



# Wetland Replacement Ratios

## Understanding the Wetland Conservation Act

January 2015

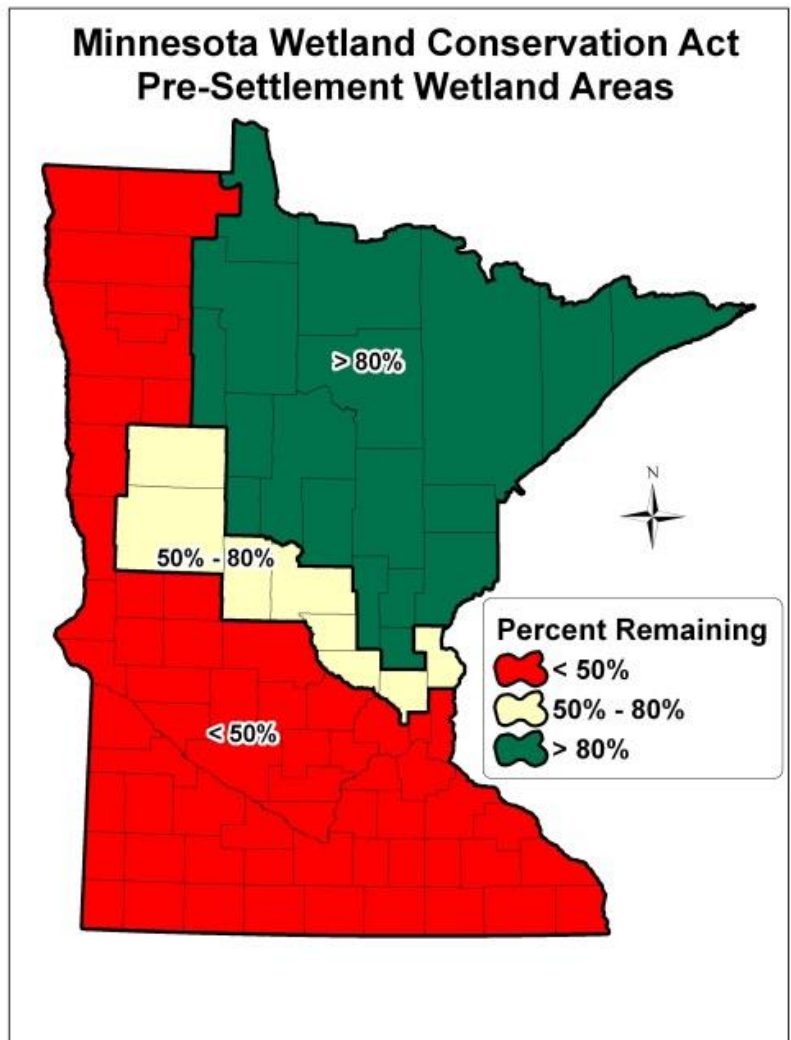
### What does the Wetland Conservation Act require?

In most cases, the Wetland Conservation Act (WCA) requires that impacts to existing wetlands be mitigated by replacing the acreage and important wetland functions lost. In other words, a wetland may not be drained, filled, or in some cases excavated unless it is replaced with other wetland areas of at least equal public value.

### How do you determine how much replacement is required?

State Law (Minn. Stat. §103G.222) establishes two base replacement ratios, depending on land use and the location of the wetland impact. "Credits" are allocated to projects that restore and protect wetlands based on the acreage and improvements that result. Those credits can then be used to replace lost wetlands based on the applicable ratio.

- If the wetland is on agricultural land, or located in the wetland rich northeast where >80% of pre-settlement wetlands remain, wetlands are replaced on at least a 1-1 ratio. This means that there must be one acre of replacement wetland credit for each acre of impacted wetland.
- If the wetland is not on agricultural land, located in areas of the state with less than 80% of their pre-settlement wetlands, wetlands are replaced on at least a 2-1 ratio. This means that there must be two acres of replacement wetland credit for each acre of impacted wetland.

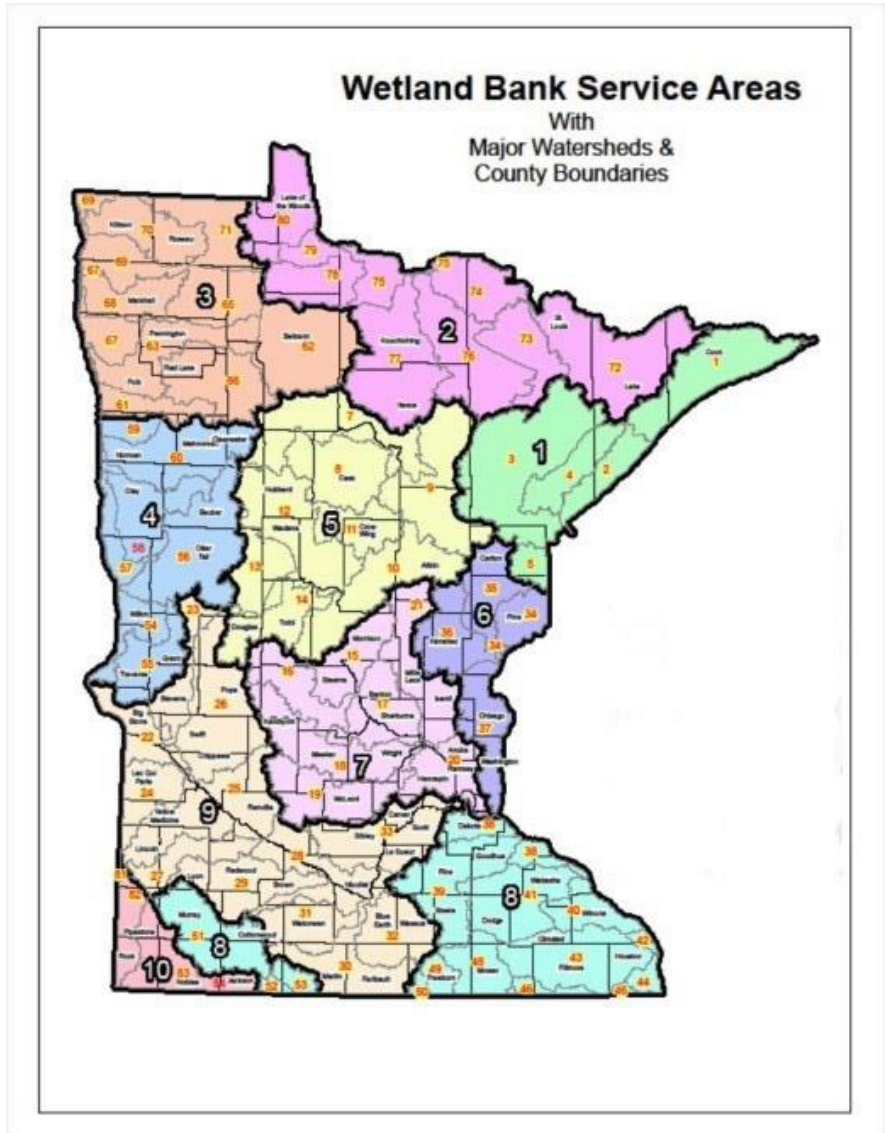


Replacement ratios are generally lower in the wetland rich northeast, pictured above in green.

## Is that always the case?

There are certain circumstances where WCA Rules (MN Rule Chapter 8420.0522) require increased ratios to make sure that the public value of lost wetlands is adequately replaced. In these circumstances, additional replacement is added to the base requirements detailed on the previous page. These include:

- **Different Service Area.** Wetland credits can sometimes be used from a different wetland bank service area (0.5-1 ratio increase). Wetland service areas are organized on major drainage basins and are a way to manage wetlands on a watershed basis.
- **Out-of-Kind.** Project-specific circumstances, where the wetland replacement is a different type than the wetland impacted (referred to as out-of-kind) or in a different wetland bank service area (0.5-1 ratio increase).
- **Case Specific.** A local government unit may determine that a higher ratio is necessary to replace the public value of the wetland (this ratio depends on the circumstances of the case and the wetland impacts).



*Wetland Bank Service Areas are based on major drainage basins and can affect wetland replacement ratios.*

Replacement ratios generally vary from 1:1 to 2.5:1, depending primarily on the area of the state, the service area, and the type of land (agricultural vs. non-agricultural). The "out-of-kind" and case-specific ratio increases are less common. For more details, see Minnesota Rules Chapter 8420 or the Board of Water and Soil Resources website at <http://www.bwsr.state.mn.us/>.