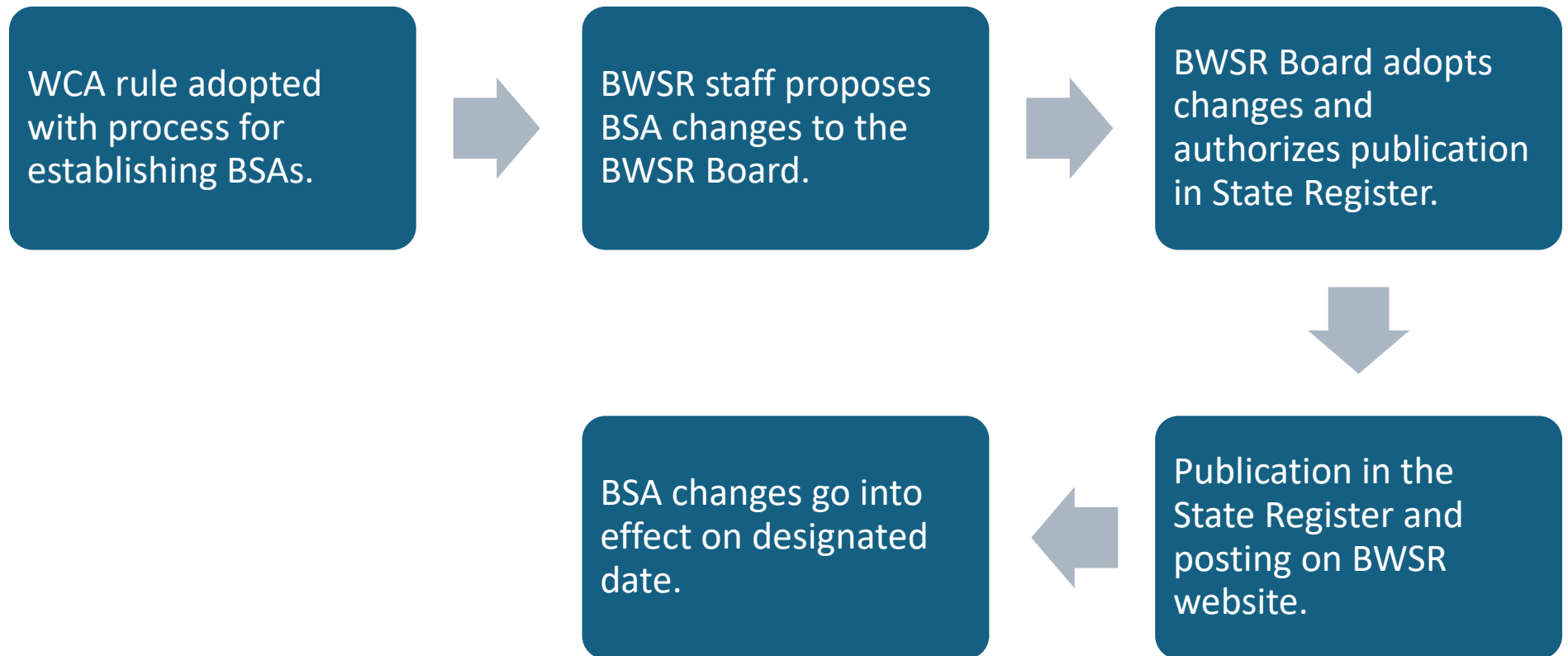


WCA Rulemaking & Proposed Grandfathering Provision for Bank Service Area (BSA) Changes

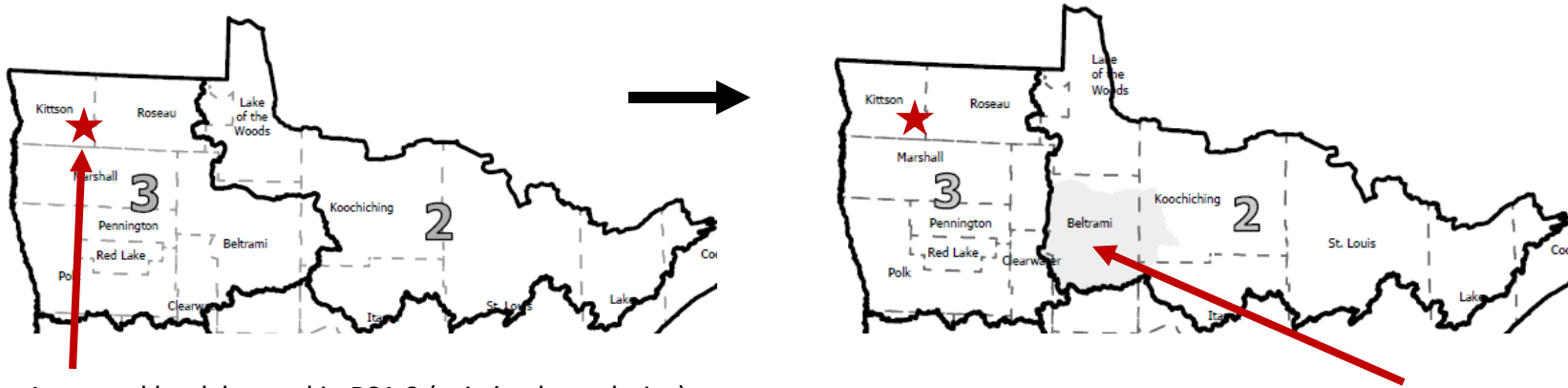
How will existing wetland banks be "grandfathered" if bank service areas are altered as proposed?

The 11/24/2024 preliminary draft rule proposes a process for establishing bank service areas (BSAs) and a grandfathering provision for wetland banks that were approved prior to the effective date of any changes to BSAs from those currently in rule. This same grandfathering provision would apply to any future BSA changes adopted by the BWSR Board. The following illustrates the proposed process for adopting BSA changes with this additional recommendation.



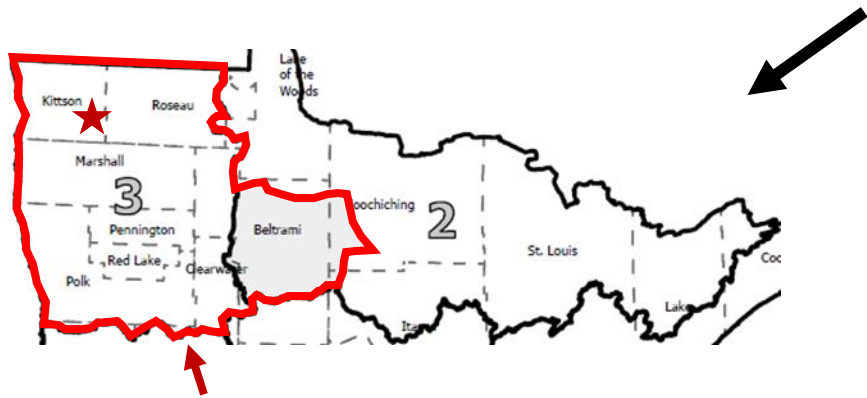
The following illustrate how the grandfathering provision would work.

Illustration 1. Bank remains in same BSA after the BSA boundary changes.



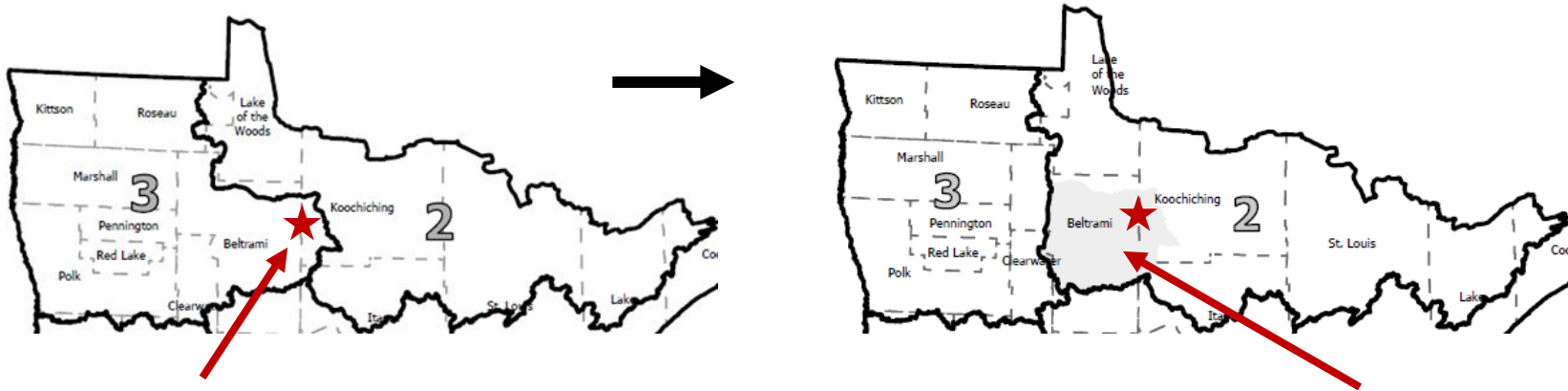
Approved bank located in BSA 3 (existing boundaries)

New BSA boundaries go into effect. A major watershed (grey polygon) shifted from BSA 3 to BSA 2.



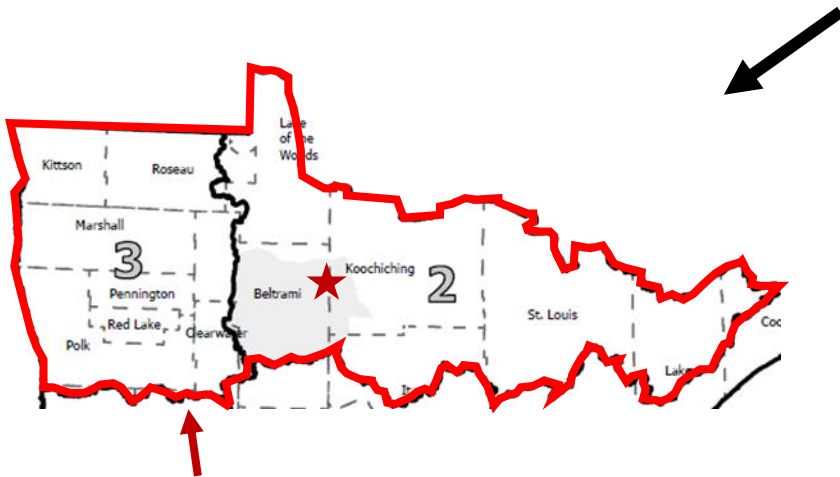
The area in red is where a credit user can purchase/use a banking credit from this bank and qualify for the minimum replacement ratio and be considered as "in the same BSA" for siting of replacement.

Illustration 2. Bank changes BSA after the BSA boundary changes.



Approved bank located in BSA 3 (existing boundaries)

New BSA boundaries go into effect. A major watershed where the bank is located (grey polygon) shifted from BSA 3 to BSA 2.



The area in red is where a credit user can purchase/use a banking credit from this bank and qualify for the minimum replacement ratio and be considered as "in the same BSA" for siting of replacement.