

SENATE
STATE OF MINNESOTA
NINETY-FOURTH SESSION

S.F. No. 2345

(SENATE AUTHORS: HAWJ and Wesenberg)

DATE	D-PG	OFFICIAL STATUS
03/10/2025	710	Introduction and first reading Referred to Environment, Climate, and Legacy

1.1

A bill for an act

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relating to natural resources; modifying reporting requirements; modifying state

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trail pass provisions for off-road vehicles; modifying invasive species provisions;

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providing for burbot commercial fishing on Lake Superior; modifying provisions

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of public waters inventory; amending Minnesota Statutes 2024, sections 84.03;

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84.8035, subdivision 1; 84D.01, by adding a subdivision; 84D.05, subdivision 1;

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97C.835, subdivision 2; 103G.201.

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

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Section 1. Minnesota Statutes 2024, section 84.03, is amended to read:

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84.03 ADDITIONAL DUTIES AND POWERS.

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(a) So far as practicable the commissioner shall collect and arrange statistics and other

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information in reference to the lands and general and special resources of the state.

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(b) The commissioner is hereby authorized and empowered to take such measures as

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the commissioner may deem advisable to advertise, both within and without the state, sales

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of all state lands, and to secure, compile, and issue such valuable statistics of the resources

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of the state.

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(c) The commissioner may adopt and promulgate reasonable rules, not inconsistent with

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law, governing the use and enjoyment of state land reserved from sale, state parks, state

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water-access sites, state trails, state monuments, state scientific and natural areas, state

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wilderness areas, and recreational areas owned by other state, local and federal agencies

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and operated under agreement by the Department of Natural Resources, which shall have

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the force and effect of law. A reasonable fee may be fixed, charged, and collected by the

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commissioner for the privilege of the use of any or all of the foregoing privileges and

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facilities.

~~(d) The commissioner, on or before November 15 of each even-numbered year, shall report to the legislature the commissioner's acts and doings, with recommendation for the improvement or conservation of state parks, state water access sites, state trails, and state monuments, state scientific and natural areas, state forests, state wildlife management areas, public hunting grounds, public shooting grounds, food and cover planting areas, wildlife lands, recreational or public hunting areas, state wild and scenic rivers, state wilderness areas, and all other recreational lands under the jurisdiction of the Department of Natural Resources, and for desirable accessions thereto, such report to include an inventory of the tracts and parcels of land, and rights, interests, and easements therein, held by the state or withdrawn from sale for any of these purposes, with the value thereof, and a list of the name, location, size, and description of each state trail, state scientific and natural area, state wildlife management area, state water access site, and state wild, scenic, or recreational river designated by the commissioner, and each public hunting grounds, public shooting grounds, food and cover planting area, wildlife lands, and recreational or public hunting area acquired by the commissioner since the last report. The commissioner shall maintain a long range plan governing the use of the public domain under the commissioner's jurisdiction.~~

Sec. 2. Minnesota Statutes 2024, section 84.8035, subdivision 1, is amended to read:

Subdivision 1. **Pass required; fee.** (a) Except as provided under paragraph (c), a person may not operate an off-road vehicle on a state or grant-in-aid off-road vehicle trail or use area unless ~~the vehicle displays an~~ operator carries a valid off-road vehicle state trail pass issued according to this section. The pass must be available ~~to be viewed~~ for inspection by a peace officer, a conservation officer, or an employee designated under section 84.0835.

(b) The commissioner of natural resources shall issue a pass upon application and payment of the fee. Fees collected under this section, except for the issuing fee for licensing agents, shall be deposited in the state treasury and credited to the off-road vehicle account in the natural resources fund and, except for the electronic licensing system commission established by the commissioner under section 84.027, subdivision 15, must be used for grants-in-aid to counties and municipalities for off-road vehicle organizations to construct and maintain off-road vehicle trails and use areas.

(c) An off-road vehicle state trail pass is not required for:

(1) an off-road vehicle that is owned and used by the United States, another state, or a political subdivision thereof that is exempt from registration under section 84.798, subdivision 2;

(2) a person operating an off-road vehicle only on the portion of a trail that is owned by the person or the person's spouse, child, or parent; or

(3) a person operating an off-road vehicle that is registered according to section 84.798.

(d) The fee for an annual nonresident off-road vehicle state trail pass is \$20. The nonresident pass is valid from January 1 through December 31. The fee for a nonresident three-year pass is \$30.

(e) The fee for a resident off-road vehicle state trail pass is \$20. The resident pass is valid for 30 consecutive days after the date of issuance.

Sec. 3. Minnesota Statutes 2024, section 84D.01, is amended by adding a subdivision to read:

Subd. 6a. **Eviscerated.** "Eviscerated" means to have the internal organs removed from the body cavity or to have the gills severed to ensure that an organism is dead.

Sec. 4. Minnesota Statutes 2024, section 84D.05, subdivision 1, is amended to read:

Subdivision 1. **Prohibited activities.** A person may not possess, import, purchase, sell, propagate, transport, or introduce a prohibited invasive species, except:

(1) under a permit issued by the commissioner under section 84D.11;

(2) in the case of purple loosestrife, as provided by sections 18.75 to 18.88;

(3) under a restricted species permit issued under section 17.457;

(4) a person may possess, import, purchase, sell, and transport bighead carp, grass carp, and silver carp if they are dead and eviscerated;

~~(4)~~ (5) when being transported to the department, or another destination as the commissioner may direct, in a sealed container for purposes of identifying the species or reporting the presence of the species;

~~(5)~~ (6) when being transported for disposal as part of a harvest or control activity when specifically authorized under a permit issued by the commissioner according to section 103G.615, when being transported for disposal as specified under a commercial fishing license issued by the commissioner according to section 97A.418, 97C.801, 97C.811, 97C.825, 97C.831, or 97C.835, or when being transported as specified by the commissioner;

~~(6)~~ (7) when being removed from watercraft and equipment, or caught while angling, and immediately returned to the water from which they came;

(7) ~~(8)~~ when being transported from riparian property to a legal disposal site that is at least 100 feet from any surface water, ditch, or seasonally flooded land, provided the prohibited invasive species are in a covered commercial vehicle specifically designed and used for hauling trash; or

~~(8)~~ (9) as the commissioner may otherwise prescribe by rule.

Sec. 5. Minnesota Statutes 2024, section 97C.835, subdivision 2, is amended to read:

Subd. 2. **Types of fish permitted.** Lake trout, ciscoes, chubs, alewives, lake whitefish, round whitefish, pygmy whitefish, rainbow smelt, common carp, burbot, and native rough fish may be taken by licensed commercial fishing operators from Lake Superior, in accordance with this section.

Sec. 6. Minnesota Statutes 2024, section 103G.201, is amended to read:

103G.201 PUBLIC WATERS INVENTORY.

(a) The commissioner shall maintain a public waters inventory map of each county that shows the waters of this state that are designated as public waters under the public waters inventory and classification procedures prescribed under Laws 1979, chapter 199, and shall provide access to a copy of the maps. As county public waters inventory maps are revised according to this section, the commissioner shall send a notification or a copy of the maps to the auditor of each affected county.

(b) The commissioner ~~must~~ may revise the map of public waters established under Laws 1979, chapter 199, to reclassify those types 3, 4, and 5 wetlands previously identified as public waters wetlands under Laws 1979, chapter 199, as public waters or as wetlands under section 103G.005, subdivision 19. The commissioner may only reclassify public waters wetlands as public waters if:

(1) they are assigned a shoreland management classification by the commissioner under sections 103F.201 to 103F.221;

(2) they are classified as lacustrine wetlands or deepwater habitats according to Classification of Wetlands and Deepwater Habitats of the United States (Cowardin, et al., 1979 edition); or

(3) the state or federal government has become titleholder to any of the beds or shores of the public waters wetlands, subsequent to the preparation of the public waters inventory map filed with the auditor of the county, pursuant to paragraph (a), and the responsible state

5.1 or federal agency declares that the water is necessary for the purposes of the public
5.2 ownership.

5.3 (c) The commissioner must provide notice of the reclassification to the local government
5.4 unit, the county board, the watershed district, if one exists for the area, and the soil and
5.5 water conservation district. Within 60 days of receiving notice from the commissioner, a
5.6 party required to receive the notice may provide a resolution stating objections to the
5.7 reclassification. If the commissioner receives an objection from a party required to receive
5.8 the notice, the reclassification is not effective. If the commissioner does not receive an
5.9 objection from a party required to receive the notice, the reclassification of a wetland under
5.10 paragraph (b) is effective 60 days after the notice is received by all of the parties.

5.11 (d) The commissioner shall give priority to the reclassification of public waters wetlands
5.12 that are or have the potential to be affected by public works projects.

5.13 (e) The commissioner ~~may~~ must revise the public waters inventory map of each county:

5.14 (1) to reflect the changes authorized in paragraph (b); and

5.15 (2) as needed, to:

5.16 (i) correct errors in the original inventory;

5.17 (ii) add or subtract trout stream tributaries within sections that contain a designated trout
5.18 stream following written notice to the landowner;

5.19 (iii) add depleted quarries, and sand and gravel pits, when the body of water exceeds 50
5.20 acres and the shoreland has been zoned for residential development; and

5.21 (iv) add or subtract public waters that have been created or eliminated as a requirement
5.22 of a permit authorized by the commissioner under section 103G.245.

5.23 (f) \$1,000,000 is appropriated from the general fund each year in fiscal years 2025
5.24 through 2032 to the commissioner to update the public water inventory as required in this
5.25 section. The commissioner must develop and implement a process to update the public
5.26 water inventory. This paragraph expires June 30, 2032.