

WCA EXEMPTIONS / NO LOSS



An impact is “exempt” from replacement if it qualifies for any of a number of listed exemptions. Persons proposing to conduct an exempt activity must contact the local government unit to verify eligibility for an exemption and to evaluate alternatives to avoid or minimize wetland impacts. When the total amount of impact exceeds the amount allowed under the applicable exemption, the impact is not exempt and the entire amount of impact must be replaced. Exemptions may not be combined on a project. A “no-loss” is similar to an exemption and refers to activities that do not have any permanent impacts.

De Minimis Exemption Summary Table = amount of impact allowed (in square feet)

	Shore Impact Zone (SIZ)	Rear Lot Zone (RLZ)	Outside Shoreland District
Wetland Types: 1,2,6,7	20	400	10,000
Wetland Types: 3,4,5,8	20	100	100

Note: This table is for reference only. Other restrictions may apply.

No Loss Requirements

“No-loss” means no permanent loss of (or impact to) wetlands from an activity according to the criteria in this part. The following qualify for a no-loss:

- A. An activity that will not impact a wetland
- B. Excavation in wetlands when limited to removal of sediment or debris such as trees, logs, stumps, beaver dams, blockage of culverts, and trash
- C. Temporary or seasonal water level management activities done for the purpose of performing maintenance
- D. An activity conducted as part of an approved replacement or banking plan conducted or authorized by public agencies
- E. Excavation limited to removal of deposited sediment in wetlands that are presently utilized at stormwater management basins
- F. An activity associated with the operation, routine maintenance, or emergency repair of existing utilities and public works structures, including pipelines
- G. Temporary crossing or entering a wetland to perform silvicultural activities, including timber harvest as part of a forest management activity
- H. A temporary impact that is rectified by repairing, rehabilitating, or restoring the affected wetland

Other Exemptions:

- Agricultural activities
- Drainage
- Federal Approvals
- Restored Wetlands
- Utilities
- Forestry
- Wildlife Habitat

Other Requirements

A person conducting an activity in a wetland as a no-loss (see 8420.0415) or exemption (see 8420.0420) must ensure that:

- A. Appropriate erosion control measures are taken to prevent sedimentation of the wetland or of any receiving waters
- B. The activity does not block fish activity in a watercourse, except when done purposely to prevent movement of undesirable fish species in accordance with a recommendation from the commissioner (DNR)
- C. The activity is conducted in compliance with all other applicable federal, state, and local requirements, including best management practices according to the documents referenced in part 8420.0112, items L, M, and N, and water resource protection requirements established under Minnesota Statutes, chapter 103H.

An application may be required before an exemption or no-loss determination can be granted, so please check with Crow Wing County Land Services.



Questions???

Contact Land Services (218) 824-1010, landservices@crowwing.us