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State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. **833**

02/12/2015 Authored by Fabian, Dill, Torkelson and Newberger

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy and Finance

1.1 A bill for an act  
1.2 relating to waters; requiring adoption of rules for regulating discharge of dredged  
1.3 and fill material into state waters; amending Minnesota Statutes 2014, section  
1.4 103G.2375.

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

1.6 Section 1. Minnesota Statutes 2014, section 103G.2375, is amended to read:

1.7 **103G.2375 ASSUMPTION OF SECTION 404 OF FEDERAL CLEAN WATER**  
1.8 **ACT.**

1.9 Notwithstanding any other law to the contrary, the Board of Water and Soil  
1.10 Resources, in consultation with the commissioners of natural resources, agriculture, and  
1.11 the Pollution Control Agency, ~~may~~ shall adopt or amend rules establishing a program  
1.12 for regulating the discharge of dredged and fill material into the waters of the state as  
1.13 necessary to obtain approval from the United States Environmental Protection Agency to  
1.14 administer, in whole or part, the permitting and wetland banking programs under section  
1.15 404 of the federal Clean Water Act, United States Code, title 33, section 1344. The rules  
1.16 may not be more restrictive than the program under section 404 or state law.