

They are subject to Minnesota Statutes, Chapter 103G.245, which requires a permit prior to any alteration of the course, current, or cross-section of these waters. In general, this includes lakes, watercourses with large drainage areas, and large type 3, 4, and 5 wetlands. Please contact the DNR Area Hydrologist if you have questions about regulatory jurisdiction.

DNR/Division of Waters
940 Industrial Dr S. #103
Sauk Rapids, MN 56379
(320) 255-4279

WATERSHED DISTRICT

These agencies may require that any project altering wetlands or public and private drainage systems be permitted under Minnesota Statute 103B and 103D. Wetland alterations include any activity that may affect the size, shape, or character of a wetland.

Clearwater River (320) 274-3935
Middle Fork Crow River (320) 796-0888
North Fork Crow River (320) 346-2869
Sauk River (320) 352-2231

UNITED STATES DEPARTMENT OF AGRICULTURE

Anyone currently involved with or anticipating involvement with USDA programs needs to contact the Farm Service Agency (FSA) and the Natural Resources Conservation Service (NRCS). Form AD-1026 (Highly Erodible Land (HEL)/Wetland Certification) may need to be completed. This form confirms the landowner's agreement not to alter any HEL/wetlands on the property without conferring with USDA officials. Alterations include digging, filling, drainage of wetlands, planting on HEL, etc.

US Department of Agriculture (FSA/ NRCS)
110 2 St S, Suite 128
Waite Park, MN 56387
(320) 251-7800

MINNESOTA POLLUTION CONTROL AGENCY (MPCA)

This agency administers the 401 Water Quality Certification requirements. The MPCA should be notified of any project that requires an Army Corps of Engineers Individual Permit or involves one or more acres of grading (per the NPDES II permit program).

MPCA
520 Lafayette Road N
St. Paul, MN 55155-4194
1-(800) 657-3864

COUNTY OR CITY ENVIRONMENTAL SERVICES

Shoreland and floodplain ordinances are administered by cities in incorporated areas or by the county in unincorporated areas. Contact the city planning and zoning division or the Stearns County Environmental Services about activities within 1000 feet of a lake, 300 feet of a stream, or within a floodplain.

Stearns County Environmental Services
Administration Center Room 343
705 Courthouse Square
St. Cloud, MN 56303
(320) 656-3613
1-800-450-0852

DNR CONSERVATION OFFICERS

The responsibility of a conservation officer is to investigate potential violations of the WCA personally observed or reported by the public.

State Dispatcher
(320) 255-4224

This guide was developed by the Anoka Conservation District through the 2002 Agricultural Preservation Program and adapted for the residents of Stearns County by Stearns County Environmental Services.

Brochures in the Series

1. Purchasing & Developing Land
2. What's Regulated & Who Regulates
3. Exemptions
4. Wetland Impact Avoidance & Minimization
5. Wetland Replacement and Appeals
6. Wetland Banking
7. Ditch Maintenance, Pond Excavation & Mining
8. Violations and Enforcement

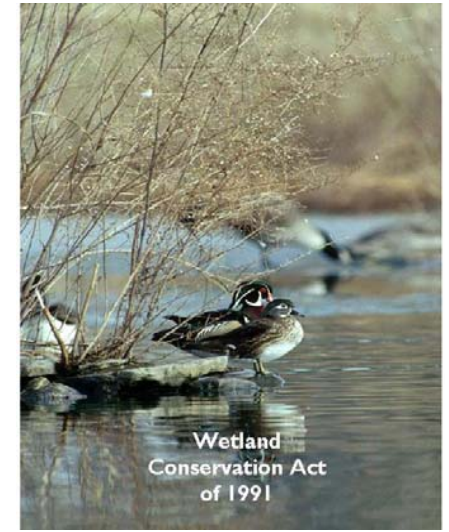
Please note that the information in this brochure is only a summary. Contact the Stearns County Environmental Services Department for more complete information.

All Stearns County Environmental Services programs and services are available without regard to race, color, national origin, religion, sex, age, marital status, or handicap. Copies of this brochure are available in their entirety at

www.co.stearns.mn.us



What's Regulated & Who Regulates



Brochure #2

Stearns County Environmental Services
Administration Center Room 343
705 Courthouse Square
St. Cloud, MN 56303

(320) 656-3613
FAX (320) 656-6484
1-800-450-0852

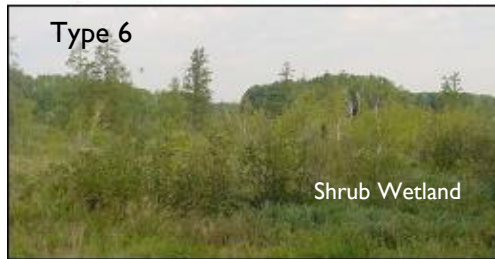
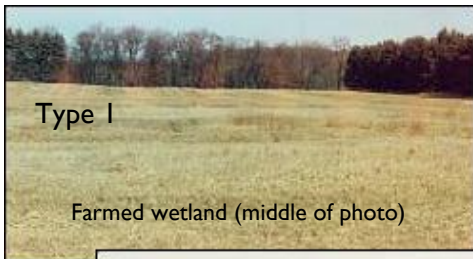
Information is current as of April, 2011

SITE EVALUATION

The word wetland means different things to different people. For wetland regulation purposes, inventory maps and personal opinion are not sufficient to determine where wetlands exist. Since 1995, the Wetland Conservation Act of 1991 (WCA) mandates the use of the 1987 Corps of Engineers Wetland Delineation Manual (1987 Manual) to determine where wetlands exist.

The 1987 Manual uses a three parameter approach that includes presence of hydrophytic vegetation, hydric soils, and wetland hydrology. Each parameter has set criteria that must be met for an area to be wetland. When the criteria for all three parameters are met in an undisturbed site under certain conditions, the area is a wetland.

There are eight types of wetlands (according to the US Fish and Wildlife Circular 39) in Minnesota.



Use of the 1987 Manual and the three parameter approach allows for a consistent, accurate, and reproducible wetland determination that can be made throughout the entire growing season.

It cannot be emphasized enough that a qualified wetland delineator should be contacted prior to any work being done to verify if wetlands exist.

AGENCIES AND JURISDICTIONS

Depending on the size, type, and location of wetlands and their proposed use, any combination of the following agencies may have jurisdiction. Before any work begins, contact these agencies.

The WCA is administered by a Local Government Unit (LGU). You should contact the appropriate LGU prior to starting any project and inquire about the necessary procedures. In Stearns County, the LGU is Stearns County Environmental Services for the entire county, with the exception of the City of Sartell. The City of Sartell is the LGU for the area within its city limits.

Environmental Services technical staff will be able to explain the WCA Rules and ensure that you contact all appropriate agencies. They also perform onsite wetland consultations, review wetland delineations, and review and monitor wetland replacement applications and wetland banking applications.

Stearns County Environmental Services
(320) 656-3613 or (800) 450-0852

Sartell (320) 253-2171

BOARD OF WATER AND SOIL RESOURCES

The BWSR is the state's administrative agency for 91 soil and water conservation districts, 43 watershed districts, 27 metropolitan watersheds, and 80 county water management organizations. The agency's purpose, working through local government, is to protect and enhance the state's irreplaceable soil and water resources by implementing the state's soil and water conservation policy, comprehensive local water management, and the WCA as it relates to the 41.7 million acres of private land in Minnesota.

Because 78 percent of the state's land is held in private ownership, the agency's focus on private lands is critical for the state to attain its goals for clean water, clean air, and abundant fish and wildlife. Managed wisely, these working lands – Minnesota's farms, forests, and urban areas – contribute greatly to the production of environmental goods and benefits including cleaner air and water, fish and wildlife habitat, and open space.

Agency programs to assist landowners and local government have resulted in less sediment and nutrients entering our lakes, rivers, and streams; more fish and wildlife habitat; and the drastic slowing of wetland losses. These have been realized in spite of intensification of agriculture, greater demands for forest products, and rapid urbanization in many parts of the state.

MN Board of Water and Soil Resources
520 Lafayette Road North
Saint Paul, MN 55155
(651) 296-3767

US ARMY CORPS OF ENGINEERS (USCOE)

This agency has the responsibility for Section 10 of the Rivers and Harbors Act and 404 of the Clean Water Act. Anyone considering grading, filling, excavating, or land clearing activities should contact the USCOE. Projects with minor impacts may be granted Nationwide Permits that do not require formal application.

US Army Corps of Engineers
180 5th Street East
St. Paul MN 55101-1678
(651) 290-5200

MN DEPARTMENT OF NATURAL RESOURCES (DNR)

The DNR regulates activities below the ordinary high water mark (OHW) of Public Waters and Wetlands, which are those basins and water courses identified on the "Public Waters and Wetlands" inventory map of Stearns County.