

Artificial Wetland Documentation



SEWRPC Photo

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Importance of Documentation

Artificial Wetland:

a landscape feature where hydrophytic vegetation may be present as a result of human modifications to the landscape or hydrology and for which there is no prior wetland or stream history



Importance of Documentation

Sets limits and extent of state jurisdiction

NR 103.06(4) – Artificial Wetland Exemptions

A person who proposes a project that may affect an artificial wetland shall notify the department at least 15 working days prior to initiating the project...

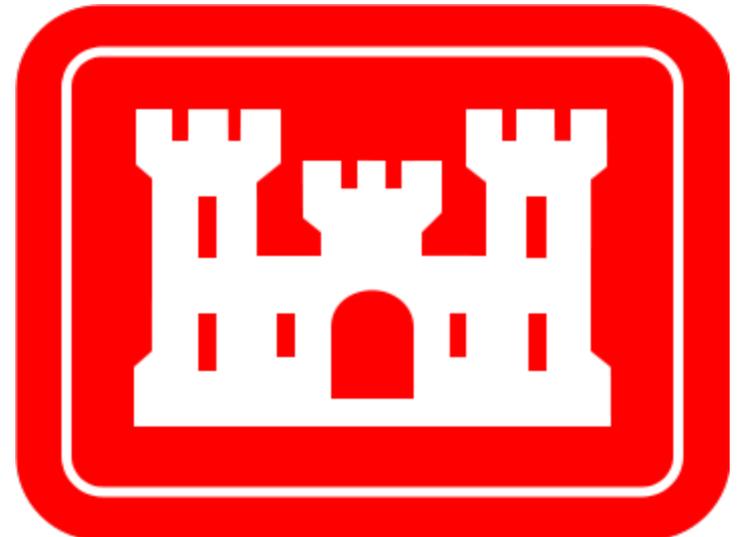
...the following artificial wetlands are exempt from the provisions of this chapter unless the department notifies the applicant... that the artificial wetland has significant functional values...



NR 103 Exemptions

Only applicable for state of Wisconsin decisions.

USACE has separate decision making process.





NR 103 Exemptions

NR 103.06(4a)

Sedimentation and stormwater detention basins and associated conveyance features operated and maintained only for sediment detention and flood storage purposes



U.S. EPA Photo



NR 103 Exemptions

NR 103.06(4b)

Active sewage lagoons, cooling ponds, waste disposal pits, fish rearing ponds, and landscape ponds





NR 103 Exemptions

NR 103.06(4c)

Actively maintained farm drainage and roadside ditches





NR 103 Exemptions

NR 103.06(4d)

Artificial wetlands within active nonmetallic mining operations





DNR Exemption Process

DNR process for determining exemptions

1. Is the feature “artificial”
2. Does it meet one of the listed exemptions
3. Does it provide significant functional values related to
 - a) Aquatic organism habitat
 - b) Other wildlife habitat
 - c) Recreational, cultural, educational, scientific, or natural scenic beauty



Consultant Process

Provide agencies information showing:

1. Proof of artificial nature
2. Proof exemption is fulfilled

Preferred Format:

1. Submit request form to Wetland ID Program
2. Include information listed on checklist



Consultant Process

Request Form:

<http://dnr.wi.gov/topic/wetlands/identification.html>

- Requester information
- Landowner information
- Site Location
- Size/Service Fee



Consultant Process

Request Form Service Fee:

| Acres of Property Reviewed | Review Fee |
|----------------------------|------------|
| 1 - 20 acres | \$300 |
| 21 - 40 acres | \$600 |
| 41 - 60 acres | \$900 |
| 61 - 80 acres | \$1200 |

| Acres of Property Reviewed | Review Fee |
|----------------------------|------------|
| 81 - 100 acres | \$1500 |
| 101 - 120 acres | \$1800 |
| 121 - 140 acres | \$2100 |
| 141 - 160 acres | \$2400 |

| | | |
|-------|--------------|--|
| Other | enter acres: | |
|-------|--------------|--|



Information to Submit - artificial

Information regarding artificial nature:

1. Soil Mapping and WWI Mapping
2. Previous Agency Approvals
3. Supplemental Data (soil data, topography, historic aerial photographs, etc.)
4. Previous Agency Correspondence



Information to Submit - Artificial

Information regarding artificial nature:

Soil Mapping:

- Mapped hydric soil = not artificial.
 - Shows Wetland History
- Mapped inclusion soil = possibly artificial
 - Need supplemental data, such as soil profile, aerial photographs, topographic survey, etc.
- Mapped non-hydric soil = possibly artificial
 - Need supplemental data, such as soil profile, aerial photographs, topographic survey, etc.

Information to Submit - Artificial

Soil Mapping Example: Granby = hydric



Information to Submit - Artificial

Soil Mapping Example: Granby = hydric

not artificial
therefore...
not exempt



Information to Submit - artificial

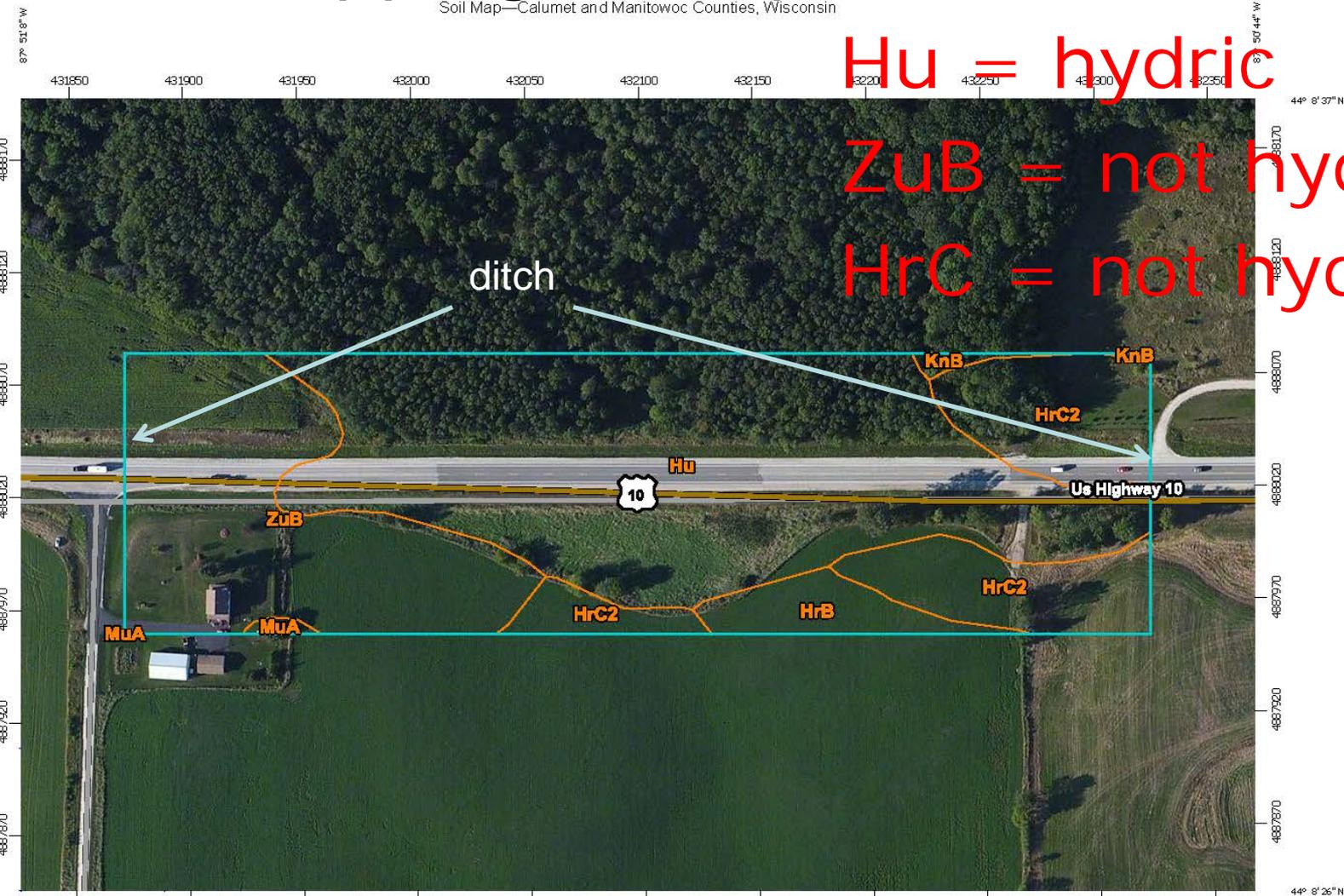
Soil Mapping Example

Soil Map—Calumet and Manitowoc Counties, Wisconsin

Hu = hydric

ZuB = not hydric

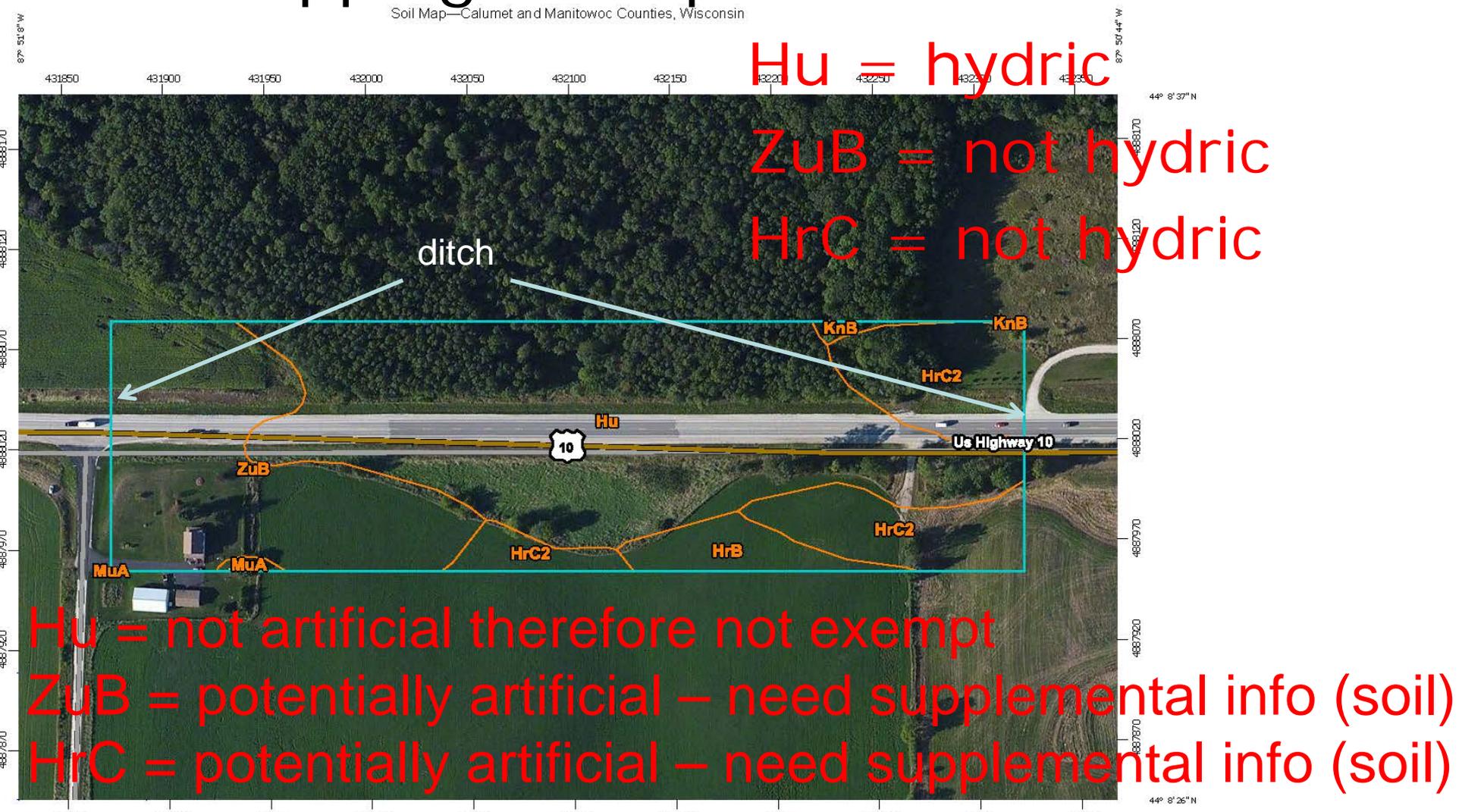
HrC = not hydric



Information to Submit - artificial

Soil Mapping Example

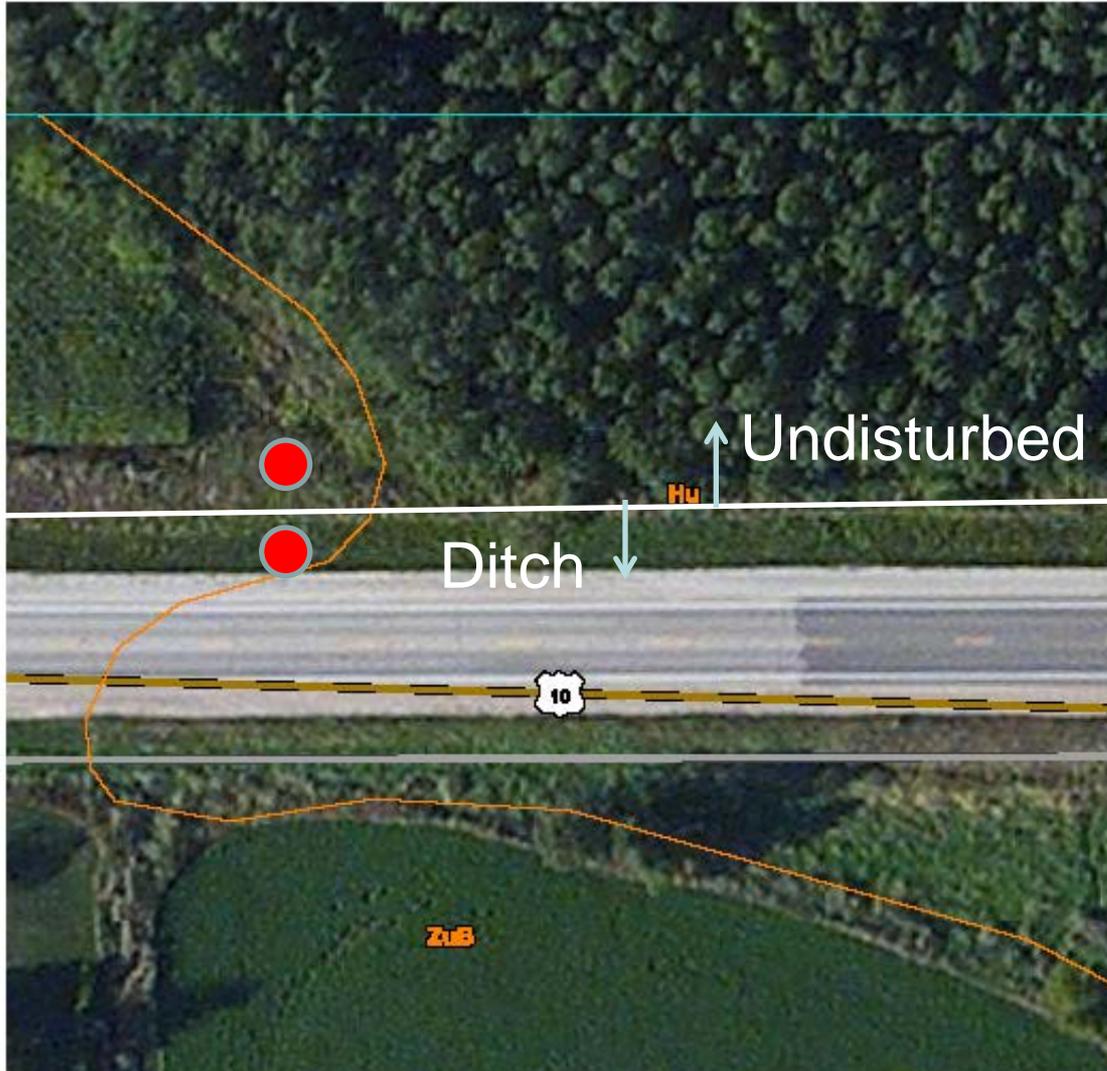
Soil Map—Calumet and Manitowoc Counties, Wisconsin



Information to Submit - artificial

Soil Map—Calumet and Manitowoc Counties, Wisconsin
Map sheet 2 of 5

Soil Profile Information – where to collect?

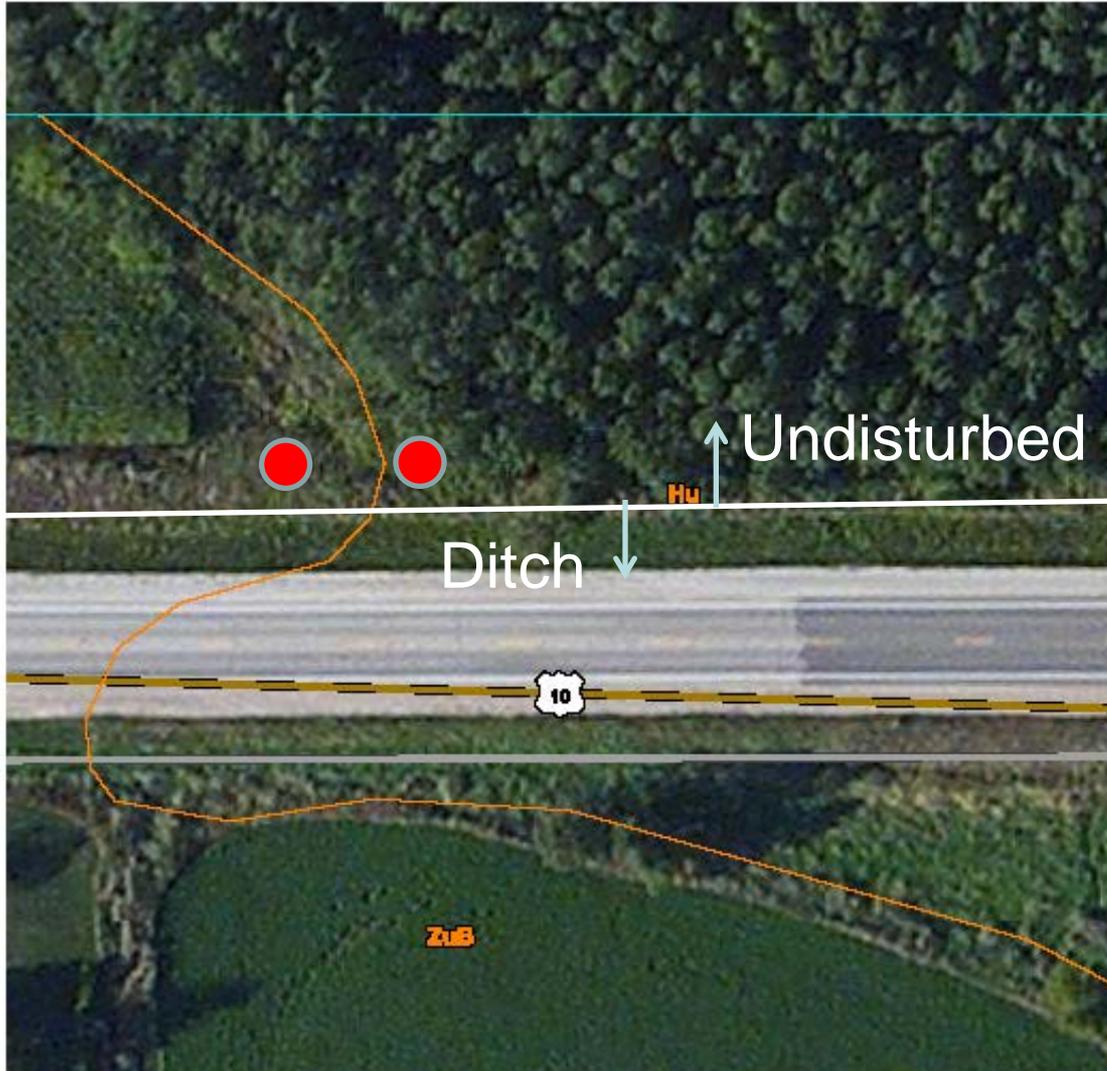


No: Doesn't tell if area was wetland before ditch construction

Information to Submit - artificial

Soil Map—Calumet and Manitowoc Counties, Wisconsin
Map sheet 2 of 5

Soil Profile Information – where to collect?



Yes: Tells
pre-ditch
conditions.



Consultant Process

Provide agencies information showing:

1. Proof of artificial nature - documented **X**
2. Proof exemption is fulfilled – still need to document



Information to Submit - exempt

Information regarding exempt status:

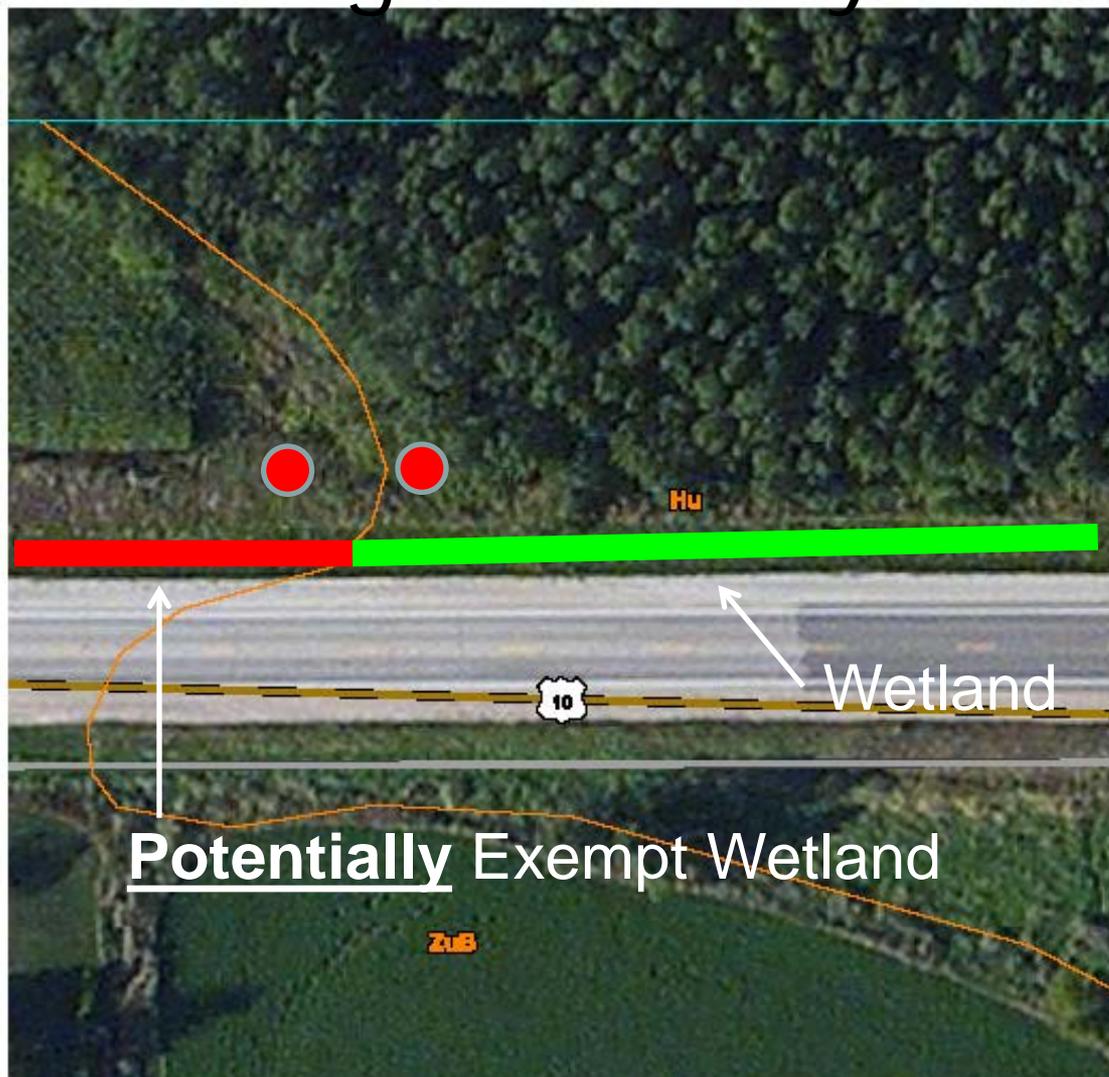
1. Construction Plans
2. Maintenance Plans
3. Permit Approvals (WPDES, stormwater, Chapter 30, etc.)
4. Previous Agency Correspondence

Provide as much of the above mentioned information as possible.

Information to Submit

Soil Map—Calumet and Manitowoc Counties, Wisconsin
Map sheet 2 of 5

Showing Potentially Exempt Areas



Make it clear in text of report that final authority on exemptions rests with the regulating agencies.

- Will require an agency review
- You/your client need to officially request an exemption review.



Getting an exemption - conclusion

1. Prove artificial nature

- Soil mapping is great source
- Provide supplemental data as needed
 - (eg. properly placed soil profile data)

2. Prove feature meets exemption

- Construction plans
- Maintenance plans
- Permit approvals
- Etc.

3. Submit to agencies for approval