

Current Events: Wetland Conservation Act

Jennifer Engstrom
DNR, Division of Lands and Minerals
October 6, 2014



Overview

- WCA and the Permit to Mine
- Executive Order 12-04 – PTM specific “assignment”
- NE Mitigation Siting Report
- Stakeholder Meeting for potential WCA changes

WCA PTM

- Mining Projects are required to have a Permit to Mine (PTM) [Chapters 6130 and 6132]
- Projects with a PTM must comply with the Principles and Standards of the WCA [8420.0930]
- Approving authority is the DNR Commissioner
- Administered by DNR Lands and Minerals (LAM)
- Procedures use Mineland Reclamation Rules



WCA PTM

- Environmental review determination
- Complete application determination
- Notice of application
- Review by TEP and additional interested parties
- Notice of decision
- Appeals go to DNR Commissioner
- Wetland credit tracking and monitoring



Executive Order 12-04

- Interest in mining wetland impacts and how PTM and WCA intersect
- LAM held two meetings to gather additional input
- Final updated documentation of PTM process under development now that mitigation report complete
- Will also use PTM connected comments gather in stakeholder process
- Aimed at improving transparency and clarification of process

Northeast Mitigation Siting Report

- Recommendations for improving mitigation within watershed and replacement if leaving watershed
 - Focus on wetland search criteria (practicability; quality)
 - Alternative options for mitigation within watershed
 - Expanded use of preservation
 - Riparian corridors and streams
 - Stabilize natural hydrology
 - Peatland hydrology restoration
 - Watershed plan implementation projects

Northeast Mitigation Siting Report

- Recommendations (continued)
 - Maintain inventory of evaluated sites
 - Rapid response team (quick, early site evaluation)
 - Increase and promote wetland banking
 - NE Regional wetland cooperative (umbrella bank)
 - In lieu fee program
 - Modify siting criteria
 - Add “priority” area if no site found within watershed

http://www.bwsr.state.mn.us/wetlands/wca/NE_MN_mitigation/siting_NE_MN_mitigation.html

Stakeholder Process to Develop Legislative Recommendations

- Four sector group meetings in July and August
- One all sector group meeting (September) so far
- Several more planned in next few months
- Gathering input for BWSR (with other agency input) to ultimately develop bill language for 2015 session

*[http://www.bwsr.state.mn.us/wetlands/2015_leg_recomm
end/2015_leg_recommend.html](http://www.bwsr.state.mn.us/wetlands/2015_leg_recomm
end/2015_leg_recommend.html)*

Questions and Discussion