



Department of Natural Resources Fact Sheet



2010 POLICY FACT SHEET DNR Policy Bill

CONTENTS

The Department of Natural Resources Policy bill incorporates numerous policy initiatives.

Parks and Trails

The language addresses the following initiatives: technical language changes to Minnesota Statute by the Parks and Trails Division, addition of Blue Earth River to the Water Trails System, exempt licenses for ATVs and snowmobiles, GIA trails for ATVs in road ditches, horse pass requirement, addition of MN/WI Boundary Trail to the Arrowhead Trail System, ski pass requirement.

Ecological Resources

The language addresses the following initiatives: exemption of SNAs from ORA master planning requirement, removal of the LCCMR work program approval for nongame wildlife account, corrects affiliation of nongame wildlife program within DNR, and adds authority to fund habitat work outside U.S. to benefit neotropical migrant birds.

Enforcement

The language addresses the ATV training program and the maximum for additional fees charged by ATV instructors.

Management Resources

The language amends Minnesota Statutes 84.0856, 84.0857 and 84.025, allowing the Commissioner to bill other governmental units for services provided in the program areas of professional services, fleet, and facilities maintenance.

Waters

The language addresses the following initiatives: technical changes to statute, wild & scenic river administrative authorities, impairment of drainage by beaver dams, ground water appropriations and resource monitoring.

Management & Budget Services

The language amends Minnesota Statutes 2009, sections 85.052 and 85.22 providing revenue from timber sales in state parks to be deposited into the state parks working capital account.

Electronic Licensing System (ELS)

The language amends Minnesota Statutes 2008, section 84.027, adding gift cards as a product available through the electronic licensing system (ELS). The section also adds issuance of safety certifications.

Acquisition; Lake Vermilion State Park

The language authorizes acquisition by gift or purchase of the lands for Lake Vermilion State Park notwithstanding any laws to the contrary (Laws 2008, Chapter 365, Section 25). The commissioner may pay up to \$18,000,000 for the lands for Lake Vermilion State Park.

OVERVIEW

Sections 1, 3, 4

Service Billings to Other Entities

Amends Minnesota Statutes 2008, section 84.025, 84.0856, 84.0857, clarifying language. The DNR has occasion to work with outside agencies to create efficient use of fleet, facility or professional services. The capacity to do so enhances and enables important cooperation between state agencies and other governmental units, and provides the most efficient and cost-effective method to achieve work. The ability to bill these outside agencies offsets the costs incurred by the DNR.

Section 2

Electronic Transactions

Amends Minnesota Statutes 2008, section 84.027, subdivision 15, to add gift cards as a product available through the electronic licensing system (ELS). The section also adds the issuance of all safety certifications; currently, only duplicate safety certifications are issued through ELS.

Sections 5, 6, 7, 8

Licenses for ATVs and Snowmobiles

Amends Minnesota Statutes 2008, sections 84.82, and 84.922, providing exempt licenses for ATVs and snowmobiles. The addition of exempt registration will allow these machines to be operated with a legal registration displayed.

Section 9

ATV Safety Training Programs; Maximum for Additional Fees Charged by Instructors

Amends Minnesota Statutes 2008, section 84.925, subdivision 1, standardizing the maximum additional amount an instructor can charge students for DNR sponsored safety training programs they provide. The base cost of a training course is \$15.00, the additional instructor fee being addressed in this is an amount in addition to the \$15.00. This change would be consistent with the additional maximum fee that can be charged by instructors for other DNR training programs, such as snowmobile and firearms safety training.

Section 10

GIA Trails for ATVs in Road Ditches

Amends Minnesota Statutes 2009 Supplement, section 84.928, subdivision 1, providing for the operation of ATVs within the road right-of-way under permit from the road authority as defined in section 160.02, subdivision 25.

Section 11

Add MN/WI Boundary Trail to Arrowhead Trail System

Amends Minnesota Statutes 2009 Supplement, section 85.015, subdivision 13 to read that the Minnesota-Wisconsin Boundary Trail shall originate in Duluth in St. Louis County and extend southerly to St. Croix State Forest in Pine County. *This is the same language that was passed by the House last session.*

Section 12

Deletion of MN/WI Boundary Trail from the Munger Trail System

Amends Minnesota Statutes 2008, section 85.015, subdivision 14 to delete the second segment under the Munger Trail System and move it to the Arrowhead Trail System. One segment shall be known as the Boundary Trail and shall originate in Chisago County, extending to Duluth in St. Louis County. This language provides for consistency in management and public expectation within the trail system. *This is the same language that was passed by the House last session.*

Sections 13 and 14

Deposit of Fees; Exemption

Amends Minnesota Statutes 2008, section 85.052, subdivision 4 and 85.22, subdivision 5, providing revenue from timber sales in state parks to be deposited into the state parks working capital account. This change will better match the revenue to expenditures for natural resource improvement activities including prescribed burns, maintaining firebreaks, monitoring invasive species and woody species control.

Section 15

Addition of Blue Earth River to Canoe Boating Route System and Technical Language Clarification (Water Trails); Add Blue Earth River to Waters Trails System

Amends Minnesota Statutes 2008, section 85.32, subdivision 1, replacing the phrase "canoe and boating" with "water trails" when referencing river routes that are managed for recreational enjoyment. The new language

provides consistency and clarity throughout statute. The language further amends section 85.32, adding the Blue Earth River as an official part of the “water trails” system.

Section 16

Ski Pass Required

Amends Minnesota Statutes 2008, section 85.43, allowing the expenditure of funds in the dedicated ski account to be spent anywhere the ski pass is required.

Section 17

Horse Pass Required

Amends Minnesota Statutes, section 85.46, as amended by Laws 2009, chapter 37, article 1, sections 22 to 24, requiring that while riding, leading, or driving a horse on land administered by the commissioner, a person shall carry in immediate possession a valid horse pass.

Section 18

SNA Exemption from ORA Master Planning Requirement

Amends Minnesota Statutes 2009 Supplement, 86A.09, subdivision 1 to include scientific and natural areas (SNAs) in the list of units exempt from this statute.

Section 19

Impairment of Drainage by Beaver Dams

Amends Minnesota Statutes 2008, 97B.665, subdivision 2, allowing the district court to direct the owners of private property where beaver dams are located to take action to destroy the dam(s) or remove the beavers if they are causing damage. The district court previously could order the commissioner to take action. This language shifts the responsibility for reducing impairments from the DNR to private landowners where a beaver dam is located.

Section 20

Jurisdiction

Amends Minnesota Statutes 2008, section 103A.305, deleting reference to Minnesota Statutes 103G.295, subdivisions 1 and 2 which are deleted by the bill. The newly created section, 103G.287, should be referenced instead.

Section 21

Boundary Adjustments

Amends Minnesota Statutes 2008, section 103F.325, allowing the commissioner to approve changes to a district boundary through a commissioner’s order rather than going through a lengthy review and approval process.

Section 22

Compliance of Ordinances with System

Amends Minnesota Statutes 2008, section 103F.335, subdivision 1, allowing the commissioner more flexibility to approve local ordinances when they substantially comply with state standard.

Section 23

Public Waters Inventory

Amends Minnesota Statutes 2009 Supplement, section 103G.201 requiring only maps of public waters rather than maps and lists. The requirement for lists can be removed because it is now easier to modify, update and provide maps electronically than it was when the inventory was completed in the early 1980s.

Section 24

Permit Restriction During Summer Months

Amends Minnesota Statutes 2008, section 103G.271, subdivision 3, eliminating the reference to 103G.295 which is repealed by this bill.

Section 25

[103G.282] Monitoring To Evaluate Impacts from Appropriations

This section provides clarification regarding the authority of the commissioner to require water resource monitoring and reporting as conditions of water appropriation permits. It also provides for the apportionment of costs among appropriators from the same monitoring area in order to reduce permittees costs.

Section 26

Trout Streams

Amends Minnesota Statutes 2008, section 103G.285, subdivision 5, providing a corrected reference to the statutory authority for the commissioner to designate trout streams.

Section 27

[103G.287] Groundwater Appropriations

This section addresses ground water appropriation issues and replaces an obsolete section that only applied to agricultural irrigation appropriations. The new section specifies the information requirements for making an application for groundwater appropriations. It also authorizes the commissioner to limit appropriations to protect groundwater resources; designate groundwater management areas and limit appropriations in those areas; and limit appropriations that could reduce water levels beyond the reach of vicinity wells.

Section 28

Filing Application

Amends Minnesota Statutes 2008, section 103G.301, subdivision 6, eliminating the proof of service requirement. Proof of service is no longer needed because most permit documents are provided electronically to the reviewers by the agency.

Section 29

Water Use Permit Exception

Amends Minnesota Statutes 2008, section 103G.305, subdivision 2, eliminating the reference to 103G.295 which is repealed by the bill.

Section 30

Limitation on Permits

Amends Minnesota Statutes 2008, section 103G.315, subdivision 11, eliminating the reference to 103G.295 which is repealed by the bill.

Section 31

Dam Removal Cost Share

Amends Minnesota Statutes 2008, section 103G.515, subdivision 5, clarifying that when removal is the lowest cost solution, the commissioner may pay the entire cost of dam removal.

Section 32

[103G.651] Sunken Logs

This language creates a new section which clarifies in statute that the removal of sunken logs from public waters is prohibited and that no leases or permits will be issued by the commissioner. *Minnesota Session Laws 2001, 1st Special Session, Chapter 2, Section 159 established a permanent moratorium on issuing leases or permits for the removal of sunken logs from the beds of inland waters. The statutory language in Minnesota Statutes 103G.650 was never repealed.*

Section 33

Nongame Wildlife Checkoff

Amends Minnesota Statutes 2008, section 290.431, removing the requirement to have LCCMR approve a work program for the nongame wildlife account before expenditures can be made and removing obsolete language that states that the nongame wildlife program is in the section of wildlife. Also amends Minnesota Statutes 290.431 to allow the commissioner to use funds appropriated from the Nongame Wildlife Account for developing, preserving, restoring, and maintaining wintering habitat to benefit neotropical migrant birds in Latin America and the Caribbean.

Section 34

Corporate Nongame Wildlife Checkoff

Amends Minnesota Statutes 2008, section 290.432, removing the requirement to have LCCMR approve a work program for the nongame wildlife account before expenditures can be made and removing obsolete language that states that the nongame wildlife program is in the section of wildlife.

Section 35**Acquisition; Lake Vermilion State Park**

The language authorizes acquisition by gift or purchase of the lands for Lake Vermilion State Park notwithstanding any laws to the contrary (Laws 2008, Chapter 365, Section 25). The commissioner may pay up to \$18,000,000 for the lands for Lake Vermilion State Park.

Section 36**Revisor's Instruction**

This section contains specific instructions to the revisor of statute regarding changing specific terms wherever they appear in Minnesota Statutes and Minnesota Rules.

Section 37**Repealer**

Minnesota Statutes 2008, sections 97B.665, subdivision 1; 103G.295; and 103G.650 are repealed.

FOR FURTHER INFORMATION CONTACT:

Bob Meier, Assistant Commissioner
Policy and Government Relations
Minnesota Department of Natural Resources
500 Lafayette Road, St. Paul, MN 55155
651-259-5024
bob.meier@state.mn.us

Ed Boggess, Deputy Director
Division of Fish and Wildlife
Minnesota Department of Natural Resources
500 Lafayette Road, St. Paul, MN 55155-4020
ed.boggess@state.mn.us

MAJ Rodmen Smith, Operations Manager
Enforcement Division
Minnesota Department of Natural Resources
500 Lafayette Road, St. Paul, MN 55155-4047
rodmen.smith@state.mn.us