

WCA Stakeholder Prioritization

September 25, 2014

The WCA stakeholder process has begun, and it is apparent that there are more issues (22 – see list below) than can be reasonably addressed with the time available. Therefore, at the first all-sector meeting representatives of stakeholder organizations will be asked to participate in a process to establish priorities.

Under this prioritization process, each stakeholder organization representative in attendance will be given 5 sticky dots. Following an introduction to this process the participants will be directed to place their dots on the five issues that are their or their organization's highest priority to be addressed by this process.

The results of this prioritization will be used to direct the future work of this process. Issues that do not rise to the level of priorities now will be placed in the "parking lot" and worked on following the 2015 legislative session.

Regulatory Policy

No Net Loss

(1) Clarify the policy as it applies to wetland protection programs and voluntary restoration actions. Increase the availability of information related to wetland quantity, quality, and biological diversity.

Agricultural Drainage

(2) Assess the extent to which wetlands on agricultural lands are being lost or degraded and not subject to mitigation. Improve coordination between WCA and Swampbuster. Evaluate the potential for incentives to minimize the impacts of drainage to adjacent wetlands and waterways

Regulatory Processes

De minimis Exemption

(3) Simplify while maintaining overall levels of protection. Provide flexibility to local governments to deviate from state standards while maintaining overall levels of protection.

Alignment of Presettlement Zones on Watershed Boundaries

(4) Evaluate simplifying the geography of WCA by eliminating or adjusting the current pre-settlement wetland zones

WCA and Clean Water Act Section 404 Consistency

(5) Reduce redundancy and overlap between WCA and the Clean Water Act, Section 404 Program.

Clean Water Act Section 404 Assumption

(6) Analyze assumption of the Clean Water Act Section 404 program.

Clean Water Act Section 401 certification

(7) Continue MPCA 401 certification improvement processes.

WCA and the Public Water Work Permit Program Consistency

(8) Reduce overlap and improve consistency between WCA and the Public Water Work Permit Program administered by DNR.

WCA and Swampbuster Coordination

(9) Continue cooperative efforts between BWSR and NRCS to improve coordination between WCA and Swampbuster.

Local Government Road Wetland Replacement Program Review

(10) BWSR should review the Local Government Road Wetland replacement program to ensure it is structured to meet local government road authority needs.

Off-Site Wetland Replacement under a Permit to Mine

(11) Improve input opportunities and processes related to off-site wetland replacement projects completed to replace wetland impacts under a permit to mine.

Compensatory Mitigation

Wetland Mitigation Siting

(12) Continue to focus mitigation on wetland banking and watershed based bank service areas. Amend the wetland replacement siting criteria to allow going to high priority areas when mitigation is not reasonably available in the watershed of the wetland impact.

Wetland Mitigation Search Criteria

(13) Practicability and Quality of Replacement Wetlands

Clarify sequencing criteria on practicability determinations and improve clarity and consistency among agencies on what constitutes high quality replacement

Alternative Options for Compensatory Mitigation within NE Minnesota Watersheds

(14) Provide additional methods to generate wetland mitigation credits in NE MN, where traditional methods are in short supply. The additional methods to consider include:

- (a) Expanded Use of Preservation
- (b) Restoration and/or Protection of Riparian Corridors and Streams
- (c) Stabilization of Natural Hydrology
- (d) Peatland Hydrology Restoration

- (e) Approved Watershed Plan Implementation Projects
- (f) Other

Alternative Mechanisms for Providing Compensatory Mitigation

(15) Northeast Regional Wetland Mitigation Cooperative (Umbrella Bank) Option
Establish a regional wetland mitigation cooperative to develop and manage a self-sustaining balance of wetland mitigation credits in NE MN.

In-Lieu-Fee Program Option

(16) BWSR should explore possibility of implementing an in-lieu fee wetland mitigation program.

Other Recommendations for Providing Compensatory Mitigation

(17) Implement efforts to improve the efficiency of developing compensatory mitigation, including:

- (a) Establish an electronic database to archive a running inventory of potential wetland mitigation sites;
- (b) “Rapid Response” Interagency Review Team;
- (c) establish and utilize a “Rapid Response” Interagency Review team to provide an early scoping of potential wetland mitigation sites; and
- (d) Improve the availability of information on wetland banking, including through local governments.

Program Funding

Local Government Implementation Funding.

(18) Increase state funding to support local government capacity to implement WCA.

Adequacy of Wetland Bank Program Funding

(19) BWSR should conduct an actuarial study to estimate future long-term costs for managing the wetland banking system. In addition, BWSR should undertake other methods to reduce costs and increase program efficiency.

Strategic use of Funding Sources and Tools to Achieve Continued Restoration of Drained Wetlands

(20) Improve the use of available funding to achieve continued restoration of drained wetlands. These efforts should include:

- (a) Continue collaborative efforts to improve science and decision tools to refine the ability to target wetland restorations to the highest value locations;
- (b) Assess gaps in programs that support wetland management non private lands;
- (c) Evaluate and analyze payment rates to determine if they are sufficient to attract landowner interest;
- (d) Work with conservation partners to evaluate how wetland banking can be coordinated with voluntary conservation efforts; and

(e) Support local planning in the metro area and statewide to support wetland management.

Other Recommendations.

Local Government Implementation of WCA

(21) Evaluate the size, structure and responsibilities of local governments that implement WCA to identify ways to improve efficiency and effectiveness. One example is to modify wetland bank approval to have the local government approve the site and BWSR approve the restoration plan.

Online Permitting System for WCA

(22) Develop an online system for WCA to provide a platform for noticing, reporting and data collections efforts.