moves to amend H.F. No. 846, the conference committee report (CCRHF0846), as follows:

Page 131, after line 28, insert:

"Sec. 70. Minnesota Statutes 2014, section 103B.101, is amended by adding a subdivision to read:

Subd. 12a. Authority to issue penalty orders. (a) A county or watershed district with jurisdiction or the Board of Water and Soil Resources may issue an order requiring violations of the water resources riparian protection requirements under sections 103F.48, 103F.415, and 103F.421, to be corrected and administratively assessing monetary penalties up to $500 for noncompliance commencing on day one of the 11th month after the noncompliance notice was issued. One-half of the proceeds collected from an administrative penalty order issued under this section must be remitted to the county or watershed district with jurisdiction over the noncompliant site.

(b) Administrative penalties may be reissued and appealed under paragraph (a) according to section 103F.48, subdivision 9."

Page 135, delete sections 74 and 75 and insert:

"Sec. 75. Minnesota Statutes 2014, section 103F.421, subdivision 4, is amended to read:

Subd. 4. Application for cost-sharing funds. The landowner has 90 days after a mediated settlement is filed complaint is substantiated to apply for state cost-sharing funds that will provide 75 percent of the cost of the permanent conservation practices. Only 50 Fifty percent of the cost share will be provided if the application is not made within 90 days after the settlement is filed, unless the soil and water conservation district or the board provides an extension. An extension must be granted if funds are not available. The landowner must apply for 50 percent of the cost share within 270 days after the mediated settlement is filed;"
Sec. 76. Minnesota Statutes 2014, section 103F.421, is amended by adding a
subdivision to read:

Subd. 6. Application of state and federal law. Nothing in this section is intended
to preclude the application of other applicable state or federal law.

Sec. 77. [103F.48] RIPARIAN PROTECTION AND WATER QUALITY
PRACTICES.

Subdivision 1. Definitions. (a) For the purposes of this section, the following terms
have the meanings given them.

(b) "Board" means the Board of Water and Soil Resources.

(c) "Buffer" means an area consisting of perennial vegetation, excluding invasive
plants and noxious weeds, adjacent to all bodies of water within the state and that protects
the water resources of the state from runoff pollution; stabilizes soils, shores, and banks;
and protects or provides riparian corridors.

(d) "Buffer protection map" means buffer maps established and maintained by the
commissioner of natural resources.

(e) "Commissioner" means the commissioner of natural resources.

(f) "Executive director" means the executive director of the Board of Water and
Soil Resources.

(g) "Local water management authority" means a watershed district, metropolitan
water management organization, or county operating separately or jointly in its role as
local water management authority under chapter 103B or 103D.

(h) "Normal water level" means the level evidenced by the long-term presence of
surface water as indicated directly by hydrophytic plants or hydric soils or indirectly
determined via hydrological models or analysis.

(i) "Public waters" has the meaning given in section 103G.005, subdivision 15.

Subd. 2. Purpose. It is the policy of the state to establish riparian buffers and
water quality practices to:

1. protect state water resources from erosion and runoff pollution;
2. stabilize soils, shores, and banks; and
3. protect or provide riparian corridors.

Subd. 3. Water resources riparian protection requirements on public waters
and public drainage systems. (a) Except as provided in paragraph (b), landowners
owning property adjacent to a water body identified and mapped on a buffer protection
map must maintain a buffer to protect the state's water resources as follows:

1. for all public waters, the more restrictive of:
(i) a 50-foot average width, 30-foot minimum width, continuous buffer of
perennially rooted vegetation; or
(ii) the state shoreland standards and criteria adopted by the commissioner under
section 103F.211; and
(2) for public drainage systems established under chapter 103E, a 16.5-foot
minimum width continuous buffer of perennially rooted vegetation on ditches within the
benefited area of public drainage systems.
(b) A landowner owning property adjacent to a water body identified in a buffer
protection map and whose property is used for cultivation farming may meet the
requirements under paragraph (a) by adopting an alternative riparian water quality
practice, or combination of structural, vegetative, and management practices, based on the
Natural Resources Conservation Service Field Office Technical Guide or other practices
approved by the board, that provide water quality protection comparable to the buffer
protection for the water body that the property abuts.
(c) The width of a buffer must be measured from the top or crown of the bank. Where
there is no defined bank, measurement must be from the edge of the normal water level.
(d) Upon request by a landowner or authorized agent or operator of a landowner,
a technical professional employee or contractor of the soil and water conservation
district or its delegate may issue a validation of compliance with the requirements of
this subdivision. The soil and water conservation district validation may be appealed to
the board as described in subdivision 9.
(e) Buffers or alternative water quality practices required under paragraph (a) or
(b) must be in place on or before:
(1) November 1, 2017, for public waters; and
(2) November 1, 2018, for public drainage systems.
Subd. 4. Local water resources riparian protection. On or before July 1, 2017,
the soil and water conservation district shall develop, adopt, and submit to each local
water management authority within its boundary a summary of watercourses for inclusion
in the local water management authority's plan. A local water management authority that
receives a summary of watercourses identified under this subdivision must revise its
comprehensive local water management plan or comprehensive watersheds management
plan to incorporate the soil and water conservation district recommendations.
Subd. 5. Exemptions. Land adjacent to waters subject to subdivision 3 is exempt
from the water resource protection requirements under subdivision 3, to the extent these
exemptions are not inconsistent with the requirements of the state shoreland rules adopted
by the commissioner pursuant to section 103F.211, if it is:
(1) enrolled in the federal Conservation Reserve Program;
(2) used as a public or private water access or recreational use area including
stairways, landings, picnic areas, access paths, beach and watercraft access areas, and
permitted water-oriented structures as provided in the shoreland model standards and
criteria adopted pursuant to section 103F.211 or as provided for in an approved local
government shoreland ordinance;
(3) covered by a road, trail, building, or other structures; or
(4) regulated by a national pollutant discharge elimination system/state disposal
system (NPDES/SDS) permit under Minnesota Rules, chapter 7090, and provides water
resources riparian protection, in any of the following categories:
(i) municipal separate storm sewer system (MS4);
(ii) construction storm water (CSW); or
(iii) industrial storm water (ISW);
(5) part of a water-inundation cropping system; or
(6) in a temporary nonvegetated condition due to drainage tile installation and
maintenance, alfalfa or other perennial crop or plant seeding, or construction or
conservation projects authorized by a federal, state, or local government unit.

Subd. 6. Local implementation and assistance. (a) Soil and water conservation
districts must assist landowners with implementation of the water resource riparian
protection requirements established in this section. For the purposes of this subdivision,
assistance includes planning, technical assistance, implementation of approved alternative
practices, and tracking progress towards compliance with the requirements.
(b) The commissioner or the board must provide sufficient funding to soil and water
conservation districts to implement this section.

Subd. 7. Corrective actions. (a) If the soil and water conservation district
determines a landowner is not in compliance with this section, the district must notify the
county or watershed district with jurisdiction over the noncompliant site. The county or
watershed district must provide the landowner with a list of corrective actions needed to
come into compliance and a practical timeline to meet the requirements in this section.
The county or watershed district with jurisdiction must provide a copy of the corrective
action notice to the board.

(b) If the landowner does not comply with the list of actions and timeline provided,
the county or watershed district may enforce this section under the authority granted in
section 103B.101, subdivision 12a. Before exercising this authority, a county or watershed
district must adopt a plan containing procedures for the issuance of administrative penalty
orders and may issue orders beginning November 1, 2017. If a county or watershed
district with jurisdiction over the noncompliant site has not adopted a plan under this
paragraph, the board may enforce this section under the authority granted in section
103B.101, subdivision 12a.

(c) If the county, watershed district, or board determines that sufficient steps have
been taken to fully resolve noncompliance, all or part of the penalty may be forgiven.

(d) An order issued under paragraph (b) may be appealed to the board as provided
under subdivision 9.

(e) A corrective action is not required for conditions resulting from a flood or other
act of nature.

(f) A landowner agent or operator of a landowner may not remove or willfully degrade
a riparian buffer or water quality practice, wholly or partially, unless the agent or operator
has obtained a signed statement from the property owner stating that the permission for the
work has been granted by the unit of government authorized to approve the work in this
section or that a buffer or water quality practice is not required as validated by the soil and
water conservation district. Removal or willful degradation of a riparian buffer or water
quality practice, wholly or partially, by an agent or operator is a separate and independent
offense and may be subject to the corrective actions and penalties in this subdivision.

Subd. 8. Funding subject to withholding. The state may withhold funding from a
local water management authority or a soil and water conservation district that fails to
implement this section. Funding subject to withholding includes soil and water program
aid, a natural resources block grant, and other project or program funding. Funding may
be restored upon the board's approval of a corrective action plan.

Subd. 9. Appeals of validations and penalty orders. A landowner or agent or
operator may appeal the terms and conditions of a soil and water conservation district
validation or an administrative penalty order to the board within 30 days of receipt of
written or electronic notice of the validation or order. The request for appeal must be in
writing. The appealing party must provide a copy of the validation or order that is being
appealed, the basis for the appeal, and any supporting evidence. The request for appeal
may be submitted personally, by first class mail, or electronically to the executive director.

If a written or electronic request for appeal is not submitted within 30 days, the validation
or order is final. The executive director shall review the request and supporting evidence
and issue a decision within 60 days of receipt of an appeal. The executive director's
decision is appealable directly to the Court of Appeals pursuant to sections 14.63 to 14.69.

Subd. 10. Landowner financial assistance and public drainage system procedure.

(a) A landowner or drainage authority may contact the soil and water conservation district.
for information on how to apply for local, state, or federal cost-share grants, contracts, or
loans that are available to establish buffers or other water resource protection measures.
(b) The provisions of sections 103E.011, subdivision 5; 103E.021, subdivision 6;
and 103E.715 may be used in advance or retroactively to acquire or provide compensation
for all or part of the buffer strip establishment or alternative riparian water quality
practices as required under subdivision 3, paragraph (a), within the benefited area of a
public drainage system. Implementation of this subdivision is not subject to limitation of
project costs to the current benefits adopted for the drainage system.

Subd. 11. State lands. This section applies to the state and its departments and
agencies.

Page 183, after line 21, insert:

"Sec. 146. INITIAL IMPLEMENTATION; WAIVERS.

A soil and water conservation district must grant a conditional compliance waiver
under Minnesota Statutes, section 103F.48, to landowners who have applied for and
maintained eligibility for financial assistance within one year of the dates listed in
Minnesota Statutes, section 103F.48, subdivision 3, paragraph (e), according to Minnesota
Statutes, section 103F.48. A conditional compliance waiver also must be granted to
landowners who are subject to a drainage proceeding commenced under Minnesota
Statutes, sections 103E.011, subdivision 5; 103E.021, subdivision 6; and 103E.715. The
conditional compliance waiver is valid until financial assistance is available for buffer
installation, but not later than November 1, 2018."

Page 185, after line 22, insert:

"(d) Minnesota Statutes 2014, sections 103F.421, subdivision 5; 103F.451; and
114D.50, subdivision 4a, are repealed."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly