

Wetlands 101

NMCWD

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What's a wetland?

- *wet dirt*
- *wet plants*
- *wetness*

Policy – why protect wetlands?

- *water quality*
- *wildlife habitat*
- *flood protection* - *NY Times*
- *recreation*
- *commercial opportunities*



Minnesota Policy

No Net Loss in
the quantity, quality and
biodiversity.

1991 Wetland Conservation Act

The legislature finds that it is in the public interest to preserve the wetlands of the state to conserve surface waters, maintain and improve water quality, preserve wildlife habitat, reduce runoff, provide for floodwater retention, reduce stream sedimentation, contribute to improved subsurface moisture, enhance the natural beauty of the landscape, and promote comprehensive and total water management planning.

Minn. Stat. section 103A.202

Wetlands Regulation

- *Wetland Conservation Act*
 - *Work in Public Waters*
- *Watershed regulation*
 - *Wetland Conservation Act*
 - *Watershed regulation*

WCA

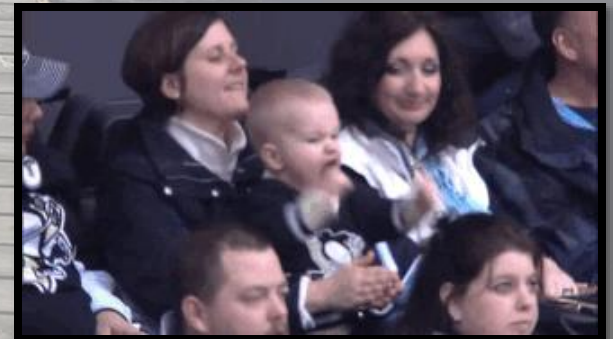
- *WCA picks up where Public Waters program leaves off*
- *(Legal) resource overlap*
- *WCA -- state law implemented by:*

(L)ocal

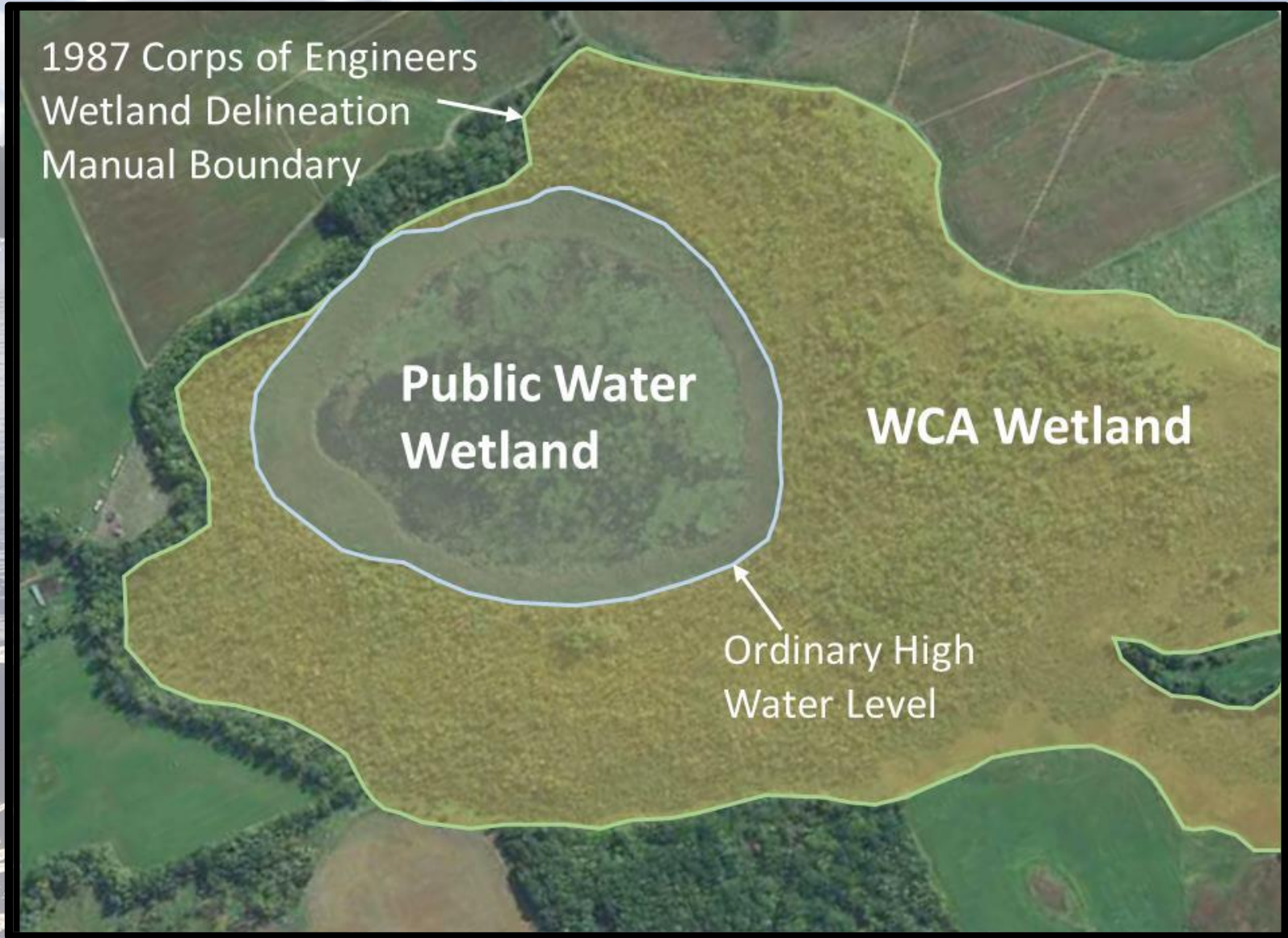
(G)overnment

(U)nit

such as NMCWD



Public Waters/WCA



Wetland Conservation Act

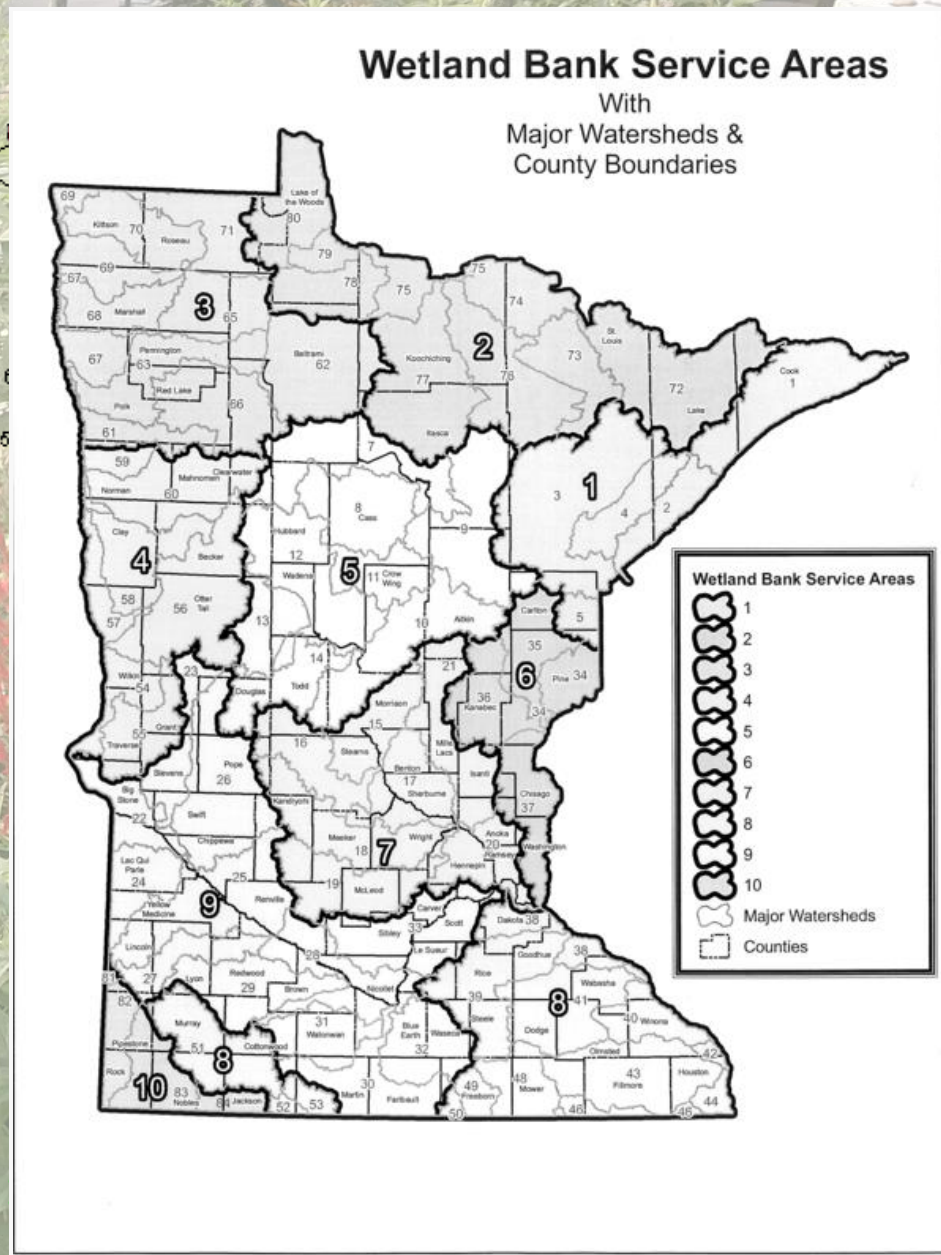
- Not a permit – approval of:
 - Boundary/Type

- Sequencing
- No-loss
- Exemption
- Replacement plan
 - Project-specific
 - Bank credits
- Bank
- Nondecisions

Wetland Conservation Act

- Application – *to LGU*
- Technical Evaluation Panel
 - LGU (Randy or Karen Wold) - *coordinator*
 - Soil & Water Conservation District
(*Hennepin County*)
 - BWSR
and maybe
 - DNR
 - Others ... *sometimes*
- Findings & recommendation
- 60-/120-day timeline applies

Major watershed basins & WCA Bank Service Areas



Wetland Conservation Act

- Delegation
- Deed restrictions
- Buffer – only on replacement wetlands *under WCA*
- Monitoring
- Special – transportation projects
 - MnDOT
 - Locals

A photograph of a wetland area with various green plants and several tall, thin stalks of red flowers. The background shows a stone wall and some trees.

Wetland Conservation Act

- Enforcement – with DNR
- Appeal
- Comprehensive Wetland
Management Plans

Beyond WCA

- Can be stricter than WCA
- Supplemental rules:
 - Wetland buffers
 - Stormwater treatment

Violation



Violation



Resources

www.bwsr.state.mn.us/wetlands

www.dnr.state.mn.us/wetlands/index.html

www.mvp.usace.army.mil/regulatory

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