

Minnesota Wetland Conservation Act Notice of Decision

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|---|----------------------------------|
| Local Government Unit: | County: |
| Applicant Name: | Applicant Representative: |
| Project Name: | LGU Project No. (if any): |
| Date Complete Application Received by LGU: | |
| Date of LGU Decision: | |
| Date this Notice was Sent: | |

WCA Decision Type - check all that apply

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|---|--|--|--|
| <input type="checkbox"/> Wetland Boundary/Type | <input type="checkbox"/> Sequencing | <input type="checkbox"/> Replacement Plan | <input type="checkbox"/> Bank Plan (not credit purchase) |
| <input type="checkbox"/> No-Loss (8420.0415) | <input type="checkbox"/> Exemption (8420.0420) | | |
| Part: <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E <input type="checkbox"/> F <input type="checkbox"/> G <input type="checkbox"/> H | | Subpart: <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> 7 <input type="checkbox"/> 8 <input type="checkbox"/> 9 | |

Replacement Plan Impacts (replacement plan decisions only)

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| Total WCA Wetland Impact Area: |
| Wetland Replacement Type: <input type="checkbox"/> Project Specific Credits: <input type="checkbox"/> Bank Credits: |
| Bank Account Number(s): |

Technical Evaluation Panel Findings and Recommendations (attach if any)

Approve Approve w/Conditions Deny No TEP Recommendation

LGU Decision

Approved with Conditions (specify below)¹ Approved¹ Denied

List Conditions:

Decision-Maker for this Application: Staff Governing Board/Council Other:

Decision is valid for: 5 years (default) Other (specify):

¹ *Wetland Replacement Plan approval is not valid until BWSR confirms the withdrawal of any required wetland bank credits. For project-specific replacement a financial assurance per MN Rule 8420.0522, Subp. 9 and evidence that all required forms have been recorded on the title of the property on which the replacement wetland is located must be provided to the LGU for the approval to be valid.*

LGU Findings - Attach document(s) and/or insert narrative providing the basis for the LGU decision¹.

Attachment(s) (specify):
 Summary:

¹ Findings must consider any TEP recommendations.

Attached Project Documents

Site Location Map Project Plan(s)/Descriptions/Reports (specify):

Commented [A1]: This form is only for WCA decision types listed below and should not be used for WCA determinations (see WCA Determination Notification Form).

Commented [A2]: For locational information only and irrespective of LGU.

Commented [A3]: Include applicant representatives and their affiliation if any. For example, "John Doe, ABC Consultants".

Commented [A4]: It is not critical that the NOA and NOD decision types match if the review process results in changes. Check all that apply. For example, if an unapproved delineation was approved as part of the replacement plan, check both.

Commented [A5]: Any TEP recommendations must be considered by the LGU in their decision. Findings related to decision/project should also be attached and considered by the LGU even if a specific recommendation was not provided.

Commented [A6]: LGU may set this time period based on the specific circumstances of the project. Deviation from the standard 5 years should be addressed and justified in the LGU's findings.

Commented [A7]: If the decision is based on TEP findings, then those should be attached along with a statement that the LGU concurs with them. Otherwise the LGU should summarize their findings as it relates to the decision. The findings can range from the simple for small, straightforward projects, to the complex for large, complicated and controversial projects. Minutes from a board or council meeting are *not* findings. Decisions made by governing bodies will likely require staff to prepare findings. The LGU can either attach a findings document or provide a summary in the space provided.

Appeals of LGU Decisions

If you wish to appeal this decision, you must provide a written request within 30 calendar days of the date you received the notice. All appeals must be submitted to the Board of Water and Soil Resources Executive Director along with a check payable to BWSR for \$500 *unless* the LGU has adopted a local appeal process as identified below. The check must be sent by mail and the written request to appeal can be submitted by mail or e-mail. The appeal should include a copy of this notice, name and contact information of appellant(s) and their representatives (if applicable), a statement clarifying the intent to appeal and supporting information as to why the decision is in error. Send to:

Appeals & Regulatory Compliance Coordinator
Minnesota Board of Water & Soils Resources
520 Lafayette Road North
St. Paul, MN 55155
travis.germundson@state.mn.us

Does the LGU have a local appeal process applicable to this decision?

Yes¹ No

¹If yes, all appeals must first be considered via the local appeals process.

Local Appeals Submittal Requirements (LGU must describe how to appeal, submittal requirements, fees, etc. as applicable)

Commented [A8]: This means a formal process adopted by the LGU's governing board, council, etc. This also includes an LGU that has through resolution authorized staff to make decisions and have any appeals to staff decisions heard by the governing board.

Notice Distribution (include name)

Required on all notices:

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| <input type="checkbox"/> SWCD TEP Member: | <input type="checkbox"/> BWSR TEP Member: |
| <input type="checkbox"/> LGU TEP Member (if different than LGU contact): | |
| <input type="checkbox"/> DNR Representative: | |
| <input type="checkbox"/> Watershed District or Watershed Mgmt. Org.: | |
| <input type="checkbox"/> Applicant: | <input type="checkbox"/> Agent/Consultant: |

Optional or As Applicable:

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| <input type="checkbox"/> Corps of Engineers: |
| <input type="checkbox"/> BWSR Wetland Mitigation Coordinator (required for bank plan applications only): |
| <input type="checkbox"/> Members of the Public (notice only): <input type="checkbox"/> Other: |

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|-------------------|--------------|
| Signature: | Date: |
|-------------------|--------------|

This notice and accompanying application materials may be sent electronically or by mail. The LGU may opt to send a summary of the application to members of the public upon request per 8420.0255, Subp. 3.