

# Wetland Mitigation Banking

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Wetland mitigation is the replacement of wetland functions through the creation or restoration of wetlands. Mitigation is required as a condition of many permits issued under state law (Part 303, Wetlands Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended) and federal law (Part 404 of the Clean Water Act). The goal of wetland mitigation is to replace wetland functions which provide public benefits, such as flood storage, water quality protection, fish and wildlife habitat, and groundwater recharge.

Wetland mitigation banking can facilitate compliance with permit requirements by providing a mechanism for the establishment of new wetland areas, or "banks," in advance of anticipated losses. Wetlands established in a mitigation bank provide "credits" which can be sold to permit applicants, or used by the bank sponsor to meet permit conditions.

The DEQ has developed a mitigation banking program in Michigan to meet several goals.

- Mitigation banking may benefit a wetland permit applicant by reducing permit processing time and costs, and by increasing certainty regarding the availability of adequate mitigation sites.
- Mitigation banking benefits the state's wetland resources by providing for establishment of new wetlands in advance of losses; by consolidating small mitigation projects into larger, better designed and managed units; and by encouraging integration of wetland mitigation projects with watershed based resource planning.

Administrative rules, issued under the Part 303 took effect on December 25, 1997. These rules allow for the use of credits from established mitigation banks to fulfill permit requirements associated with wetland permits. **The DEQ emphasizes that these rules do not modify existing legal criteria which govern the review and issuance of wetland permits.** Moreover, the availability of mitigation bank credits will not ensure permit issuance. Mitigation banking does offer an alternative, and potentially more effective means of complying with wetland permit conditions.

[Administrative Rules for Wetland Mitigation Banking](#)

[Wetland Mitigation Banking Watersheds Map](#)

[Frequently Asked Question about Mitigation Banking](#)

Those interested in developing a mitigation bank should thoroughly review the administrative rules and supporting materials. Preliminary proposals for wetland mitigation banks should be submitted in writing to the DEQ, Water Resources Division, P.O. Box 30458, Lansing, MI, 48909-7958.

[Process for Developing Mitigation Banks factsheet](#)

[Wetland Mitigation Banking Agreement Example](#)

As required by the administrative rules, the attached registry of established wetland mitigation banks and approved mitigation credits has been compiled to track the generation and use of credits and to provide information to the public regarding the availability of credits. This registry will be updated after credit transactions.

[Wetland Mitigation Banking Registry](#)