

# WETLANDS Factor Sheet

06-11-2019

Wisconsin Department of Transportation

<b>Alternative:</b>	<b>Preferred:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> None identified	<b>Project ID:</b>
---------------------	---	--------------------

A separate Factor Sheet should be completed for each alternative carried forward for detailed analysis.

For guidance on completing this Factor Sheet consult your Region Environmental Coordinator(REC) or the Bureau of Technical Services, Environmental Services Section (ESS) specialist.

When applicable, the information on this Factor Sheet should be consistent with what is included on the Environmental Document Template, the Section 4(f) Factor Sheet, Community Factor Sheet, Section 6(f) or Other Special Funding Factor Sheet, EJ Factor Sheet, Wetlands Factor Sheet, Erosion Control Factor Sheet, Stormwater Factor Sheet and the Threatened and Endangered Factor Sheet. Additionally, habitat and tribal factors may need to be addressed on the Other Factor Sheet. If there is discussion of indirect or cumulative impacts on this Factor Sheet, be sure they are also reflected in the indirect impacts and cumulative impacts discussion in the environmental document and any attachments.

See FDM 20-50-1 Permits, FHWA, USACE and DNR Permits: <https://wisconsindot.gov/rdwy/fdm/fd-20-50.pdf#fd20-50>

See FDM 24-5-10 for general guidance: <https://wisconsindot.gov/rdwy/fdm/fd-24-05.pdf#fd24-5-10>

WDNR’s surface water data viewer is a useful resource for determining if wetlands or other water features may be present in the project area. Website: <https://dnr.wi.gov/topic/surfacewater/swdv/>.

USACE Wetland Delineation Manual: <https://usace.contentdm.oclc.org/digital/collection/p266001coll1/id/4530>

Applicable regional supplements: [https://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/reg\\_supp/](https://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/reg_supp/)

- Midwest
- Northcentral and Northeast

## Describe Wetlands

### 1. Describe Wetlands Along the Project (a map may be helpful):

	Name (if known) <sup>1</sup>	County	Section-Township-Range	Location Map	Wetland Type(s) <sup>2</sup>	Total Wetland Loss	Temporary Wetland Loss	Is the wetland contiguous with a stream, lake or other?	Name the contiguous waterbody (ies)
Wetland			S- , T- , R-	Exhibit:		acres	acres	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Wetland			S- , T- , R-	Exhibit:		acres	acres	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Wetland			S- , T- , R-	Exhibit:		acres	acres	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Wetland			S- , T- , R-	Exhibit:		acres	acres	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Wetland			S- , T- , R-	Exhibit:		acres	acres	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Wetland			S- , T- , R-	Exhibit:		acres	acres	<input type="checkbox"/> Yes <input type="checkbox"/> No	

<b>Wetland</b>			S- , T- , R-	Exhibit:		acres	acres	<input type="checkbox"/> Yes <input type="checkbox"/> No	
----------------	--	--	--------------------	----------	--	-------	-------	---	--

<sup>1</sup> Examples of named wetlands include: Cherokee Marsh, Horicon Marsh, Tiffany Bottoms, etc.

<sup>2</sup> Use wetland types specified in the WisDOT Wetland Mitigation Banking Technical Guidelines, Table 1-C:

<https://wisconsin.gov/Pages/doing-business/eng-consultants/cnslt-rsrcs/environment/wetland-waters.aspx>

<sup>3</sup> If wetland is contiguous to a stream, lake or other water body, and impacts to the resource are expected, complete the Surface Water Factor Sheet.

Attached exhibits should provide a reasonable and clear depiction of wetlands identified along the project based on the wetland delineation report, and anticipated impacts, if known. Note that the delineation may not identify the full extent of the wetland.

If there are more wetlands than fit in the above table, additional tables may be added.

Wetland loss may include permanent wetland fill or wetland conversion (changing wetland type). Temporary wetland impacts may include impacts from shading or construction activities that will be fully restored to pre-construction conditions. There may be a limit to the duration of temporary impacts. Refer to permit conditions and consult with your REC for more information.

The column in the table relating to contiguousness is meant to distinguish federal jurisdiction. The ultimate decision on jurisdiction rests with the regulatory agencies (USACE for waters of the U.S. and WDNR for waters of the state).

**2. Describe method for evaluating wetlands along project.**

- Wetland delineation. Date completed:
- Interagency wetland determination. Date completed:
- Other. Describe and indicate date completed:
- Evaluation not necessary or not completed. Explain:

A wetland delineation or interagency wetland determination may be necessary to identify and characterize wetlands in the project area. A wetland delineation involves a formal evaluation of wetland boundaries following U.S. Army Corps of Engineers’ Wetland Delineation Manual and applicable supplements ( [https://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/reg\\_supp/](https://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/reg_supp/) ). Wetland determinations are informal evaluations conducted jointly by WisDOT and regulatory agency staff. In rare circumstances, other evaluation methods, such as desktop screenings, may be used to identify and characterize wetlands along the project.

DNR coordination letters generally indicate only if there are mapped wetlands present. These are wetlands mapped as part of the Wisconsin Wetland Inventory, a statewide effort to identify wetlands via remote sensing for planning purposes. There may be smaller, unmapped, and/or farmed wetlands present in the project area. All wetlands must be field verified. Consult your REC to identify and characterize wetlands in the project area. Additional information on Wisconsin Wetland Inventory is available on WDNR’s website: <https://dnr.wi.gov/topic/wetlands/inventory.html>.

Wetland delineations are typically only valid for five years and may need to be updated during the project development process.

**3. Are any impacted wetlands considered “wetlands of special status,” “red flag wetlands,” or “rare and high-quality wetlands”? Refer to WisDOT Wetland Mitigation Banking Technical Guideline, page 10 for additional information.**

- No
- Yes:
  - Advanced Identification Program (ADID) Wetlands
  - Other – Describe:

Consult with your REC to determine if any wetlands in the project area are “red flag” or special status wetlands.

[ADID Wetlands](#)

The U.S. Environmental Protection Agency (EPA), in cooperation with the U.S. Army Corps of Engineers (USACE), implemented the Advanced Identification Program (ADID) to identify wetlands that are generally suitable or not suitable for discharge of fill material. In Wisconsin, ADID wetlands are only found within the Southeast Wisconsin Regional Planning Commission (SEWRPC) metropolitan planning boundaries. Information and maps are available on their website: <http://www.sewrpc.org/SEWRPC/NaturalResources/AdvancedIdentificationofWetlan.htm>

Within the project area, ADID wetlands are those mapped wetlands that occur within the boundaries of the primary environmental corridor adopted in 1985. In southeastern Wisconsin, advanced identification of such wetlands was undertaken in consultation with SEWRPC and the DNR to redirect development outside of primary environmental corridors. In Wisconsin, ADID wetlands are part of a special category of wetlands to be protected: "wetlands in areas of special natural resource interest" (NR 103.04, Wis. Admin. Code). Fill is justifiable when there is no feasible alternative.

For additional information on rare and high-quality wetlands, refer to State Statute 281.36(4n)(a)3: <https://docs.legis.wisconsin.gov/statutes/statutes/281/III/36/4n/a/3>

**4. List any observed or expected waterfowl and wildlife inhabiting or dependent upon the wetland (List should include both permanent, migratory and seasonal residents):**

Consult with your REC to identify species that may be present in the wetland. If endangered or threatened species are present and may be impacted, include on the Threatened, Endangered and Protected Resources Factor Sheet.

This is not meant to be a comprehensive list of all species that may use the wetland. Rather, it is meant to generally describe the organisms that may inhabit or depend on the wetland and may be impacted by the project. The description may include broad species groupings (e.g. amphibians, common mammals, common waterfowl), or it may describe unique species (e.g. rare or uncommon species) or wildlife concentration areas (e.g. migratory bird concentration areas).

**Describe Work and Anticipated Impacts**

**5. Describe proposed work in the wetland(s), e.g., excavation, fill, marsh disposal, temporary impacts, other:**

**6. Wetland Avoidance and Impact Minimization:** [Note: Consideration of avoidance and minimization strategies is required before evaluating compensatory mitigation needs.]

A. Wetlands avoided:            acres

1. Describe methods used to avoid the use of wetlands, such as tightening slopes, using a lower level of improvement or placing the roadway on new location, etc.:
2. Indicate the total area of wetlands avoided:            acres

Avoidance strategies may include: changing the horizontal alignment, reducing the cross-section footprint, lowering the profile and increasing slopes to reduce the footprint, use of retaining walls, etc.

B. Wetlands impacts minimized:            acres

1. Describe methods used to minimize the use of wetlands, such as increasing side slopes, use of retaining walls, equalizer pipes, upland disposal of hydric soils, etc.:
2. Indicate the total area of wetlands saved through minimization:            acres

Generally, strategies like the avoidance strategies can be used to minimize impacts.

**7. Erosion control or stormwater management practices which will be used to protect the wetland are described on Factor Sheets, check all that apply:**

- Erosion Control Factor Sheet completed
- Stormwater Factor Sheet completed
- Neither Factor Sheet will be used, briefly describe measures to be used:

**Coordination and Permitting**

**8. US Army Corps of Engineers (USACE) Jurisdiction and Section 404 Permit (Clean Water Act):**

Not applicable, no impacts anticipated to waters under USACE jurisdiction.

Date of approved jurisdictional determination:

Applicable, impacts anticipated to wetlands under USACE jurisdiction.

Indicate acres of wetlands filled:                      and acres temporarily impacted:

See FDM 20-50-5, Federal Permits, for general guidance: <https://wisconsindot.gov/rdwy/fdm/fd-20-50.pdf#fd20-50>

Jurisdictional determinations are not required but may be useful during project planning and permitting to determine Corps jurisdiction and limits of Waters of the United States. WisDOT often assumes the USACE has federal jurisdiction over all waters within the project limits simply to expedite project delivery.

Approved jurisdictional determinations are typically valid for five years. Additional information on jurisdictional determinations is available in the USACE's Regulatory Guidance Letter No. 08-02:

<http://www.nap.usace.army.mil/Portals/39/docs/regulatory/rgls/rgl08-02.pdf>

Additional guidance is available on the USACE's website: <https://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/Related-Resources/CWA-Guidance/>

Consult with your REC for guidance.

Type of 404 permit anticipated:

Detailed permitting information is available on the USACE St. Paul District Regulatory Program's website:

<http://www.mvp.usace.army.mil/Missions/Regulatory/>

Note: USACE defines what constitutes a single and complete project to distinguish permit thresholds and categories. This definition varies by project type (linear vs. non-linear) and permit category (general vs. individual). Consult your REC for additional guidance.

Individual Section 404 Permit required.

Individual permits are required for activities that cannot be authorized by a general permit or letter of permission. USACE retains authority to elevate any review to an individual permit.

General Permit (GP) or Letter of Permission (LOP) required.

Indicate which GP or LOP is required:

Transportation Regional General Permit (TRGP; expires 02/20/23). Permit category:

USACE St. Paul District issued a suite of new general permits, applicable in WI and MN, in early 2018. These general permits replaced existing general permits in the state. The TRGP is specific to transportation and includes five categories of eligible activities. Refer to the TRGP for details on eligible activities, restrictions, conditions, and notification requirements: [http://www.mvp.usace.army.mil/Portals/57/docs/regulatory/RGP/Transportation\\_RGP.pdf?ver=2018-02-22-093530-183](http://www.mvp.usace.army.mil/Portals/57/docs/regulatory/RGP/Transportation_RGP.pdf?ver=2018-02-22-093530-183)

In the permit category text box, list the category number and description (e.g. Category 1: Minor Maintenance – Linear Transportation).

Nationwide General Permit (NWP). NWP number:

Nationwide Permits were reissued nationally in 2017 by USACE Headquarters. In Wisconsin, linear transportation projects are not eligible for authorization under NWPs. These projects must be reviewed by another permitting mechanism, such as the transportation regional general permit, letter of permission or individual permit. Examples of NWPs that may be used on WisDOT projects include: NWP 27-Aquatic habitat restoration, enhancement and established activities; NWP 3-maintenance; NWP 18-minor discharges; or NWP 45-repair of uplands damaged by discrete events.

In the NWP number, list the NWP permit number and description (e.g.: NWP 18, Minor discharges).

Letter of Permission (LOP-06-WI; issued 04/17/06 – or – LOP-10-R; issued 08/30/10)

Letters of permission are abbreviated individual permits, designed to streamline the permitting process for certain activities. LOPs describe the terms and procedures for applying for authorization. Two LOPs are currently available in Wisconsin: LOP-06-WI and LOP-10-R. Terms and procedures can be found in the LOP documents, available on the Corps' website.

LOP-06-WI: <http://www.mvp.usace.army.mil/Portals/57/docs/regulatory/2005007189SN.pdf>

LOP-10-R, for use within the exterior boundaries of tribal reservations in MN and WI, except the Mole Lake Band of Sokaogon Chippewa and Fond du Lac Band of Lake Superior Chippewa reservations:

<http://www.mvp.usace.army.mil/Portals/57/docs/regulatory/MN-LOP/LOP-10-R%20Public%20Notice%20Signed%2030-Aug-10.pdf>

Pre-construction notification (PCN):

Not required. Explain:

Required. Status of PCN:

PCN submittal (also referred to as the permit application package) and USACE authorization are required for activities that meet certain conditions. Conditions and notification requirements are detailed in the Corps' permits and associated documents, which are available on their regulatory website.

- Transportation regional general permit conditions and notification requirements can be found in the permit, available on the Corps' website:  
[http://www.mvp.usace.army.mil/Portals/57/docs/regulatory/RGP/Transportation\\_RGP.pdf?ver=2018-02-22-093530-183](http://www.mvp.usace.army.mil/Portals/57/docs/regulatory/RGP/Transportation_RGP.pdf?ver=2018-02-22-093530-183)
- LOP conditions and notification requirements are available in the respective LOP documents.
  - LOP-06-WI: <http://www.mvp.usace.army.mil/Portals/57/docs/regulatory/2005007189SN.pdf>
  - LOP-10-R: <http://www.mvp.usace.army.mil/Portals/57/docs/regulatory/MN-LOP/LOP-10-R%20Public%20Notice%20Signed%2030-Aug-10.pdf>

**9. Wisconsin Department of Natural Resources (WDNR) Coordination and Section 401 Water Quality Certification (WQC):**

WDNR provided concurrence on the project's wetland delineation. Date received or anticipated:

401 WQC anticipated:

WDNR 401 WQC is typically received after the environmental document has been signed. Although specific details may not be known at the time the environmental document is signed, the anticipated schedule may be available.

**10. Federal Highway Administration (FHWA) Wetland Policy:**

Individual wetland finding required. Summarize all practicable measures included in the project to minimize harm to wetlands and explain why there are no practicable alternatives to the proposed action and wetland use:

Based upon the above considerations, it is determined that there is no practicable alternative to the proposed construction in wetlands and that the proposed action includes all practicable measures to minimize harm to the wetlands which may result from such use (per FHWA Technical Advisory T6640.8A and Executive Order 11990).

Not applicable, explain:

For more information on the FHWA Wetland Policy, see FDM 20-45-25 <https://wisconsindot.gov/rdwy/fdm/fd-20-45.pdf#fd20-45-25> or FHWA's Technical Advisory T6640.8A

[https://www.environment.fhwa.dot.gov/legislation/nepa/guidance\\_preparing\\_env\\_documents.aspx#wetland](https://www.environment.fhwa.dot.gov/legislation/nepa/guidance_preparing_env_documents.aspx#wetland).

Also, see Executive Order 11990, Protection of Wetlands: <https://www.archives.gov/federal-register/codification/executive-order/11990.html>

An example of “not applicable” would be a project with only state or local funding.

**11. Section 10 Waters (Rivers and Harbors Act). For navigable waters of the United States (Section 10) indicate which 404 Permit is required:**

- No Section 10 waters. Section 10 permit not required.
- Section 10 waters present.
  - Individual Permit
  - Nationwide Permit, NWP number:
  - Transportation Regional General Permit, TRGP category:
- Pre-construction notification (PCN):
  - Not required, explain:
  - Required, status of PCN:

See FDM 20-50-5, Federal Permits, for general guidance: <https://wisconsin.gov/rdwy/fdm/fd-20-50.pdf#fd20-50>

USACE maintains a list of rivers in the state that are classified as Section 10 navigable waters. The list can be found on the USACE’s website:

<http://www.mvp.usace.army.mil/Portals/57/docs/regulatory/RegulatoryDocs/navigable%20waters%20wi.pdf>

Typically, the Section 10 permitting process occurs concurrently with Section 404 permitting. The current General Permits available in Wisconsin (TRGP and NWP) may be used to authorize activities regulated under Section 10 and Section 404.

**Compensation**

**12. Describe compensation for unavoidable wetland loss including wetland type, acres of loss, the mitigation ratio to be used, the type and acres of compensation and the Wetland Mitigation Site (if known) where mitigation will occur:**

According to Section 404(b)(1) of the Clean Water Act, wetland compensatory mitigation procedures and sequencing will conform to the USACE and U.S. Environmental Protection Agency (EPA) joint rule on Compensatory Mitigation for Losses of Aquatic Resources (33 CFR Parts 325 and 332; and 40 CFR Part 230; dated April 10, 2008).

Compensatory mitigation will be consistent with amendments to the Cooperative Agreement between DNR and WisDOT on compensatory mitigation for unavoidable losses (July 2012) and WisDOT Wetland Mitigation Banking Technical Guideline (March 2002).

A numbered list may be helpful if numerous wetland types are being mitigated.

Wetland types include: Riparian wetland (wooded), RPF  
Riparian wetland (emergent), RPE  
Wet and sedge meadows, wet prairie, vernal pools, fens, M  
Shallow marsh, SM  
Deep marsh, DM  
Aquatic bed, AB  
Shrub scrub, shrub carr, alder thicket, SS  
Wooded swamp, WS  
Open and forested bogs, Bog

Wetland types may be classified as degraded, signified by (D) after the type’s acronym (e.g. M(D)).

For compensation site, provide information on the proposed compensation site, including if the site is project-specific or a bank site. If known, provide bank site name. Example: WisDOT bank site: Lost Creek Wetland Mitigation Bank Site.

Most of the information needed to complete this question will come from the Wetland Impact Tracking Form (WITF) or Wetland Delineation Report. Consult your REC for guidance on completing this question.

Refer to WisDOT's Wetland Mitigation Banking Technical Guideline (2002) for details on WisDOT's wetland types, compensation ratios and related compensatory mitigation procedures.

- 13. Summarize the coordination to date and that still needs to be completed with USACE, WDNR and other agencies or organizations regarding compensation for unavoidable wetland losses below and indicate where the documentation is located:**

All environmental commitments made to avoid, minimize or mitigate impacts must be included in Question 23 of the ER and EA Template, Section 5 of the PCE Template or Question XII of the CEC Template.