Minnesota Board of Water and Soil Resources

Wetland Conservation Act 2013 Annual Reporting Form

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Use the tab key to navigate between fields.

Local Government Unit (LGU): Swift County	Organization Type: County	County or Counties if WMO
Name of Person Completing Report: Michael Johnson	Title: WCA/ LGU	Contact Phone #: 320-843-5341

Does your LGU receive WCA funding from the Natural Resources Block Grant (NRBG)?
Yes, transferred from the County or SWCD

NOTE: Completion of this report is required for all Minnesota LGUs. It must be received by the BWSR St. Paul office on or before **February 1, 2014**. **See the accompanying instructions** for details.

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1. Number of **landowner contacts** in which wetland related technical assistance was provided during the calendar year: **90** *(Please provide your best estimate.)*
2. **Number of applications** that were:

Type of Application	# Approved	# Denied	# Withdrawn
A. Boundary or Type	1	0	0
B. No-Loss	2	1	0
C. Exemption	2	2	0
D. Sequencing	0	0	0
E. Replacement Plan*	4	0	0
Total	9	3	0

*Do not include local road authority notifications for projects that qualify for replacement under the BWSR Local Government Roads Wetland Replacement Program according to MN Rule 8420.0544.

3. Number of **exemptions approved** and square feet of wetland impact for each category from MN Rule 8420.0420 (provide best estimate for impacts that are not easily quantified):

Type of Exemption	Number of Approved Exemptions	Sq. Ft. of Wetland Permanently Impacted
Subp. 2. Agricultural activities.	2	21,780.0
Subp. 3. Drainage.	0	0
Subp. 4. Federal approvals.	0	0
Subp. 5. Restored wetlands.	0	0
Subp. 6. Utilities.	0	0
Subp. 7. Forestry.	0	0
Subp. 8. De minimis.	0	0
Subp. 9. Wildlife habitat.	0	0
TOTAL:	2	21,780
Subp. 2g. Agricultural wetland bank exemption	0	0*

*See WCA reporting instructions.

4. Number of **replacement plans approved** that replace impacts by the following methods:
   A. Wetland Banking: **4**
   B. Project-Specific Replacement: **0**
   C. Combination of Wetland Banking and Project-Specific Replacement: **0**

   Total replacement plans approved 4

5. Square feet of wetland to be **impacted** via an approved replacement plan: **0**

   For approved replacement plans, list the **project-specific replacement*** in square feet and corresponding credit amounts approved in the following categories from MN Rule 8420.0526:

Action Eligible for Credit	Square Feet	Repl. Credit
Subp. 2. Upland buffer areas.	**0**	**0.00**
Subp. 3. Restoration of completely drained or filled wetland areas.	**0**	**0.00**
Subp. 4. Restoration of partially drained or filled wetland areas.	**0**	**0.00**
Subp. 5. Vegetative restoration of farmed wetlands.	**0**	**0.00**
Subp. 6. Protection of wetlands previously restored via conservation easements.	**0**	**0.00**
Subp. 7. Wetland creations.	**0**	**0.00**
Subp. 8. Restoration and protection of exceptional natural resource value.	**0**	**0.00**
Subp. 9. Preservation of wetlands owned by the state or a local unit of government.	**0**	**0.00**
TOTAL:	**0**	**0.00**

*Report project-specific replacement only. Replacement via banking is accounted for via BWSR's banking database.

6. For project-specific **replacement wetlands**, list the number of each completed or received:

A. Construction Sites Inspected	B. Corrective Actions Ordered	C. Monitoring Reports Received	D. Findings of Satisfactory Replacement
0	**0**	**0**	**0**

7. Number of **potential WCA violation sites** investigated: **2**

8. Number of **enforcement actions** that were taken **under local ordinances** and/or that did not result in DNR-issued cease and desist, restoration, or replacement orders (including informal resolution of violations): **2**

9. Number of **local appeals** heard: **0**

10. Does the LGU have a MN WDCP **certified delineator** available (excluding BWSR or SWCD)?
    On staff: ☐ On call (i.e. consultant): ☐ Not at all: ☒

11. **Optional**: Please provide information regarding unusual circumstances, time spent on enforcement or major violations, banking application reviews, known exempt activity for which a formal decision was not made, additional detail or clarification of above data, or any other information or comments you would like to share (2,500 characters max). Just the two violations were terribly time consuming and 2014 monies have been cut considerably.

12. For LGU staff responsible for implementing WCA, please provide the following for **WCA/wetland training attended** this reporting year (attach additional if necessary). The University of Minnesota Wetland Delineator Certification Program webpage has a list of pre-approved continuing education programs offered in 2013. Please indicate training session in full days or indicate the number of actual hours.

	Session Title	Training Sponsoring	Employee Name	Employee Title	From Date	To Date	Total # of Days	Total # of Hours
1	BWSR Academy	BWSR	Michael Johnson	WCA/ LGU Contact	10/28/13	10/30/13	2	0
2					1/1/13	12/31/13	0	0
3					1/1/13	12/31/13	0	0
4					1/1/13	12/31/13	0	0
5					1/1/13	12/31/13	0	0
6					1/1/13	12/31/13	0	0
7					1/1/13	12/31/13	0	0
8					1/1/13	12/31/13	0	0
9					1/1/13	12/31/13	0	0
10					1/1/13	12/31/13	0	0
11					1/1/13	12/31/13	0	0
12					1/1/13	12/31/13	0	0
13					1/1/13	12/31/13	0	0
14					1/1/13	12/31/13	0	0
15					1/1/13	12/31/13	0	0
16					1/1/13	12/31/13	0	0
17					1/1/13	12/31/13	0	0
18					1/1/13	12/31/13	0	0
19					1/1/13	12/31/13	0	0
20					1/1/13	12/31/13	0	0
21					1/1/13	12/31/13	0	0
22					1/1/13	12/31/13	0	0
23					1/1/13	12/31/13	0	0
24					1/1/13	12/31/13	0	0
25					1/1/13	12/31/13	0	0
26					1/1/13	12/31/13	0	0
27					1/1/13	12/31/13	0	0
28					1/1/13	12/31/13	0	0
29					1/1/13	12/31/13	0	0
30					1/1/13	12/31/13	0	0
31					1/1/13	12/31/13	0	0
32					1/1/13	12/31/13	0	0
33					1/1/13	12/31/13	0	0
34					1/1/13	12/31/13	0	0
35					1/1/13	12/31/13	0	0

Minnesota Board of Water and Soil Resources

Wetland Conservation Act 2013 Annual Reporting - Instructions

Requirement

Beginning with calendar year 2010, annual reporting of Wetland Conservation Act (WCA) implementation activities is required for **all** of Minnesota's WCA local government units (LGUs) in accordance with MN Rule 8420.0200, Subp. 2, Item I. This reporting requirement applies regardless of whether or not the LGU obtains any WCA funding from BWSR.

1) Complete and save the form to your computer/network (**do not convert to .pdf or other format**). Retain the form for future reference or needed corrections.
2) **E-mail** the completed form to WCA_Reporting@state.mn.us to be received by BWSR no later than February 1, 2014. The "sent" date of the e-mail will be used to track the date of receipt. Use your LGU name as the subject line of the e-mail. Note: Only send completed reporting forms to this address. Do not direct questions or other correspondence to this email address.
3) Your Wetland Specialist will review the data and may contact you with questions or possible corrections.

Those without e-mail can mail or fax a paper copy of the completed form to:

Gwen Steel
Attn: WCA Reporting
Minnesota Board of Water and Soil Resources
520 Lafayette Road North
St. Paul, MN 55155
Fax: 651-297-5615

Relationship to Natural Resources Block Grant (NRBG)

Completion and submittal of this form is required of all LGUs regardless of whether or not NRBG funding is provided. However, it is also a condition of the grant for those LGUs who receive NRBG funding. LGUs who fail to submit the form will not receive NRBG grant funds. For those local governments that receive NRBG WCA funding and distribute it to multiple LGUs, each LGU for which NRBG WCA funds have been transferred should be listed in the NRBG eLINK report. The local government must also ensure that each LGU for which NRBG WCA funds have been transferred submits a separate reporting form according to the instructions above.

Timeframe and Context

In general, the data provided should be based on WCA activities for which the LGU has issued a final decision, the application has been withdrawn, or the issue resolved during the **2013 calendar year** (see question 1 guidance for exception). The approved activities need not have been implemented in order to be reported. Projects still under review but not approved by the LGU at the end of the calendar year should not be reported until the year in which a decision has been made or they are otherwise resolved. For those SWCDs or Counties who previously compiled and submitted summary data for multiple LGUs within their area, a separate form must be submitted for each individual LGU. LGU's who receive assistance in implementing WCA from a County, SWCD, or Watershed District need to coordinate with them to ensure accurate and complete information is submitted.

Question-Specific Guidance

The following guidance items are numbered to correspond to the numbered items in the reporting form:

1. The purpose of this question is to gather information on LGU workload. Landowner is a general term meant to include agents, consultants, and developers that are proposing or contemplating projects regardless of their legal ownership of the land. In addition to landowners for which WCA applications were processed during the calendar year, LGUs should report the number of landowner contacts for which they answered questions related to wetlands or WCA, provided preliminary review of projects potentially affecting wetlands, provided advice on wetland boundaries or exemption applicability, or other landowner consultation related to WCA or wetland. Meeting with one landowner four times on the same project would count as four landowner contacts for the purpose of answering this question. Newsletters or other such general correspondence do not constitute technical assistance provided to a landowner. Please provide your best estimate.

2. For purposes of this question, "withdrawn" means that the applicant has submitted an application but withdrew it prior to the LGU making a formal decision.

   Replacement plans (Item E) do not include local road authority notifications for projects that qualify for replacement under the BWSR Local Government Roads Wetland Replacement Program (road program) according to MN Rule 8420.0544. These notifications are reported separately and accounted for in BWSR's road program tracking database. However, non-qualifying road projects completed under a replacement plan (or a combination of banking/project-specific and the BWSR road program) should be reported here.

The total number of Replacement Plans approved, question 2E., must equal the total Replacement Plans Approved under questions #4. (A macro warning will appear informing you to recheck your entry if the totals does not agree.)

3. The purpose of this question is to gather data on the amount of wetland lost due to approved exemptions and the frequency of exemption use. The exemptions are organized consistent with the WCA rule order. LGUs should only report exempt impacts for which a decision has been made to approve the exempt impacts. Known wetland impacts due to exemptions for which the LGU has not formally made a decision can be reported under question 13. Report impacts in square feet.

   Please note the addition of Subp. 2g. Agricultural wetland bank exemption. This exemption has been separated from the others because the impacts are being replaced, and not permanently lost.

   LGUs should only report the square feet of wetland *permanently lost* due to exempt activity. For example, true drainage maintenance in accordance with MN Rule 8420.0420, Subpart 3, Item B generally does not require reporting. Reporting temporary impacts each time the ditch or tile is maintained can lead to multiple reporting of impacts to the same square feet over time, which is misleading and skews the resulting data. However, exempt wetland impacts due to new ditches or tile lines, existing drainage that has been improved, or deposition of spoil in wetland areas beyond the existing square feet of deposition must be reported. Wetlands drained under Item C of the drainage exemption will almost always require reporting.

The number of Exemptions Approved should equal the total number of Exemptions (3). (A macro warning will appear informing you to recheck your entry if the totals does not agree.)

   Check your work to ensure it is correct – the total number of approved exemptions in #3 should equal the sum of approved exemptions in #2. The only exception is when a true drainage maintenance project is not reported in question #3 per the above paragraph.

4. Item A is NOT referring to wetland banking applications, but rather replacement plans that utilize bank credits for replacement. Check your work - the sum of A+B+C should equal the number of replacement plans approved under question #2E. *(A macro warning will appear informing you to recheck your entry if the totals does not agree.)*

5. The purpose of this question is to collect data on the quantity of wetland square feet lost under approved replacement plans. LGUs should sum the number of square feet of approved wetland impact (drainage, fill, or regulated excavation) that require replacement. Report total wetland impacts in square feet. *Do not* include square feet of wetland impact that do not require replacement by WCA (such as exempt or no-loss activities).

   Report the total *square feet* of replacement and the corresponding number of approved *credits* associated with each action eligible for credit in MN Rule 8420.0526 (the actions are organized consistent with the WCA rule order). This item pertains to project specific replacement under approved replacement plans only – do not report credit approved under a banking plan or a replacement plan using banking credits.

   Example: If an application was approved to restore a 435,600 sq. ft. *(10-acres)* partially drained wetland at 50% credit with and 348,480 sq. ft. *(8 acres)* buffer at 25% credit, the LGU would report the following:

The total number of project-specific replacements must equal the number of Project-Specific Replacements under questions #4C. (A macro warning will appear informing you to recheck your entry if the totals does not agree.)

   1) 348,480 sq. ft. *(8 acres)* under the "square feet" column and 2 credits under the "Repl. Credit" column for *upland buffer areas* (item A), and

2) 435,600 sq. ft. (*10 acres)* under the "square feet" column and 5 credits under the "Repl. Credit" column for *restoration of partially drained or filled wetland areas* (item C).

6. The purpose of this question is to gather data on replacement monitoring compliance and track LGU oversight of replacement plan projects. Note that "construction sites inspected" and "corrective actions ordered" are specific to *replacement wetlands* only.

   Note: LGUs should be tracking all approved replacement sites and comparing them with actual monitoring reports received in order to identify issues of non-compliance.

7. This question is related to LGU workload associated with enforcement activities that may or may not get reflected in formal actions or decisions. For this question, LGUs should report potential WCA violation site inspections regardless of what initiated the inspection (DNR enforcement flight, landowner complaint, found by LGU, etc.) or the end result (no violation, cease and desist, restoration order, resolved locally, etc.). This should include site inspections performed by the SWCD separately from the LGU, however, care should be taken not to duplicate numbers. Site investigations resulting from DNR-submitted "ICRs" should also be included in this item.

8. This question is intended to collect data on those instances where the LGU resolves violations informally, through local channels, or through an enforcement order issued by a <u>non-DNR</u> enforcement officer (i.e. a deputy sheriff). Violations that result in the issuance of an order by a DNR enforcement officer should not be reported because that information will be obtained directly from the DNR.

9. Do not include appeals to BWSR.

10. The exclusion of the SWCD in this question is not applicable if the SWCD is the delegated LGU responsible for making final WCA decisions.

11. This is your chance to report anything you feel is relevant or important that may not be captured in other questions. Please attempt to limit this information to the maximum 2,500 characters, however, if you have additional relevant information, provide it on a separate document and attach it to the e-mail.

12. LGUs should only report training related to WCA administration and relevant wetland science. For example, attending forums or seminars related to wetland delineation, wetland functional assessment, replacement wetland design, and WCA administration should be listed. Attending a seminar on designing wetlands to treat sanitary waste would generally not be applicable because it is not associated with aspects of WCA.

Differences due to implementation of an approved Comprehensive Wetland Protection and Management Plan should be reported on a separate document.

Contact your BWSR Wetland Specialist with any questions regarding completion of the reporting form.