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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 1481

03/05/2015 Authored by Wagenius, Hansen, Clark, Fischer and Ward

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; establishing no net loss of prairie provisions;
1.3 proposing coding for new law in Minnesota Statutes, chapter 84.

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

1.5 Section 1. [84.9697] NO NET LOSS OF NATIVE PRAIRIE; PUBLIC ENTITIES.

1.6 Subdivision 1. No net loss. No state or local government unit may destroy a
1.7 native prairie unless replaced by creating prairie of at least equal public value under a
1.8 replacement plan approved by the commissioner of natural resources under this section.

1.9 Subd. 2. Native prairie replacement plans. (a) The commissioner shall approve
1.10 native prairie replacement plans according to this section.

1.11 (b) Replacement must be guided by the following principles in descending order
1.12 of priority:

1.13 (1) avoiding the direct or indirect impact of the activity that may destroy or diminish
1.14 native prairie;

1.15 (2) minimizing the impact by limiting the degree or magnitude of the activity and
1.16 its impact on native prairie; and

1.17 (3) compensating for the impact by replacing the prairie as provided under this
1.18 section.

1.19 (c) Prairie replacement under this section must create prairie meeting the
1.20 requirements of subdivision 3 in the ratio of one acre of replacement prairie for each
1.21 acre of destroyed native prairie.

1.22 Subd. 3. Prairie replacement requirements. (a) Prairie used to replace destroyed
1.23 native prairie under this section must be created using biologically diverse native prairie
1.24 plant species of a local ecotype originating in the same county as the replacement prairie

2.1 site or within 25 miles of the county's border. Priority must be given to prairie replacement
2.2 next to existing native prairie.

2.3 (b) Prairie replacement under this section must be overseen by an individual who
2.4 has a certificate in ecological restoration from the University of Minnesota.

2.5 Subd. 4. **Native prairie location.** The commissioner shall make existing maps
2.6 available for determining the presence and location of native prairie for purposes of this
2.7 section. A state or local unit of government may consult with the commissioner when the
2.8 presence or quantity of native prairie at a location cannot be determined.