

HOUSE RESEARCH

Bill Summary

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Subject: DNR; Public Waters Inventory Changes

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Section

- 1** **Public waters inventory.** Allows the commissioner of natural resources to revise the public waters inventory to correct errors, add or subtract trout stream tributaries, add depleted mine pits and quarries and sand and gravel pits when the body of water exceeds 50 acres and the shore land has been zoned for residential development, and to add or subtract public waters created or eliminated under a permit.
- 2** **Commissioner of natural resources (enforcement).** Authorizes DNR to issue cease and desist orders for illegal activities affecting ground water as well as surface water (by striking "a wetlands or public waters" to apply the authority to "waters of the state," a more inclusive term).
- 3** **Structures in or adjacent to public waters.** Clarifies definitions to eliminate confusion over the difference between a "motorboat" and a "boathouse." Restricts public waters permits for boathouses. Under current law, boathouses are allowed on public waters only in areas of historic use for the structures if approved by the local government, and the boathouse was there before January 1, 1997. Under this bill, the boathouse must also be a public service structure within a permitted commercial marina.
- 4** **Findings and order (deed restrictions).** Allows a DNR commissioner's order relating to activities that affect waters of the state to be recorded or filed as a deed restriction on real property that runs with the land until the conditions of the order are met or the order is rescinded.
- 5** **Permit application fees.** Provides more flexibility in the way the DNR can bill a permit applicant.
- 6** **Private sale of surplus land, Scott County.** Clarifies that a restrictive covenant related to wetlands in a 2003 law authorizing a private sale of surplus land bordering public waters in

Section

Scott County only applies to a specific piece of property and that other wetlands are covered by general law. Effective day after enactment.