

**Mitigation Submittal Requirements for a Permittee-Responsible Individual Permit (IP) Application**

- 1) Mitigation Summary Sheet
- 2) Compensation Site Plan (CSP) Sections (all these sections are base guidelines and are subject to change by the Department at any time. Tougher requirements/standards/details may be required based on individual site conditions):
  - a) General Description of the Site Plan
    - i) Use Executive Summary in “Guidelines for Wetland Compensatory Mitigation in Wisconsin” document for layout.
  - b) Purpose
    - i) List the Department and USACE (if being regulated by both agencies) application permit numbers.
    - ii) List the number of mitigation credits required for the permitted impacts and the type of wetland community cover types impacted.
  - c) People & Expertise
    - i) Who owns the site?
    - ii) Who will be responsible for designing the permittee-specific site plan?
    - iii) Who will be managing the construction efforts?
    - iv) Who will be responsible for monitoring and management (e.g. consultant)?
    - v) List the expertise/qualifications of each person for the proposed tasks.
  - d) Location of Site
    - i) WMU and 6-digit HUC watersheds
    - ii) Township, Range, Section, Q-Q(s)
    - iii) County, Town/Village/City
    - iv) Orientation to the closest intersection
    - v) Mileage (as the crow flies) to nearest airport/landing strip/air field.
  - e) Detailed Baseline Conditions
    - i) Description of current hydrology including channelized and un-channelized flows, groundwater, and exact locations of all drain tiles and laterals Describe any structures (e.g. tiles, ditches, berms, etc) that are present on site, adjacent to the site, or contribute to the hydrology of the site. Include details of any ditches or tiles that are shared or need to be kept open to drain other properties. If ditches and tiles are going to be filled and/or removed, an analysis of potential flooding impacts to adjacent properties will be required. List the location and describe any streams, ponds, lakes, or other water-body features on the site.
    - ii) Description ecological landscape, geology and soils on site using county soil survey and representative soil borings (Surface Water Data Viewer, hereafter SWDV, found on the Department website: <http://dnr.wi.gov/>).
    - iii) Description of vegetation:
      - (1) Description of historic vegetation cover.
      - (2) Description of current vegetation; details of what (if any) invasive species are present, how dense is the stand, what is the overall cover of invasives on the property, and what is the status of invasive species on the properties immediately adjacent, upstream or in the contributing watershed. Describe any known off-site inputs of invasives. What (if any) rare or endangered species are known or suspected to be present on the site?

- iv) Description of current fauna utilizing the site or expected to utilize the site.
- v) NRCS and WWI mapping of the site (SWDV).
- vi) Description of historic and current on-site land uses
- vii) Description of nearby land cover and uses
- viii) Description of current zoning designations
- ix) Description of any known or suspected historic/archeological resources on the site
- x) Wetland delineation in accordance with the currently accepted federal manual, supplements and guidance (if wetland currently exists on the site)
- xi) Map or other proof of historic wetland existence within the boundaries of the site (if wetland is not currently on the site). Describe presence of hydric soils.
- xii) Wetland functional assessment of any wetlands existing on the site
- xiii) Floodplain mapping of the site (SWDV)
- xiv) Description of any state navigable waters on or near the site. Any trout streams? Designated waters? Impaired waters? (SWDV)
- xv) Description of the site in context of other wetlands, wildlife habitat, and natural areas (corridor concepts).
- xvi) Any additional information regarding site or surrounding area site specifics including but not limited to: potential hazardous waste deposition sites, high capacity wells, permitted activities, etc.
- f) Site Maps (to the greatest extent possible: all maps at scale of 1 inch=400 feet and should show 1 foot contours). Any map or plan not originally generated for an 8.5"x11" or 11" x 17" sheet of paper should be printed on the originally intended size paper and mailed to the Department (Wetland Mitigation Coordinator WT/4 \ P.O. Box 7921 \ Madison, WI 53707). All maps showing the proposed site should show a clearly defined site boundary. Some maps may combine a few of the following layers when appropriate as long as each layer is clearly labeled and divisible.
  - i) Recent aerial photograph in color (preferably not photocopied or scanned)
  - ii) Topographic map showing the boundaries of the contributing watershed area to the wetland.
  - iii) Aerial showing current vegetative communities
  - iv) Aerial showing proposed vegetative communities
  - v) Aerial showing other proposed changes: grading/construction/scrapes/etc
  - vi) Aerial showing Wisconsin Wetland Inventory layer and Potentially Restorable Wetlands layer (SWDV)
  - vii) Aerial showing RCG layer (SWDV)
  - viii) Plat map
- g) Design Features Details
  - i) Provide clearly readable plan sheets (if the original is intended to be larger than 11"X17", a legible copy shall be printed and mailed to DNR on the appropriate sized paper) (Wetland Mitigation Coordinator WT/4 \ P.O. Box 7921 \ Madison, WI 53707)
  - ii) Detailed plans showing pre-construction contours
  - iii) Detailed plans showing post-construction contours (showing planned scrapes, earthmoving, berms, or any other grading and construction work)
  - iv) Details of pre- and proposed post-construction hydrologic alterations (e.g. weirs, berms, tile manipulation, etc). Will any alterations or structures require active or passive control in the future?

- v) Plans for vegetation alterations: what exists, what's proposed, where are proposed communities planned to exist (show outlines of each type of wetland being created for credit, uplands too), how many acres of each? Vegetation plans should include seeding mixes and planting plans. Only appropriate species should be included. Appropriate species include those species that are native to the county in which the site is located and which are suitable for site conditions and the proposed plant community.
- vi) Describe erosion and sedimentation control measures that are proposed for use
- vii) Provide details on measures to assure adequate buffering of the wetland from adjacent land uses; the Guidelines requires at least a 100' upland buffer between the wetland mitigation site and any adjacent area that could be problematic.
- viii) Identify any constraints potentially outside the owner's control that might affect the site; e.g. neighboring land use, invasive species stands upstream/upwind from site, development, runoff, farmland uphill, etc.
- h) Describe the proposed construction sequence
  - i) Timeline for construction
  - ii) Probable construction impacts to the site and surrounding areas. Describe any temporary wetland impacts that will result from construction.
- i) Goals and Objectives for the Site
  - i) Specific goals for the mitigation site.
  - ii) Number of acres by cover type that are expected to be restored, enhanced, created, and/or preserved.
  - iii) Detailed wetland functional values expected to result from the project.
  - iv) What credit ratio is expected for each community type and action type?
  - v) *Quantitative* performance standards with at least the following information (all these performance standards are base guidelines and are subject to change by the Department at any time. Tougher standards may be required based on individual site conditions):
    - (1) Maximum allowable non-native or invasive plant species vegetative cover. Specific species may require targeted control.
    - (2) Minimum FQI and coefficient of conservatism (this number depends on the location of the site, target community, and current vegetative quality)
    - (3) Minimum relative percent cover of native plants species across the entire site; generally the minimum cover of native plants should not be set below 85%.
    - (4) Minimum relative percent cover of plants that are wetland plants (FAC or wetter) in any wetland area; generally the minimum relative percent cover of plants that are wetland plants should not be less than 75%.
    - (5) Minimum cover or density of trees and/or shrubs by the end of the monitoring period (as applicable).
    - (6) Maximum allowable cover of non-vegetative area (bare ground, mud flats, open water, etc); generally the non-vegetated area should be not exceed 10%.
    - (7) Minimum number of civic or educational field trips/tours per year
    - (8) Maximum number of waterfowl sightings if within 5 miles of an airport/airfield/landing strip.
    - (9) Range (minimum and maximum) of the target hydrology (e.g. days of inundation, inches from ground surface to saturation, etc.) for the target type of wetland; must be specific and appropriate to the target goal plant community.

- (10) Standards for vegetative quality of the buffers.
  - (11) Requirement for a wetland delineation no more than 1 year from the end of the final required monitoring year.
  - (12) Requirement for a wetland functional values assessment no more than 1 year from the final required monitoring year.
- j) Monitoring Plan (all these requirements are base guidelines and are subject to change by the Department at any time. Additional or more rigorous monitoring may be required based on individual site conditions):
- i) Detailed timeline of proposed construction
  - ii) Detailed timeline of proposed monitoring.
    - (1) How many total years: 5 for herbaceous only wetlands, 8 for shrub communities, and 10 for forested communities, minimum.
    - (2) How many times will monitoring take place each growing season? At least one sampling must take place after leaf out and before senescence.
    - (3) Will monitoring take place every year? Require submittal of monitoring reports at least the first 2 years to be monitored and reports submitted. Reports will be required at least every other year after the first 2 years for a minimum of 5 reports throughout the entire monitoring period.
  - iii) Map of monitoring photo points (at least 3 per plant community type). Photo points are set and pictures should be taken from the same point and in the same direction(s) every year a monitoring report is submitted.
  - iv) Map of transects (at least 1 per acre per plant community)
  - v) Detailed methods for vegetation, hydrology, and/or wildlife monitoring.
    - (1) Vegetation monitoring should occur at a frequency of at least 2 times per year in the first 2 years; late spring and late summer/early fall. Monitoring must include set 1-m<sup>2</sup> sample plots that will measure cover of all plants; plots will be established for the duration of the monitoring period. Vegetation monitoring must be conducted during the standard growing season for the county in which the project site is located in. A meander survey must also be done to capture additional plant species not found in the 1m<sup>2</sup> plots. Vegetation monitoring must include an estimate of total percent cover of invasive species for every plant community type and action type (i.e. restoration, enhancement, creation, or preservation).
    - (2) Wildlife monitoring – sample each taxa using appropriate methods (i.e., herpetological survey using traps, anuran calling surveys; birds using standard breeding bird survey protocol, etc.
    - (3) Hydrology monitoring
      - (a) Required to have specifics about hydrology at least once per week, preferably every day for a specific time period throughout the growing season. Can be accomplished using a number of methods: data loggers, groundwater wells, piezometers, etc, depending on availability, budget, and appropriateness. All monitoring site locations should be fixed and are subject to agency approval prior to establishment.
    - (4) Last year of monitoring should include a detailed wetland delineation (using the 1987, or most recent version, USACE Wetlands Delineation Manual) showing exact number of acres of wetland restored, enhanced, created, and/or preserved.
    - (5) Monitoring plan should include identification of problems and issues that need to be addressed with a plan for maintenance for at least the coming year.

- k) Adaptive management plan
    - (1) Details of what the current and possible ecological threats are to the site (e.g. dominant invasive species on-site or nearby).
    - (2) Detailed plans for how each threat can/will be treated and alternative treatments if one method proves un-successful.
  - l) Financial Responsibility
    - (1) Detailed budget for construction and post-construction tasks.
    - (2) Construction-period financial assurance draft (shall not be signed until the Wetland Mitigation Coordinator has approved the CSP and the draft financial assurance).
    - (3) Post-Construction financial assurance draft (shall not be signed until the Wetland Mitigation Coordinator has approved the CSP and the draft financial assurance).
    - (4) Acceptable financial assurances types (templates are available for these three options upon request from the Department Wetland Mitigation Coordinator):
      - (a) Irrevocable escrow agreement
      - (b) Performance bond
    - (5) Funds must be held by the Department (as Grantee)
  - m) Long-term protection of site
    - (1) Easement draft or other acceptable instrument (shall not be signed until the Wetland Mitigation Coordinator has approved the CSP and the draft easement).
      - (a) Must be written to be held by the Department (as Grantee)
      - (b) Must be made to protect the site in perpetuity
      - (c) Use the draft found on the Department website at <http://dnr.wi.gov/> and then search “wetland mitigation easement”; do not change any text, simply add in the necessary specifics. Specific changes may be required based on the specific site conditions.
    - (2) Details of who, when, and how the site will be managed after the monitoring period. Designate who will be the long-term land manager of the site. The ultimate responsibility for any long-term site success remains the responsibility of the permittee unless the agencies expressly approve transfer of responsibility.
    - (3) Set up a post-monitoring period endowment; allows for long-term land manager to perform necessary management of the site.
    - (4) Management plan: details of what management will be required long-term (after monitoring period) to maintain the site to the target goal. How will the required management tasks be assigned? Carried out? Who will perform the tasks? How will management be paid for?
- 3) Once the CSP is approved by Department Wetland Mitigation Coordinator, the Applicant can proceed with the signing and recording of the easement (or other comparable protection instrument) and the financial assurances documentation. An IP will not be granted until all legal documents are signed by all parties.