

### Quiz 2) When describing a soil profile, which of the following steps should a 1) The Wetland Conservation Act is a: a) Federal Law passed in 1972. delineator do first? b) State Rule, passed as a bipartisan a) Texture all layers in profile statute in 1991, implemented by Local Government Units. b) Determine matrix and redoximorphic colors of all layers c) State Rule, passed in 1991, which is administered by the MNDNR. c) Apply hydric soil indicator d) Recommended set of best d) Determine all hydrology indicators management practices for activities in wetlands. present within the borehole

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d) Local Soil & Water Conservation Districts





<ul> <li>6) Which Federal regulatory program regulates the discharge of dredged or fill material:</li> <li>a) Food Security Act</li> <li>b) Rules of the Department of the Interior</li> <li>c) Section 401 of the Clean Water Act</li> <li>d) Section 404 of the Clean Water Act</li> </ul>	<ul> <li>7) The WCA regulates:</li> <li>a) Peat mining</li> <li>b) Normal farming practices</li> <li>c) Draining, filling of all wetland types</li> <li>d) Incidental wetlands</li> </ul>

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8) Which of the following is not a LGU's role in administering the WCA:

a) Make decisions on applications made under the WCA

- b) Completely fill out a joint application for the landowner
- c) Coordinate TEP meetings when needed

d) Provide knowledgeable and trained staff

9) The role of the Technical Evaluation Panel <u>does not</u> include:

- a) Operate objectively.
- b) Perform LGU duties such as noticing applications.
- c) Generate findings as requested by the LGU.

d) Make recommendations to the LGU based their findings.



### 11) What are the 3 general types of adaptations that plants have made to grow in anaerobic soil conditions:

12) In the table, place the following plant indicators from most likely to least likely to occur in a wetland.

Morphologic, reproductive, physiologic



13) A delineator walks into a wetland edge and			y dominant spe oint data below	ecies are there in /?
observes over 75% areal coverage of cattail	Sp	ecies	Strata	% Coverage
(OBL) with 2 other species (both FAC) that are	Species A		Shrub/sapling	5
less than 5% coverage each. What hydrophytic	Species B		Herbaceous	20
	Species C		Herbaceous	20
vegetation indicator test should they use?	Species D		Herbaceous	30
a) Rapid Test of Hydrophytic Vegetation	Species E		Herbaceous	15
	Species F		Herbaceous	30
b)Dominance Text is >50%	Species G		Tree	3
c) Prevalence Index is ≤ 3.0	a)	1		
d) Morphological Adaptations	b)	2		
	c)	3		
	d)	4		











		Basic WCA [	Decision Types
WCA Basic De	cision Types		
Boundary and	Approves wetland	- Branchard - Cont	
Туре	delineation		
	Approves activities		A Constant Providence
No-Loss	that do not result in	the state	
	permanent impacts		
	Approves impacts		and for the second second
Exemption	exempt from		
	replacement		4



# What is regulated by WCA?

What is considered Impact?

A loss in quantity, quality, or biological diversity of a wetland *caused* by <u>draining</u> or <u>filling</u> in all types or by <u>excavation</u> in semipermanently and permanently flooded areas.

















### Boundary/Type Applications: Where wetland regulation meets science

Boundaries must be delineated using USACE     1987 Manual and Supplements (8420.0405 subp 1)	
<ul> <li>Wetland Types must be identified using HGM (WCA) and Eggers and Reed (Corps)</li> </ul>	All Brown
Requires NOA and NOD.	

• Technical Decision- one member of TEP must make a site visit



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### No-loss and Exemption conditions

• Every activity in wetland, regardless of whether an application is submitted must:

- Implement erosion control measures to prevent sedimentation of wetlands
- Not block fish activity
- Comply with all other applicable local, State, Federal requirements, including best management practices



# No Loss Activity Basics

Defined:

No permanent loss of, or impact to, wetlands from an activity.



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"No-loss" means no permanent loss of, or impact to, wetlands from an	No-Loss Criteria activity according to the criteria in this part.
• Will not impact a wetland (8420.0415 Subp A.)	
• Excavation limited to removal of sediment or debris Trees, logs, beaver dams, trash, blockage of culverts (8420.0415 Subp B.)	
• Water level management (8420.0415 Subp C.)	
<ul> <li>Excavation limited to removal of sediment in wetlands utilized as storm water basins. (8420.0415 Subp E.)</li> </ul>	
• Operation, Maintenance or Emergency Repair. (culverts) (8420.0415 Subp F.)	
• <u>Temporary</u> impact if: Returned to previous conditions. Activity completed within 6 months (8420.0415 Subp H.)	

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### No-Loss

 Temporarily crossing or entering a wetland to perform silvicultural activities, including timber harvest as part of a forest management activity, so long as the activity limits the impact on the hydrologic and biologic characteristics of the wetland; the activity does not result in the construction of dikes, drainage ditches, tile lines, or buildings; and the timber harvesting and other silvicultural practices do not result in the drainage of the wetland or public waters (8420.0415 Subp G)

 Activity conducted as part of an approved replacement or banking plan, conducted or authorized by public agencies for the purpose of wetland restoration or fish and wildlife habitat restoration (8420.0415 Subp D)



# General Exemption Requirements for ALL

- Only has to fit one; not disqualified if not exempt by another
- If impacts exceed max allowed = nothing is exempt
- Max may not apply to all situations or wetlands-**very specific**
- May not be combined on a project
- Must stabilized to prevent sedimentation/erosion.

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### **NEW** Agricultural Exemption Statute

Replacement plan for wetlands is not required for:

- impacts to wetlands on <u>agricultural land labeled prior-converted (PCPED) is and</u>
   impacts to wetlands resulting from drainess and it.
- impacts to wetlands resulting from <u>drainage maintenance activities authorized by the 2</u>
   <u>Natural Resources Conservation Service</u>, on areas labeled <u>farmed wetlang</u>, wetland pasture, and wetland.

The prior-converted cropland, farmed wetland, farmed-wetland pasture, or wetland <u>must</u> <u>be labeled on a valid final certified wetland determination</u> issued by the Natural Resources Conservation Service. <u>Landowner is responsible to provide a copy</u> of the final cert**Reputers** to **both** (026 and CWD map) to, and allow the Natural Resources Conservation Service to share related information with, the local government unit and the board for purposes of verification: verification;

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### Exemptions – Agricultural Activities

Subp. 2. C.

Impacts resulting form soil and water conservation projects that are certified by the SWCD staff after review by TEP

• The projects must minimize impacts to the hydrologic and biologic characteristics of the wetland.



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### **Exemptions – Drainage Exemption**

A replacement plan is not required for draining or filling of wetlands, except for draining wetlands that have been in existence for more than 25 years, resulting from maintenance and repair of existing drainage systems, including public drainage systems.



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# Drainage/Ditch Maintenance Replacement not required for maintenance or repair of existing drainage systems Existing Spoil

The work does not drain Wetland that have existed more than 25 years.



WHEN:



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## **Ditch Maintenance**

CONDITIONS:

- Spoil must be placed and <u>stabilized</u> to <u>minimize</u> impacts.
  - remove

• place on existing spoil • incorporate

side cast

Ditch must be stable and not degrade water quality downstream.



### Exemptions

### • Federal Approvals 8420.0420 Subp 4

 Impacts authorized by Corps of Engineers that meet standards agreed to by BWSR, Dept. of Ag., DNR, and MPCA.
 Pipelines, electrical, broadband, etc.

• Utilities MS 103G.2241

A replacement plan for wetlands is not required for wetland impacts resulting from:

 new placement or maintenance, repair, enhancement, realignment, or replacement of existing utility or utilitytype service, including pipelines, when wetland impacts are authorized under and conducted in accordance with a permit issued by the United States Army Corps of Engineers under section 404 of the federal Clean Water Act

Repair and updating existing septic systems to comply with local, state and federal regulations

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		Exempti	ons – de minir
e de minimis exemptio	n covers small imn	acts to wetlands to	inically used for drive
		acts to wettands to	pically used for unive
verts, small projects by	/ landowners, etc.		
y specific requirement	s depending on lo	cation in state. loc	al area, shoreland, et
Table 1: Maximum de mini	mis exemption amounts i	for per MS 103G.2241 (Au	ig. 1, 2024)
Impacts to wetlands, excluding	Presettlement area of state	Impact area up to (acres):	Impact area up to: (square feet)
permanent and semipermanently flooded areas of wetland.			
Outside of Shoreland Wetland	Greater than 80 percent area	One-quarter (1/4)	10,890
Outside of Shoreland Wetland Protection Zone	Greater than 80 percent area 50 to 80 percent area	One-quarter (1/4) One-tenth (1/10)	10,890 4,356
	50 to 80 percent area	One-tenth (1/10)	4,356 2,178 100
Protection Zone Within Shoreland Protection Zone, but beyond structure	50 to 80 percent area Less than 50 percent area	One-tenth (1/10) One-twentieth (1/20)	4,356 2,178



### Exemptions

 Subp. 7. Forestry. The exemption under this subpart is for roads and crossings solely constructed, and primarily used, for the purpose of providing access for the conduct of silvicultural activities. A replacement plan is not required for impacts resulting from construction of forest roads and crossings so long as the activity limits the impact on the hydrologic and biologic characteristics of the wetland; the construction activities do not include, or result in, the access becoming a dike, drainage ditch, or tile line; impacts are avoided wherever possible; and there is no drainage of the wetland or public waters.



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Summary of Basic WCA Decisions	
<ul> <li>Boundary/Type: approving wetland delineation that used Corps manual: Level 1, 2, 3 or comprehensive.</li> </ul>	IVO ASIS
<ul> <li>No-loss: activity that does not result in wetland impacts</li> </ul>	LEVEL 2 WETLAND DELINEATION REPORT
• Exemptions: wetland impacts that are exempt from replacement	Line Lekes, KNY September K. 2021
	Pressed for Losse Coy Liste Desamp, Con Laws, NY 5014



	DC mini	mis - Examples
imis exemption amounts i	for per MS 103G.2241 (Au	ıg. 1, 2024)
Presettlement area of state	Impact area up to (acres):	Impact area up to: (square feet)
Greater than 80 percent area	One-guarter (1/4)	10,890
50 to 80 percent area	One-tenth (1/10)	4,356
Less than 50 percent area	One-twentieth (1/20)	2,178
Statewide	N/A	100
Statewide	N/A	20 (100)
Statewide	N/A	400
	Presettlement area of state Greater than 80 percent area 50 to 80 percent area Less than 50 percent area Statewide Statewide Statewide	Greater than 80 percent area         One-quarter (1/4)           50 to 80 percent area         One-twentieth (1/10)           Less than 50 percent area         One-twentieth (1/20)           Statewide         N/A

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### Scenario 2

A project is located within the building setback zone within shoreland in a >80% area of the State and proposes to fill and impact 320 ft^2 of a lacustrine fringe wetland.

Does not Qualify: De minimis statewide for all wetland types within building setback is up to 20 sf.



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	Preapplication Meeting
<ul> <li>Prior to preparation of an application;</li> </ul>	Note the sector have been and the test of the test of <b>EXETORS Applicate Information</b> Francess reserve and prevent and prevent and the test of the sector and the secto
• Meet with the LGU/TEP, provide basic information of the project	Advances of the company is an experimental advances of the company i
• LGU/TEP inform the applicant of sequencing requirements and criteria to evaluate the replacement plan	<text><text><text><text><text><text><text><text><text><text><text></text></text></text></text></text></text></text></text></text></text></text>

### **Application Contents**

• Information necessary to be considered a complete application (a lot of this info can be pulled from the delineation report)

• For the impacted Wetland:





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- 2. Minor/Major watershed, County, and Bank Service Area (BSA)
- 3. Soil survey of site, identify hydric soils
- 4. Hydrologic inlets and outlets, adjacent Public Waters (shoreland), floodplain

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### Application Contents Continued...

- C. for the replacement wetland when the replacement consists of wetland bank credits:
- (1) the wetland bank account number;
- (2) the minor watershed, major watershed, county, and bank service area; (3) the amount of credits to be withdrawn in square feet; and
- (4) a completed application for withdrawal of wetland credits from the wetland bank in a form provided by the board or a purchase agreement signed by the applicant and bank account holder; and
- D. a description of the required replacement as determined according to the proposed replacement actions and the replacement standards in part 8420.0522.

### Special Considerations (8420.0515)

These factors must be considered by the applicant before submitting a replacement and by the LGU during the review

- 1. Endangered and threatened species (DNR natural heritage/nongame)
- 2. Rare natural communities (DNR natural heritage)<u>https://mce.dnr.state.mn.us/</u>
- Special fish and wildlife resources (fish spawning, water birds, waterfowl, deer wintering/wildlife corridor)
- Archaeological, historic, or cultural resource sites (National Register of Historic Places, State Historical Preservation Office) <u>https://mn.gov/admin/shpo/</u>
- 5. Groundwater sensitivity (Decorah edge, Geologic Sensitivity)



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### Special Considerations Continued...

- 6. Sensitive surface waters (trout stream)
- Education or research use (Cedar Creek, Anoka Co)
   Waste disposal site (former dump, superfund, TCAAP/AHATS)
- Consistency with other plans (watershed management, land use, planning and zoning)



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### Sequencing: 8420.0520

 LGU MUST NOT approve a wetland replacement plan unless the LGU finds the project complies with sequencing.

### Key Concepts

- Sequencing is a MUST for all replacement plans
- TWO avoidance alternatives
- Evaluate projects...can wetlands be avoided?
- Are impacts minimized?
- Long term effects
- 8420.0520 Subp C Page 45 of 2009 Rule book



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## How does applicant demonstrate sequencing?

- Clearly define the **purpose** of the project.
- Identify the physical, economic, and/or demographic requirements of the project.
- Justify why this project should or must go on this site.
- Show (concept plans, discarded grading plans, etc.) and describe other reasonable alternatives that were considered or could be considered.



### **Alternatives Analysis**

What is feasible and prudent?

WCA rule tells us (8420.0520 subp 3C(2)):

- Can be done from an engineering perspective
- Is in accordance with accepted engineering standards and practices
- Is consistent with public health, safety, and welfare requirements
- Is environmentally preferable based on social, economic, and environmental impacts
- Would not create any truly unusual problems

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### Evaluating Alternatives (continued)

- LGU must consider (8420.0520 subp 3C(3)):
  - Could the size, configuration, or density of the project be modified to avoid wetlands?
  - Has the applicant made efforts to remove constraints (zoning restrictions, ordinance requirements, etc.) that are causing wetland impacts (i.e. request for variances, PUD, conditional use permit, etc.)?

### What if an avoidance alternative DOES exist?

• If the LGU determines that a feasible and prudent alternative exist that avoids wetland impacts, it MUST DENY the replacement plan.

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### Alternatives Analysis Continued...

• Direct and secondary impacts:

A wetland may not be directly impacted (filled/drained/excavated) but can be impacted through loss of hydrology (storm pond, curb/gutter, pipes, etc.)



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### What if an avoidance alternative does NOT exist?

- •LGU evaluates:
  - Minimization
  - Rectification
  - •Reduction/Elimination of impacts over time
  - Replacement

### Impact Rectification

 Temporary impacts must be rectified by repairing, rehabilitating, or restoring the affected wetland to pre-project conditions



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### Reduction or Elimination of Impacts Over Time

- Once complete, further impacts must be reduced or eliminated and preserve or maintain wetland functions
- Best Management Practices (BMP)
- Silt fence
- Storm-ponds
- Buffers
- Rip-Rap

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### Sequencing Flexibility

Allowed at the discretion of the LGU if:

- 1. Impacted wetland degraded;
- 2. Avoidance results in severe degradation;
- Upland site of the project or replacement has greater function and value;
- 4. Human health and safety is a factor.





### Sequencing – Replacement

**Final Review Step** 

LGU must evaluate if unavoidable impacts will be adequately <u>replaced</u> AND if correctly <u>sited</u>.

Adequate Replacement

- Must replace the functions and values at an equal or greater level than that which was lost.
- Uses wetland area as the unit of measurement (acreage or sq. ft.)

		Repla	cement Ratios
	Minimum Replacement Ratios: Bank	ting	
Location of impact	Replacement	Minimum replacement ratio	
>80% area or agricultural	Outside bank service area	1.5:1	
land	Within bank service area	1:1	Wetland Bank Service Areas
<50% area, 50-80% area,	Outside bank service area	2.5:1	County Boundaries
and nonagricultural land	Within bank service area	2:1	E have
Must follow a p 1. Minor Wa			proved

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# Image: Department Depart









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### MBS Sites of Biodiversity Significance

DEPARTMENT OF NATURAL RESOURCES

Conservation Planning Report: East Duluth

Wetlands within MBS bites of Outstanding o Wetland Conservation Act. For technical public For more information piezes with <u>UDS Sine of</u>	nen en Rare Natural Communities, piease und 🕼	not Rine Natural Cor CA Program Guidance	munites under Lociationation
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DNR Native Plan

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### Actions Eligible for Credit

- Restoration of completely drained wetland
- Restoration of partially drained wetland
- Vegetative restoration of farmed wetlands
- Protection of wetland previously restored via conservation easements

 Restoration and protection of Exceptional Natural Resource Value

• Wetland Creations

Preservation of wetlands (Upland) buffer areas





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	Actions Eligible for Credit	8420.0526
Subpart	Action	
2	Buffer	
3	Restoration, Completely Drained or Filled	
4	Restoration, Partially Drained or Filled	
5	Vegetative Restoration of Farmed Wetland	
6	Protection of Wetlands Previously Restored	
7	Wetland Creation	
8	ENRV	
9	Preservation	95

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# Draft Prospectus

- Optional
- No decision required
- Help sponsors
- Complex or difficult projects
- Minimal investment

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# Basic project information Easement questionnaire Basic Features Why is it a good bank project Constraints Existing wetlands

### Draft Prospectus

- BWSR provides "Discussion Items"
- WS uses discussion items at TEP meeting
- TEP writes Findings based on discussion
- Sponsor receives TEP findings and decides what to do





# Roles for reviewing prospectus

### TEP/LGU Roles:

- Verify previous comments
   addressed
- Verify sponsor adequately described the site
- Review wetland delineation or determination
- Review crop history (if necessary)
- Provide LOCAL perspective on project and eligibility

### 103



- Evaluate easement issues
   Vegetation, Engineering, and Bank Coordinator comments included
- Statewide consistencyTechnical answers and
- interpretations
- Coordination with Corps



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## Mitigation Plan

- Document of record
- Required for both programs
- LGU Decision Required
- Section 15.99 time limits!
- Attached to Corps' MBI

# Mitigation Plan

Required:

- Detailed vegetation plans
- Detailed construction plans
- Detailed monitoring plans
- Performance standards
- Credit release schedule



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	TEP Review
	AND THE RESOURCES
<ul> <li>Verify Corps has completed</li> </ul>	Minneaute Wetland Conservation Act Technical Evaluation Panel Form
Prospectus phase	Text Text and Text an
<ul> <li>Verify Prospectus information carried forward and comments addressed</li> </ul>	Lead the second and the control of the control of the second and the control of the control
<ul> <li>Verify Baseline Information is complete and adequate</li> </ul>	Marting Same, "And Alf and any of party of party Same and Same (Same) (Same Same Same) (Same) (Same) (Same) (Same) (Same) (Same) (Same Same) (Same)
Wetland delineation approval	Construction (Sec. or Construction on the Construction of the
Review detailed plans to your comfort level	California: Environment of speech spe

"Plans are nice but performance releases credits." J.	Overland			Μ	liti	g	atic	on F	Plar	)
<ul> <li>Monitoring plan must relate to performance standards</li> </ul>	Tells 1. O	nät Release	Scheihde 7	xampla			Hydrology Performance Standards	Interim 1 Veptalise Performance	Interins 2 Veptation Performance	Final Vegetation
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	Total	41.0			30.000	4.5	5,000	4.294	4,250	1,000
# Mitigation Plan Decision

- Track 15.99 time limits, extensions needed
- Most Mitigation Plans will require some revision
- Make final decision in accordance with section 15.99
- Clearly identify and retain approved Mitigation Plan
- When possible the WCA and Corps approved plans should be the same

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### **Easement Acquisition**

#### GENERAL PROCESS INFORMATION



- Easement acquisition is typically initiated after mitigation plan approval
- Easement acquisition does not have to be completed prior to construction
- $\bullet$  The process is managed at BWSR by Easement Section Staff, not Wetland Specialists
- It is the responsibility of the sponsor/landowner to initiate the easement acquisition process



#### **Easement Acquisition**

#### The significant steps in the easement acquisition process include:

- 1. Sponsor submits initial \$1,000 Easement Acquisition Fee to BWSR along with application 2. BWSR performs a preliminary review of ownership information to identify potential issues
- 3. Sponsor provides DRAFT Certificate of Survey in required format for BWSR review & comment
- BWSR provides sponsor with instructions to obtain Title Commitment
   Sponsor (landowner) provides Title Commitment to BWSR for State Attorney General (AG) review & comment
- 6. BWSR prepares Conservation Easement document to be signed by landowner
- 7. Landowner signs Easement and returns to BWSR with \$2,400 Easement Acquisition Fee balance 8. BWSR sends instructions to record the Easement and issue a Title Insurance Policy
- 9. BWSR notifies sponsor that easement acquisition process is complete





#### Local Government Road Wetland Replacement Program

- WCA exempts certain local road projects from State wetland replacement requirements
- BWSR is required to replace the associated wetland impacts so the local governments don't have to
- These wetland credits also satisfy Corps of Engineers' Section 404 permit requirements



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Attachment E	Attachm	ent E – J	oint Application
Local Government Road Wetland Replacement Program (LGRWRP)			
Eligibility Application Form for WCA-Regulated Impacts Only	10		
		Proper Name and in Name	- 12
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	Quick facts on Ag bank
<ul> <li>Eligibility to USE the Ag Bank:</li> <li>The wetland must be proposed to be impacted <u>for agricultural use</u>.</li> <li>The land must <u>remain</u> in agricultural use.</li> <li>The wetland must be a farmed wetland (FW) or otherwise degraded wetland <u>on existing agricultural land</u>.</li> </ul>	<ul> <li>Differences with Standard Bank:</li> <li>Credits can only be used for Ag projects</li> <li>Flexibility on Vegetation Standards</li> <li>Expired CRP sites could be eligible "asis"</li> </ul>

Types of Wetland Banks	Review
Standard	
<ul> <li>Private and Agriculture</li> </ul>	<ul> <li>Establishing a Wetland Bank</li> </ul>
Local Road Program	<ul> <li>Draft Prospectus</li> </ul>
Replacement for Public Road Projects	Prospectus
Repair, rehabilitate, reconstruction of currently serviceable roads	<ul><li>Mitigation Plan</li><li>LGU and TEP procedures for banking</li></ul>
Actions Eligible for Credit	<ul> <li>Construction Certification, deposit of credits, withdrawal of credits</li> </ul>
<ul> <li>Restoration of drained wetlands, vegetation restoration, protection, ENRV, Preservation, upla buffer</li> </ul>	,



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BOARD OF WATER AND SOIL RESOURCES

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## General Monitoring roles once wetland bank is approved

LGU/Corps	roles:
-----------	--------

- certify construction
- certify credits for deposit
- review monitoring reports
- may require corrective actions as needed
- Sponsor/landowner roles:
- Sponsor responsible for maintenance
- Submitting as-built documentation
  - Submitting wetland credit deposit transaction form(s)
  - Submitting monitoring reports
  - Paying administrative fees

#### **Monitoring Schedule**

<ul> <li>Monitoring must begin no later than first full growing season after construction certification</li> <li>Must continue for at least 5 full</li> </ul>	Type of Compression	Total Projected Arreage	Type of Wetland Credit	Coudy Batts	Final Projected Credits	Jailed Rolean (13%)	Bydeslagy Performance Biandarda Indicinal 20% of shall projected oradit, cracialing bolico	Jatistim 1 Vigotation Packaranaan Standardo Indonosi 20% of 10% proposed coulin Set wallow Stric to buller	Interio Vegetar Pechera Standar Information of total per constit vestinal, before or
growing seasons	Re-establishment' Renneation of Complexity Drained Workard	-11	Sinah-Lan	10%	1.000	11.7300	1.0000	1,000	1,000
If unsuccessful, the LGU may extend	Re-evaluationset Restantion of Complexity Distant Worked	21.0	Wat Masken	10%	21 900	3.000	4.000	4,8000	4.550
the monitoring period (<5 additional years)	Relativistics Research of Partially Decised Walland		Badwood Swamp	-	2.500	8.2750	0.500	4.500	6.599
Actual monitoring schedule may vary	Upland Bullion Uning and contribute to easter than 27% of long back condite:	- 14	Heat-car Nut Maskew Darbeind Jacasty	17% 27% 88% 17%	8.4290 1.4706 8.4270	8.007 8.3475 8.0628	0.0000 0.0000	6.1279 6.4090 6.1275	4.127 4.479 4.127
for different bank types (restoration vs preservation)	Tetal	4.0			31,000	4	5,5000	4.2998	6.299

artin 1 printica anazor adards base of insi 20% ( projected all 5m and, 30% ar credit) Final Vegetation Perforement Standards & Apprecial of Final Wethand Delineation Report" (final release) ,0000 1294 1.0000 ...... ..... 1279 8.1865 arts 6.425 1275 6.382 2896 7.566

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#### **Performance Standards**

• Performance standard: observable or measurable physical (including hydrological), chemical and/or biological attributes that are used to determine if a compensatory mitigation project meets its

 "85% of the site is vegetated by planted species and/or regenerated species as per approved plan by end of 5<sup>th</sup> complete growing season." Hydrology

Examples:

Vegetation

"Hydrology must meet wetland definition of 1987 Corps of Engineers Manual with saturation to the surface of the soil for at least 31 days of the growing season."

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objectives.



### **Monitoring Report**

- Description of performance standards
- Activities completed and planned
- Hydrology measurements

#### **Reviewing Monitoring Reports**

Metric	Success Criterie	Measured Criteria	Success Criterie Met?	Comments
Hydrology - St		1 - 2024		
Devation	Water between 6 inches above and one foot below ground surface	Measured hydrology is between 6 inches above and one fost below ground surface	Tes	Formal hydroing monitoring nor required for 202 Success based of
Duration	Majority of the growing season	Hydrology was within the desired range for the majority of the growing sessor.	Yes	direct site abservations
Vegetation			2	
Diversity	Maximum of five native species	78 native species have been observed	Tes	Species duersit increased from 2018 to 2017
Composition	maximum two sedges and two graces	Eight sedges and eight grasses. Nave been identified	Ťes	Species composition stat
Investive species coverage	No more than 12% total cover	Total cover of invesive species is less than 30%, and has been effectively controlled.	Yes	Reed cartery gra is less than 5% caverage.
invasive species concentration	No single areas greater than one- quarter scre in size	Invasive species remain under control with no single area greater than one-quarter acre in size	Yes	Slight Increase o along ditches, bo sprayed again in fail 2017 to cont

- Know performance standards
- Interpret data to determine whether the site meets those standards
- If not, document with data what is not meeting standard
- Consult with TEP & Corps
- Then corrective actions should be recommended





























		Interpret	ing Hydro	ology	
	Table 1: Summary of Wetland Succ	ess Criteria for Pi	ase I		
		Phase I			
A MARSHE MARSH ALL AND A	Success Criteria	Wet Meadow	Hardwood Swamp	Shallow Marsh	
	Duration				
	Growing Seasons	5	4	5	
Well 15 - 2013-2016 Monitoring	Hydrology				
	Hydrology (depth to water table)	Surface to -12"	Surface to -12"	+6" to -12"	
5 11 1 11 / 10 10 10 10 10 10 10 10 10 10 10 10 10	Hydroperiod (duration within zone)	Meets duration	Meets duration	Meets duration	
N. V. W.	Vegetation				
. W & W	Wetland Indicator (% FAC or wetter)	41/52 = 79%	39/51 = 76%	20/22 = 91%	
	Species Composition (Native Richness)	39/52 = 75%	39/51 = 76%	19/22 = 86%	
all and handles and the second s	Invasive Cover (% non-native)	2%	9%	2%	
	FQA/WFQA	20.2/26.7	20.0/21.4	16.9/19.7	
a di kan	Tree Coverage (trees per acre)	N/A	26.48	N/A	
In A should be	Tree Coverage (trees per acre)	N/A	26.48	N//	










			Vegeta	tion	
Interpreting vegetation data	Table 1: Summary of Wetland Succe	ess Criteria for Pl	hase I		
<ul> <li>Indicator status (% FAC or</li> </ul>		1	Phase I		
	Success Criteria	Wet Meadow	Hardwood Swamp	Shallow Marsh	
wetter)	Duration				
	Growing Seasons	5	4	5	
<ul> <li>Composition (% native species richness)</li> </ul>					
	Hydrology (depth to water table)	Surface to -12*	Surface to -12"	+6" to -12"	
(includes)	Hydroperiod (duration within zone)	Meets duration	Meets duration	Meets duration	
<ul> <li>Invasive cover (%)</li> </ul>	Vegetation				
- Invasive cover (76)	Wetland Indicator (% FAC or wetter)	41/52 = 79%	39/51 = 76%	20/22 = 91%	
	Species Composition (Native Richness)	39/52 = 75%	39/51 = 76%	19/22 = 86%	
<ul> <li>Floristic Quality Assessment</li> </ul>	Invasive Cover (% non-native)	2%	9%	2%	
(index rating)	FQA/WFQA	20.2/26.7	20.0/21.4	16.9/19.7	
	Tree Coverage (trees per acre)	N/A	26.48	N/A	
	Tree Coverage (trees per acre)	N/A	26.48	N/A	











### Effectively Drained

- A condition where ground or surface water has been removed by artificial means to the point that an area no longer meets the wetland hydrology criterion
- "Artificial means" is usually a ditch, tile or diversion
- The area will not support a dominance of hydrophytes but hydric soil will persist

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#### Drainage Setback Tables

- Developed by NRCS using the van Schilfgaarde equation from the ND-Drain program
- Setback distance is the minimum distance from the wetland boundary to the tile line or ditch necessary to minimize adverse hydrologic impacts to adjacent wetlands
- Developed by NRCS to advise farmers



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### Drainage Setback Tables

- County-specific
- MN NRCS uses setback distance rather than lateral effect.
- Setback distance and lateral effect are not the same thing!!
- Setback tables not directly applicable for use in determining drainage impact.
- https://bwsr.state.mn.us/lateral-effect-drainage-setback

How t	o us	se <sup>.</sup>	tab	les	
	Мар		Drain De	ipith, feet	
<ol> <li>Determine if hydrology indicators are present</li> </ol>	Unit Symbol	2	1	4	5
	124	50	60	80	100
	142	50	70	90	100
<ol><li>Overlay drains on soil map</li></ol>				100	120
-, -, -, -, -, -, -, -, -, -, -, -, -, -	106	50 130	230	250	350
	202	130	230	260	190
2) Determine a second state of destructions with the second	218	110	150	170	190
<ol><li>Determine average depth of drain per soil type</li></ol>	243	50	50	70	80
	292	50	20	100	120
	346	. 50	70	90	100
<ol> <li>Determine setback distance for each soil type using NRCS table</li> </ol>	428	50	60	80	- 90
4) Determine setback distance for each soil type using fixes table	502	60	90	100	120
	532	120	180	230	290
	533	50	70	80	90
5) Delineate setback corridor for drain	540	- 540	30	80	90
by Defined to Set Date Connact for analy	541	200	250	300	350
	543	50	110	210	290
	544	. 50	70	80	- 90
<ol><li>Identify wetlands within or adjacent to setback corridor</li></ol>	546	50	70	80	90
	549	200	250	300	350
	504	110	250	220	
7) Consider all variables to determine notantial wetland impact	807	110	170	220	250
<ol><li>Consider all variables to determine potential wetland impact</li></ol>	621	50	150	100	120
	625	170	220	260	290
	627	1/0	110	210	290
	628	20	100	120	140
	672	60	90	120	140
	445	120	220	300	370















# Setting function-based restoration goals and performance standards. Establishing Goals & Measurable Outcomes: Restore natural hydrology

- Reestablish native plant community to site
- Performance Standards (banking)measurable attributes to determine if restoration goals are met



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#### **MN** Wetland Restoration Guide

MN Wetland Restoration Guide:

• Planning

Site Assessment

- Design and Construction
- Vegetation establishment

• Site Management & Monitoring



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#### General considerations for wetland restoration · Identifying and selecting projects Restoration over creation Consider potential complications from degraded sites Adjacent land uses (present and future?) Changes to adjacent landowners? · Location of area ditches Public or private? Drainage Law?

Understand soil conditions of site (permeability, chemistry)

• Water quality









# Developing a vegetation plan Consider topography and elevations Plant Co nity Planting to promote natural hydroperiods for Sedge Meadow Fresh (Wet) Mei Wet Praise Shoch Second plant species and communities Communities with similar hydrology but differences in <u>Native Vegetation Establishment and</u> Enhancement Guidelines Comprehensive Guidebook

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<ul> <li>State Seed Mixes lists</li> </ul>		Riperian Northe				
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# Managing Restoration Sites <u>Technical Guidance Documents</u>: Herbicide application Prescribed burning Mowing, grazing & haying Water level management (flooding & drawdown) Plant Care Inspecting and maintaining outlet structures

Animal Control





WI/MN Wetland R	apid Asse	ssment Metho
	Functional Group	Function
alased by Committee of MANL M/incomein and	-	Surface Water Attenuation
eloped by Committee of MN, Wisconsin and	Hydrology	Surface Water Supply
eral Agencies	0.00002300022	Groundwater Recharge
		Nitrate Removal
Released for public comment in 2024		Phosphorus Retention
	Water Quality	Sediment and Pollutant Retention
ol assesses 17 wetland functions under five		Shoreline Stabilization
		Temperature Maintenance
gories: hydrologic, water quality, ecological,		Native Plant Habitat
ate, anthropogenic	Ecological	Wildlife Habitat
	~	Fish Habitat
	Climate	Carbon Sequestration
		Historic or Cultural Uses
		Scientific or Educational Importance
	Anthropogenic	Commercial Uses
		Recreational Uses
		Scenic Beauty





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# FQA Key Concepts Species conservatism- tolerance to conservatism (C-value) Floristic Quality Index Species richness and mean C-values Sampling methods Rapid FQA Full Method

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# Coefficients of Conservatism

Numeric rating of an individual species fidelity in relationship to disturbance

C-values range from 0-10

- O= most tolerant, found in wide variety of plant communities
- 10= least tolerant, found in narrow range of plant communities

Non-native species = 0

- Reed Canary Grass (introduced) C=0
- Ostrich Fern (FAC, NCNE) C=5
- Pink lady slipper C=9

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# Sampling Methods Overview

• Full FQA -Plot-based sampling

• Rapid FQA- Timed meander rules

#### FQA Sampling Protocol:

- Map Assessment Area
- Determine Plant community types
- Conduct timed meander (rapid) or plot-based sampling
- Conduct shoreland sampling (if necessary)
- Make Areal cover estimations
- Calculations





				Metrics
Variables:	Constant Annual	<b>1</b>	Rapid FQA Data Form	Floristic Quality Index
• Number of species = Species Richness	Connectly Information Dates The Control Connect To #1) #2) #2) #3) Species Checklist connection Dates Theory in connection			• Integral measurement of FQA $FQI = \overline{C}\sqrt{S}$
Mean C-value	A serie states 	Annual Contract Contract     Annual Contract Contractor     Annual Contractor	Annota triugha	mean C value
<ul> <li>Mean C-value (weighted) (wC)</li> </ul>	An other and the second	June 21 of the series of the s	Total S Solar Systems Solar System	S= number of species (i.e. species richnes     Both stand alone indices
• $wC = \sum pC$	Territory - Annotation - Ann	Veryali	Solution	Greater the FQI, the closer the condition is to a natural state
	Construction	Antimication control of the second se	1 2 2 4 1	



