

2008 – 1 Implementation and Reporting of Exempt Wetlands Impacts

WHEREAS Minnesota has not required reporting of exempt wetland impacts so does not have a complete accounting of wetland losses from exempt wetland impacts.

WHEREAS although voluntary reporting is incomplete, the current accounting of wetland losses from exempt wetland impacts indicates that Minnesota is losing approximately 500 acres of WCA wetlands a year.

WHEREAS the intent of Minnesota's Wetland Conservation Act is to:

- A. achieve no net loss in the quantity, quality, and biological diversity of Minnesota's existing wetlands;
- B. increase the quantity, quality, and biological diversity of Minnesota's wetlands by restoring or enhancing diminished or drained wetlands;
- C. avoid direct or indirect impacts from activities that destroy or diminish the quantity, quality, and biological diversity of wetlands; and
- D. replace wetland values where avoidance of activity is not feasible and prudent.

STAT AUTH: MS s [14.06](#); [103B.101](#); [103B.3355](#); [103G.2242](#)

HIST: 18 SR 274; 22 SR 1877; 25 SR 152; 27 SR 135 Current as of 08/14/07

WHEREAS the Legislature has directed the Board of Soil and Water Resources (BWSR) to develop reporting of exempt wetland impacts but mandated no timeline and no specifics.

WHEREAS, Referring to the Board of Soil and Water Resources (BWSR), Minnesota Senate File 1131 Sec. 127 Subd. 11 Exemption conditions (d) states:

“The board shall develop rules that address the application and implementation of exemptions and that provide for estimates and reporting of exempt wetland impacts, including those in section 103G.2241, subdivisions 2, 6, and 9.”

(This provides for estimates and reporting of exempt wetland impacts, including the drainage, utilities/public works, and de-minimus exemptions.)

WHEREAS there is no provision in statute that requires data be collected by Local Government Units (LGU).

WHEREAS the BWSR core functions center around the administration and planning of soil, water, and wetland conservation with an emphasis on local priorities, not statewide sustainable priorities.

THEREFORE BE IT RESOLVED that the Minnesota Division of the Izaak Walton League of America in convention April 27, 2008 at Red Wing, Minnesota recommends and endorses requiring landowners to apply to the LGU and receive approval of all exemptions before conducting exempt activity and that this be required in permanent rules to be developed by BWSR in the 2007-2009 permanent rulemaking to be completed and approved by the BWSR board by December 2008.

AND THEREFORE BE IT ALSO RESOLVED that costs to the LGU of review and reporting of all exempt wetlands activities to BWSR be identified so that state funding may be provided to support complete and accurate reporting of exempt wetland activities.

Submitted by Walter J. Breckenridge Chapter