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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 3311

02/10/2022 Authored by Ecklund, Sundin, Igo, Lueck and Lislegard  
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 environment; appropriating money for state to assume 404 permitting  
1.3 under Clean Water Act; requiring a report.

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

1.5 Section 1. STATE-ASSUMED 404 PERMITTING; APPROPRIATION.

1.6 \$740,000 in fiscal year 2023 is appropriated from the general fund to the Board of Water  
1.7 and Soil Resources to develop and assemble the material required under Code of Federal  
1.8 Regulations, title 40, section 233.10, for the state to assume the section 404 permitting  
1.9 program of the federal Clean Water Act. The board must prepare the materials in cooperation  
1.10 with the commissioners of natural resources and the Pollution Control Agency and may  
1.11 execute contracts or interagency agreements to facilitate developing the required materials.  
1.12 By December 31, 2024, the board must submit a report that includes a detailed summary  
1.13 of the necessary programmatic changes, drafts of pertinent application materials, the required  
1.14 statute changes, final cost estimates, the remaining steps necessary for the state to secure  
1.15 assumption, and recommendations for implementing a state-assumed program to the chairs  
1.16 and ranking minority members of the legislative committees and divisions with jurisdiction  
1.17 over the environment and natural resources. This is a onetime appropriation; is available  
1.18 until June 30, 2025; and may be used to match federal funding for a similar purpose. The  
1.19 board and the commissioner of natural resources, in consultation with the commissioner of  
1.20 the Pollution Control Agency, must make application for assumption to the United States  
1.21 Environmental Protection Agency by June 30, 2025.