

# Wetland Mitigation Banks: USDA Natural Resources Conservation Service Announces Grant Funding Awards



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The United States Department of Agriculture Natural Resources Conservation Service (“NRCS”) issued a December 22nd news release announcing grant funding awards for the Wetland Mitigation Banking Program (“WMBP”).

NRCS describes the WMBP as a grant program that:

... supports the development of mitigation banks for the restoration, creation or enhancement of wetlands to compensate for unavoidable impacts to wetlands at another location.

Section 404 of the Clean Water Act requires a permit be obtained from the United States Corps of Engineers (“Corps”) for certain activities in jurisdictional waters. A frequent condition of such permit is mitigation of environmental impacts to rivers, streams, or wetlands. The Corps may require that a party proposing the project purchase credits from a mitigation bank or an in-lieu fee program in the same area to compensate for such impacts.

The mitigation bank is generally a wetland, stream, or other aquatic resource area that has been restored, established, enhanced, or (in certain circumstances) preserved for the purpose of providing compensation for unavoidable impacts to aquatic resources permitted under Section 404 of the Clean Water Act. The value of a bank is defined in compensation mitigation credits.

The NRCS WMBP is a competitive grant program that supports the development and establishment of wetland mitigation banks to make credits available for agricultural producers. It assists agricultural producers in complying with wetland conservation provisions and conserving ecologically important wetlands by allowing for off-site mitigation through the purchase of credits from wetland banks established and run by local partners. Awardees are allowed to use WMBP funding to support mitigation bank site identification, development of a mitigation banking instrument, site restoration, land surveys, permitting and title searches and market research. However, such funding cannot be used to purchase land or a conservation easement.

NRCS states in the December 22nd news release that this year’s awards:

... prioritize projects in states with large amounts of wetlands as well as large numbers of producers with wetland determination requests.

Awardees include:

- \$581,000 for Magnolia Land Partners, LLC in Illinois
- \$516,000 for Wisconsin DNR
- \$496,000 for Corblu Ecology Group, LLC in Georgia
- \$846,000 for Magnolia Land Partners, LLC in Nebraska
- \$992,000 for Minton Environmental Consultants, LLC in Missouri
- \$575,000 for Wildlife Mississippi
- \$875,000 for North Dakota Agricultural Mitigation, Inc.

A copy of the news release can be downloaded [here](#).