



Wetland Bank Program

2013 Easement Application Sign-Up

Landowner/Applicant Information Sheet

What is it?

The Minnesota Board of Water and Soil Resources (BWSR) has available funds to restore wetlands and their adjacent uplands in order to generate wetland credits for wetland mitigation banking. Credits will be used to offset wetland impacts resulting from qualifying road improvement/rehabilitation projects in Minnesota. Completion of wetland restoration projects to generate wetland bank credits are typically conducted on private land through agreements with landowners. These agreements involve a payment to the landowner(s) in return for recording a conservation easement and allowing the State to restore wetlands within the easement. This sign-up is intended to identify potential restoration sites with landowners who are interested in participating in the program.

Who can participate?

Landowners who are interested in receiving a payment to allow BWSR to conduct a wetland restoration on a portion of their property are eligible to participate in this program. Only the legal landowner can enter into an agreement with the State for this program.

What type of sites are eligible?

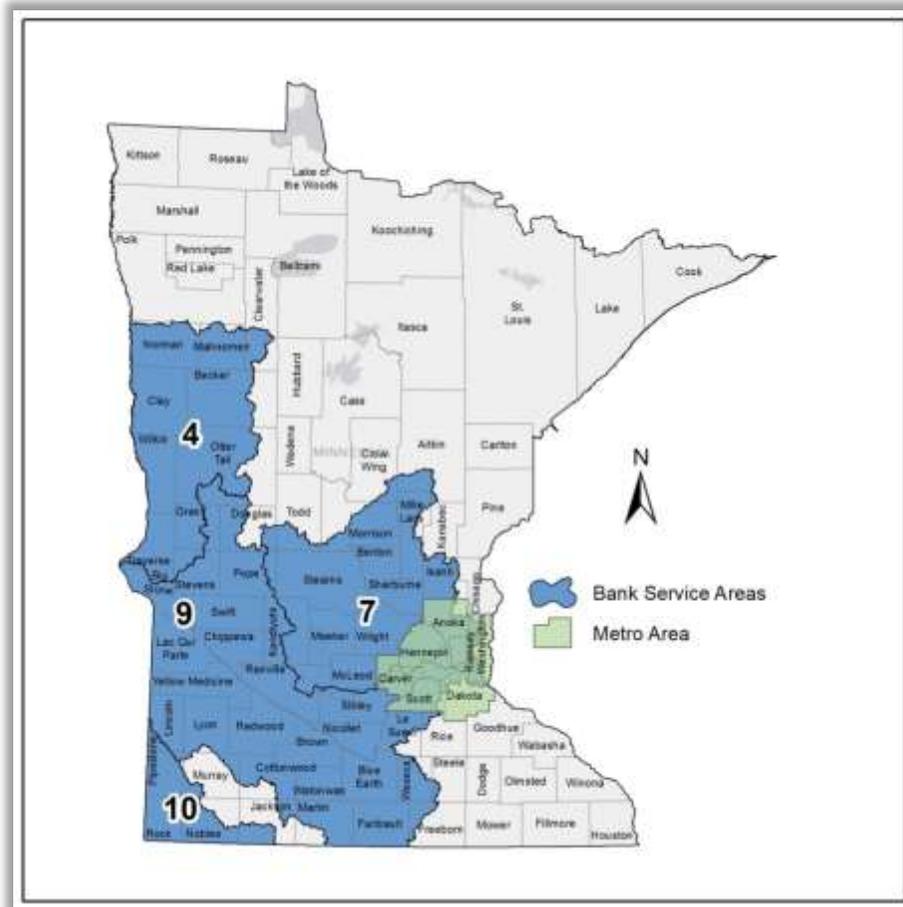
BWSR is interested in sites which have restorable wetlands and

- have no legal ownership issues (in foreclosure, ongoing divorce settlement or probate, etc.),
- have no conflicting easements or legal agreements (mineral rights, wind towers, etc.),
- have wetlands that can be reasonably restored without affecting adjacent lands.

In general, restoration of sites with the highest degree of wetland degradation will yield the greatest amount of wetland banking credits, which are priority projects for BWSR. For example, restoration of a drained former wetland basin with a consistent history of cropping will generally yield more credit than a partially drained basin with infrequent cropping or haying due to periodic wetness. Both sites in this example are eligible, but the fully-drained and cropped site would generally be preferred by BWSR.

Does the location of the site matter?

Yes, BWSR is restricting the sign-up program to the following (in descending priority order): seven-county metro area and Wetland Bank Service Areas (BSAs) 4, 7, 9, and 10 (see map below). This includes all or portions of the following counties: Aitkin, Anoka, Becker, Benton, Big Stone, Blue Earth, Brown, Carver, Clay, Clearwater, Cottonwood, Crow Wing, Dakota, Douglas, Faribault, Freeborn, Grant, Hennepin, Isanti, Jackson, Kanabec, Kandiyohi, Lac qui Parle, Le Sueur, Lincoln, Lyon, Mahnommen, Martin, McLeod, Meeker, Mille Lacs, Morrison, Murray, Nicollet, Nobles, Norman, Otter Tail, Pipestone, Pope, Ramsey, Redwood, Renville, Rice, Rock, Scott, Sherburne, Sibley, Stearns, Steele, Stevens, Swift, Todd, Traverse, Waseca, Washington, Watonwan, Wilkin, Wright, and Yellow Medicine. You can determine if a site is in one of these areas by using the "Wetland Banking Interactive Web Map" at <http://maps.bwsr.state.mn.us/banking/>.



How much will BWSR pay?

Payment is based on a pre-determined amount per acre of crop and non-crop land in accordance with the Wetland Bank Easement Payment Rate table on the BWSR website (<http://www.bwsr.state.mn.us/wetlands/index.html>) or available from your local SWCD. To determine a potential payment amount, estimate the acreage of the proposed easement area, determine how much crop and non-crop land is present, and then apply the payment rates accordingly. Crop land is land that has produced horticultural, row, or close grown crops or that has been enrolled at a cropland rate in a federal or State conservation program at least two of the previous five years.

How does a conservation easement affect my land?

A conservation easement must be acquired by the State before any restoration activity takes place. The easement restricts certain activities in the restoration area, such as cropping, grazing, haying, grading, and vehicular traffic (see http://www.bwsr.state.mn.us/wetlands/forms/wca-easement_b.pdf for exact easement language), but the landowner retains ownership of the parcel. The easement *does not* restrict land ownership changes and it allows for hunting and other passive recreational uses. The easement *does not* allow public access, it only allows State and federal agencies access for easement monitoring purposes only. If the easement is not adjacent to a public road, an access easement will be required from a public road to the restoration easement boundary. Once the project is completed and the standard 5-year monitoring period is completed, the landowner is responsible for maintaining easement conditions into the future.

Are there any costs for the landowner?

BWSR will pay all costs associated with the project. Typically, selected contractors are hired by the landowner with associated invoices reimbursed by the State. BWSR and the local SWCD work closely with the landowner to select appropriate contractors and provide timely payments and reimbursements.

How many sites will be selected for the program?

BWSR has approximately \$3M available for this easement sign-up. However, it is not possible to know exactly how many sites and associated projects that will be selected because we cannot reasonably predict the size and scope of potential projects that may be identified in the sign-up. Based on similar sign-up efforts in the past, approximately a dozen funded projects are expected.

What is the process for deciding which sites/projects to fund?

BWSR will review applications in terms of potential credit yield, restoration cost, easement cost, and natural resource value. An interagency review team will help decide which sites and potential projects best meet program objectives. The steps in the review and selection process relevant to the landowner/applicant are as follows:

1. Initial screening of application materials.
2. Field investigation of selected sites.
3. For selected sites, landowner and BWSR sign an easement agreement.
4. Survey and easement acquisition commences on selected sites.
5. Final easement boundary and payment amount determined for each site.
6. Easement recorded and payment is made to landowner.
7. Project implementation (i.e. restoration of wetlands and uplands) begins.

Depending on characteristics of the site and other factors, field investigation of selected sites may take several months. Landowners may continue to utilize their property (cropping, haying, etc.) during this review. BWSR only requests that they allow the agency reasonable access to continue reviewing the site. Although BWSR attempts to work cooperatively with the landowner to facilitate current land use practices (such as cropping and haying) with impending restoration activities, land use restrictions do not go into effect until the easement is recorded.

If my site is selected, what do I have to do?

Once BWSR has selected a site for project development, the landowner will be kept informed (usually through your local Soil and Water Conservation District representative) of the project design as it is developed. BWSR will finalize project design and easement boundaries through mutual agreement with the landowner. Once the easement is recorded and landowner is paid, BWSR will typically ask the landowner to hire and pay contractors while being reimbursed by the State. The SWCD will work with the landowner to facilitate this process. The landowner is *not* responsible for any project planning or oversight.

How do I apply?

Interested landowners should contact their local SWCD office. The SWCD will help you determine if your site is a good fit for this program and work with you to complete the application materials for submittal to BWSR. Applications for this sign-up program will be accepted March 12 to May 13, 2013.

When will projects be selected?

BWSR has set the following review schedule dates as a goal. The number, extent, and nature of the submittals will ultimately dictate actual timing.

- May 13 – end of application period
- June 3 – initial screening complete, sites selected for further review
- July 2 – final sites selected

Further Questions?

Contact your local SWCD or BWSR Wetland Bank Coordinator Ken Powell at ken.powell@state.mn.us or 651-215-1703.