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# DAKOTA COUNTY POLICIES AND PROCEDURES MANUAL

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## Policy 8253 Wetland Banking

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Department: Environmental Resources

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Board or Administrative: Board

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Related Policies:

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### **POLICY STATEMENT**

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It is the policy of Dakota County to promote watershed-based planning and protect water quality in Dakota County. Thus, wetland mitigation required for County projects shall be accomplished by restoring wetlands, developing wetland banks credits, or acquiring wetland banking credits within Dakota County.

### **DEFINITIONS**

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“Banking Credits” refers to replacement credits that have been certified and deposited in the wetland bank.

“Wetland Bank” refers to a system of identifying wetlands restored or created for replacement credit and providing for, facilitating, and tracking the exchange of wetland banking credits for projects that require replacement plans or wetland mitigation.

“Wetland” refers to lands transitional between terrestrial and aquatic systems where the water table is usually at or near the surface of the land is covered by shallow water.

“Watershed” refers to a land area that drains to a common waterway, such as a stream, lake, estuary, or wetland.

“Major Watershed” refers to the 81 major watershed units delineated by the map State of Minnesota Watershed Boundaries, 1979.

“Minor Watershed” refers to one of the minor watersheds delineated by the map State of Minnesota Watershed Boundaries, 1979.

### **SOURCE**

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Minn.Stat. § 375.18, Subd 2 – General powers of the County Board

Wetland Conservation Act –Minn.Stat. Ch. 103G and Minnesota Rules Chapter 8420

## **GENERAL**

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Dakota County has less than 50 percent of the wetland area it had before people settled in the area. In fact, as of 1997 85 percent of the County's wetlands had been drained. Wetlands improve water quality and provide water retention capacity to the landscape. Thus, Dakota County makes an effort to mitigate wetland loss by restoring wetlands in impacted watersheds or regions.

Pursuant to Minn R. 8420.0522, Subp 7, and subsequent 2011 Wetland Conservation Act Statute changes under 103G.222, Subd 3, wetland areas must be replaced in the following priority order:

- On a site in the same minor watershed as the impacted wetland
- In the same major watershed as the impacted wetland
- In the same county or wetland bank service area as the impacted wetland

The County will follow the hierarchy outlined in Minn R 8420.0522, Subd 7 when obtaining wetland banking credits for County projects. However, it is County policy to obtain wetland banking credits for County projects within the County rather than the broader wetland bank service area whenever possible. In order to facilitate this and ensure that the benefits of wetland restoration are realized within the County, the County will utilize the following hierarchy in addition to Minn R. 8420.0522 Subd 7 when obtaining wetland bank credits:

1. Use a bid process if more than one source of wetland banking credits is available within the County and those credits are available at or near current market rate.
2. Use sole source wetland banking credits when staff determines that only one source is available within the County and the credits are available at or near market rate.
3. If no credits are available at or near market rate within the County, assist in the establishment of wetland bank sites and credits within the County in exchange for some form of consideration for the assistance the County provides.
4. When no wetland bank credits are available within the county and no options for the establishment of wetlands can be provided on a timely basis, use the sequencing identified in the Wetland Conservation Act and Minn R. 8420.0520 to locate credits outside of the County.

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Board Resolution or Manager Signature:      Res. 15-506; 10/6/2015