

BWSR to seek feedback on proposed Wetland Conservation Act rules



The Minnesota Board of Water and Soil Resources (BWSR) has entered the final phase of a multi-year process to update the [administrative rules](#) for the state's Wetland Conservation Act (WCA).

A final version of the proposed rules will be posted for public comment in the coming months. Members of the public will have 60 days to submit comments once the rules are posted.

Wetlands offer numerous ecological benefits, such as improving water quality, storing water on the landscape after flooding, and providing fish and wildlife habitat.

BWSR is responsible for enforcing WCA, a state law that operates independently of federal water regulations to protect Minnesota's wetlands, which encompass more than 10 million acres. In 1991, the

Minnesota Legislature passed WCA into law, with the goal of achieving no net loss in the quantity, quality and biological diversity of Minnesota's wetlands.

"The main purpose of WCA is to avoid and minimize impacts to wetlands, and to replace any wetlands impacted by development with wetlands of equal or greater value and function," said Les Lemm, BWSR wetlands section manager.

Since oversight began more than 35 years ago, the state legislature has passed numerous statutory amendments to the WCA, and associated WCA rules have undergone multiple revisions since the law went into effect. The current rulemaking effort's primary purpose is to incorporate statutory changes made after the current rules were adopted in 2009. Since then, statutory changes

Minnesota's Wetland Conservation Act helps protect the more than 10 million acres of wetlands found throughout the state, including this wetland in Hennepin County.

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This restored wetland in Otter Tail County is permanently protected by a Reinvest in Minnesota (RIM) Reserve conservation easement.

were made to the WCA in 2011, 2012, 2015, 2017 and 2024. Details about WCA statute changes are available on [BWSR's website](#).

"Updating the WCA rules will help clarify implementation, improve mitigation outcomes and remove outdated, confusing and redundant language," Lemm said.

BWSR staff initiated the current rulemaking process in 2015. Lemm said that engaging groups that could potentially be impacted by

the changes has been key to the process.

Outreach and engagement efforts have included forming a Wetland Advisory Committee, which advises BWSR staff on rulemaking topics and amendments as they are developed. During numerous online and in-person meetings throughout the rulemaking process, BWSR gathered feedback from Tribal Governments, state and federal agencies, and other interested organizations and individuals.

At its August meeting, the BWSR Board authorized wetland staff to publish the Notice of Intent to Adopt Rules, one of the final steps in the rulemaking process. This action gives staff the ability to move forward with posting a final draft for public feedback.

After the 60-day comment period, BWSR staff will monitor and respond to comments received. Necessary final revisions are expected to be made in

early 2027. Lemm said he anticipated the rules would be finalized and take effect sometime next year.

More information about WCA rulemaking, including access to email updates on the rulemaking process, is [available on the Wetland Conservation Act Rulemaking webpage](#).

BWSR staff members write and produce Snapshots, a monthly newsletter highlighting the work of the agency and its partners.