

This Document can be made available in alternative formats upon request

State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 431

01/23/2017 Authored by Nornes; Hansen; Fabian; Johnson, C.; Ecklund and others
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 natural resources; appropriating money for wetland replacement credits
1.3 for local government roads; authorizing the sale of general obligation bonds.

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

1.5 Section 1. LOCAL GOVERNMENT ROADS; WETLAND REPLACEMENT
1.6 PROGRAM; WETLAND CREDIT ACQUISITION; APPROPRIATION.

1.7 \$5,000,000 in fiscal year 2017 is appropriated from the general fund to the Board of
1.8 Water and Soil Resources to acquire wetland banking credits to replace those wetlands
1.9 drained or filled as a result of repairing, reconstructing, replacing, or rehabilitating existing
1.10 public roads as required by Minnesota Statutes, section 103G.222, subdivision 1, paragraph
1.11 (m). The board may vary the priority order of Minnesota Statutes, section 103G.222,
1.12 subdivision 3, paragraph (a), to implement an in-lieu fee agreement approved by the United
1.13 States Army Corps of Engineers under section 404 of the Clean Water Act. The purchase
1.14 price paid for acquiring wetland credits must be a fair market value as determined by the
1.15 board. The board may enter into agreements with the federal government, other state agencies,
1.16 political subdivisions, nonprofit organizations, fee title owners, or other qualified private
1.17 entities to acquire wetland replacement credits in accordance with Minnesota Rules, chapter
1.18 8420.

1.19 EFFECTIVE DATE. This section is effective the day following final enactment.

2.1 Sec. 2. **LOCAL GOVERNMENT ROADS; WETLAND REPLACEMENT**
2.2 **PROGRAM; BONDS.**

2.3 Subdivision 1. **Appropriation.** \$10,000,000 is appropriated from the bond proceeds
2.4 fund to the Board of Water and Soil Resources to acquire land or permanent easements and
2.5 to restore, create, enhance, and preserve wetlands to replace those wetlands drained or filled
2.6 as a result of repairing, reconstructing, replacing, or rehabilitating existing public roads as
2.7 required by Minnesota Statutes, section 103G.222, subdivision 1, paragraph (m). The board
2.8 may vary the priority order of Minnesota Statutes, section 103G.222, subdivision 3, paragraph
2.9 (a), to implement an in-lieu fee agreement approved by the United States Army Corps of
2.10 Engineers under section 404 of the Clean Water Act. The purchase price paid for acquiring
2.11 land or perpetual easements must be a fair market value as determined by the board. The
2.12 board may enter into agreements with the federal government, other state agencies, political
2.13 subdivisions, nonprofit organizations, fee title owners, or other qualified private entities to
2.14 acquire wetland replacement credits in accordance with Minnesota Rules, chapter 8420.

2.15 Subd. 2. **Bond sale.** To provide the money appropriated in this section from the bond
2.16 proceeds fund, the commissioner of management and budget shall sell and issue bonds of
2.17 the state in an amount up to \$10,000,000 in the manner, upon the terms, and with the effect
2.18 prescribed by Minnesota Statutes, sections 16A.631 to 16A.675, and by the Minnesota
2.19 Constitution, article XI, sections 4 to 7.