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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 434

01/23/2017 Authored by Fabian; Torkelson; Anderson, P.; Jurgens; 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; allowing certain temporary conditions for wetland
1.3 replacement for local government roads.

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

1.5 Section 1. WETLAND REPLACEMENT; LOCAL GOVERNMENT ROADS;
1.6 TEMPORARY CONDITIONS.

1.7 Until the Board of Water and Soil Resources establishes wetland bank credits in all
1.8 wetland bank service areas that are adequate to replace wetlands for existing public roads
1.9 under Minnesota Statutes, section 103G.222, subdivision 1, paragraph (m):

1.10 (1) to the extent necessary to meet its obligations to replace wetlands drained or filled
1.11 by public transportation projects on existing roads under Minnesota Statutes, section
1.12 103G.222, subdivision 1, paragraph (m), the board must use wetland replacement credits
1.13 from one wetland service bank area for a public transportation project occurring in another
1.14 wetland bank service area to the extent permitted under state or federal law; and

1.15 (2) draining or filling up to 10,000 square feet of wetlands to repair, rehabilitate, or
1.16 replace a previously authorized, currently serviceable existing public road under and
1.17 conducted in accordance with an applicable general permit issued by the United States Army
1.18 Corps of Engineers under section 404 of the federal Clean Water Act, United States Code,
1.19 title 33, section 1344, is exempt from wetland replacement requirements under Minnesota
1.20 Statutes, section 103G.222.