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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. 4015

03/05/2026

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

1.1 A bill for an act

1.2 relating to soil and water conservation; exempting certain agricultural land from

1.3 wetland replacement plan requirements; amending Minnesota Statutes 2024, section

1.4 103G.2241, subdivision 1.

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

1.6 Section 1. Minnesota Statutes 2024, section 103G.2241, subdivision 1, is amended to

1.7 read:

1.8 Subdivision 1. **Agricultural activities.** A replacement plan for wetlands is not required

1.9 for:

1.10 (1) impacts to wetlands on agricultural land labeled prior-converted cropland and impacts

1.11 to wetlands resulting from drainage maintenance activities authorized by the United States

1.12 Department of Agriculture, Natural Resources Conservation Service, on areas labeled farmed

1.13 wetland, farmed-wetland pasture, and wetland. The prior-converted cropland, farmed

1.14 wetland, farmed-wetland pasture, or wetland must be labeled on a valid final certified

1.15 wetland determination issued by the Natural Resources Conservation Service in accordance

1.16 with Code of Federal Regulations, title 7, part 12, as amended. It is the responsibility of the

1.17 owner or operator of the land to provide a copy of the final certified wetland determination

1.18 to, and allow the Natural Resources Conservation Service to share related information with,

1.19 the local government unit and the board for purposes of verification;

1.20 (2) activities in a wetland conducted as part of normal farming practices. For purposes

1.21 of this clause, "normal farming practices" means farming, silvicultural, grazing, and ranching

1.22 activities such as plowing, seeding, cultivating, and harvesting for the production of feed,

1.23 food, and fiber products, but does not include activities that result in the draining of wetlands;

2.1 (3) soil and water conservation practices approved by the soil and water conservation
2.2 district, after review by the Technical Evaluation Panel;

2.3 (4) wetland impacts resulting from aquaculture activities, including pond excavation
2.4 and construction and maintenance of associated access roads and dikes, authorized under
2.5 and conducted in accordance with a permit issued by the United States Army Corps of
2.6 Engineers under section 404 of the federal Clean Water Act, United States Code, title 33,
2.7 section 1344, but not including construction or expansion of buildings;

2.8 (5) wetland impacts resulting from wild rice production activities, including necessary
2.9 diking and other activities, authorized under and conducted in accordance with a permit
2.10 issued by the United States Army Corps of Engineers under section 404 of the federal Clean
2.11 Water Act, United States Code, title 33, section 1344; ~~or~~

2.12 (6) agricultural activities on agricultural land that is subject to the swampbuster provisions
2.13 of the federal farm program restrictions consistent with a memorandum of understanding
2.14 and related agreements between the board and the United States Department of Agriculture,
2.15 Natural Resources Conservation Service; or

2.16 (7) impacts to agricultural land located wholly in Clay, Koochiching, Lake of the Woods,
2.17 Norman, Roseau, Stearns, or St. Louis County that:

2.18 (i) was planted with annually seeded crops before July 5, except for crops that are
2.19 normally planted after that date, in eight out of the ten most recent years before the impact;
2.20 or

2.21 (ii) was in a crop rotation seeding of pasture grass, cover crop, or legumes or was fallow
2.22 for a crop production purpose in eight out of the ten most recent years before the impact.