Senator ..... moves to amend S.F. No. 3677 as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2024, section 103G.2241, subdivision 1, is amended to read:

Subdivision 1. **Agricultural activities.** A replacement plan for wetlands is not required for:

(1) impacts to wetlands on agricultural land ~~labeled prior-converted cropland and impacts to wetlands~~ resulting from drainage maintenance activities that do not exceed the scope and effect of drainage manipulations that occurred before December 23, 1985, and are authorized by the United States Department of Agriculture, Natural Resources Conservation Service, on areas labeled ~~farmed wetland, farmed-wetland pasture, and wetland. The~~ prior-converted cropland, farmed wetland, farmed-wetland pasture, or wetland ~~must be labeled~~ on a valid final certified wetland determination issued by the Natural Resources Conservation Service ~~in accordance with Code of Federal Regulations, title 7, part 12, as amended~~. It is the responsibility of the owner or operator of the land to provide a copy of the final certified wetland determination to, and allow the Natural Resources Conservation Service to share related information with, the local government unit and the board for purposes of verification;

(2) impacts to wetlands on agricultural land resulting from drainage maintenance activities that do not exceed the scope and effect of drainage manipulations that occurred before December 23, 1985, as determined by the local government unit;

(3) impacts to wetlands on agricultural land in a greater than 80 percent area that:

(i) was planted with annually seeded crops before July 1, except for crops that are normally planted after that date, in eight out of the ten most recent years before the impact;

(ii) was in a crop rotation seeding of pasture grass, cover crop, or legumes or was fallow for a crop production purpose in eight out of the ten most recent years before the impact; or

(iii) was enrolled in a state or federal land conservation program and met the requirements of clause (1) or (2) before enrollment;

(4) activities in a wetland conducted as part of normal farming practices. For purposes of this clause, "normal farming practices" means farming, silvicultural, grazing, and ranching activities such as plowing, seeding, cultivating, and harvesting for the production of feed, food, and fiber products, but does not include activities that result in the draining of wetlands;

~~(3)~~ (5) soil and water conservation practices approved by the soil and water conservation district, after review by the Technical Evaluation Panel;

~~(4)~~ (6) wetland impacts resulting from aquaculture activities, including pond excavation and construction and maintenance of associated access roads and dikes, authorized under and conducted in accordance with a 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, but not including construction or expansion of buildings;

~~(5)~~ (7) wetland impacts resulting from wild rice production activities, including necessary diking and other activities, authorized under and conducted in accordance with a 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; or

~~(6)~~ (8) agricultural activities on agricultural land that is subject to the swampbuster provisions of the federal farm program restrictions consistent with a memorandum of understanding and related agreements between the board and the United States Department of Agriculture, Natural Resources Conservation Service.

Sec. 2. Minnesota Statutes 2024, section 103G.2241, subdivision 2, is amended to read:

Subd. 2. **Drainage.** (a) A replacement plan is not required for draining or filling of wetlands, except for draining wetlands that have been in existence for more than 25 years, resulting from maintenance and repair of existing drainage systems, including public drainage systems.

(b) A public drainage authority may, as part of the repair of a public drainage system, as defined in section 103E.005, subdivision 12, install control structures, realign the ditch, construct dikes along the ditch, or make other modifications as necessary to prevent the drainage of wetlands.

(c) For projects completed under this subdivision, spoil may be placed and stabilized in a manner that minimizes wetland impacts without jeopardizing the stability of the ditch or contributing to the degradation of downstream water quality."

Amend the title accordingly