

# 2001 NATURAL RESOURCES LEGISLATION

## A SUMMARY OF THE ACTIONS OF THE 2001 REGULAR AND SPECIAL SESSIONS OF THE EIGHTY-SECOND MINNESOTA LEGISLATURE

MINNESOTA DEPARTMENT OF NATURAL RESOURCES  
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# 2001 Department of Natural Resources Legislative Summary

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## **WATERS**

### **HF80 (SF79) CH 8 Coon Lake Water Level Control (Effective 3/17/01)**

The commissioner of natural resources may install an experimental, temporary control on the outlet of Coon Lake in Anoka County based on the feasibility study dated February 1, 2000.

### **(HF1764) SF2049 CH 101 Camp Coldwater Natural Flow Protection (Effective 5/16/01)**

An act relating to historic preservation; recognizing and extending the protection of the Minnesota Historic Sites Act and the Minnesota Field Archaeology Act to historic Camp Coldwater Springs; amending Minnesota Statutes 2000, section 138.73, subdivision 13.

### **(HF1612) SF1434 Ch 160 DNR Waters Bill (Effective 8/1/01)**

Department bill modifying water appropriation permit provisions; establishing fees; requiring cooperation with a dam inventory; amending Minnesota Statutes 2000, sections 103G.271, subdivisions 1, 5, and 5a; and 103G.301, subdivision 2.

### **HF1828 (SF1486) CH 146 Wetlands Law Modifications (Effective 8/1/01)**

Law modifying provisions relating to wetland classification and replacement; modifying provisions relating to consumptive use of water; amending Minnesota Statutes 2000, sections 103F.516, subdivisions 1, 2, 3; 103F.612, by adding a subdivision; 103G.201; 103G.2242, subdivisions 9, 12; 103G.2372, subdivision 1; 103G.245, subdivision 5. This was a continuation of modifications to the Wetlands law in the 2000 session.

### **HF208 (SF551) Resolution 4 Urging Authorization of Funding for Improvement and Rehabilitation of Waterways**

## **TRAILS AND WATERWAYS**

### **(HF790) SF702 CH 27 Modifying Blufflands Trail system (Effective 8/1/01)**

Law modifies requirements for the Blufflands trail system; amending Minnesota Statutes 2000, section 85.015, subdivision 7.

### **(HF870) SF795 CH 165 Snowmobile grant in aid trail access continuation (Effective 5/25/01)**

Requires the continuation of grant-in-aid snowmobile trail access when the commissioner of natural resources acquires land; permitting all-terrain vehicles to be operated on certain recreational land trails in Mille Lacs and Pine counties; amending Minnesota Statutes 2000, section 84.83, by adding a subdivision.

### **Transportation Bill (HF7) SF7 CH 8, 2001 Special Session**

\$600,000 from increase in gas tax to 1% for snowmobile trail grant-in-aid.

## **ENFORCEMENT**

**(HF501) SF283 CH 32 Conservation Officers Performance Evaluation Comparison Authority  
(Effective 4/25/01)**

Clarifies the prohibition of the commissioner of natural resources in establishing quotas for enforcement officer activity; amending Minnesota Statutes 2000, section 84.0285.

**(See also DNR Technical Bill HF1487 (SF1346) CH 185 on pages 7 and 8 for enforcement-related changes.)**

## **PARKS**

### **(HF1071) SF1082 CH 182 DNR Parks Boundary Bill (Effective 8/1/01)**

Annual bill adding to and deleting from state parks and state recreation areas; redescribing a state park boundary and administration; modifying administration of certain boathouse lot leases in Soudan Underground Mine State Park. Parks with modified boundaries include Bear Head Lake, Cascade River, Fort Ridgely, Forestville Mystery Cave, Lake Shetek, Nerstrand Big Woods, Split Rock Lighthouse, Crow Wing, George Crosby Manitou, Big Bog Recreation Area, and Garden Island Recreation Area.



## **LANDS AND MINERALS**

### **(HF1481) SF1164 CH 99 RIM Program Landowner Definition Modifications (Effective 8/1/01)**

Modifies the definition of landowner for purposes of participation in the RIM program; increasing the amount of funding available to participants; amending Minnesota Statutes 2000, sections 103F.511, subdivision 6; and 103F.515, subdivision 6.

### **HF 873 (SF1126) Ch 164 Tax Forfeit Lands Bill (Effective 5/25/01)**

Annual tax forfeit lands sale bill. Authorizes a conveyance of Benton county land; authorizing public and private sales and conveyances of tax-forfeited lands in Aitkin, Cook, Hubbard, Lake, Meeker, Ramsey, St. Louis, and Washington counties; authorizing the commissioner of transportation to exercise the power of eminent domain for acquisition of certain trust fund land bordering public waters.

### **HF 1497 (SF1580) CH 206 DNR Lands Bill (Effective 8/1/01)**

DNR bill authorizing certain charges exempt from legislative approval; modifying certain provisions for taking small game (eliminating site tagging requirement for furbearers for two years); modifying terms for certain lakeshore land exchanges to include leased farmed wild rice lands; authorizing public and private sales of certain state lands in Lake county; authorizing conveyance of certain surplus state land in Mower county; adding to a state forest; adding to and creating wildlife management areas; authorizing the private conveyance of consolidated conservation land in Aitkin county; authorizing a land transfer for North Hennepin community college; providing for an exchange of land by the city of Bird Island.

### **HF 2 CH 2 (Special Session) Omnibus K-12 Education Finance Bill**

Article 1 contains provisions creating two mineral lease suspense accounts to be used to pay for a grant program to taconite mining programs for industry improvements. The program shall be administered by the DNR.

## **FISHERIES AND WILDLIFE**

**See DNR Lands Bill HF1497 (SF1580) CH 206 (Effective 8/1/01)**

Amendment was added to the Lands bill which modifies the site tagging requirement for furbearers for two years.

**(See also DNR Technical Bill HF 1487 SF (1346) CH 185 on pages 7 and 8 for fish and wildlife-related changes.)**

# GENERAL NATURAL RESOURCES ADMINISTRATION

## HF1487 (SF1346) CH 185 DNR Technical bill (Effective 8/1/01)

**Section 1.** Eliminates State Auditor review of Game and Fish funds collected by counties, since the counties no longer do this task with the implementation of the Electronic Licensing System.

**Sections 2 - 3, 5-7, 13-14, 16-17.** Changes the signature requirement for watercraft, snowmobile, ATV, OHM, and OHV license application forms by eliminating a signature from the application form but requiring a signature only on the registration card issued to the customer. These changes will simplify the process and implement new licensing procedures.

**Sections 4 and 34.** It is currently a felony under MS 609.487 to flee a peace officer on all forms of motorized vehicles. These sections repeal MS 84.792 (OHM) and 84.801 (ORV) which are separate obsolete references to fleeing an officer with off highway motorcycles and off road vehicles. Similar "cleanup changes" were made a few years ago for ATVs, motorboats, and snowmobiles but these provisions were overlooked.

**Section 8.** Technical correction clarifying that the funds deposited into the snowmobile trails and enforcement account and currently used for enforcement of the snowmobile laws, may also be used for enforcement of snowmobile DWI provisions and prohibitions cited in MS 84.91, which was enacted last year.

**Section 9, 19 and 23.** Fines issued by local law enforcement for violations of game and fish, wild rice, boat and water, and snowmobile laws are currently required to be split between the court and the state. These sections clarify that such "fine split" provisions apply to citations issued for rule violations as well as statute violations.

**Sections 10-12.** Clarifies that the snowmobile safety training indicator on the driver's license or on the MN ID card is an alternative to possessing the certificate issued by the Department.

**Section 15.** Under current waste management law (chapter 115A), owners must remove their waste (which could include sunken vehicles) from waters of the state, or face enhanced cost recovery by local government. To make this provision clearer to the public with respect to sunken vehicles, and to make enforcement easier, this would create a new section in chapter 86B (watercraft and surface water laws) that cross references chapter 115A.

**Section 16.** Eliminates obsolete requirement for owners to indicate the presence of a marine toilet onboard their watercraft when they apply for a license.

**Section 18.** Eliminates the requirement that boat licenses need to be continually renewed in order for the registration numbers to remain the same. ELS has allowed us to issue the same numbers to owners (at their request) even with an interruption in registration.

**Section 20.** Adds watercraft previously titled in another state to the definition of boats needing titles in Minnesota under MS 86B.820, subd. 13, to aid in prevention of fraud.

**Section 21.** Simplifies MS 86B.825, subd. 1, to require a Minnesota title if a watercraft is kept in

this state for more than 90 consecutive days.

**Section 22.** Deletes the obsolete requirement to record the inboard engine serial number when applying for watercraft titled under MS 86B.830, subd. 1.

**Sections 24-25.** When game farm animals are sold at auction by an auctioneer, the purchaser needs to receive clear paperwork for the transaction. This provisions clarifies that the auctioneer is the agent of the seller, and it is the seller's responsibility to provide sales receipts to the purchaser; it also allows the commissioner to promulgate rules to address in detail how these transactions are to be tracked and handled.

**Section 26.** Clarifies that any convictions while acting as a guide (such as directing hunters or anglers to commit illegal acts) will result in revocation of their guide license. This is current law but will be clearer to citizens through this wording change.

**Section 27.** Clarifies that a taxidermist license is not required if a person is not compensated for such work, but that a license is needed to do either commercial taxidermy work or commercial tanning work.

**Section 28.** Corrects and clarifies that Social Security Disability fishing licenses can continue to be issued to these license holders after they turn 65 and are moved off Disability Social Security onto regular Social Security.

**Section 29.** Clarifies that fish mounts can be sold in the same manner as most other bird and mammal mounts.

**Section 30.** Clarifies that recently changed bow fishing provisions do allow discharge of the bow while the electric motor is running, as was intended by last year's amendments.

**Section 31.** Complaints have arisen regarding the manner in which a fish house license is displayed. This clarifies that a name/address on a fish house doesn't have to be "painted" as currently provided in MS 97C.355, subd. 1, but can be "printed" and only need be 2 inches high instead of 3 inches high. These changes will be easier and more reasonable for the public to comply with. (There is separate proposed legislation addressing this issue as well.)

**Section 32.** Requires reflective material on fish houses left on the ice overnight.

**Section 33.** Clarifies that Aquatic Management Areas and angling easements on private land purchased with the Heritage Account funds in M.S. sec. 297A.44, subd. 1, may restrict hunting and angling at certain times of the year where those activities are incompatible with the purpose for which the acquisitions were made.

### **(HF1537) SF780 CH 106 Agency Rulemaking Procedures (Effective 8/1/01)**

Modifies the regulations over rulemaking by state agencies; making various technical and housekeeping changes.

**HF634 (SF648) CH 169 Legislative Claims Bill (Effective 7/1/01)**

Appropriates money from the General Fund for claims against the state, including claims against the DNR for the following:

- (a) Charles G. Born of Janesville, Minnesota, to pay for crop losses caused by the elevated level of Willis Lake . . . . . \$9,423.25.
- (b) Rex Campbell of Gray Eagle, Minnesota, to pay for income lost because of enforcement of invalid rules . . . . . \$20,000.
- (c) Leonard Korbelt of New Prague, Minnesota, to pay for the reduced value of property subject to an unrecorded easement . . . . . \$28,300.
- (d) St. Croix Valley Heritage Coalition, Inc., to reimburse that organization for costs it incurred as part of a project entered into in partnership with the department of natural resources which was abandoned because of unique concerns raised by the federal government and Wisconsin officials . . . . . \$75,000.
- (e) Waseca county, to pay for road damage caused by the elevated level of Willis Lake . . . . . \$2,745.25.

## **APPROPRIATIONS AND BONDING**

### **(HF10) SF10 CH 2 (Special Session) Omnibus Environment, Natural Resources and Agriculture Appropriations**

#### **Land and Mineral Resources Management**

\$307,000 the first year and \$308,000 the second year are for iron ore cooperative research, of which \$200,000 the first year and \$200,000 the second year are available only as matched by \$1 of nonstate money for each \$1 of state money. Any unencumbered balance remaining in the first year does not cancel but is available for the second year.

\$370,000 the first year and \$372,000 the second year are for mineral diversification.

\$100,000 the first year and \$101,000 the second year are for minerals cooperative environmental research, of which \$50,000 the first year and \$50,500 the second year are available only as matched by \$1 of nonstate money for each \$1 of state money. Any unencumbered balance remaining in the first year does not cancel but is available for the second year.

#### **Water Resources Management**

\$130,000 the first year and \$130,000 the second year are for a grant to the Mississippi headwaters board for up to 50 percent of the cost of implementing the comprehensive plan for the upper Mississippi within areas under its jurisdiction.

\$10,000 the first year and \$10,000 the second year are for payment to the Leech Lake Band of Chippewa Indians to implement its portion of the comprehensive plan for the upper Mississippi.

\$625,000 the first year and \$650,000 the second year are for activities associated with the implementation of the Red River mediation agreement, including comprehensive watershed plans; agency interdisciplinary teams for each watershed, and a basin repository, including data on flood flows and water supply; and for grants to watershed districts located within the Red River Basin for flood damage reduction projects under Minnesota Statutes, section 103F.161.

\$250,000 the first year and \$250,000 the second year are for the construction of ring dikes under Minnesota Statutes, section 103F.161. The ring dikes may be publicly or privately owned. Any unencumbered balance does not cancel at the end of the first year and is available for the second year. The commissioner of natural resources must not abandon the diversion system at Currant Lake in Murray county. The commissioner may develop a management plan to operate the diversion in a manner to maintain the water level and fish habitat in Currant Lake and to maintain the aquatic vegetation and waterfowl habitat in Hjermstad State Wildlife Management Area.

\$54,000 the first year is for a grant to the Lewis and Clark joint powers board to acquire land, predesign, design, construct, furnish, and equip a rural water system to serve southwestern Minnesota. This appropriation is available when matched by \$8 of federal money and \$1 of local

money for each \$1 of state money. This is a one-time appropriation.



## **Forest Management**

\$6,000,000 the first year and \$6,000,000 the second year are for presuppression and suppression costs of emergency firefighting and other costs incurred under Minnesota Statutes, section 88.12, subdivision 2, related to search and rescue operations. If the appropriation for either year is insufficient to cover all costs of suppression and search and rescue operations, the amount necessary to pay for these costs during the biennium is appropriated from the general fund. By November 15 of each year, the commissioner of natural resources shall submit a report to the chairs of the house of representatives ways and means committee, the senate finance committee, the environment and agriculture budget division of the senate finance committee, and the house of representatives environment and natural resources finance committee, identifying all firefighting costs incurred and reimbursements received in the prior fiscal year. The report must be in a format agreed to by the house environment finance committee chair, the senate environment budget division chair, the department, and the department of finance. These appropriations may not be transferred. Any reimbursement of firefighting expenditures made to the commissioner from any source other than federal mobilizations shall be deposited into the general fund.

\$730,000 the first year and \$736,000 the second year are for programs and practices on state, county, and private lands to regenerate and protect Minnesota's white pine. Up to \$280,000 of the appropriation in each year may be used by the commissioner to provide 50 percent matching funds to implement cultural practices for white pine management on nonindustrial, private forest lands at rates specified in the Minnesota stewardship incentives program manual. Up to \$150,000 of the appropriation in each year may be used by the commissioner to provide funds to implement cultural practices for white pine management on county-administered lands through grant agreements with individual counties, with priorities for areas that experienced wind damage in July 1995. \$40,000 each year is for a study of the natural regeneration process of white pine. The remainder of the funds in each fiscal year will be available to the commissioner for white pine regeneration and protection on department-administered lands. Notwithstanding Minnesota Statutes, section 16A.28, the appropriations encumbered under contract on or before June 30, 2003, for the forest health, white pine, stewardship, and MnReleaf grants in this subdivision are available until June 30, 2004.

\$64,000 the first year and \$65,000 the second year are for the focus on community forests program, to provide communities with natural resources technical assistance.

\$1,800,000 the first year and \$1,900,000 the second year are to be used as follows:

- (1) \$375,000 the first year and \$375,000 the second year are for field services;
- (2) \$625,000 the first year and \$625,000 the second year are for timber sales; and
- (3) \$800,000 the first year and \$900,000 the second year are for the forest resources council for implementation of the Sustainable Forest Resources Act.

\$100,000 the first year is for a contract to develop and implement a master logger certification program. The master logger certification program must use, to the extent practicable, existing logger education and training programs, and must be available to all loggers in the state. To the extent possible, the program must be consistent with other forest certification programs operating in the state. The commissioner shall appoint a committee to provide oversight in the development and implementation of the program. The performance and enforcement standards of the program must be consistent with the site-level forest management guidelines developed under Minnesota Statutes, section 89A.05.

\$400,000 the first year and \$400,000 the second year are for the FORIST timber management information system and for increased forestry management.

\$300,000 the first year and \$300,000 the second year are from the game and fish fund for matching grants to protect native oak forests from oak wilt. This is a one-time appropriation and is from revenue deposited to the game and fish fund under Minnesota Statutes, section 297A.94, paragraph (e), clause (1).

### **Parks and Recreation Management**

\$638,000 the first year and \$640,000 the second year are from the water recreation account in the natural resources fund for state park development projects. If the appropriation in either year is insufficient, the appropriation for the other year is available for it.

\$4,000,000 the first year and \$4,000,000 the second year are for payment of a grant to the metropolitan council for metropolitan area regional parks maintenance and operations. The portion of this appropriation allocated to the Minneapolis park and recreation board includes money for the Bassett's Creek trail to connect the Cedar Lake trail and the Luce Line trail.

\$247,000 the first year and \$253,000 the second year are for state forest campground operations.

\$4,103,000 the first year and \$4,453,000 the second year are from the natural resources fund for state park and recreation area operations and acquisition. This appropriation is from the revenue deposited to the natural resources fund under Minnesota Statutes, section 297A.94, paragraph (e), clause (2). Of this amount:

- (1) \$1,805,000 the first year and \$1,805,000 the second year are to parks, make camping available in the spring and fall, provide maintenance to the facilities and security for park visitors, and partially fund winter operations;
- (2) \$280,000 the first year and \$290,000 the second year are to fund state park emergency maintenance projects;
- (3) \$413,000 the first year and \$413,000 the second year are to fund state park resource management activities;
- (4) \$185,000 the first year is to fund the purchase of the campground manager/point-of-sale system for 28 state parks;
- (5) \$100,000 the first year and \$100,000 the second year are to make improvements to the state park Web site and provide additional state park informational brochures and more state park maps;
- (6) \$50,000 the first year and \$50,000 the second year are to replace computers in the field and regional office locations according to department standards;
- (7) \$75,000 the first year is to complete master plans for both Big Bog and Red River state recreation areas;
- (8) \$600,000 the second year is for operating costs, including fisheries management, of the Red River state recreation area;
- (9) \$200,000 the first year and \$200,000 the second year are for operating costs of the Big Bog state recreation area; and
- (10) \$995,000 the first year and \$995,000 the second year are for acquisition of in-holdings for state parks and recreation areas.

The appropriations in clauses (2) to (10) are one-time appropriations.

\$4,130,000 the first year and \$5,130,000 the second year are from the natural resources fund for a grant to the metropolitan council for metropolitan area regional parks and trails maintenance and operations. This appropriation is from the revenue deposited to the natural resources fund under

Minnesota Statutes, section 297A.94, paragraph (e), clause (3).

\$1,000,000 the first year is from the natural resources fund for a grant to the city of St. Paul to restore East Como Lake trail and lakeshore in Como Park. The money is available until expended. This appropriation is from the revenue deposited to the natural resources fund under Minnesota Statutes, section 297A.94, paragraph (e), clause (3).

\$25,000 the first year and \$25,000 the second year are for a grant to the city of Taylors Falls for fire and rescue operations in support of Interstate park.

### **Trails and Waterways Management**

\$4,424,000 the first year and \$4,424,000 the second year are from the snowmobile trails and enforcement account in the natural resources fund for snowmobile grants-in-aid. \$600,000 each year is dedicated to the grant-in-aid system from the snowmobile trails and enforcement account in the natural resources fund made available by the increase to one percent in the unrefunded gas tax for snowmobile activity. Notwithstanding Minnesota Statutes, section 16A.28, the appropriations encumbered under contract on or before June 30, 2003, for the snowmobile, all-terrain vehicle, off-highway vehicle, and off-road vehicle grants in this subdivision are available until June 30, 2004.

\$259,000 the first year and \$261,000 the second year are from the water recreation account in the natural resources fund for a safe harbor program on Lake Superior.

\$852,000 the first year and \$852,000 the second year are from the natural resources fund for state trail operations. This appropriation is from the revenue deposited to the natural resources fund under Minnesota Statutes, section 297A.94, paragraph (e), clause (2). This is a one-time appropriation.

\$684,000 the first year and \$684,000 the second year are from the natural resources fund for trail grants to local units of government on land to be maintained for at least 20 years for the purposes of the grant. This appropriation is from the revenue deposited to the natural resources fund under Minnesota Statutes, section 297A.94, paragraph (e), clause (4). This is a one-time appropriation.

The appropriation from the general fund of \$1,400,000 authorized in Laws 1998, chapter 404, section 7, subdivision 26, for Skunk Hollow trail in Yellow Medicine and Chippewa counties is reappropriated for the purpose of developing the Minnesota River trail under Minnesota Statutes, section 85.015, subdivision 22.

\$300,000 the first year and \$300,000 the second year are from the water recreation account in the natural resources fund for preconstruction, acquisition, and staffing needs for the Mississippi Whitewater trail authorized by Minnesota Statutes, section 85.0156. This is a one-time appropriation.

\$150,000 the first year is from the water recreation account in the natural resources fund for necessary improvements and repairs at the Knife river harbor of refuge and marina. This appropriation is available until spent.

\$100,000 the first year is from the water recreation account in the natural resources fund for an inventory of the Red River of the North, to make recommendations to the legislature on the cost of improvements necessary for the canoe and boating route on the river, and for mapping and signing

the lower portion of the river from Breckenridge to Georgetown.

## **LCMR APPROPRIATIONS for DNR**

### Grays Bay, Lake Minnetonka Public Water Access

\$2,000,000 is from the future resources fund and \$850,000 the first year is from the trust fund to the commissioner of natural resources to acquire and develop, in cooperation with the city of Minnetonka, approximately five acres for a multiuse water access site on Grays Bay, Lake Minnetonka.

### McQuade Small Craft Harbor

\$500,000 is from the future resources fund to the commissioner of natural resources to develop a small craft harbor on Lake Superior in cooperation with the McQuade Joint Powers Board, U.S. Army Corps of Engineers, and local units of government.

### **Fisheries Management**

\$222,000 the first year and \$227,000 the second year are for resource population surveys in the 1837 treaty area. Of this amount, \$84,000 the are from the game and fish fund. \$303,000 the first year and \$311,000 the second year are for the reinvest in Minnesota programs of game and fish, critical habitat, and wetlands established under Minnesota Statutes, section 84.95, subdivision 2.

\$666,000 the first year and \$671,000 the second year are from the trout and salmon management account for only the purposes specified in Minnesota Statutes, section 97A.075, subdivision 3.

\$205,000 the first year and \$207,000 the second year are available for aquatic plant restoration.

\$4,735,000 the first year and \$5,451,000 the second year are from the heritage enhancement account in the game and fish fund for only the purposes specified in Minnesota Statutes, section 297A.94, paragraph (e), clause (1). This appropriation is from the revenue deposited to the game and fish fund under Minnesota Statutes, section 297A.94, paragraph (e), clause (1). Of this amount:

- (1) \$1,980,000 the first year and \$1,980,000 the second year are to carry out projects such as installing lake aeration systems, removing access barriers for physically disabled anglers, building fishing piers, modifying dams, constructing rough fish barriers, conducting creel surveys, improving streams, improving spawning areas, repairing hatcheries and rearing ponds, stabilizing lake shorelines, and acquiring aquatic management areas and trout stream easements; and to provide field offices with some discretionary money for local habitat improvements and restorations in partnership with local stakeholders and other department units, for lake and stream surveys and assessments, and for equipment to do field projects;
- (2) \$250,000 the first year and \$250,000 the second year are to provide more fishing opportunities for children and other anglers on small lakes and ponds in the Twin Cities metropolitan area;
- (3) \$150,000 the first year and \$150,000 the second year are to protect and restore aquatic vegetation and other aquatic habitat in cooperation with local stakeholders;
- (4) \$500,000 the first year and \$500,000 the second year are for asset preservation and improvement of state fish hatcheries and rearing ponds;
- (5) \$500,000 the first year and \$500,000 the second year are for acquisitions of the division of fisheries' highest priority acquisitions;
- (6) \$150,000 the first year and \$150,000 the second year are to maintain funding for three field positions to do fish management activities including fish culture and stocking, lake and stream

monitoring, and habitat improvement;

- (7) \$553,000 the first year and \$553,000 the second year are for accelerated walleye stocking;
- (8) \$134,000 the first year is for restoration and aeration of Powderhorn Lake in Minneapolis;
- (9) \$850,000 the second year is to make grants from the stream protection and improvement loan program under Minnesota Statutes, section 103G.705; and
- (10) \$518,000 the first year and \$518,000 the second year are available for aquatic plant restoration.

The appropriations in clauses (1), except for \$950,000 each year, (2) to (5), and (8) to (10) are one-time appropriations.

The division of fisheries shall provide a written report to the chairs of the house and senate natural resources policy and finance committees by January 1, 2003, on how the accelerated walleye stocking money was spent, including, but not limited to, lakes that were stocked and the amount of fry, frylings, or fingerlings stocked. Notwithstanding Minnesota Statutes, section 16A.28, the appropriations encumbered under contract on or before June 30, 2003, for the aquatic restoration grants in this subdivision are available until June 30, 2004.

### **Wildlife Management**

\$106,000 the first year and \$106,000 the second year are for resource population surveys in the 1837 treaty area. Of this amount, \$26,000 the first year and \$26,000 the second year are from the game and fish fund.

\$552,000 the first year and \$565,000 the second year are for the reinvest in Minnesota programs of game and fish, critical habitat, and wetlands established under Minnesota Statutes, section 84.95, subdivision 2.

\$1,419,000 the first year and \$1,430,000 the second year are from the wildlife acquisition surcharge account for only the purposes specified in Minnesota Statutes, section 7A.071, subdivision 2a.

\$1,245,000 the first year and \$1,269,000 the second year are from the deer habitat improvement account for only the purposes specified in Minnesota Statutes, section 97A.075, subdivision 1, paragraph (b).

\$147,000 the first year and \$148,000 the second year are from the deer and bear management account for only the purposes specified in Minnesota Statutes, section 97A.075, subdivision 1, paragraph (c).

\$699,000 the first year and \$708,000 the second year are from the waterfowl habitat improvement account for only the purposes specified in Minnesota Statutes, section 97A.075, subdivision 2.

\$546,000 the first year and \$546,000 the second year are from the pheasant habitat improvement account for only the purposes specified in Minnesota Statutes, section 97A.075, subdivision 4. In addition to the purposes specified in Minnesota Statutes, section 97A.075, subdivision 4, this appropriation may be used for pheasant restocking efforts.

\$308,000 the first year and \$313,000 the second year are from the game and fish fund for activities



relating to reduction and prevention of property damage by wildlife. \$50,000 each year is for emergency damage abatement materials.

\$8,000 the first year and \$8,000 the second year are from the game and fish fund for the wild turkey management program. This amount shall be included in the department's base to be transferred to the wild turkey management account and is appropriated for purposes under Minnesota Statutes, section 97A.075, subdivision 5. \$86,000 the first year and \$87,000 the second year are from the wild turkey management account for only the purposes specified in Minnesota Statutes, section 97A.075, subdivision 5.

\$3,060,000 the first year and \$3,265,000 the second year are from the heritage enhancement account in the game and fish fund for only the purposes specified in Minnesota Statutes, section 297A.94, paragraph (e), clause (1). This appropriation is from the revenue deposited to the game and fish fund under Minnesota Statutes, section 297A.94, paragraph (e), clause (1). Of this amount:

- (1) \$250,000 the first year and \$250,000 the second year are for prescribed burning of grassland, wetland, and forest habitats;
- (2) \$250,000 the first year and \$225,000 the second year are for prairie grassland development including the restoration of native species of grasses and forbs on public lands and for the improvement of existing stands through interseeding and other practices to improve stand diversity;
- (3) \$200,000 the first year and \$200,000 the second year are for the development of forest openings and to enhance mass production, regenerate stands, improve thermal cover in order to maintain healthy sustainable forest wildlife populations, and improve wildlife-related recreational opportunities in forest habitats;
- (4) \$300,000 the first year and \$225,000 the second year are for restoration of drained wetland basins and improvement of existing basins through water level maintenance and water control structures to maintain and improve habitats for wetland dependent wildlife;
- (5) \$300,000 the first year and \$300,000 the second year are for the completion of applied management research and monitoring projects for wetlands and forest wildlife populations;
- (6) \$95,000 the first year and \$400,000 the second year are for the state of Minnesota to assume management of the wolf, including monitoring wolf populations, conducting cooperative wolf depredation management, conducting telemetry, and other applied research and includes funding for a cooperative agreement for depredation management with United States Department of Agriculture Wildlife Services. \$305,000 the second year is only available if the federal government finalizes delisting the wolf from protection under the Endangered Species Act of 1973;
- (7) \$125,000 the first year and \$125,000 the second year are for the shearing and burning of brushland habitats to maintain and improve high priority brushland ecosystems on public and private lands across northern Minnesota for sharp-tailed grouse, moose, deer, and many other species dependent on these areas;
- (8) \$1,000,000 the first year and \$1,000,000 the second year are for development and rehabilitation of wildlife management area lands and includes boundary surveys and posting, site cleanup and erosion control, access development, and appropriate cover establishment for wildlife habitat. \$945,000 the first year and \$950,000 the second year are available for grants to local outdoor sports clubs for habitat improvement projects on wildlife management area lands;
- (9) \$35,000 the first year and \$35,000 the second year are for waterfowl development in Canada as authorized in Minnesota Statutes, section 97A.127;
- (10) \$30,000 the first year and \$30,000 the second year are to provide funds to match private contributions for the purpose of completing the capture, relocation, and monitoring of prairie

chickens being reintroduced in west central Minnesota; and

(11) \$475,000 the first year and \$475,000 the second year are for statewide technical assistance to improve wildlife habitats on private lands, including vegetation establishment, management, and stewardship planning, and other wildlife habitat development and management techniques. The appropriations in clauses (1) to (11) are one-time appropriations.

\$13,000 the first year and \$13,000 the second year are to publicize the critical habitat license plate match program. Notwithstanding Minnesota Statutes, section 16A.28, the appropriations encumbered under contract on or before June 30, 2003, for the wildlife habitat grants in this subdivision are available until June 30, 2004.

### **Ecological Services**

\$1,006,000 the first year and \$1,028,000 the second year are from the nongame wildlife management account in the natural resources fund for the purpose of nongame wildlife management.

\$254,000 the first year and \$259,000 the second year are for population and habitat objectives of the nongame wildlife management program. Notwithstanding Minnesota Statutes, section 16A.28, the appropriations encumbered under contract on or before June 30, 2003, for the milfoil program grants in this subdivision are available until June 30, 2004.

\$593,000 the first year and \$600,000 the second year are for the reinvest in Minnesota programs of game and fish, critical habitat, and wetlands established under Minnesota Statutes, section 84.95, subdivision 2.

\$103,000 the first year and \$105,000 the second year are for water monitoring activities, including integrated monitoring using biology, chemistry, hydrology, and habitat assessment for water quality assessment.

\$12,000 the first year and \$12,000 the second year are to publicize the tax donation checkoff to the nongame wildlife program.

\$970,000 the first year is from the game and fish fund for the wildlife conservation and restoration program. This appropriation is for the planning and implementation of a program that addresses wildlife conservation and restoration, wildlife conservation education, and wildlife associated recreation.

\$1,406,000 the first year and \$1,406,000 the second year are from the heritage enhancement account in the game and fish fund for only the purposes specified in Minnesota Statutes, section 297A.94, paragraph (e), clause (1). This appropriation is from the revenue deposited to the game and fish fund under Minnesota Statutes, section 297A.94, paragraph (e), clause (1). Of this amount:

- (1) \$650,000 the first year and \$650,000 the second year are to provide funding for the Minnesota county biological survey;
- (2) \$220,000 the first year and \$220,000 the second year are to expand the field effort of the nongame wildlife program;
- (3) \$187,000 the first year and \$187,000 the second year are to upgrade the management of ecological information to improve its accessibility for habitat management and land use planning activities;
- (4) \$74,000 the first year and \$74,000 the second year are to expand native prairie stewardship on private lands;

- (5) \$100,000 the first year and \$100,000 the second year are to develop educational products that interpret emerging natural resource research and management information on river and stream ecosystems and natural communities; and
- (6) \$175,000 the first year and \$175,000 the second year are for establishing benchmarks for using birds as ecological indicators of forest health.

The appropriations in clauses (1) to (6) are one-time appropriations.

## **LCMR APPROPRIATION for DNR**

### **Minnesota County Biological Survey**

\$400,000 the first year and \$400,000 the second year are from the trust fund to the commissioner of natural resources for the eighth biennium of a 12-biennia project to accelerate the survey that identifies significant natural areas and systematically collects and interprets data on the distribution and ecology of natural communities, rare plants, and animals.

### **Enforcement**

\$1,082,000 the first year and \$1,082,000 the second year are from the water recreation account in the natural resources fund for grants to counties for boat and water safety. Notwithstanding Minnesota Statutes, section 16A.28, appropriations encumbered under contract on or before June 30, 2003, for the boat and water safety program are available until June 30, 2004.

\$100,000 the first year and \$100,000 the second year are from the solid waste fund for solid waste enforcement activities under Minnesota Statutes, section 116.073.

\$315,000 the first year and \$315,000 the second year are from the snowmobile trails and enforcement account in the natural resources fund for grants to local law enforcement agencies for snowmobile enforcement activities.

\$40,000 the first year and \$40,000 the second year are from the natural resources fund for enforcement activities relating to the iron range off-highway vehicle recreation area. Of the amount appropriated, \$40,000 is from the all-terrain vehicle account, \$32,000 is from the off-road vehicle account, and \$8,000 is from the off-highway motorcycle account.

\$131,000 the first year and \$133,000 the second year are for protected class employee recruitment and retention.

\$1,434,000 the first year and \$1,444,000 the second year are from the heritage enhancement account in the game and fish fund for only the purposes specified in Minnesota Statutes, section 297A.94, paragraph (e), clause (1). This appropriation is from the revenue deposited to the game and fish fund under Minnesota Statutes, section 297A.94, paragraph (e), clause (1). Of this amount:

- (1) \$664,000 the first year and \$664,000 the second year are for the replacement of necessary equipment;
- (2) \$170,000 the first year and \$180,000 the second year are to offset increased fuel costs; and
- (3) \$600,000 the first year and \$600,000 the second year are for basic enforcement services

including filling officer vacancies.  
The appropriations in clauses (1) to (3) are one-time appropriations.

Overtime shall be distributed to conservation officers at historical levels; however, a reasonable reduction or addition may be made to the officer's allocation, if justified, based on an individual officer's workload. If funding for enforcement is reduced because of an unallotment, the overtime bank may be reduced in proportion to reductions made in other areas of the budget.

\$369,000 the first year and \$380,000 the second year are in addition to base for hiring new conservation officers after January 1, 2001.

\$161,000 the first year and \$130,000 the second year are from the all-terrain vehicle account in the natural resources fund for administration of the all-terrain vehicle environmental and safety education and training program under Minnesota Statutes, section 84.925.

For fiscal years 1998 to 2002, local enforcement units may carry forward unspent snowmobile safety enforcement grant money. The grant money carried forward must be spent directly on identifiable snowmobile safety activities according to Laws 1997, chapter 216, section 5, subdivision 8; Minnesota Statutes, chapter 84; and Minnesota Rules, chapter 6100. All grant money carried forward must be expended by June 30, 2002.

### **Operations Support**

\$413,000 the first year and \$418,000 the second year are for technical assistance and grants to assist local government units and organizations in the metropolitan area to acquire and develop natural areas and greenways.

\$556,000 the first year and \$572,000 the second year are for the community assistance program to provide for technical assistance and regional resource enhancement grants.

\$2,538,000 the first year and \$2,595,000 the second year are for the operations of the youth programs. Of these amounts, \$478,000 the first year and \$491,000 the second year are from the natural resources fund. Notwithstanding Minnesota Statutes, section 16A.28, the appropriations encumbered under contract on or before June 30, 2003, for the metro greenways, Red River, and community assistance program grants in this subdivision are available until June 30, 2004. The commissioner may contract with and make grants to nonprofit agencies to carry out the purposes, plans, and programs of the office of youth programs, Minnesota Conservation Corps.

\$304,000 the first year and \$304,000 the second year are from the natural resources fund for grants to be divided equally between the city of St. Paul for the Como Zoo and Conservatory and the city of Duluth Zoo. This appropriation is from the revenue deposited to the natural resources fund under Minnesota Statutes, section 297A.94, paragraph (e), clause (5). This is a one-time appropriation.

\$199,000 the first year is for grants to Cook, Lake, and St. Louis counties for emergency communications equipment. This appropriation is available until spent. Of this amount, \$106,000 is for a grant to Cook county for a communications system upgrade and development of radio paths along the north shore of Lake Superior; \$47,000 is for a grant to Lake county to upgrade the existing communications tower in the Two Harbors area; and \$46,000 is for a grant to St. Louis county to enhance the emergency alerting system by installing a dispatching transmitter in the Crane Lake area.





### **Minnesota-Wisconsin Boundary Commission**

\$194,000 the first year and \$199,000 the second year. This appropriation is only available to the extent it is matched by an equal amount from the state of Wisconsin. Of this amount, \$35,000 the first year and \$36,000 the second year are from the water recreation account in the natural resources fund for the St. Croix management and stewardship program.

### **Office of Strategic and Long Range Planning**

\$75,000 the first year is from the environmental fund for a plan to reorganize the state water programs and functions.

**ADDITIONAL POLICY LANGUAGE WITHIN THE OMNIBUS BUDGET BILL  
ON THE FOLLOWING ISSUES**

Natural Disaster Reimbursement  
Renaming MCC programs from “youth programs”  
Administration authority for local enforcement grants  
ATV safety program  
ATV passenger authority  
Minnesota River and Central Lakes trails  
State parks account  
Red River and Long Prairie canoe routes  
Use of small craft marina funds  
Forestry provisions on balsam bough and forest product harvest  
Forest Resource Council landscape review  
Advisory committee reauthorizations  
Artistic stamp requirements modified  
Senior citizen angling license discount removed  
Criminal trespass on agricultural land definition modified  
Lottery in Lieu revenue percentage modified  
Tribal law enforcement cooperative agreements  
Forest roads gas tax study  
McQuade harbor acquisition  
Moratorium on sunken logs removal

**BONDING BILL HF8 (SF25) CH 12 2001 Special Session**

\$53,487,000 to BWSR for CREP.  
\$2,000,000 to BWSR for wetland replacement due to road construction.  
\$7,000,000 to DTED for flood damage and natural disaster programs.  
\$2,000,000 to DNR for local government grants for flood mitigation.  
Language allowing DNR to use 2000 bonding money to acquire a building in Fergus Falls.