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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 233

01/11/2023

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

1.1 A bill for an act
1.2 relating to natural resources; establishing alternative wetland mitigation options
1.3 in greater than 80 percent areas; authorizing rulemaking; amending Minnesota
1.4 Statutes 2022, section 103G.222, by adding a subdivision.

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

1.6 Section 1. Minnesota Statutes 2022, section 103G.222, is amended by adding a subdivision
1.7 to read:

1.8 Subd. 4. Alternative wetland mitigation; greater than 80 percent areas. (a) For
1.9 wetland replacement in greater than 80 percent areas, the minimum wetland replacement
1.10 ratio may be reduced to ... for replacement outside the service bank area or major watershed
1.11 if the public value of the wetlands is replaced with alternative wetland mitigation strategies
1.12 completed within the service bank area or major watershed that create at least ... of the
1.13 public value of the wetlands impacted. For the purposes of this subdivision, alternative
1.14 wetland mitigation includes:

- 1.15 (1) restoration or protection of riparian corridors or streams;
1.16 (2) hydrologic stabilization of altered waterways;
1.17 (3) peatland hydrology restoration; and
1.18 (4) completion of a water quality or other environmental improvement project contained
1.19 in a comprehensive plan, local water management plan, or watershed management plan
1.20 approved and adopted according to chapter 103B, 103C, or 103D, or a comprehensive
1.21 watershed management plan as defined under section 103B.3363, subdivision 3a.

- 2.1 (b) The board, in consultation with the commissioner of agriculture and local government
- 2.2 units, must adopt rules to implement this subdivision, including establishing methods for
- 2.3 determining the public value of alternative wetland mitigation.