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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE No. **2290**

April 6, 2009

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The bill was read for the first time and referred to the Committee on Finance

1.1 A bill for an act
1.2 relating to natural resources; providing for local grant program to acquire and
1.3 manage aquatic management areas; appropriating money; amending Minnesota
1.4 Statutes 2008, sections 84.975, subdivision 1; 86A.05, subdivision 14; 97C.02.

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

1.6 Section 1. Minnesota Statutes 2008, section 84.975, subdivision 1, is amended to read:

1.7 Subdivision 1. **Purposes.** The commissioner of natural resources may make grants
1.8 to local governments:

1.9 (1) to administer, monitor, and enforce state approved shoreland management
1.10 ordinances;

1.11 (2) to adopt shoreland management ordinances consistent with statewide standards;

1.12 (3) to develop comprehensive lake by lake or river shoreland management strategies
1.13 that provide a unique plan to guide activities on and adjacent to a lake or river; ~~and~~

1.14 (4) to implement elements of a comprehensive lake or river management strategy;
1.15 and

1.16 (5) to designate, acquire, or manage an aquatic management area, as defined in
1.17 section 86A.05, subdivision 14.

1.18 Sec. 2. Minnesota Statutes 2008, section 86A.05, subdivision 14, is amended to read:

1.19 Subd. 14. **Aquatic management areas.** (a) Aquatic management areas may be
1.20 established to protect, develop, and manage lakes, rivers, streams, and adjacent wetlands
1.21 and lands that are critical for fish and other aquatic life, for water quality, and for their
1.22 intrinsic biological value, public fishing, or other compatible outdoor recreational uses.

2.1 (b) Aquatic management areas may be established to protect wetland areas under ten
2.2 acres that are donated to the Department of Natural Resources.

2.3 (c) No unit may be authorized unless it meets one or more of the following criteria:

2.4 (1) provides angler or management access;

2.5 (2) protects fish spawning, rearing, or other unique habitat;

2.6 (3) protects aquatic wildlife feeding and nesting areas;

2.7 (4) protects critical shoreline habitat; or

2.8 (5) provides a site for research on natural history.

2.9 (d) Aquatic management areas must be administered by the commissioner of
2.10 natural resources or a local unit of government, including federally recognized Native
2.11 American tribes in the state, in a manner consistent with the purposes of this subdivision
2.12 to perpetuate and, if necessary, reestablish high quality aquatic habitat for production of
2.13 fish, wildlife, and other aquatic species. Public fishing and other uses shall be consistent
2.14 with the limitations of the resource, including the need to preserve adequate populations
2.15 and prevent long-term habitat injury or excessive fish population reduction or increase.
2.16 Public access to aquatic management areas may be closed during certain time periods.

2.17 (e) State-owned lands or waters, or any state-owned interests in lands or waters,
2.18 acquired before August 1, 2000, that meet the criteria of this subdivision and that have
2.19 been administered by the commissioner of natural resources as fish management areas or
2.20 other areas of fishery interest are authorized as units of the outdoor recreation system upon
2.21 designation by the commissioner of natural resources as aquatic management areas.

2.22 Sec. 3. Minnesota Statutes 2008, section 97C.02, is amended to read:

2.23 **97C.02 ACQUISITION OF CRITICAL AQUATIC HABITAT.**

2.24 Subdivision 1. Acquiring aquatic management areas. The commissioner shall
2.25 acquire lands that are critical for fish and other aquatic life and that meet criteria described
2.26 for aquatic management areas in section 86A.05, subdivision 14. The lands that are
2.27 acquired may be protected or developed to manage lakes, rivers, streams, and adjacent
2.28 wetlands and lands for aquatic life, water quality, intrinsic biological value, public fishing,
2.29 and other compatible outdoor recreational uses. The land may be acquired by gift, lease,
2.30 easement, or purchase. The commissioner shall designate land acquired under this
2.31 subdivision as aquatic management areas for the purposes of the outdoor recreation system.

2.32 Subd. 2. Local grant program. The commissioner shall administer a program
2.33 to provide grants to local units of government, including federally recognized Native
2.34 American tribes in the state, for up to 75 percent of the costs of acquiring and managing
2.35 aquatic management areas, as defined in section 86A.05, subdivision 14.

3.1 Sec. 4. **APPROPRIATIONS.**

3.2 \$..... is appropriated to the commissioner of natural resources from the clean water
3.3 fund for the local grant program under Minnesota Statutes, section 97C.02, subdivision 2.