

**SENATE
STATE OF MINNESOTA
NINETY-SECOND SESSION**

S.F. No. 4244

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DATE
03/23/2022

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Introduction and first reading
Referred to Mining and Forestry Policy

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to natural resources; establishing a legacy mine water management account;
1.3 requiring a report; transferring money; appropriating money; amending Minnesota
1.4 Statutes 2020, section 93.46, by adding a subdivision; proposing coding for new
1.5 law in Minnesota Statutes, chapter 93.

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

1.7 Section 1. Minnesota Statutes 2020, section 93.46, is amended by adding a subdivision
1.8 to read:

1.9 Subd. 11. Legacy mine. "Legacy mine" means land that:

1.10 (1) has been mined for iron ore and before January 1, 1980:

1.11 (i) was closed or abandoned; or

1.12 (ii) production ceased; and

1.13 (2) is not subject to sections 93.44 to 93.51.

1.14 Sec. 2. [93.475] LEGACY MINE WATER MANAGEMENT.

1.15 Subdivision 1. Legacy mine water management account. A legacy mine water
1.16 management account is established as an account in the natural resources fund. All money
1.17 earned by the account must be credited to the account. Money in the account is appropriated
1.18 to the commissioner and may be spent only to:

1.19 (1) design and construct systems and structures needed to control water flows into and
1.20 out of open pit legacy mines;

1.21 (2) operate and maintain water monitoring and outflow structures at legacy mines; and

2.1 (3) design, construct, operate, and maintain other mitigation measures to prevent or
2.2 address flooding and environmental degradation from legacy mines.

2.3 Subd. 2. **Report.** By January 15 each year, the commissioner must submit a report to
2.4 the chairs and ranking minority members of the legislative committees and divisions with
2.5 jurisdiction over environment and natural resources that includes an update on water levels
2.6 of legacy mine pits and, for the previous fiscal year, details on any expenditures from the
2.7 legacy mine water management account and any other actions or expenditures taken to
2.8 address legacy mines.

2.9 Subd. 3. **Water management responsibility.** The commissioner is responsible for
2.10 managing water at legacy mines, including monitoring and controlling water levels and
2.11 operating and maintaining water control structures.

2.12 **Sec. 3. LEGACY MINE MITIGATION PRIORITIZATION REPORT.**

2.13 (a) The commissioner of natural resources must assess legacy mines, including mine
2.14 pits, water reservoirs, auxiliary mine lands, and environmentally degraded areas, to determine
2.15 what mitigation measures are needed based on:

2.16 (1) the threat to public safety and welfare posed by potential damage;

2.17 (2) the possible displacement of people or businesses due to flooding or environmental
2.18 conditions;

2.19 (3) the economic, social, and environmental benefits of proposed mitigation measures;
2.20 and

2.21 (4) other factors determined by the commissioner.

2.22 (b) The commissioner must develop a report that includes an inventory of the mitigation
2.23 measures identified in paragraph (a), a prioritized list of the measures, and funding
2.24 recommendations and submit the report to the chairs and ranking minority members of the
2.25 legislative committees and divisions with jurisdiction over environment and natural resources
2.26 by June 30, 2023. The report must include an inventory of all legacy mine pits, including
2.27 a prioritization, based on the threat to public safety and welfare, of the mine pits at Canisteo
2.28 Mine, Hill-Annex Mine, and St. James Mine.

2.29 **Sec. 4. LEGACY MINE WATER MANAGEMENT ACCOUNT; TRANSFERS.**

2.30 \$30,000,000 in fiscal year 2023 is transferred from the general fund to the legacy mine
2.31 water management account. This is a onetime transfer.