

# How Do I Apply for a Wetland Decision?

Wetlands in Minnesota provide important benefits to the environment, and are highly regulated by the Federal and State governments. Local government units in Minnesota are required to enforce the Wetland Conservation Act, otherwise known as Minnesota Administrative Rules Chapter 8420. This sheet provides instructions to complete the Joint Application Form for Activities Affecting Water Resources in Minnesota, a form developed by the State that is used to initiate review of projects that affect water resources under state and federal programs.

## INSTRUCTIONS

Before acquiring an application the following steps should be completed:

1. Evaluate your project and project site to determine the presence of wetlands in your project area.
2. Determine the amount and type of wetlands that will be impacted (filled, graded, altered, etc.) by your project. There are a number of options and resources available for determining the location and type of wetlands on your property:
  - a. [National Wetlands Inventory Online Mapper](#)
  - b. [Mille Lacs County GIS Mapping Application](#)
  - c. [Contact county staff](#)
3. Once the wetland locations and project sites have been determined you can explore options to avoid and minimize impacts.
4. Determine whether your minimized impacts are allowed under the Wetland Conservation Act and whether or not an application is required. It is **strongly encouraged** that landowners seek input from county staff to determine the steps required to proceed with your project and the approvals required.
5. Regardless of permitting or application requirements, all work in wetlands completed by an agent or employee of another must have a completed [Landowner Statement and Contractor Responsibility Form](#) submitted to the Mille Lacs County Land Services Office before beginning work.

## APPLICATION STEPS

1. Obtain the Joint Application Form for Activities Affecting Water Resources in Minnesota from the [Mille Lacs County Land Services Office Website](#).
2. Determine the nature of your project and which approval you are seeking under the [Wetland Conservation Act](#).
3. Determine which portions of the application are necessary for your project, the information required varies by the type of project and approval:
  - a. Delineation Approval: Parts 1, 2, and 5, and Attachment A
    - i. Boundary or Type: [Minnesota Administrative Rules 8420.0405](#)
  - b. Exemptions, no-loss determinations, and activities not requiring mitigation: Parts 1 through 5, and Attachment B
    - i. No-Loss Criteria: [Minnesota Administrative Rules 8420.0415](#)
    - ii. Exemption Standards: [Minnesota Administrative Rules 8420.0420](#)
  - c. Activities requiring mitigation or replacement: Parts 1 through 5, Attachments C and D
    - i. Replacement Standards: [Minnesota Administrative Rules 8420.0522](#)
  - d. Road projects completed by local road authorities: Parts 1 through 5, and Attachments C, D (if applicable) and E.

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4. Complete only the parts and attachments of the application that are required for your project.
5. Prior to submitting the application applicants are ***strongly encouraged*** to seek input from county staff regarding the proposed project and application materials.

Submit the application and appropriate fee (found on the [Mille Lacs County Fee Schedule](#)) to the Mille Lacs County Land Services Office. Fees may be paid by cash, check or credit card (including a processing fee for credit card transactions).

### COUNTY REVIEW PROCESS

1. County staff will review the application and submitted materials for completeness.
2. Depending on the approval sought county staff will send notice of the submitted application, along with a copy of the application materials, to the Mille Lacs County Soil and Water Conservation District, MN Department of Natural Resources, MN Board of Water and Soil Resources, and the U.S. Army Corps of Engineers.
3. Applications are typically reviewed by the technical evaluation panel (TEP) to make technical findings and recommendations. The TEP consists of technical professionals from the county, the MN Board of Water and Soil Resources, the Soil and Water Conservation District, and the MN Department of Natural Resources.
4. County staff and/or the TEP will typically make a site visit to assess existing conditions and the extent of the proposed project.
5. County staff will make a decision to approve, approve with conditions, or deny the application.
6. The applicant, along with applicable agencies and members of the public who requested notice, will receive notice of the decision from county staff.