

**CHAPTER 7--H.F.No. 434**

*An act relating to local government; allowing certain temporary conditions for wetland replacement for local government roads; appropriating money for wetland replacement credits for local government roads; appropriating money to the city of Madelia and to Watonwan County for fire remediation grants.*

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

**Section 1. WETLAND REPLACEMENT; LOCAL GOVERNMENT ROADS; TEMPORARY CONDITIONS.**

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

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

(2) draining or filling wetlands in accordance with Minnesota Statutes, section 103G.222, subdivision 1, paragraph (m), is exempt from replacement when authorized by a general permit issued by the United States Army Corps of Engineers under section 404 of the federal Clean Water Act, United States Code, title 33, section 1344, and compensatory mitigation under section 404 of the federal Clean Water Act is not required.

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

**Sec. 2. LOCAL GOVERNMENT ROADS; WETLAND REPLACEMENT PROGRAM; WETLAND CREDIT ACQUISITION; APPROPRIATION.**

\$5,000,000 in fiscal year 2017 is appropriated from the general fund to the Board of Water and Soil Resources to acquire wetland banking credits to replace those wetlands drained or filled as a result of repairing, reconstructing, replacing, or rehabilitating existing public roads as required by Minnesota Statutes, section 103G.222, subdivision 1, paragraph (m). The board may vary the priority order of Minnesota Statutes, section 103G.222, subdivision 3, paragraph (a), to implement an in-lieu fee agreement approved by the United States Army Corps of Engineers under section 404 of the Clean Water Act. The purchase price paid for acquiring wetland credits must be determined by the board. The board may enter into agreements with the federal government, other state agencies, political subdivisions, nonprofit organizations, fee title owners, or other qualified private entities to acquire wetland replacement credits in accordance with Minnesota Rules, chapter 8420. This is a onetime appropriation and is available until June 30, 2019.

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

**Sec. 3. APPROPRIATION; FIRE REMEDIATION GRANTS.**

\$1,696,000 is appropriated in fiscal year 2017 from the general fund to the commissioner of public safety for grants to remediate the effects of fires in the city of Madelia on February 3, 2016. The commissioner must allocate the appropriation as follows:

(1) \$1,400,000 to the city of Madelia; and

(2) \$296,000 to Watonwan County.

A grant recipient must use money appropriated under this section for remediation costs, including disaster recovery, infrastructure, reimbursement for emergency personnel costs, reimbursement for equipment costs, and reimbursements for property tax abatements, incurred by public or private entities as a result of the fires. This is a onetime appropriation and is available until June 30, 2018.

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

Presented to the governor March 7, 2017

Signed by the governor March 10, 2017, 10:04 a.m.