

FISCAL NOTE
Requested by Legislative Council
02/10/2017

Amendment to: SB 2245

- 1 A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

| | 2015-2017 Biennium | | 2017-2019 Biennium | | 2019-2021 Biennium | |
|-----------------------|--------------------|-------------|--------------------|-------------|--------------------|-------------|
| | General Fund | Other Funds | General Fund | Other Funds | General Fund | Other Funds |
| Revenues | \$0 | \$0 | | | | |
| Expenditures | \$0 | \$0 | | | | |
| Appropriations | \$0 | \$0 | | | | |

- 1 B. **County, city, school district and township fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

| | 2015-2017 Biennium | 2017-2019 Biennium | 2019-2021 Biennium |
|-------------------------|--------------------|--------------------|--------------------|
| Counties | \$0 | \$0 | \$0 |
| Cities | \$0 | \$0 | \$0 |
| School Districts | \$0 | \$0 | \$0 |
| Townships | \$0 | \$0 | \$0 |

- 2 A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

The bill requires the creation of a list of state lands and private lands remediated by a state reclamation fund that may qualify for wetland mitigation by July 1, 2018. The fiscal impact of the bill cannot be determined.

- B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

The Department of Trust Lands on behalf of the Board of University and School Lands, manages over 700,000 acres of surface, most of which were granted to the State to provide financial support for public schools. Most of those acres are located in the western part of the State. Outside of mineral development, trust land use is constitutionally limited to pasture and meadow purposes, thus much of this land is relatively undisturbed. Few tracts have previously drained wetlands that could be restored. It is unknown how many parcels have acreage suitable for creating or enhancing wetlands. Any wetland mitigation projects would need to be compatible with the purposes put forth in the State Constitution and would need to provide value or income to the trusts. The fiscal impact of the bill to the Board and the trust funds is unknown.

The Game and Fish Department Wildlife Management Areas consist of approximately 220,000 surface land acres. Approximately half of that acreage is State owned and half is leased by the Game and Fish Department. The fiscal impact of the bill to the Game and Fish program management is unknown.

There are an estimated 100 brine ponds on private lands in the north central portion of the state which require remediation of salt and any other contamination from the surrounding soil. The brine ponds are monitored by the Department of Mineral Resources. The fiscal impact of the bill to the DMR is unknown.

A list of school trust lands and the Game and Fish PLOTS Guide showing wildlife management areas is available on the Department of Trust Lands' web site: <https://land.nd.gov/surface/AerialPhotos.aspx>

For all Departments there would be costs associated with analyzing field data and conducting on-the-ground inspections to determine suitability of parcels once the eligibility criteria are established. The July 1, 2018 deadline would present challenges related to staff availability.

All school trust lands are inspected at least once every 5 years. Wetland mitigation reviews and the compilation of a

list of suitable tracts in accord with those inspections could reduce costs and the inefficiencies of completing separate inspections.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

- A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*
- B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*
- C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.*

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