

Wetland banking marks progress, growth



BWSR, U.S. Army Corps of Engineers’ request for input results in streamlined process



Establishing a wetland bank site today requires considerably more study, planning and paperwork — but the result is healthier, higher quality wetland replacements compared with 30 years ago. Now, feedback solicited by the Minnesota Board of Water and Soil Resources (BWSR) and the U.S. Army Corps of Engineers is helping to streamline and clarify the application process.

The Wetland Conservation Act (WCA) established Minnesota’s wetland banking program in 1991. Implementation rules came about in 1993. The WCA at first required only a one-page application and sparse documentation.

At that time, wetland banks were a novel wetland replacement option. Wetland bank credits could be used only when on-site replacement was impossible.

Wetland bank account holders sell “credits” to others proposing to impact a wetland. Credit sales are a private transaction between buyer and seller. BWSR collects transaction fees to administer the wetland bank program.

Early wetland banks were often small sites planned and built by landowners. At that time, any vegetation was acceptable. Performance standards did not exist. Plan approval included a one-page form. Online resources were essentially unavailable, so most plans consisted of minimal information, hand-written documents, illegible photocopies showing figures, and hand-drawn maps. Artificially deep ponds dominated by non-native reed canary grass were the norm.

Today, most wetland bank projects involve qualified wetland consultants, engineers, land surveyors, native

From top left: A Carver County wetland bank site depicts the landscape before and after restoration. **From bottom left:** In Stearns County, a wetland bank site features both a wet meadow restoration and a sedge meadow restoration.

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vegetation contractors and other professionals who complete and implement a mitigation plan.

Now a multi-phased review, the plan approval process requires detailed documentation of baseline conditions, effects on neighboring properties, actions eligible to generate wetland replacement credit, and vegetation establishment. Native plant communities must be established, along with detailed engineering plans, prescriptive performance standards linked to credit releases, detailed monitoring plans, long-term management plans and a perpetual conservation easement held by BWSR.

Experience and research have proved that stronger wetland bank plans and better vegetation management result in higher quality, more sustainable replacement sites. But the process is lengthy.

BWSR and the Corps asked for feedback on the current wetland bank review process, and for ideas about improving consistency and efficiency. They hosted several wetland bank listening sessions across the state in January 2019. About 20 people attended. Those

who could not were asked for written comments.

BWSR and Corps staff compiled and categorized the feedback and made recommendations for short- and long-term actions. Many of the short-term actions have been implemented already. Progress on long-term priorities continues.

A new [cultivated field credit \(CFC\)](#) action for agricultural sites is one example of a high-priority, short-term action already in place.

Previously, programmatic differences between state and federal regulations resulted in complicated credit calculations. The two programs would often allocate different credit amounts for the same area. Wetland boundaries and 20 years of crop history needed to be assessed. Many hours were spent compiling and debating the information.

For eligible sites, the CFC method has eliminated this complexity. Credit allocation is now the same for both programs.

Other high-priority, short-term actions brought about include:

- a BWSR- and Corps-hosted series of wetland bank training sessions in

April 2019;

- updated and improved BWSR and Corps websites, guidance documents and fact sheets;

- credit tables with consistent formatting and calculations, which BWSR provides to all parties;

- credit tracking and release tables that simplify the credit deposit and approval process, which BWSR provides to the Technical Evaluation Panel and sponsor.

Communication with the wetland bank community continues. The biannual [wetland banking newsletter](#) was reinstated so agencies can keep others informed of changes, updates and banking data. Wetland consultants also provided valuable input to improve an existing application form, which is expected to be posted soon to the BWSR and Corps websites.

Both agencies continue to work on long-term actions to improve the wetland bank review and approval process. Additional training and guidance documents are being planned, and WCA rulemaking is progressing with improvements that will remove unnecessary complications and

constraints to wetland banking.

Wetland banks are now the preferred replacement option because they consolidate many minor losses into a comprehensive project area. They have undergone a rigorous planning process, demonstrated success, and put long-term protections in place.

The old days of single-page forms and fast approval are unlikely to return. But the benefit of the current system is higher quality wetland replacement.

Both state and federal regulatory programs need a healthy wetland bank system to provide quality wetland replacement options. A healthy wetland bank system also benefits those who are regulated, because they can satisfy wetland replacement requirements without the burden of planning, building and monitoring their own replacement wetland.

Minnesota has been a national leader in wetland banking opportunities, policy and implementation. BWSR continues to look — and listen — for opportunities to improve.