



# Minnesota Mitigation Newsletter

U.S. Army Corps of Engineers & MN Board of Water and Soil Resources

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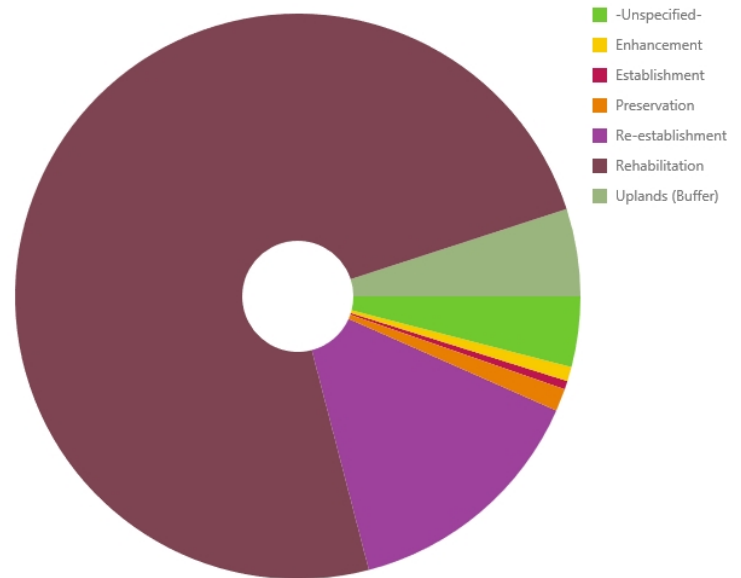
## 2019 Listening Session Follow-up

As a continued follow-up to the January 2019 Listening Sessions hosted by the U.S. Army Corps of Engineers St. Paul District (St. Paul District) and MN Board of Water and Soil Resources (BWSR), the agencies intend to host a series of outreach and training sessions for the banking community which may be done virtually.

These outreach events will include discussion on mitigation topics, agency updates, and agency procedures. Please send suggestions on topics of interest for future outreach sessions to Leslie Day at [leslie.e.day@usace.army.mil](mailto:leslie.e.day@usace.army.mil).

Next up: The agencies are currently working on the development of formalized procedures for vegetative monitoring and an update to the 2015 credit release schedule procedures.

Wetland Mitigation Methods  
Minnesota  
Banks



## Good Luck and Thank You Doug!

After a 32-year career with Department of Natural Resources, Wetland Program Coordinator Doug Norris is retiring. Doug has been a fixture in wetland policy in Minnesota and has played an instrumental role in the protection, assessment, and management of wetland resources. We will miss seeing you at the table at future meetings but wish you all the best in retirement.



Jennifer Skancke has been hired to take over the Wetland Program Coordinator position and has already been working alongside Doug in this role.

## 2019 Wetland Banking Statistics!

- St. Paul District approved 14 mitigation banks in 2019, involving permanent protection of 1,685.8 acres in Minnesota.
- St. Paul District released 737.4023 credits to mitigation banks in Minnesota in 2019!
- Since 1994 a total of 35,152 acres have been permanently protected, with nearly 72% of this acreage involving rehabilitation of wetlands.



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# Wetland Banking FAQs



## ***Do I Need a Wetland Delineation for a Wetland Bank Project?***

**Yes.** An approved wetland delineation is required at the draft Mitigation Instrument (federal) and Mitigation Plan (state) phase but having an approved delineation earlier is beneficial so reviewers can provide focused feedback on credit actions and amounts. Bank sponsors should consider the following when planning a delineation and discuss with the Corps PM and LGU prior to determining what level of delineation is appropriate for a particular site.



A **routine Level 1 delineation** can be used in regularly planted agricultural fields or when crediting is unaffected by wetland location. A routine Level 1 delineation primarily uses off-site information, so it can be completed and reviewed at any time of year. When field verification is needed it typically involves verifying preliminary offsite results by looking for wetland hydrology indicators in questionable areas (see *Guidance for Offsite Hydrology/Wetland Determinations, July 2016*). A **Level 2 delineation** may be needed for some mitigation sites. Sponsors are encouraged to consult with the agencies to discuss site specifics.

**NRCS certified wetland determinations** are completed for USDA farm program compliance purposes and are not an acceptable substitute for a routine Level 1 or Level 2 wetland delineation.

**Wetland delineation reports** should not be included in mitigation bank submittals, but rather submitted for agency review and approval prior to the draft Mitigation Bank Instrument and Mitigation Plan. The Mitigation Plan should identify the approved aquatic resource boundaries on figures and plans.

## ***When Should Easement Area Adjustments be Made?***

Easement acres, plant community boundaries, and bank credits in approved Mitigation Banks Instruments and mitigation plans are estimates and are almost never 100% accurate. When the boundary survey shows that estimated easement acres are inaccurate, when and how should corrections be made?

Changing easement acres, total credits, and release amounts right after plan approval, or in the monitoring period can be confusing for both sponsors and agencies. **In most cases, all adjustments can be made after the final wetland delineation and in the final deposit.**

Using areas and credit amounts approved in the Mitigation Bank Instrument and mitigation plan throughout the monitoring period maintains predictability and simplifies the review of deposit requests. Bank sponsors, working cooperatively with the TEP, BWSR, and the Corps, should monitor the development of the site to assess performance against the release schedule in the approved plan. If a significant deviation is identified during the monitoring period an earlier adjustment, or in some cases, a modification of the instrument and plan, may be required.

*Have an idea for a topic? Submit it via email to Tim Smith at BWSR or Leslie Day at the Corps of Engineers.*

# BWSR Announces Easement Sign-up Period and Releases Three RFPs for Transportation Banking Program

On March 9, 2020 BWSR opened a conservation easement sign-up period and issued three requests for proposal (RFP) all aimed at acquiring credits to offset road improvement projects in Minnesota. The opportunities for participation include the purchase of wetland credits from existing bank accounts and three wetland restoration project options. Detailed information on all of the options is provided on the Local Government Road Wetland Replacement Program page of the BWSR website. Applications for all of the options must be received via mail or courier in the BWSR Saint Paul Office by 2:30 pm on May 21, 2020.

## Training & Events

- Stream Mechanics offers workshops on the Stream Functions Pyramid. For more information on future workshop opportunities visit [stream-mechanics.com/workshops/](http://stream-mechanics.com/workshops/)
- Minnesota Wetland Professional Certification Program offers training events throughout the year. A schedule of classes can be found on the Minnesota MWPCP page of the BWSR website.

## Other News

- BWSR recently repaired the Wetland Bank Credit Interactive Tool on its website. The GIS based search tool can be accessed by clicking on the link on the Wetland Credits and Fees page. Thank you for your patience while this was not available.

## Agency Contacts

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**(651) 290-5365**

**Tim Smith**      [tim.j.smith@state.mn.us](mailto:tim.j.smith@state.mn.us)

**(651) 600-7554**

## Reduced Credit Areas

Agency comments should be expected on sites where wetland activities extend to the property boundary and insufficient upland buffer exists. Buffer sufficient to protect the wetlands proposed for credit must be provided for site approval. Where sufficient buffer does not exist, an area of reduced credit is required. These areas do not always need to be credited at the standard upland buffer ratio of 25%. It is up to the sponsor to propose what they feel is a reasonable reduction with justification for the agencies to review.

