and enforcing SSTS rules.
- 61 **Rules and standards.** Amends § 116.07, subd. 4. States that rules promulgated by the PCA to govern the siting of solid waste landfills must establish criteria that prohibit their location on sites sensitive to groundwater contamination based on predicted minimum travel time of contaminants offsite and areas where karst is likely to develop. Testable or objective thresholds for these criteria must be specified in the rules. Also states that the financial assurance and siting rule modifications do not apply to: (1) landfills permitted before January 1, 2011, nor, for those facilities, to contiguous expansions or non-contiguous expansions within 600 yards of a permitted boundary; (2) landfills that accept only construction and demolition waste; (3) landfills that accept only industrial waste that is wood, concrete, porcelain fixtures, shingles, or window glass resulting from the manufacture of construction materials; or (4) permit-by-rule disposal facilities. Requires solid waste disposal facilities subject to the new rules to maintain financial assurance as long as the facility poses a potential environmental risk.
- 62 **Financial responsibility rules.** Amends § 116.07, subd. 4h. Requires the commissioner of the PCA to consult with the commissioner of management and budget for guidance on the forms of financial assurance that are acceptable for private and public owners of solid waste disposal facilities.
- 63 **When prepared.** Amends § 116D.04, subd. 2a. Requires a responsible government unit to avoid duplication and ensure coordination between state and federal agencies regarding environmental review and permitting.

- 64 Customized environmental assessment worksheet forms; electronic submission.** Amends § 116D.04, subd. 14. Directs the DNR, PCA, and the Environmental Quality Board to periodically review mandatory environmental assessment worksheet categories and other project types subject to environmental review and develop customized environmental assessment worksheet forms for the categories and project types. Requires the agencies and board to seek input from the general public in the development of the forms. Requires the DNR and PCA to allow for the electronic submission of environmental assessment worksheets and permits.
- 65 Nongame wildlife checkoff.** Amends § 290.431. Removes a requirement that the commissioner's work program for the nongame wildlife program reviewed by the Legislative-Citizen Commission on Minnesota Resources (LCCMR) be approved before any money can be spent. Permits the commissioner to use nongame wildlife program funds to develop, preserve, restore, and maintain wintering habitat for neotropical migrant birds in Latin America and the Caribbean under agreement or contract with a nonprofit.
- 66 Corporate nongame wildlife checkoff.** Amends § 290.432. Removes a requirement that the commissioner's work program for the nongame wildlife program reviewed by the Legislative-Citizen Commission on Minnesota Resources (LCCMR) be approved before any money can be spent.
- 67 Disbursement of surcharges by commissioner of management and budget.** Amends § 357.021, subd. 7. States that beginning July 1, 2010, the DNR portion of the criminal and traffic offender surcharge shall be credited to the new account established in section 9 and is appropriated to the commissioner.
- 68 Department of Natural Resources long-range budget analysis.** Requires the commissioner of natural resources, in consultation with the commissioner of management and budget, to estimate the total amount of funding for wildlife management areas (WMAs), public water access sites, scientific and natural areas (SNAs), aquatic management areas (AMAs), and prairie bank easements, and prepare a ten-year budget analysis of the DNR's ongoing land management needs for those areas.
- 69 School trust lands study.** Requires the commissioner of natural resources to provide the chairs of the house and senate committees and divisions with jurisdiction over natural resources and education finance information necessary to evaluate the DNR's management of school trust lands.
- 70 Compensation for public access to school trust land.** Requires the commissioner of natural resources to provide recommendations to the house and senate committees and divisions with jurisdiction over natural resources and education finance on a funding mechanism for compensating the permanent school trust fund for the public use of school trust lands for outdoor recreation.
- 71 Coon Rapids Dam Commission.** Establishes the Coon Rapids Dam Commission consisting of 14 voting members and three nonvoting members and specifies the membership. Requires the commission to study options and make recommendations on the future of the Coon Rapids Dam.
- 72 Solid waste facility financial assurance mechanisms; input.** Requires the agency to consult with experts on financial assurance issues regarding solid waste facilities within six

months of the effective date of this bill.

- 73 Subsurface sewage treatment systems ordinance adoption delay.** Provides additional time for counties to adopt SSTS ordinances to comply with agency rules adopted February 4, 2008, by extending it until ten months following final rule amendments to the February 4, 2008 rules are made (under existing law, a county had two years from adoption of the rules).
- 74 Hazardous waste incineration facility moratorium.** Prohibits the commissioner of the Pollution Control Agency from issuing a permit for a hazardous waste incineration facility that accepts hazardous waste from generators other than the owner/operator unless that waste is in small quantities from a public body on an emergency basis and no cost and the commissioner approves.
- 75 Appropriations.** Appropriates: (a) \$60,000 in fiscal year 2011 from the water recreation account to the DNR to cooperate with local units of government in marking state water trails, acquiring and developing river accesses and campsites, and removing obstructions that may cause public safety hazards; and (b) \$250,000 in fiscal year 2011 from the game and fish fund to the DNR to maintain and expand the ecological classification system on state forest lands (this appropriation was originally proposed in the Governor's supplemental budget).
- 76 Revisor's instruction.** Instructs the Revisor to change the terms "horse trail pass" to "horse pass," "canoe and boating routes" to "water trail routes," and "Minnesota Conservation Corps" to "Conservation Corps Minnesota" wherever they appear in statute or rules.
- 77 Repealer.** Repeals §§ 90.172 (annual timber reporting requirements); 103G.295 (agricultural irrigation water appropriations); 103G.650 (recovery of sunken logs); and § 88.795 (forest management lease pilot project).