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January 17, 2014

Ms. Tamara Cameron
Regulatory Branch Chief
US Army Corps of Engineers - St. Paul District
180 East 5th St., Suite 700
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Subject: Draft Instrument submittal - Wisconsin Wetland Conservation Trust

Dear Ms. Cameron:

On behalf of the Wisconsin Department of Natural Resources, I am pleased to submit the enclosed Draft Instrument to continue down the path toward establishing a wetland in-lieu fee mitigation program in Wisconsin. We welcome any comments your team may have, and look forward to working with your agency to bring this document to a completed status and initiate the Phase III review period.

Your prospectus evaluation letter provided great direction and enabled us to focus in on the five main issues raised along with those reflected in the submitted public comments resulting in several programmatic changes reflected within the enclosed document. We have continued to work closely with your team to incorporate all suggested elements and prepare the Draft Instrument in accordance with the corresponding Federal Rule.

Thank you in advance for your consideration.

Sincerely,

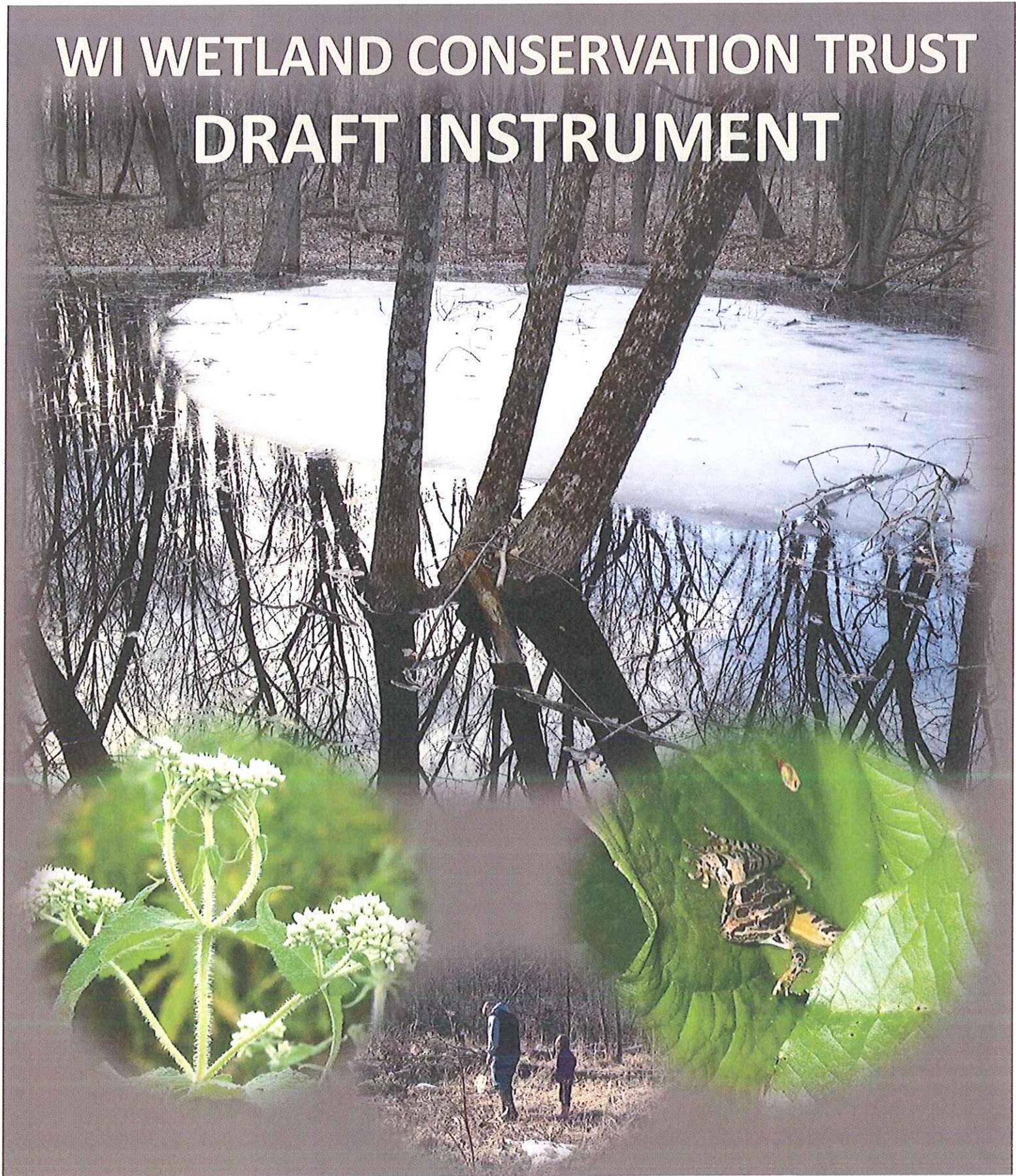
Kenneth G. Johnson, P.E.
Water Division Administrator

Encl: Draft Instrument (dated Dec.15, 2013) – Wisconsin Wetland Conservation Trust

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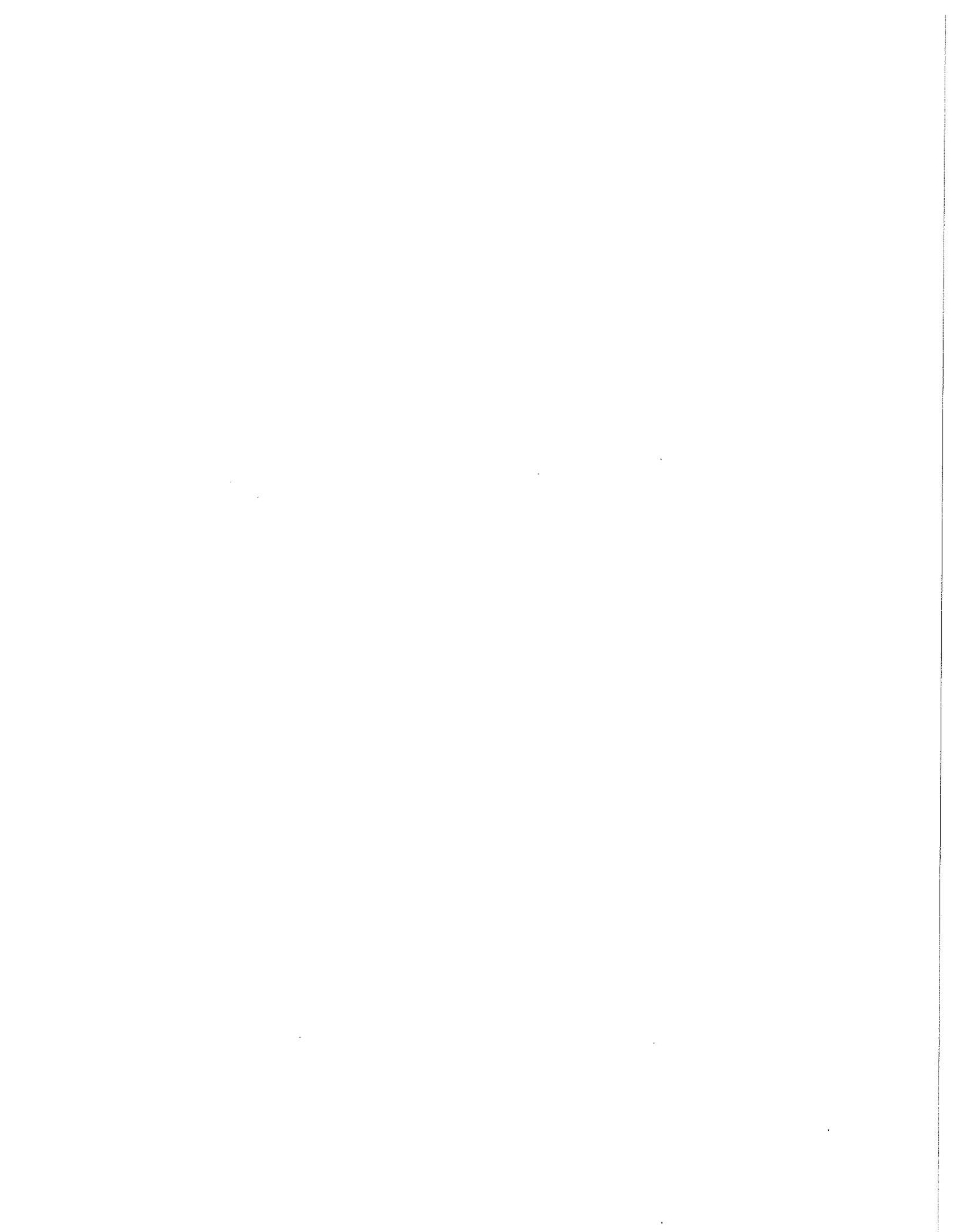
WI WETLAND CONSERVATION TRUST DRAFT INSTRUMENT



December 15,
2013

Prepared for:
U.S. Army Corps of Engineers





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Acronyms and Abbreviations

Throughout this Draft Instrument the below acronyms and abbreviations are frequently utilized and therefore to improve ease of reading this list has been made readily available as a reference.

AWP – Advanced Watershed Planning

Corps – The US Army Corps of Engineer’s St. Paul District

CPF – Compensation Planning Frameworks

DNR – Wisconsin Department of Natural Resources

DOT – Wisconsin Department of Transportation

EPA – United States Environmental Protection Agency

GIS – Geographic Information System

HUC – Hydrologic Unit Code

IP – Wisconsin Wetland Individual Permit

IRT – Interagency Review Team

NLCD – National Land Cover Database

PRW – Potentially Restorable Wetlands

PSA – Primary Service Area

SSA – Secondary Service Area

USGS – United States Geological Survey

WFV – Wetland Functional Value

WWCT – Wisconsin Wetland Conservation Trust

WWI – Wisconsin Wetland Inventory (mapping)

Objectives

The purpose of establishing the Wisconsin Department of Natural Resources (herein "DNR") In-Lieu Fee Program, which shall be referred to as the WI Wetland Conservation Trust (herein "the WWCT") is to provide an additional method of compensatory mitigation to offset unavoidable adverse impacts to wetland resources focusing on the greatest watershed need. The overall objective of the WWCT is to complete compensatory wetland mitigation projects on the ground through a watershed approach that will in turn fill in current mitigation gaps, bridge future lulls, maximize wetland functional value, preserve high quality sites and benefit the public. Through the sale of WWCT credits the Sponsor accepts the legal responsibility to satisfy wetland compensatory mitigation requirements specified by US Army Corps of Engineers-St. Paul District permits authorized under Section 404 of the Clean Water, Section 10 of the River and Harbors Act and Wisconsin Wetland Individual Permits (herein, "IP's") pursuant to Chapter 281.36, Wis. Stats. The Sponsor may also collect separate non-credit related funds resulting from supplemental environmental projects, donations and WI wetland General Permit surcharge fees that may be used to augment the WWCT as further described in the Establishment and Operation Section.

As sponsor of this Program, the DNR will use a watershed approach to select, plan and complete WWCT mitigation projects in Wisconsin as detailed under each Compensation Planning Framework. While the DNR will be the WWCT Sponsor there will be a clear separation of duty and responsibility between DNR's review and approval of IP's, participation in IRT for review of mitigation bank instruments and the administration of the WWCT so as to dispel any conflicts of interest. Review and approval of IP's is performed on a decentralized basis throughout the state within a series of geographic Water Districts (Northern, Southern, Eastern & Western) for which the WWCT program has no authority or role. Likewise the WWCT program and its coordinator is housed within a separate bureau of the DNR referred to as the Watershed Bureau further broken down into the Waterways and Wetlands Section, which is separate from the regulatory program that reviews and approves IP's. The DNR's role on the Interagency Review Team (herein, "IRT") for review of mitigation banks and future WWCT project sites is undertaken by the Wetland Mitigation Coordinator, which is a separate position from the Wetland In-Lieu Fee Coordinator whom has no role or authority to participate in the IRT. The DNR fulfills an advisory role on the IRT in the review of WWCT project sites with the Corps serving as the team Chair maintaining ultimate approval as well as selecting the parties to represent the IRT. IRT members must disclose any interest in a proposed WWCT project or any adjacent affected properties and recuse themselves at the request of the team Chair from voting on said proposals if they have a conflict of interest. This recusal provision does not prevent a department or agency from officially supporting a proposal. The WWCT will be overseen by the DNR Wetland In-Lieu Fee Coordinator, whom has no role in reviewing or approving said permits or mitigation banks, but may engage permittees and permit authorities to discuss the WWCT details and its role as an avenue for satisfying permit conditions requiring compensatory mitigation. To further protect against perceived conflicts of interest the DNR shall draft and formalize an internal policy depicting the way in which mitigation avenues are utilized by permit regulators reflecting the general hierarchy preference provisions contained within 33 CFR 332.3(b).

This Draft Instrument document describes the general overarching framework under which the WWCT will be funded, operated and managed. This Draft Instrument along with a future detailed Instrument shall establish how future documents and program specific guidance will be prepared as well as serve to direct overall program decisions.

Need

Wisconsin has lost 46% of their estimated original ten million wetlands acres present in the 1780's leaving approximately 5.3 million acres today (*Dahl, 1990*). Historically viewed as wastelands these wetland resources were destroyed, drained or filled for agriculture, roads, cities, development and other uses relatively unchecked until 1972 with the enactment of the Clean Water Act. The loss of wetland resources has slowed significantly in the last half-century as more people have realized the value of wetlands to the citizens of the Wisconsin and the regulatory framework has been established. The DNR established a general wetland banking program in 2002 offering compensatory mitigation credits, although wetland mitigation was not required at that time to compensate for adverse wetland impacts resulting from permitted activities. In 2008 the Department of the Army and the US Environmental Protection Agency published the Federal Rule on Compensatory Mitigation: Mitigation for Aquatic Resources (33CFR Parts 325 and 332). This rule was established to improve the effectiveness of mitigation by evaluating the strengths and weaknesses of prior mitigation efforts and setting new standards based on the lessons learned. Among other things, the rule elaborated upon requirements for In-Lieu Fee Programs, required a watershed approach to In-Lieu Fee mitigation site selection and described a general tiered preference for mitigation types.

In March of 2012 Wisconsin Governor Scott Walker signed into law 2011 WI Act 118, which for the first time requires state applicants to mitigate for unavoidable and minimized wetland impacts through an individual permit approved under Ch. 281.36, Wis. Stats. This new state compensatory mitigation requirement carried with it a new mitigation obligation offered by three general avenues described as mitigation banks, in-lieu fee programs and permittee responsible sites. However, currently without an existing WI In-Lieu Fee Program, permit applicants are left with only two options in a state currently with very limited mitigation bank credits available in only a fraction of the service areas resulting in large mitigation gaps throughout the state. While this situation is temporary in nature as several mitigation banks are currently seeking approval, this type of lull in the available credits is likely to reoccur as banks sell out and new banks seek approvals. The current scenario is yielding permittee-responsible mitigation and out-of-service-area mitigation banking as the only avenues to satisfy compensatory mitigation requirements, in areas without approved banks having available credits contrary to the preferred options. Through the establishment of the WWCT the purpose is to provide more consistent mitigation options that better align with the preferred watershed approach resulting in an overall improvement in wetland resource functional values throughout the state. In some instances having both mitigation banks and an active WWCT within the same Primary Service Areas will enable a system that offers wetland compensatory mitigation credits that are best suited for compensatory mitigation aimed at the wetland functional values based on the greatest watershed need.

Where appropriate for consistency purposes, the WWCT has referenced The Guidelines for Wetland Compensatory Mitigation in Wisconsin (*DNR, 2013*) in preparing various elements of the WWCT such as Primary Service Areas, released credit ratios, generated credit release schedules and wetland type classifications. The Sponsor will also use the best available science and guidance from stakeholders in developing the overall WWCT such as using overarching reference plans that have been vetted through the scientific and public arena.

As current resource pressures and future unavoidable adverse impacts evolve there will be a continual need to preserve and protect the wetlands that remain in Wisconsin and to mitigate unavoidable losses.

Technical feasibility

The Sponsor has completed many assessments of Wisconsin's wetland resources and developed many science-based restoration and conservation plans to prioritize and guide its natural resource management decisions. Some examples are *State of the Basin Reports* for each of the State's major watersheds, the *Wisconsin Wildlife Action Plan, Land Legacy Report, Wisconsin Great Lakes Strategy*, and the *Ecological Landscapes of Wisconsin Handbook*. In 2001, the Natural Resources Board along with a newly formed DNR Wetland Team comprised of various federal and state regulatory agencies, local government, non-profits and non-governmental entities composed "Reversing the Loss" (*WI Wetland Team, 2008*) as an overall vision strategy to guide the protection, restoration and exploration of wetlands. This document also created a principle goal to reverse the loss of wetlands that Wisconsin historically experienced striving for comprehensive gains in wetland functional values. This visionary document set forth to implement their strategy through "Action Plans" prepared and evaluated on a 2 year frequency that guide and prioritized what steps should be employed to achieve the goals (*WI Wetland Team 2013*). Together with science based data and stakeholder involvement these comprehensive assessments and plans will provide a foundation and direction for the WWCT's compensation planning frameworks to set prioritized objectives in each service area and establish quantifiable targets to measure project success.

The Sponsor (DNR), its public and private partners in natural resource conservation have also accomplished many projects for restoration, establishment, enhancement and preservation of wetland resources throughout the state. The Sponsor intends to deliver high quality wetland projects by identifying the most effective partners to work with through the review of solicited proposals or preparation of internal proposals against the prioritization strategy, goals and objectives contained in the Comprehensive Planning Frameworks (herein, "CPF"). Projects may be implemented by other DNR programs or external conservation partners with the support of private consultants having extensive experience in effective restoration, establishment, enhancement, preservation, monitoring, maintenance and long-term management.

Sponsor Qualifications

Officially established through Legislative action in 1967 the DNR is the State agency dedicated to the preservation, protection, effective management and maintenance of Wisconsin's natural resources with an overarching mission:

"To protect and enhance our natural resources: our air, land and water; our wildlife, fish and forests and the ecosystems that sustain all life. To provide a healthy, sustainable environment and a full range of outdoor opportunities. To ensure the right of all people to use and enjoy these resources in their work and leisure. To work with people to understand each other's views and to carry out the public will. And in this partnership consider the future and generations to follow."

Amongst many areas of responsibility and an ever growing realm of experience the DNR has many diverse programs that could contribute to the WWCT through collaborative knowledge and comprehensive expertise related to:

- Creation and maintenance of a robust wetland and waterway permit tracking database system.
 - Demonstrates an ability to properly track large datasets and stratify information for use that would benefit the WWCT areas such as reporting and information management.
- Real estate acquisition, legal protection through easements, management and long-term protection of lands for conservation purposes.
 - Demonstrates ability to secure lands through proper legal mechanisms and properly manage land stewardship as will be required under the WWCT.
- Wetland restoration, establishment, enhancement, preservation and overall land stewardship.
 - Demonstrates an ability to select, plan and complete such projects in conjunction with stakeholders to ensure proper technical standards are employed in consideration of lessons learned and a dynamic scientific methodology.
- Environmental databases and analytical capability, including the Wisconsin Wetland Inventory, Potentially Restorable Wetlands and the Natural Heritage Inventory.
 - Demonstrates an ability to work with and interpret a complex and large scale dataset to create usable scientific based tools to aid in the watersheds based selection of prioritized objective criteria for each CPF.
- Long-standing and strong relationships with regulatory, non-governmental, public and private sector conservation entities.
 - Demonstrates an ability to engage wide ranging stakeholders comprised of the above to approach program and project developments and issues to achieve well vetted results representing a wide stakeholder base.
- Completion of a comprehensive wetland strategy, "Reversing the Loss" (***WI Wetland Team 2008***) and associated "Action Plans" for 2008-2010, 2011-2012 and 2013-2014 along with annual "Gains and Losses Reports" and database quantifying yearly wetland gains and losses.
 - Demonstrates an ability to prepare a "big picture" strategy for wetlands, utilize wide ranging available data to prepare analytical reports communicating the observed trends in wetland impacts as a reflection of wetland based vision and goals. Further builds upon the ability to be successful with the WWCT direction, vision and goals setting, reporting and monitoring requirements.

- Compensatory mitigation oversight with WI DOT since 1990 and the private sector since 2002.
 - Demonstrates historical reference and continual involvement with compensatory mitigation programs, their development and administration over the past 23 years. This provides a backdrop to Sponsor's involvement and experience with mitigation for which the establishment of the WWCT is another step in the evolution of compensatory mitigation implementation.
- Collecting money, managing funds and implementing various competitive proposal processes.
 - Demonstrates a working knowledge and extensive experience in managing funds, allocating them to projects, properly tracking them and preparing ledger reporting to reflect project progress as will be required under the WWCT. Also exhibits experience relevant to the solicitation process that may be employed for selection, planning and implementation of project sites and comparing proposals against the goals/objectives of the CPF's.
- Analysis of wetland functional values through the creation of a Rapid Assessment Method and Floristic Quality Assessments.
 - Demonstrates scientific wetland knowledge, which will be beneficial to the WWCT in setting CPF prioritized objectives, establishing targeted metrics to measure project success and meeting performance standards.

Establishment and Operation

The DNR shall serve as the qualified WWCT Sponsor, approved to accept fees directly from permittees in exchange for providing third-party wetland compensatory mitigation that satisfies compensatory mitigation requirements for state and federal wetland permits. Through direct receipt of fees from permittees the Sponsor accepts the legal responsibility to satisfy wetland compensatory mitigation requirements specified by the state and federal permit authorities. In addition to undertaking compensatory mitigation projects, funds may be used to preserve buffer areas that protect and/or enhance resource functions associated with wetlands from disturbances or adverse impacts associated with adjacent land uses. These buffers areas will be comprised of areas selected with the context of providing functional benefits to the overall wetland resource and will not be limited on a predetermined or uniform spatial factor. The Sponsor may also collect separate non-credit related funds resulting from supplemental environmental projects, donations, WI wetland General Permit surcharge fees and other non-specific sources all of which may be used to augment the WWCT, but will not be associated with any legal responsibilities to mitigate for wetland losses. Funds collected from sources other than from the sale of credits originating from the WWCT cannot be used to generate compensatory mitigation credits, but can be used to augment the WWCT program or supplement compensatory mitigation projects. Therefore, if any non-credit generated revenue is utilized on a WWCT project site intended to generate WWCT credits the released credits will be weighed against the percentage of non-credit vs. credit funds to appropriately reduce the credits release from the site. Any non-credit related funds will also be coded separately from credit fees and recorded separately in the required annual ledgers as described in the Financial & Credit Reporting section.

The US Army Corps of Engineers' St. Paul District (herein "the Corps" or "Corps") and representatives of the IRT as established by the Corps, shall review WWCT documents with the IRT providing comments to the Corps, whom in turn advises the DNR. The Corps alone retains final authority for approval of all WWCT documents, such as the Final Instrument and individual site Mitigation Plans.

The Sponsor will operate as the administrator of the WWCT and may work with stakeholders to broaden the knowledge base utilized in identifying and performing appropriate mitigation project areas in conjunction with a watershed based approach.

The Sponsor may solicit proposals for selection, planning and implementation of mitigation sites or prepare them internally once it determines there are sufficient funds after successfully selling its first Advanced Credit per Service Area in consideration of default provisions requiring completion of land acquisition and initial physical and biological work prior to the subsequent third growing season. The Sponsor may collaborate with other DNR programs, non-profits, non-governmental organizations, stakeholders and private entities through the solicitation process to ensure the watersheds approach is utilized. The Sponsor will select sites, proposals and/or prepare a its own projects, but regardless of the origin all WWCT Mitigation Plans submitted for approval shall contain the twelve core elements required under 33 CFR 332.4. All sites, plans and implementation phases of a project shall be consistently prepared and/or reviewed relevant to the prioritization strategy, goals and objectives of the Compensation Planning Framework. Regardless of the avenue chosen by the Sponsor, the sites and Mitigation Plans will be submitted for approval to Corps, who shall consult with the IRT for further guidance with ultimate approval authority remaining with the Corps.

Service Areas

The proposed geographic service area authorized to provide WWCT based mitigation includes the entire state of Wisconsin and is further broken down into two scopes of consideration referred to as Primary Service Areas and Secondary Service Areas.

The Primary Service Areas (herein, "PSA") depicted in *Figure 1*. were selected to reflect consistency for Wisconsin's Wetland Mitigation Program based on the detailed 2013 Guidelines for Wetland Compensatory Mitigation in Wisconsin. The Primary Service Areas include watersheds that are USGS Basin Level 3 hydrologic units corresponding to a 6-digit hydrologic unit codes (herein "HUC"). In an effort to provide spatially equivalent areas modifications to the HUC-6 boundaries were undertaken, which resulted in the division of the Wisconsin River HUC-6 into two distinct service areas (Upper and Lower Wisconsin) and combination of several northern HUC-6 watersheds that drain to the Great Lakes (Lake Superior). These modified HUC-6 areas divide the state of Wisconsin into 12 primary service areas.

The Secondary Service Areas (herein, "SSA") depicted in *Figure 1*. shall broaden the areas of consideration on a limited case by case basis and consist of the USGS Subregion Level 2 hydrologic units corresponding to a 4-digit HUC. The HUC-4 areas divide the state into 3 separate Subregions including the Lake Superior Basin, Lake Michigan and the larger Mississippi River Basin.

How Service Areas will be applied:

The Primary Service Areas (herein "PSA") will be the service areas utilized when tracking, cataloging and reporting credit fund sales and associated compensatory mitigation activities. However, the Sponsor will strive to debit or place wetland compensatory mitigation projects based on the HUC-8 watersheds (**Table 1**) within each respective PSA suffering from the greatest adverse impacts stemming from historical losses, current threats and permitted actions. If in any given year the combined sale of WWCT credits in a PSA is too small to result in a viable project then the Sponsor shall have an option to combine said PSA credits with another PSA so long as they are both within the same SSA. This approach will broaden the area of consideration for siting more successful, feasible projects that benefits wetland functional value while still maintaining an overall watershed approach. As a last resort failsafe to protect against program default, if combining PSA funds within a SSA context as referenced above isn't sufficient to get a project on the ground within the required 3 growing seasons referenced under 33 CFR 332.8(n)(4) then the Sponsor may elect to purchase mitigation bank credits to satisfy their compensatory mitigation requirements with the approval of the Corps. Projects originating within the HUC-4 Lake Michigan Basin may not be combined or located with the HUC-4 Lake Superior Basin nor the HUC-4 Mississippi River basin and vice versa.

Figure 1. Primary and Secondary Service Areas –

Primary Service Areas (PSA) depicted below in 12 varying colors with corresponding HUC-6 names. Secondary Service Areas (SSA) depicted with bold black outlines and HUC-4 Basin Names. The Ideal HUC-8 debit areas for siting projects are shown in gray outlines and further described in **Table 1**. below.

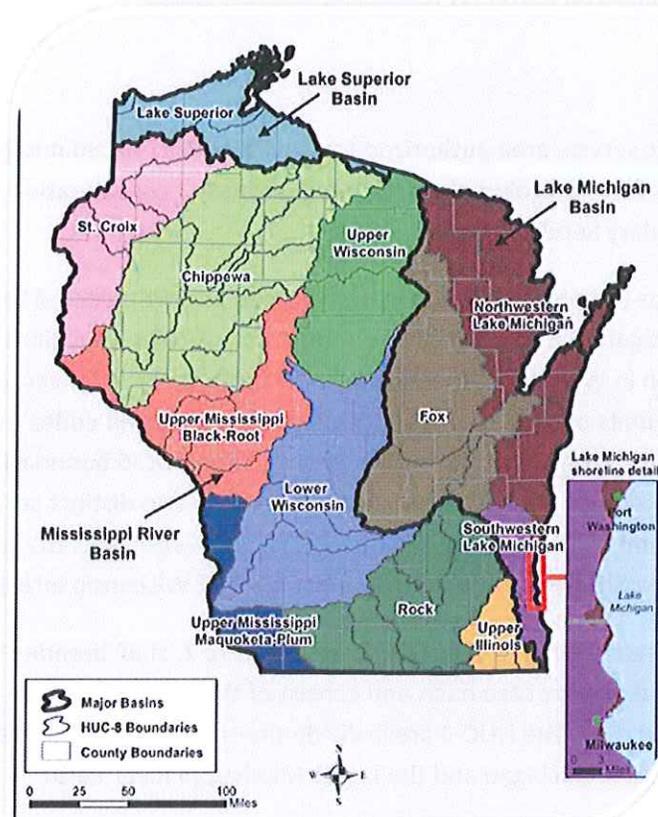


Table 1. – Service Area description based on hydrologic unit codes.

PRIMARY SERVICE AREAS (accounting units HUC-6)											
Lake Superior 040102+ 040103+ 040201	NW Lake Mich 040301	Fox 040302	SW Lake Mich 040300+ 0403020	St. Croix 070300	UMBR 070300	Chippewa 070500	UMMP 070600	Upper WI 070700-U	Lower WI 070700-L	Rock 070900	Upper IL 071200
IDEAL DEBIT AREAS WITHIN EACH ABOVE PSA (Cataloging Units HUC-8)											
04010201	04030101	04030201	04030001	07030001	07030001	07050001	07060001	07070001	07070003	07090001	07120004
04010301	04030102	04030202	04030003	07030002	07030003	07050002	07060003	07070002	07070004	07090002	07120006
04010302	04030103	04030203	04030003	07030005	07030005	07050003	07060005		07070005	07090003	
04020101	04030104	04030204			07030005	07050004			07070006	07090004	
04020102	04030105				07030007	07050005				07090005	
04020300	04030106					07050006				07090006	
	04030108					07050007					

Secondary Service Areas –

- Lake Superior Basin
- Lake Michigan Basin
- Mississippi River Basin

Ownership Arrangement & Long-Term Management

All WWCT funded compensatory mitigation sites shall meet the requirements of Ch. 281.36(3r)(e), Wis. Stats, as well as be protected by a recorded document that preserves the land in perpetuity with the protection instrument running with the land. In order to protect said lands the Sponsor foresees utilizing fee-simple title and conservation easements, such as the DNR Wetland Compensatory Mitigation Easement (included as **Attachment A**), as its main legal mechanisms for ensuring proper perpetual protection as required. The Sponsor shall also be legally responsible for ensuring the long-term management of the WWCT mitigation sites through the creation of site specific mitigation plans that will detail the Long-Term Monitoring and Maintenance Plans for each site as required under 33 CFR 332.4 and 33 CFR 332.8. With the approval of the Corps, the Sponsor may transfer responsibility for the Long-Term Monitoring and Management of WWCT project sites to another DNR program or to another entity through solicitation of contract proposals or other approved transfer mechanisms that ensure the monitoring and management goals are met.

In addition, with the same Corps based approval process, the Sponsor may transfer ownership or management responsibilities of WWCT properties on a case-by-case basis to appropriate non-profit organizations, non-governmental organizations, state or local government entities. In the event any of the above transfers occur the Sponsor shall also transfer any reserve funds specifically set aside by the WWCT to finance the responsibilities associated with said transfer.

Likewise, upon successful transfer to another party that party shall accept full responsibility for meeting any and all long-term monitoring, management and stewardship responsibilities outlined in the approved project specific mitigation plan.

The terms and conditions of the conveyance shall not conflict with the intent and provisions of the preservation mechanism, nor shall such conveyance enlarge or modify uses specified in the protection mechanism unless explicitly approved by the Corps in consultation with the IRT.

Compensation Planning Framework

The Compensation Planning Framework (herein, "CPF") is the main decision tool specific to each Primary Service Area that serves to guide the selection, securement, planning and implementation of wetland restoration, establishment, enhancement and/or preservation activities through a watershed approach. The CPF's are based on a HUC-6 watershed area to be manageable in size and promote the watershed approach. Several components of the CPF's are in part based on "Level 1" watershed assessment, as defined by EPA's National Wetlands Monitoring Workgroup (*U.S. EPA 2006*), where existing data are used within a computer mapping (Geographic Information System, herein "GIS") environment. This is a first filter for identification and comparison of resource conservation needs and opportunities utilized to guide investment toward compensatory wetland mitigation sites that are most likely to result in wetland functional value gains by comparing their relative potential across an entire watershed. Additionally, planning documents that have been prepared through extensive expert consultation, peer scrutiny and subjected to review through the public arena were also utilized in the preparation of the CPF's, especially in those areas where GIS information was found to be scarce.

The CPF consists of ten elements listed below for reference, which are required under 33 CFR 332.8(c) along with any additional information deemed necessary by the Corps:

- I. **Service Areas** - The geographic service areas, including a watershed-based rationale for the delineation of each;
- II. **Threats and Remediation** - A description of the threats to wetland resources in the service areas, including how the WWCT will help offset impacts resulting from those threats;
- III. **Historic Loss** - An analysis of historic wetland resource loss in the service areas;
- IV. **Current Conditions** - An analysis of current wetland resource conditions in the service areas, supported by an appropriate level of field documentation;
- V. **Goals and Objectives** - A statement of the wetland resource goal and objectives for each service area, including a description of the general amounts, types and locations of wetland resources the WWCT will seek to provide;

- VI. **Priorities** - A prioritization strategy for selecting and implementing compensatory mitigation activities;
- VII. **Preservation** - An explanation of how any preservation objectives identified in section V. above and those references under the prioritization strategy of section VI. Above satisfy the criteria for use of preservation;
- VIII. **Stakeholder Involvement** - A description of any public and private stakeholder involvement in plan development and implementation, including, where appropriate, coordination with federal, state, tribal and local wetland resource management authorities;
- IX. **Protection** - A description of the long-term protection and management strategies for activities by the WWCT Sponsor;
- X. **Evaluation and Reporting** - A strategy for periodic evaluation and reporting on the progress of the program in achieving the goal and objectives in section V. above, including a process for revising the CPF as necessary.

When considering the ten CPF elements there are some that can be applied across all service areas to provide a consistent programmatic approach while others need to be applied more specifically within each respective service area. In consideration of providing uniformity, elements common to all service areas are listed below while the remaining elements are specifically addressed within **Appendix A**.

See Appendix A. for specific PSA CPF information

Element I. Service Areas

This portion of the CPF is described under the Service Areas section of the Draft Instrument above this section as well as described in detail within the CPF for each PSA as Element I.

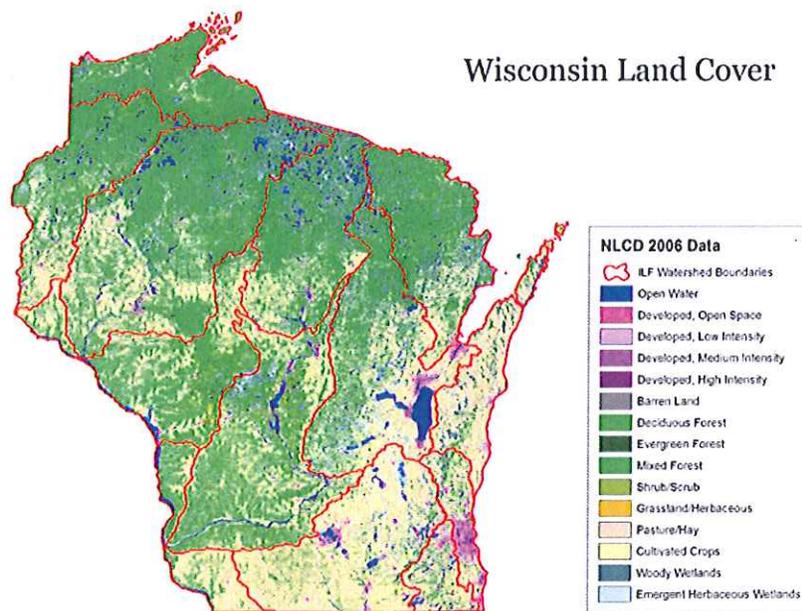
Element II. Threats and Remediation

Threats to wetlands described below are broadly categorized not based on their origin of impact, but rather the resulting effect that removes or adversely alters the wetland resources' capability to provide one or more functional values. Wetland resource threats are dynamic in nature subject to modification as new technology and approaches to anthropogenic land use occurs within each watershed area. Arguably every watershed is in need of all identified wetland functional value objectives detailed under Element V., however through the evaluation of the Level 1 watershed assessment the Sponsor has strived to prioritize the functional values of greatest need requiring remedial actions in each watershed and list their hierarchy in each PSA. It is also important to target values suffering from threats that are capable of sustainable curative action. Below is a list and description of the greatest historical, current and future anticipated generalized threats for which the WWCT will work to bring positive change beneficial to increasing functional values through the goals and objectives of the CPF. These threats are also ranked specific to each of the 12 PSA's to highlight those that should be targeted for remediation through compensatory mitigation projects on the ground.

Habitat Segmentation and Loss – General development land use activities (**Figure 2.**), agriculture, roadways, bridges and utility projects have fragmented many wetland complexes and introduced anthropogenic barriers to wildlife corridors and adversely impacted wetland hydrology. Most species

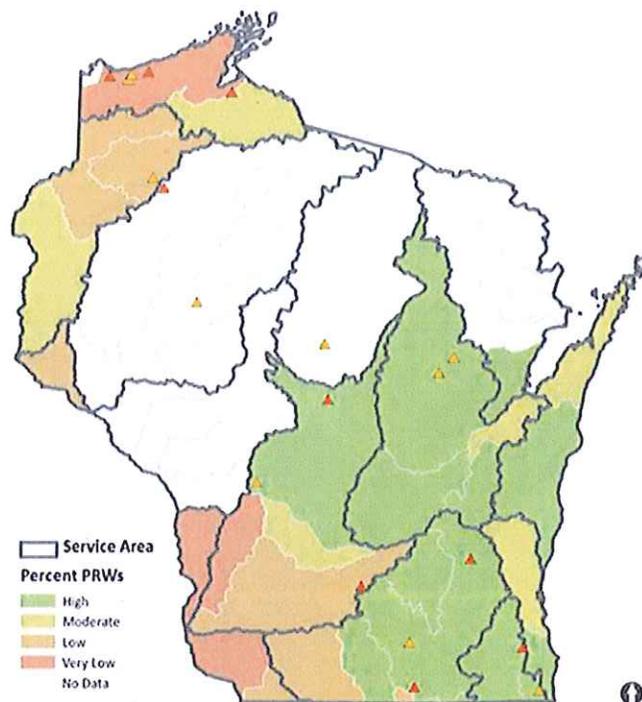
require wetlands for a portion of their life cycle for stages of their growth, migratory safe havens, feeding grounds or full time residency. Habitat segmentation and loss can also be a contributing factor for the introduction of invasive species through increased pathways of introduction. Filling of wetlands can also increase peak flows and cause flooding and erosion. The WWCT through its CPF's will identify the watershed areas that have been heavily impacted by these threats and target wetland compensatory mitigation projects that provide or connect wetland habitat areas to form meaningful wildlife, fish and aquatic organism territories.

Figure 2. Current Land Cover for Wisconsin – Based on the USGS NLCD 2006 GIS Layer.



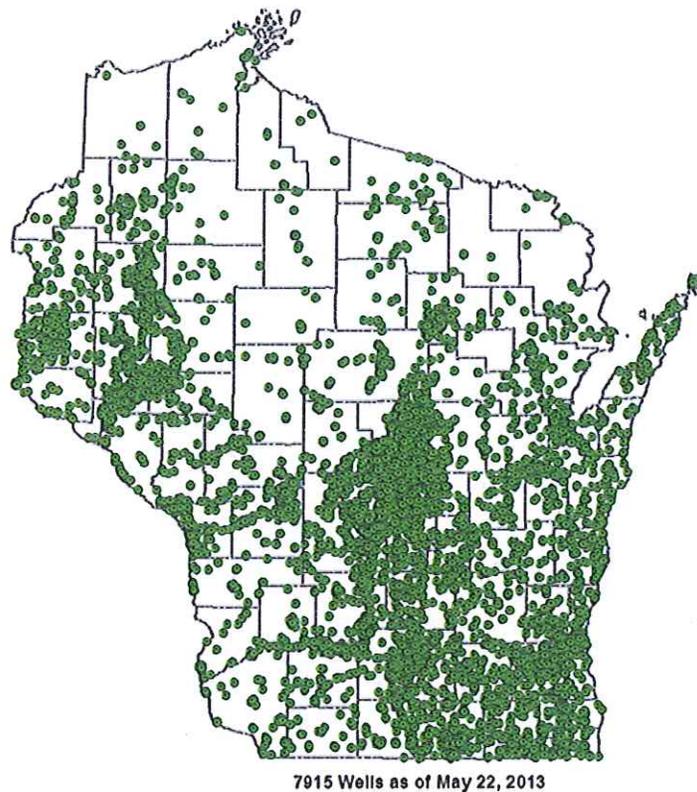
Agricultural Impacts – Wisconsin has a history and tradition of agriculture, which has led to many adverse impacts to wetlands once thought of wastelands best served as drained, tiled and farmed. Wetlands being composed of organic soils providing ideal production lands had their wetland based hydrology removed or altered and the vegetation transformed to row crops or pasture lands. Large tracts of wetland vegetation now sit empty for portions of the year leading to increase non-point runoff contributing to the sedimentation and nutrient loading of waterways and their associated wetlands. These areas are treated with herbicides and fertilizers that runoff into the same resources further leading to harmful environmental effects. The WWCT through its CPF's will identify the watershed areas that have been heavily impacted by these threats and target wetland compensatory mitigation projects in areas containing high and moderate percentages of Potentially Restorable Wetlands (**Figure 3.**) or similar areas composed of hydric soils that once housed wetland complexes that have been previously converted for agricultural purposes.

Figure 3. – Potentially Restorable Wetlands shown in each Primary Service Area.



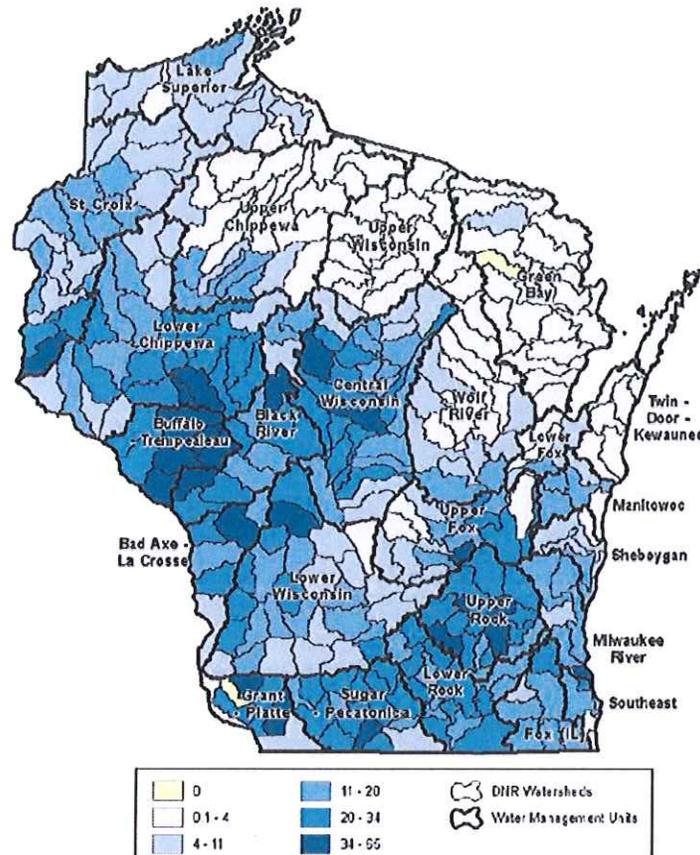
Groundwater Depletion & Surface Water Alteration – General development and its associated activities along with agricultural practices have negatively impacted wetland hydrology. Resource fragmentation, floodplain alteration, impervious surfaces, tiles and drainage ditches have removed, redirected or increased water flow to wetlands. High capacity wells used for drinking water, commercial use, industrial processes and irrigation have also depleted groundwater that feeds wetlands throughout the state with some areas seeing heavier impacts than others (**Figure 4.**). The alteration of surface water, increase in impervious areas and reduction in the ability of wetlands to attenuate storm events has resulted in increased flooding in many areas. Wetlands located in stream headwaters or riparian areas that have been filled or had their hydrology altered have reduced stream base flow, increased thermal impacts and may cause perennial streams to revert into an intermittent state. The WWCT through its CPF's will identify the watershed areas that have been heavily impacted by these threats and target wetland compensatory mitigation projects where altered hydrology can be remediated paying particular attention to the wetlands landscape position to achieve maximum functional value benefits.

Figure 4. Statewide Existing High Capacity Wells with a capacity exceeding 100,000 gallons per day.



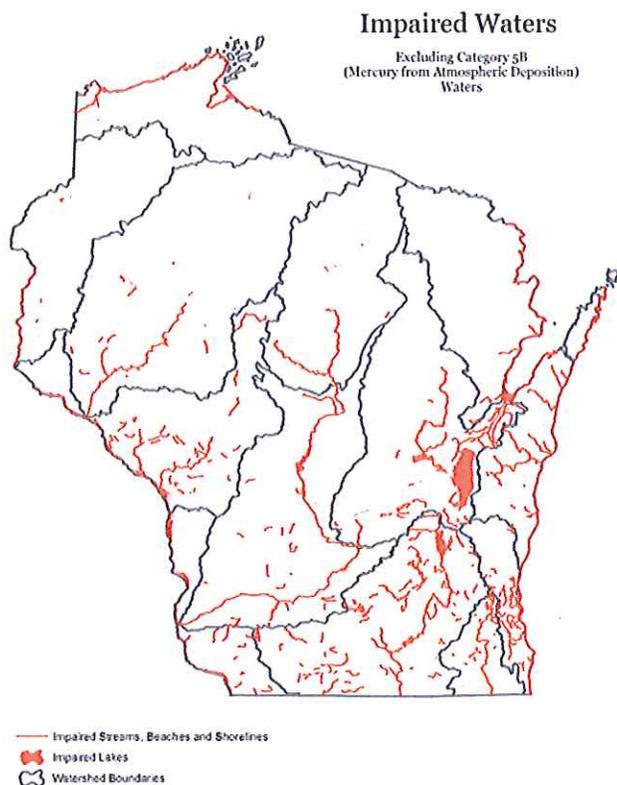
Invasive Species – Anthropogenic interference in the realm of wetlands has opened many pathways for the introduction of invasive species. Removal of native vegetation, habitat segmentation, altered hydrology, general development and agricultural activities have created ideal situations for invasive species to gain a foot hold in wetland areas and thrive. Modification of streams and their riparian wetland resources has provided conduits for the further spread of invasive species. Wetland invasive species such as Reed Canary Grass (*Phalaris arundinacea*) were analyzed in 2008 for their presence in wetlands and were found to be dominant in 10% of all wetland types comprising 498,250 acres (**Hatch and Bernthal Oct 2008**) across Wisconsin (**Figure 5.**). Invasives can displace native species, degrade suitable habitat, impact life cycle development and disrupt the food chain in those areas where it becomes dominant. The WWCT will strive to select sites where invasives have not taken over or areas that provide an opportunity for control. Also the WWCT preservation mechanism may be a tool to protect high quality sensitive wetland resources from the onslaught potential these intrusive species present.

Figure 5. Percent Area of Wetlands Dominated by Reed Canary Grass, per Watershed.



Nutrient and Sediment Loading – Point and nonpoint runoff has directed both sediment and excess nutrients into wetland resources resulting in changes in hydrology, disruption to vegetative communities, adverse impacts to habitat and opened the door to invasive species. Commonly referred to as nature's filtration devices, wetlands can serve to remediate many issues related to nutrient and sediment loading, but excessive runoff can damage this functional value. Impairment in this area can have downstream negative impacts to aquatic resources leading to eutrophication resulting in algae blooms, fish kills, reduction of floristic quality and other unfavorable effects. The WWCT will target wetlands that have historically served as these filtration devices, but have been impacted to remove this function to restore their ability to provide this valuable functional value paying particular attention to those wetlands found in service areas on the 303d list of Impaired Waters (*Figure 6*).

Figure 6. Depicts 303d listed Impaired Waters shown in orange in each Primary Service Area.



Element III. Historic Loss

Wisconsin has lost 46% of their estimated original ten million wetlands acres present in the 1780's leaving approximately 5.3 million acres today (*Dahl, 1990*). Historically viewed as wastelands these wetland resources were destroyed drained or filled for agriculture, roads, cities, development and other uses during a time in which rural and urban development was underway. Those wetland areas that contained organic soils were targeted for agricultural development as the most fertile lands in the state being stripped of their wetland hydrology and native vegetative communities transformed into row crops and pasture land. Dams were constructed on waterways and associated riparian wetland for grain mills as farming practices grew. Wetlands landscape position generally being found in the lower contours where surrounding drainage could congregate were viewed as wastelands best served by filling and/or draining for residential, commercial, industrial and agricultural development activity as settlement occurred throughout Wisconsin. Pre-settlement vegetation cover in Wisconsin, which is the data digitized from a 1976 map created from land survey notes written in the mid-1800s when Wisconsin was first surveyed depict a landscape historically dominated by ~82% forest cover (*Figure 7*). Current land use extrapolated from USGS NLCD 2006 land cover data reveals that human influence has impacted approximately ~44% of the original land cover and converted it into cultivated crops, hay, pasture land, and various developed areas that have changed our landscape (*Figure 8*). The timber industry, logging, pulp and paper mills were very active historically given the density of Wisconsin's forest cover. The timber industry opened the door for subsequent settlement in many areas leading to

land clearing for agriculture, housing and trails that eventually morphed into roadways. Urban sprawl has extended these influences into more rural areas over time leading to the proliferation of changes to the physical, chemical and biological features of wetlands across the state. While historical impacts remain scattered across the state, science based data to catalogue the resulting impacts has been documented and mitigation opportunities lie in wait in some instances while others may have been transformed forever. The DNR has catalogued restoration opportunities through the creation of Potentially Restorable Wetlands (herein, "PRW") GIS mapping layer that identifies soils composed of at least 85% hydric inclusions that are no longer functioning as wetlands (*Hatch and Bernthal Aug 2008*). These PRW's were further broken down into three main categories based on their mapped polygons, which are depicted below:

- **Less than 0.5 acres** in size representing very small areas not typically suited for wetland restoration due to their small size and associated limited potential favorable impacts to wetland functional value and overall watershed health;
- **Unrecoverable** areas due to overlaying structures, concrete, roadways and other land uses that are incompatible with restoration opportunities;
- **Potentially Restorable Wetland** areas representing those that are not disqualified based on the two descriptors above and are capable of restoration activities with potential wetland functional improvement resulting in an overall benefit to watershed health.

This PRW GIS layer's background data is further described specific to each PSA under the CPF's found in attachment A to show total historic wetlands, historic wetland loss and the restoration opportunity according to the following:

- **Total Historic Wetlands** - All three categories above were combined to compose the total PRW and were then combined with the currently available Wisconsin Wetland Inventory (herein, "WWI") mapping data to depict the extent of total historic wetlands in each PSA.
- **Historic Wetland Loss Percentage** - The above total historic wetland data was compared against the extent of current WWI mapping to depict the best available data showing the extent of historic wetland loss for each PSA.
- **Restoration Opportunity** – The single PRW category, not including those under 5 acres nor those identified as unrecoverable, was compared against the total WWI mapped wetlands to depict the relative potential for restoration. This metric along with the quantity of PRW acres were then used as one of the avenues for selecting preservation as a means of compensatory mitigation for those areas showing lower relative restoration opportunity along with low abundance of PRW acres, which is highlighted in orange if applicable under Element III. of each CPF in *Appendix A*.

Within each of the 12 PSA's the historical impacts to wetlands is discussed under the watershed description to provide a reference point depicting the journey these natural resources have taken and portray how we arrived at the current status of these unique features. Understanding the past impacts to wetlands in each area will serve to better direct compensatory mitigation projects and how they can be designed and feasibly implemented to maximize successful outcomes.

Figure 7. – WI Original Vegetative Cover, depicted in square miles & % of total cover.

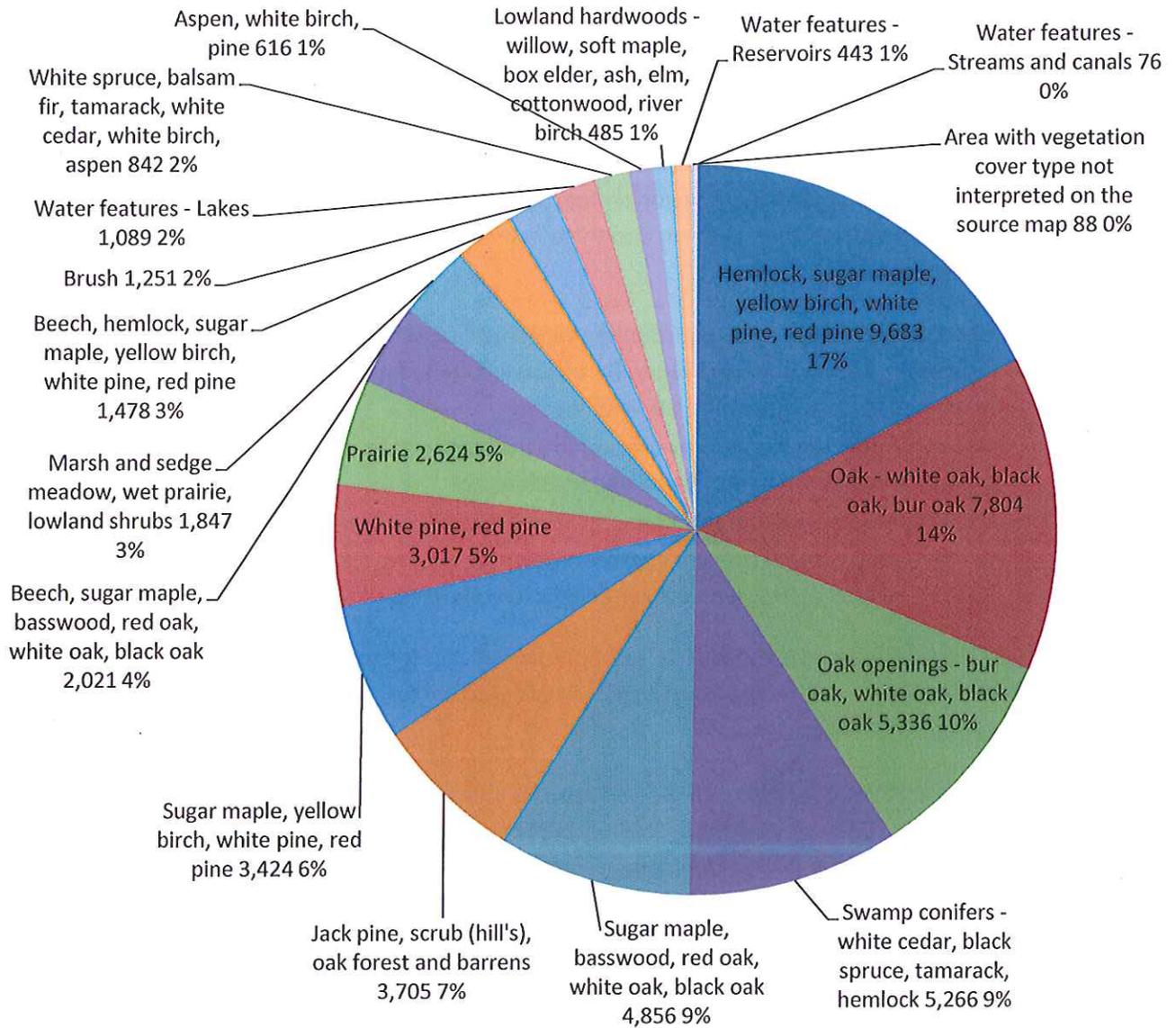
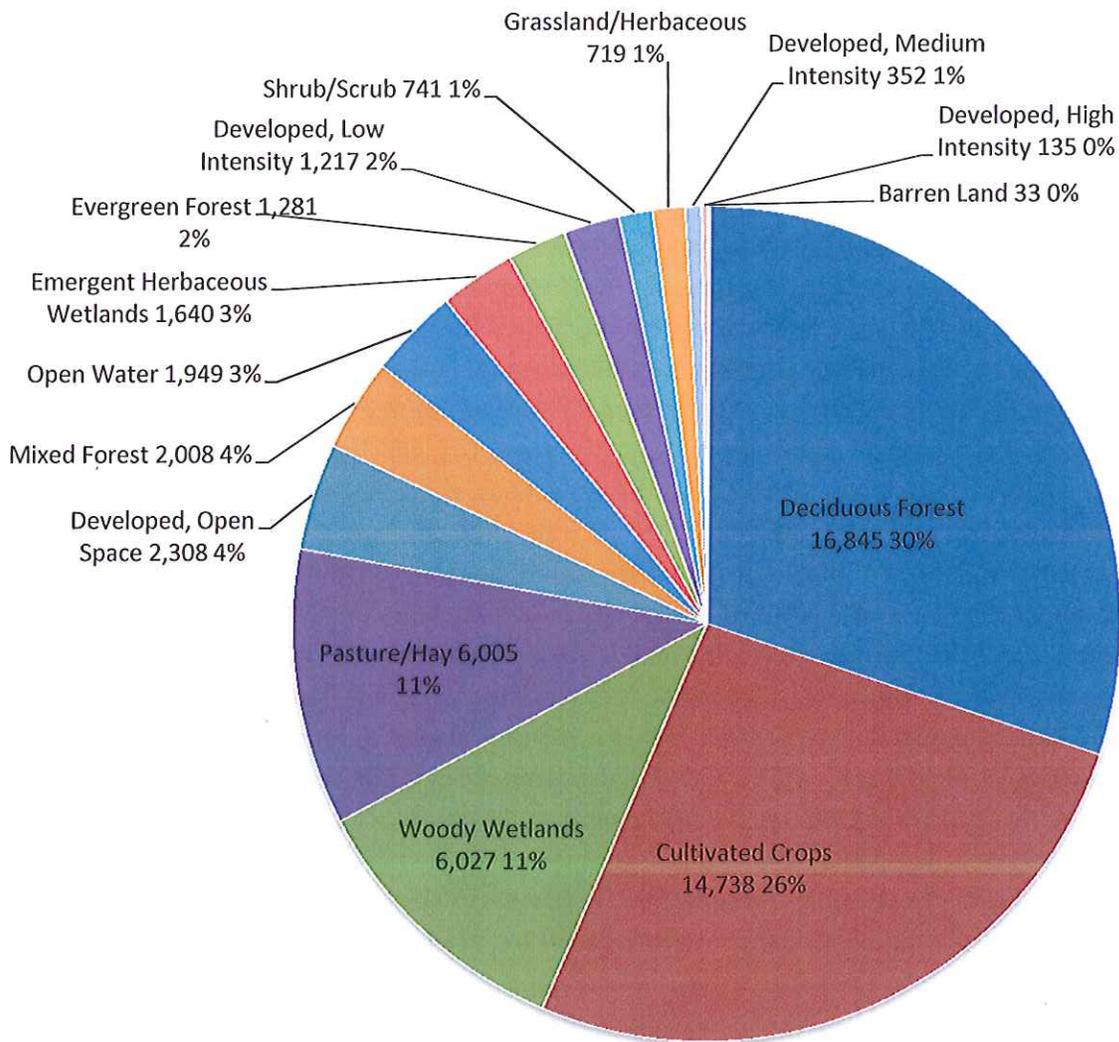


Figure 8. - WI Current Land Cover (USGS NLCD 2006), depicted in square miles & % of total cover.



Element IV. Current Conditions

The current wetland conditions, type, quantity and relative frequency are specifically detailed under Appendix A. for each respective PSA contained in the CPF with progressively darker green highlighted areas depicting higher percentages to show greater importance. The information was gathered from the Wisconsin Wetland Inventory (herein, "WWI"), which provides digital representations of the type, size and location of wetlands in Wisconsin. These maps were prepared by analyzing high altitude imagery, soils surveys, topographic maps, earlier wetland inventories and field work. There are several counties that do not have digital data available at the time this Instrument was prepared including: Vilas, Florence, Forest, Dunn, Jackson and La Crosse. Therefore, wetland data for these counties was not included in the analysis, tables and scope of the conditions detailed under each PSA in Appendix A. In addition to listing the quantity and general WWI type of wetlands there is also data showing the

quantity and relative frequency of the currently available Potentially Restorable Wetlands as referenced above. This PRW GIS layer provides a glimpse of the historic context of wetlands in each PSA, although it should be noted this data does not exist for the same 7 counties referenced above that do not have digital WWI mapping data.

Element V. Goal and Objectives

The overall intent of the CPF is to provide clear direction to the Sponsor for wetland compensatory mitigation site selection, planning and design implementation resulting in projects on the ground that will in turn maximize wetland functional value objectives, preserve high quality sites and benefit the public. Advanced Watershed Planning (herein, "AWP") is anticipated to be completed for many of the watershed areas of Wisconsin, however to date very few of these type of plans exist. An AWP consists of an analytical process for making compensatory mitigation decisions that support the sustainability or improvement of aquatic resources in a watershed (*Wilkinson, Smith and Miller 2013*). AWP efforts have been described as having a broad approach with many varieties, which are summarized by using a watershed approach spectrum that describes three avenues; watershed-informed decision frameworks, watershed analyses: non-prescribed outcomes and watershed plans: prescribed outcomes (*Wilkinson, Smith and Miller 2013*). For the purposes of their inclusion within the Draft Instrument and WWCT incorporation going forward the WWCT shall consider all three types of AWP as meeting the intent of an AWP effort. PSA's that have an AWP completed have them listed for each PSA under *Appendix A* and these plans will serve to guide setting the priorities and site selection within the PSA. As new AWP's are prepared, those completed in accordance with the Sponsors standards for such plans including a robust local stakeholder input process will be added to the corresponding CPF through a modification to the Instrument. However, in the interim with the majority of PSA areas not having a completed AWP the wetland functional value goals and associated objectives identified below will be utilized to set the priorities and guide site selection. These wetland functional values were prioritized and listed in a hierarchy to highlight those most needed within each PSA based on a watershed approach considering historic, current and future resource losses, adverse impacts and threats. Within each of the associated objectives there are also references to the targets and focus areas corresponding with the wetland functional objectives. The top four ranked goals and their associated objectives were listed for each PSA in *Appendix A* to aide in the prioritization and selection of projects in the absence of an AWP.

The wetland functional value objectives (U.S.EPA 2001 & WDNR WFV Website 2013):

Wildlife Habitat

1. **Associated Objective:** Restore, enhance and establish wetlands in areas mapped as Potentially Restorable Wetlands, Priority Conservation Opportunity Areas or areas identified on advanced watershed plans. Target priority habitat for Species of Greatest Conservation Need in Wisconsin's Wildlife Action Plan, projects located in a Joint Venture priority township or habitat areas highlighted in advanced watershed plans. Focus on projects consistent with identified priority conservation actions of Wisconsin's Wildlife Action Plan that will benefit multiple species of the above mentioned plans.

Fish and Aquatic Life Habitat

2. **Associated Objective:** Restore, enhance and establish wetlands in areas mapped as Potentially Restorable Wetlands, Priority Conservation Opportunity Areas or identified on advanced watershed plans specifically for fish and other aquatic life. Target priority habitat for fish and aquatic Species of Greatest Conservation Need in Wisconsin's Wildlife Action Plan or highlighted in advanced watershed plans supporting a suite of life cycles. Focus on projects located within headwaters, lake fringes, estuaries, shoreline and floodplain areas of lakes, rivers and streams with a lotic, lentic and estuarine landscape position.

Shore Line Protection

3. **Associated Objective:** Restore, enhance and establish wetlands mapped as Potentially Restorable Wetlands or identified on advanced watershed plans. Target areas capable of providing opportunities to protect shoreline areas from erosion, non-point runoff, invasive species and other adverse threats capable of degrading the shoreline and riparian area. Focus on projects located within headwaters, lake fringes, estuaries, shoreline and floodplain areas of lakes, rivers and streams with a lotic, lentic and estuarine landscape position.

Storm and Floodwater Storage

4. **Associated Objective:** Restore, enhance and establish wetlands in areas mapped as Potentially Restorable Wetlands or identified as priority areas of advanced watershed plans within flood prone locations primarily located in and adjacent to floodplain areas. Target projects whose hydrology has been altered through ditching, tiling and other draining techniques, which were previously capable of storing floodwaters of downstream flood prone areas/communities. Focus on projects located within or adjacent to mapped 100 year floodplain or other locations capable of storm and flood water storage having terrene, lotic, lentic and estuarine landscape positions.

Water Quality Protection

5. **Associated Objective:** Restore, enhance and establish wetlands in areas mapped as Potentially Restorable Wetlands, priority areas identified in Advanced Watershed Plans, areas associated with implementation of Total Maximum Daily Load's and plans such as priority watershed plans (i.e. Section 319 of the Clean Water Act) and Healthy Watershed Initiative to achieve improvement in water quality. Target projects located within watershed areas that have moderate amounts of impervious surfaces and water bodies present on the 303d list of impaired waterways capable of improvement based on a listing factor eligible for remediation by the project. Focus on projects draining to water quality effected water bodies as referenced above having a terrene, lotic, lentic and estuarine landscape positions.

Groundwater Processes

6. **Associated Objective:** Restore, enhance and establish wetlands in areas mapped as Potentially Restorable Wetlands, priority areas identified in Advanced Watershed Plans or other areas associated groundwater processes. Target areas with high groundwater indicators, seeps or springs that have had been adversely impacted and present an opportunity for remediation. Focus on headwaters, seeps,

springs and other locations capable of recharging surface waters and contributing to their base flow through regular groundwater discharge having a terrene, lotic, lentic and estuarine landscape positions.

Preservation

7. **Associated Objective:** Preserve wetland resources and surrounding buffer meeting the requirements of Element VII. focusing on areas such as:
 - high quality wetlands including, but not limited to calcareous fens, ephemeral pond and bogs;
 - critical habitat for threatened and endangered species;
 - priority habitat for Species of Greatest Conservation Need; and
 - areas that satisfy one of the other ranked objectives listed above;
 - other important areas identified on the WI Land Legacy Report, WI Wildlife Action Plan, WI State Natural Areas Program, Natural Heritage Inventory or other scientific based selection methodology.

Element VI. Prioritization Strategy for Site Selection and Planning

The strategy for prioritizing, selecting, planning and implementing compensatory mitigation projects begins by first comparing all projects of consideration against a set of Core Requirements to determine which best meet the goals and objective criteria for each PSA. If several projects meet the Core Requirements then the Sponsor shall refer to the Secondary Requirements to make a final determination on which projects to propose to the Corps for funding approval. The Sponsor shall either prepare a viable Mitigation Plan on its own or review proposals submitted through an open solicitation that may include those prepared by other DNR programs or outside parties to determine the projects ability to satisfy the requirements listed below. The Sponsor shall refer to this portion of the CPF during the prioritization, selection, planning and implementation of projects in order to decide which proposals will be submitted to the Corps for approval.

Core Requirements for Selecting Proposals for Submission to Corps for approval: Proposals will first be evaluated using this review criterion. If proposals are found to be equivalent after this “first run” approach then the Sponsor will further evaluate qualifying proposals using the Secondary Requirements described beneath this section. The Sponsor retains the sole right to make the final determination on which proposal to bring forth as a Mitigation Plan prepared in accordance with 33 CFR 332.4(c)(1)(iii) to the Corps and IRT for funding approval.

1. **Advanced Watershed Plans** – Although not currently widespread throughout Wisconsin, advanced watershed plans such as the pilot model Duck-Pensaukee Watershed Approach (*Miller, et al., 2012*), use a watershed approach to identify and prioritize potential project sites and/or identify the greatest watershed needs from an aquatic resource perspective capable of bringing positive improvement to watershed health. These plans typically concentrate on smaller hydrologic units such as HUC-8 or HUC-10 areas and identify actions or specific sites related to the contributing watershed that if restored, enhanced or preserved will improve upon watershed health and therefore may form the basis for priority funding selection. Within each

PSA a list of current advanced watershed plans has been provided, if available, to offer an example for future plans that may be developed and brought into the Compensation Planning Frameworks through a modification to the Final Instrument. If an advanced watershed plan is listed within a PSA it will serve to guide the selection of priority actions and site selection to ultimately drive which projects are brought forth to the Corps and IRT for funding approval.

2. **Wetland Functional Value Objectives & Localized Impact** – In the absence of an advanced watershed plan for any given PSA, projects will be selected based on their ability to deliver remediation for one of the top ranked wetland functional value representing greatest watershed need. Compensatory mitigation proposals that include a site and mitigation plan that supply one or more of the top ranked wetland functional value objectives listed within the corresponding PSA will garner preference from the Sponsor. Additional scrutiny will be placed upon the proposed project's watershed location with preference going to those positioned within the HUC-8 scale watershed suffering from the greatest adverse impacts stemming from historical losses, current threats and permitted actions capable of remediation.
3. **Success potential** – Some projects may pose a higher degree of a successful outcome based on a multitude of factors including, but not limited to wetland landscape position, presence of invasive species, historical conditions, surrounding land use, buffer potential, required long-term management, local master planning, hydric soils and hydrology. The intent is to target Potentially Restorable Wetlands (*Figure 3.*) or areas identified on current / future advanced watershed plans that pose a greater ability to be restored, established, enhanced and/or preserved. Targeting these areas will bring a focused effort to achieve the greatest opportunity for successfully addressing the wetland functional value objective most needed in the watershed resulting in improved watershed health and replacement of lost wetland functions.
4. **Feasibility** –When identifying, planning and implementing WWCT projects the historical conditions relevant to wetland soils, hydrology and vegetation will be consider with those sites that strive to match historical conditions carrying with them more weight. Projects that align with the original conditions of wetland areas are more likely to result in the restoration, establishment, enhancement or preservation of wetlands and their associated function most needed by the watershed.

Secondary Requirements: To be referred to for any proposals that the Sponsor deems as equivalent after evaluating against the core requirements. These Secondary Requirements will be used to make a final determination on which proposals to select and bring forth to the Corps and IRT for funding approval.

1. **Localized Impact** – Where warranted and feasible strive to select proposals that are located in a HUC-8 area or Ecological Landscape within the overall PSA that corresponds with the majority of the unavoidable permitted impacts to achieve a more localized mitigation impact.
2. **Corridors** – When consistent with wetland functional value objectives target projects that are adjacent or otherwise linked to wildlife and other environmental corridors, preserved lands, public and private conservation areas or other protected natural resource areas to expand the connectivity of safe havens for wildlife, fish and associated organisms.

3. **Project Size** – Strive to select lands for wetland compensatory mitigation projects that are large enough to pose valuable resource areas and have a greater overall watershed impact.
4. **Human Use Value** - Wetlands are some of our favorite places for recreation as they provide peaceful open spaces in landscapes providing unique interactions for hunters, anglers, scientists and students. Wetlands provide exceptional educational and scientific research opportunities because of their distinctive combination of terrestrial and aquatic life along with physical and chemical processes. Wetlands located within or near urban settings and those frequented by the public are especially valuable for social and educational opportunities and as such will this value will be considered when reviewing potential projects.
5. **Cost Efficiency** – The cost of projects and preservation sites will be considered with the broad understanding that certain aspects such as land costs will vary widely based on geography. Priority may be assigned to those sites that are more efficient in terms of overall project costs and required long-term management allocations. Consideration on cost efficiency may also be weighed against the other priority topics carrying with them the greatest environmental significance. In other words, some compensatory mitigation projects may be more costly to ensure successful results (i.e. forested wetland projects), but that will not result in those projects being disqualified as they carry with them a strong environmental significance.
6. **Efficient Long Term Management** – Sites where the long term management and maintenance can be done efficiently without intensive human manipulation of the site are preferred. Likewise sites that do not incorporate large scale structures that require future rigorous attention for maintenance and/or replacement and associated high cost will also be preferred.
7. **WI Natural Resource Board Approved Boundaries** – Proposed compensatory mitigation activities and projects that fall within established Natural Resources Board approved Project Boundaries and existing Management Areas will add to these ecologically important contiguous areas. These approved areas establish the overall spatial context of preapproved environmentally significant boundaries where the addition of a WWCT project may boost the overall functional value of the area contributing to meaningful environmental improvement.

Element VII. Preservation

Contained within the Code of Federal Regulations (33 CFR 332.3(h)), preservation may be utilized by the Sponsor as a method to provide compensatory mitigation to protect resources and generate Released Credits provided the site meets the following criteria:

- The resource provides important physical, chemical or biological functions that significantly contribute to the ecological sustainability of the watershed;
- The resource must be under the threat of destruction or adverse modification;
- The preserved site must be perpetually protected through an appropriate real estate or other legal instrument.

The WWCT will utilize preservation when it has been identified as candidate site of an advanced watershed plan or listed an objective or method to achieve an alternative ranked objective listed under each of the 12 Primary Service Areas. Preservation was specifically ranked as an objective within those

PSA areas where Potentially Restorable Wetlands were found to be scarce compared to other PSA areas across the state. Where appropriate and practicable the preservation shall be done in conjunction with resource restoration, establishment and/or enhancement activities even if completed in subsequent years following protection establishment. The targeted areas for use of preservation shall include high quality wetlands, difficult wetlands to restore and/or establish (i.e. calcareous fens), critical wetland habitat for threatened and endangered species along with Species of Greatest Conservation Need and other resources identified as important to meet Wisconsin's conservation and watershed needs. These areas may be identified in conservation plans developed by regulatory agencies, advanced watershed plans or other overarching conservation plans such as the *WI Land Legacy Report*, *WI Wildlife Action Plan*, *WI State Natural Areas Program*, *WI Natural Heritage Inventory* or other scientific based methodology and peer information compiled in consultation with stakeholders.

Element VIII. Stakeholder involvement

The WWCT Sponsor has a commitment to engage stakeholders starting with the overall development of the program through the final planning and implementation. Large scale planning and guidance documents such as *The 2013 Guidelines for Wetland Compensatory Mitigation in Wisconsin*, *WI Wildlife Action Plan*, *WI Land Legacy Report and Reversing the Loss* were chosen as reference in creating the WWCT in part due to their heavy stakeholder involvement and exposure to the public arena to build upon the widely vetted nature of the program. The Sponsor has also worked closely with the Corps and IRT comprised of key stakeholders from Federal agencies to develop the components of the program. The Sponsor has also engaged separate stakeholders from non-profits and non-governmental entities to gather valuable input relevant to the overall functionality of the WWCT. The WWCT will continue to collaborate with additional conservation entities and individuals to evaluate wetland compensatory mitigation site opportunities as well as develop mitigation plans, implementation, monitoring and long term management responsibilities. The Sponsor will prepare announcements for distribution and website postings to keep the general public apprised of the WWCT development progress as well as direction over future years.

The Sponsor shall seek opportunities to work with stakeholders through the creation of advanced watershed plans where more localized input is especially valuable in seeking the most impactful wetland compensatory mitigation actions to benefit overall wetland functional value and watershed health.

The Sponsor may also engage stakeholders through the solicitation process to seek qualifying wetland compensatory mitigation proposals that meeting the components of the CPF. Both internal and external parties will have the opportunity to propose sites and projects that will improve wetland functional values and improve local watershed health benefitting the public.

Beyond utilizing the Sponsor's experience and outside stakeholders; other DNR Programs may participate in contributing resource knowledge to continually shape the WWCT goals and objectives. The WWCT will strive to foster long lasting relationships and partnerships with non-profits, non-

governmental entities, federal and state agencies, local units of government, private firms and the general public that share common wetland resource goals and objectives. Promoting such relationships will benefit the overall WWCT to diversify contributing information resulting in broad set of guiding principles similar to the comprehensive watershed approach to determine those ideas that collectively rise as common elements.

The WWCT will also interface with regulatory agencies to determine whether permits are required for the implementation of compensatory mitigation projects. Following approval of proposals by the Corps the Sponsor or its assigns will engage the appropriate regulators to determine which permits may be required along with the requirements for approval. This process will provide another opportunity to involve stakeholders for a given project and further build meaningful professional relationships.

Element IX. Protection

The Sponsor is responsible for developing and ensuring long term protection and management specific to each approved compensatory mitigation project site. All WWCT sites shall be perpetually protected through real estate instruments or other legal mechanisms so as to preserve their intended function, use and condition over time. Where feasible and appropriate fee-simple title will be employed while in other scenarios conservation easements, such as the DNR Wetland Compensatory Mitigation Easement (included as **Attachment A**), restrictive covenants or other legal mechanisms will be applied in accordance with 33 CFR 332.7(a). The required site specific Management Plans or terms of perpetual protection will describe the permitted/prohibited uses for each site so as to maintain the resource functional intent as well as any provisions of the preservation mechanism.

The Sponsor will address the responsibility of long-term management by ensuring that sites are properly managed by either conducting the required actions on its own or by transferring responsibility as detailed under the Ownership Arrangement & Long-Term Management section of this Draft Instrument. The Sponsor will aim to select, design and construct projects that require minimal long-term human manipulation once performance standards have been met. However, the Sponsor recognizes that plans should also anticipate situations where this is not feasible. Within each site specific monitoring and long term management strategy the Sponsor will include estimates for such activities and identify funding devices such as non-wasting endowments, trusts, escrows, contractual agreements or other appropriate financial tools as part of the required Management Plan to be approved by the Corps. The Sponsor will also set aside program revenue for a collective program contingency fund to be used when warranted to correct, repair or address catastrophic or unforeseen events that negatively impact a project site's ability to provide the intended wetland functional value.

Element X. Evaluation and Reporting

The WWCT expects that much like the ever changing adverse forces that alter the wetland landscapes of Wisconsin, the WWCT will also need to be dynamic in nature to overcome the challenges that lie ahead.

Therefore, the Sponsor will evaluate the overall WWCT periodically to determine if modifications are needed to properly respond to current and future needs of the wetland resources. Part of this evaluation will review the goals and wetland functional value associated objectives along with the prioritization strategy set forth under each of the Primary Service Areas to determine their relevancy and success within the context of changing land use, development trends and wetland resource threats on a watershed basis. During this evaluation period the Sponsor may also undertake an assessment of the entire programmatic framework to determine if any modifications are warranted, which if deemed necessary will be presented to the Corps for approval. An in depth assessment of the quantity of wetland compensatory credits sold vs. successfully released credits will be undertaken to ensure proper mitigation is occurring for unavoidable permitted actions. Likewise assessments of sites shall be completed through the monitoring and management of sites to ensure proper function is enduring. The U.S. Environmental Protection Agency's National Wetlands Monitoring Workgroup has endorsed the concept of a Level 1, 2, 3 approach to monitoring with each level gaining in its depth of scrutiny (*U.S.EPA 2006*). Level 1, "landscape assessment," relies on coarse, GIS landscape scale inventory information while Level 2 is "rapid assessment" at the specific wetland site scale and Level 3 is "intensive site assessment," using intensive research-derived, multi-metric indices of biological integrity. Each project site shall also have monitoring reports submitted in accordance with the approved Mitigation Plan to reflect progress towards achieving performance standards associated with the release of credit milestones. These evaluations will be done outside of the context of the annual reporting discussed under the Financial & Credit Reporting section as the need arises or if a substantial change in information becomes available, but the overall programmatic evaluation shall be completed no later than 5 years following completion of the first compensatory mitigation site. This will then enable the Sponsor ample time and flexibility to establish its own experiences with the current programmatic framework and adapt as necessary.

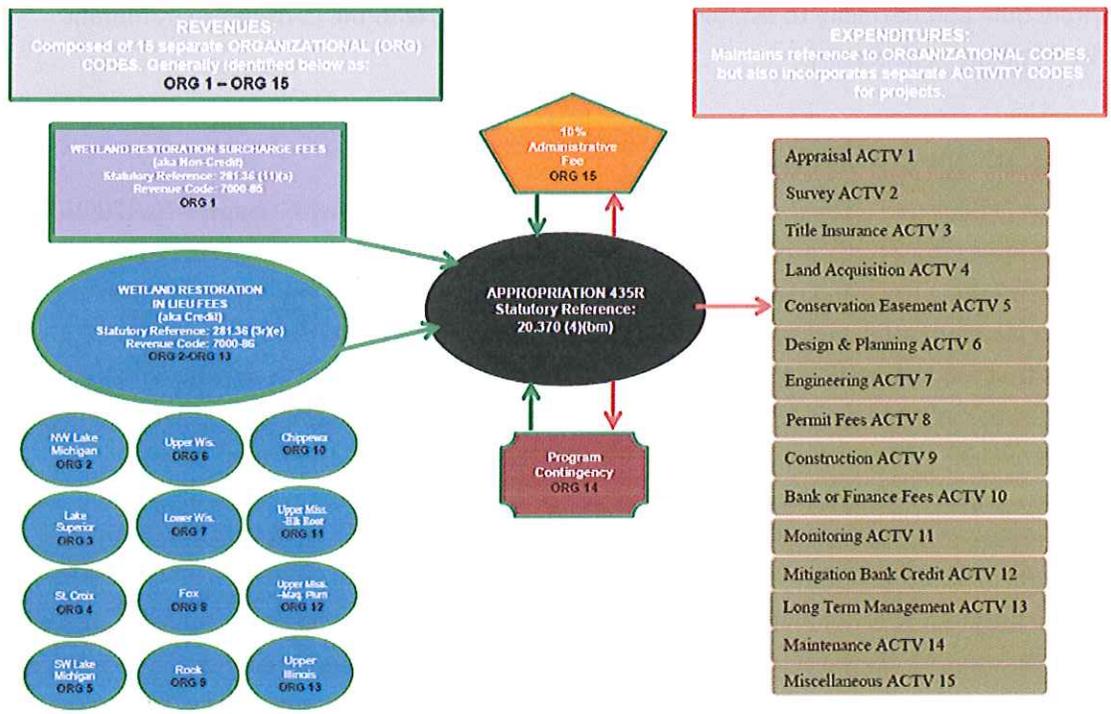
In-Lieu Fee Program Account

The Sponsor has established a separate appropriation (435) in accordance with Chapter 20.370(4)(bm), Wis. Stats. to serve as the WWCT program account and segregate it from all other state held funds. The Sponsor shall separately track and code all money received from credit fees and non-credit related sources such as supplemental environmental projects, donations and WI wetland General Permit surcharge fees that may be used to augment the WWCT. The Sponsor will also separately track and code credit based fees to maintain their origin amongst the twelve PSA's and ensure appropriate funding of wetland compensatory mitigation actions within the PSA corresponding with sales of Advanced or Released Credits. *Figure 9* visually depicts the structure of this appropriation in terms of revenue codes, expenditures, object codes and activity codes that will be used to separate, track and account for program financial actions. All interests accruing to the WWCT appropriation program account shall be returned to the program account annually based on the State's fiscal year ending on June 30th and will remain in that account for the purposes of providing compensatory mitigation. An Administration Fee of 10% shall be taken out of all received credit fees and coded separately to segregate it from other WWCT revenue for use on administrative based expenditures. All remaining credit based funds will only be used for the selection, design, planning, engineering, acquisition, implementation, contingency,

monitoring and management of WWCT projects. Associated activities include, but are not limited to appraisals, surveys, title insurance, land acquisition, conservation easements, design and planning, engineering, permit fees, construction, bank or finance fees, monitoring, mitigation bank credits, long term management and management activities related to the restoration, establishment, enhancement, and/or preservation of aquatic and/or wetland resources. Use of credit based fees is prohibited for activities that do not directly support wetland compensatory mitigation such as upland preservation (other than buffers), research, education and outreach. The Sponsor may also set aside program revenue for a collective WWCT program contingency fund to be used when warranted to correct, repair or address catastrophic or unforeseen events that negatively impact a project site. The funding source for this contingency fund may come from credit sales or non-credit revenue and is not anticipated to exceed 10% of compensatory mitigation project costs. The Administrative fees generated will not be drawn from for the purposes of establishing this contingency fund.

The Sponsor will submit proposed WWCT projects to the Corps for funding approval and disbursements from the WWCT appropriation program account will only be made upon written approval from the Corps. Within each PSA the Corps shall retain the right to direct the corresponding funds to alternative compensatory mitigation projects in the event the Sponsor does not complete land protection and/or acquisition and initial physical and biological improvements before the third full growing season after the first advanced credit in that service area is secured by a permittee, unless the district engineer determines that more or less time is needed to plan and implement a WWCT project.

Figure 9 – Visual Depiction of Appropriation 435R WWCT Program Account



Financial & Credit Reporting

The WWCT appropriation 435 program account, authorized under Chapter 20.370(4)(bm), Wis. Stats., will track and code funds accepted from permittee credit purchases separately from those accepted from other sources as identified under the WWCT Account section. Once the WWCT accepts payment from a permittee the responsibility for compensatory mitigation shall transfer from the permittee to the WWCT Sponsor therefore satisfying the permittee's legal responsibility for compensatory mitigation. The Sponsor shall provide annual reports containing the following information to the Corps and the IRT within 90 days following the end of the State Fiscal Year ending on June 30th:

A single comprehensive annual report shall be submitted; however certain portions of the report may be prepared by financial staff, while others will be prepared by WWCT Program staff to ensure proper reporting, tracking and coding.

Portion of Report prepared by State Financial Staff:

- All revenue received and interest earned by the WWCT Account;
- Separately accounting for credit and non-credit revenue;
- Separately accounting for revenue / expense activity within each PSA;
- Separately accounting for overall Administrative revenue / expenses; and
- Separately accounting for overall Contingency revenue / expense.

Portion of Annual Reports prepared by WWCT Staff:

- A list of all bills of sales or similar tracking mechanism for which WWCT credit revenue was accepted further broken down to depict the:
 - Corps permit number, State permit number;
 - Primary Service Area name, Secondary Service Area name and Ecological Landscape in which the unavoidable permitted impacts occurred;
 - Overall HUC-4 name, modified HUC-6 number and HUC-8 number in which the unavoidable permitted impacts occurred;
 - Wetland Classification impacted according the eleven communities defined in *Eggers and Reed 2011* as referenced in *The 2013 WI Wetland Compensatory Mitigation Guidelines*;
 - amount of authorized impact in acres to the nearest 100th decimal place (i.e. 0.01 acres);
 - amount of required WWCT compensatory mitigation to the nearest 100th decimal place;
 - amount of credit revenue received tracked per Primary Service Area and;
 - date actual credit revenue from permittee was received by the WWCT;
- The balance of advanced credits and released credits at the end of the report period for each Primary Service Area; and
- Any other information required by the Corps and requested in written form by the Corps.

All books, accounts, reports, files and other records relating to the WWCT Account will be made available at reasonable times for inspection and audit by the Corps upon written request.

Advanced Credits

Following the Corps approval of the Final Instrument, the WWCT may proceed with the sale of Advanced Credits and collection of all funds. Advanced Credits are defined as those credits associated with an approved in-lieu fee program that are available for sale prior to being fulfilled in accordance with an approved mitigation project plan. All Advanced Credits that are sold must be “paid back” with Released Credits through a schedule of fulfillment once an actual compensatory mitigation project has been approved by the Corps in order to replenish their availability for sale. Released Credits are defined as those credits that are generated and subsequently released from a Corps approved compensatory mitigation project site in accordance with achievement of specific milestones identified in *Figure 12*. Released Credits will first go to replenish and “pay back” any Advanced Credit sales in a given Primary Service Area thus restocking their availability for sale. If any Released Credits remain after fulfilling all Advanced Credit sales in the corresponding PSA then they may be sold at the sole discretion of the WWCT Sponsor.

The quantity of available Advanced Credits is assigned individually to each Primary Service Areas as detailed in *Figure 10*. The listed quantities were based on the following factors:

- The Compensation Planning Framework;
- The past 5 year annual average in each PSA of state and federal permanent permitted wetland acre adverse impacts along with anticipated quantity of required compensatory mitigation credit ratios;
- The projected financing necessary to initiate planning and implementation of projects;
- Potential for temporal loss of wetland functional values in response to the 3 season growing timeframe requirement to initiate compensatory mitigation projects;
- Overall spatial context of the given PSA;
- Current availability of wetland mitigation bank credits in each PSA.

In order to secure adequate Advanced Credits sales to fund a meaningful project size a minimum of 30 Advanced Credits was established. The Sponsor may seek the allotment of additional Advanced Credits at any time through a modification to this Instrument under the Streamlined Review Process afforded in 33 CFR 332.8(g)(2).

Figure 10. Quantity of Advanced Credits for each Primary Service Area.

Primary Service Area	Advanced Credits
Lake Superior	75
St. Croix	30
Chippewa	30
Upper Mississippi – Black Root	30
Upper Wisconsin	100
Lower Wisconsin	40
Upper Mississippi – Maquoketa Plum	30
Northwestern Lake Michigan	250
Fox	50
Rock	90
Southwestern Lake Michigan	60
Upper Illinois	30

Released Credit Fulfillment Schedule

The generation of WWCT program Released Credits will generally be calculated as depicted in *Figure 11* for the following methods and associated ratios with final approval required from the Corps in consultation with the IRT. All credits released from an approved compensatory mitigation site shall first go towards fulfilling all Advanced Credits sold in the corresponding PSA to replenish the quantity available for sale to permittees.

Figure 11: Released Credit Generation depicting methods and ranges of approved site credit generation.

Range of Credit Ratio (Released Credits : site acres)	Typical Credit Ratio (Released Credits : site acres)	Method
Up to 1 : 1	1 : 1	Restoration
Up to 1 : 1	0.75 : 1	Enhancement
Up to 1 : 1	0.5 : 1	Establishment
Up to 0.25 : 1	0.25 : 1	Buffer
Up to 0.125 : 1	0.125 : 1	Preservation

Each WWCT approved project will include a credit release schedule reflecting achievement of performance standards and in general credits shall be release according to the schedule reflected in *Figure 12*.

Figure 12. General Fulfillment Schedule of Released Credits for Restoration, Enhancement, Establishment and Buffers.

Percentage of total site released for credit	Milestone Description
25%	Upon Corps approval of the Mitigation Plan and long term management financial assurance.

25%	Upon completion of approved project improvements and Corps approval of as-built report.
30%	Released incrementally upon meeting interim performance standards. (Incremental release may be divided amongst standards, for example: 10% upon achievement of interim hydrology performance standard. 10% upon achievement of targeted vegetative cover percentage. 10% upon achievement of target native species abundance or diversity.)
Up to 20%	Upon completion of final year of monitoring. At this point the Corps will recommend adjustments to the final released credit percentage based on achievement of performance standards and provide an option for extending monitoring to achieve any lost percentage if ability to meet performance standards exists.

The fulfillment schedule of Released Credits for compensatory project sites that employ Preservation is as follows:

50% - Upon Corps approval of the Mitigation Plan.

50% - Upon Corps receipt of signed and recorded conservation easement or other perpetual legal protection document.

If in any case the preservation requires any restoration, enhancement, establishment or other activities related to wetland functional value lift then these shall be done separately from the initial credit release and generally follow the fulfillment schedule depicted in *Figure 12*.

Default and Closure Provisions

If the Corps District Engineer determines that the WWCT is not meeting performance standards or complying with the terms of the approved Instrument, the Corps in consultation with the IRT shall provide the Sponsor with written notice of the program inadequacies. If the Sponsor fails to remedy the listed faults or propose a diligent corrective action plan within 30 days of receipt of the written notice then the Corps may take appropriate actions including, but not limited to, suspending credit sales, adaptive management, decreasing available credits, utilizing financial assurances and terminating the instrument. Either party to this agreement (Sponsor or Corps) may terminate this Instrument following a 90 day written notice stating the intention and demand for termination. Following submission of either party’s intent to terminate the following closure provisions shall commence:

- The Sponsor shall have 90 days from receipt of notice to provide an accounting of all program funds.
- The Sponsor shall retain the right and control of associated funds to complete all existing projects and fulfill all associated contracts or agreements to ensure proper project completion for all compensatory mitigation projects previously approved by the Corps.

- Any remaining funds not associated with an approved compensatory mitigation project shall be payable as directed by the Corps.

Credit Fee Methodology

The credit fee charged is determined by the Sponsor and a fee schedule will be maintained for each Service Area as *Appendix B*. The cost per unit of Credit takes into account the expected costs associated with administration of the program, selection, design, planning, engineering, acquisition, implementation, contingency, monitoring and management of WWCT projects. Such costs are based on full cost accounting according to 33 CFR 332.8(o)(5)(ii) and include, but are not limited to appraisals, surveys, title insurance, land acquisition, conservation easements, design and planning, engineering, permit fees, construction, bank or finance fees, monitoring, mitigation bank credits, long term management and management activities related to the restoration, establishment, enhancement, and/or preservation of aquatic and/or wetland resources. In addition, the cost must also include the cost of providing financial assurances that are necessary to ensure successful completion of WWCT Projects, and may reflect other factors as deemed appropriate by the Sponsor and the Corps in consultation with the IRT.

The WWCT shall establish an inaugural credit fee, which will be evaluated going forward by the Sponsor on an annual basis following submission of the required annual reports to the Corps with any credit fee changes posted on the Sponsor's website or otherwise made available to the public. Since the WWCT is the first in-lieu fee program in Wisconsin baseline costs to establish a meaningful true cost accounting calculation of these future expenditures is not readily available. Therefore, the Sponsor has reviewed other national in-lieu fee programs as well as the Wisconsin based market value of wetland compensatory mitigation bank credits fees to formulate an initial baseline for setting the inaugural fee. Wisconsin has had a mitigation banking credit market since 2002 providing a strong baseline market for establishing a comparable WWCT credit fee. The inaugural credit fee will be set the same across all Primary Service areas, however, the Sponsor reserves the right to alter the credit fee going forward as well as have different credit fees in each service area to account for variable costs such as land values. Any modification to the fee performed by the Sponsor shall not constitute a modification to the Instrument or program in accordance with 33 CFR 332.8(o)(5).

Force Majeure

In the event an approved compensatory mitigation project is damaged through an unforeseen "natural catastrophe" or "3rd party event" as defined below, the Sponsor will not be held legally responsible to perform repairs, remediation or other adaptive management. A natural catastrophe or 3rd party event, for the purposes of this Instrument, shall mean an event or occurrence resulting in significant adverse impact upon the approved project beyond the control and foresight of the Sponsor. Natural hazards or 3rd party events include, but are not limited to, drought, floods, tornados, hurricanes, earthquakes, fires, un-authorized vehicular damage, vandalism and spills. In the event a natural catastrophe or 3rd party

event occurs the Sponsor shall bear the burden of proof to the Corps, who will make the determination whether the event constitutes force majeure.

Credit Resale, Brokerage and Stockpiling

Once an Advanced or Released Credit is sold by the Sponsor it may not be resold, brokered or otherwise transferred to another entity nor may either type of credit be stockpiled or divided by an entity for later use without the express written approval of the Sponsor and Corps in consultation with the IRT. Credit sales are only eligible for entities having a current need to perform wetland compensatory mitigation in order to satisfy an active legal permit requirement. Therefore, all purchase confirmation letters and/or bills of sale for credit transactions must include a permit number verifying a valid transaction. The Sponsor also retains the sole right to refuse credit sales to any entity, permittee or party at any given time. The Sponsor, with the approval of the Corps in consultation with the IRT, has the sole discretion to determine if a refund of credit purchase is warranted in response to purchaser request provided the permitted adverse wetland impacts have not taken place and will not occur and the legal requirement to perform compensatory mitigation is no longer required. If said refund is approved and performed the Sponsor shall no longer have the legal responsibility to perform the corresponding wetland compensatory mitigation.

Miscellaneous Provisions

This Instrument shall be governed by and construed in accordance with the laws of Wisconsin and the United States as appropriate.

In the event of a disagreement involving the Corps, members of the IRT, and/or the Sponsor, the Corps will make the final decision after considering all opinions.

Severability: In the event any one or more of the provisions contained in this Instrument are held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability will not affect any other provisions hereof, and this Instrument shall be construed as if such invalid, illegal or unenforceable provision had not been contained herein.

Notice: Any notice required or permitted hereunder shall be deemed to have been received when delivered by hand, transmitted electronically with verified receipt, after three days following the date deposited in the United States mail, postage prepaid, by registered or certified mail, return receipt requested, or on the day received by Federal Express or similar next day nationwide delivery system, addressed as follows (or addressed in such other manner as the party being notified shall have requested by written notice to the other party):

Sponsor:

Wisconsin Department of Natural Resources
Wetland In-Lieu Fee Coordinator
141 NW Barstow St., Rm 180

Waukesha, WI 53188

Corps:

Ms. Tamara E. Cameron
Chief, Regulatory Branch
St. Paul District
U.S. Army Corps of Engineers
180 Fifth Street East, Suite 700
St. Paul, MN 55101-1678

Entire Agreement: This Agreement constitutes the entire agreement between the parties concerning the subject matter hereof and supersedes all prior agreements or undertakings.

Headings and Captions: Any paragraph heading or captions contained in this Agreement shall be for convenience of reference only and shall not affect the construction or interpretation of any provisions of this Agreement.

Counterparts: This Agreement may be executed by the parties in any combination, in one or more counterparts, all of which together shall constitute but one and the same instrument.

Binding: This Agreement shall be immediately, automatically and irrevocably binding upon the parties and their heirs, successors, assigns and legal representatives upon execution.

Transfer of Mitigation Responsibility: For projects in the service area of this Program that require Department of the Army authorization pursuant to Section 404 of the Clean Water Act, Section 10 of the Rivers and Harbors Act of 1899, Chapter 281.36, Wis. Stats, if such authorizations require compensatory mitigation, Credits from this Program may be used to satisfy those compensatory mitigation requirements if the WWCT and the permittee reach a mutually acceptable financial agreement, subject to Corps and/or DNR written approval on a case-by-case basis.

Approvals: For purposes of this Agreement, any approval required hereunder must be in writing and expressly approve the action or other matter for which approval is sought. Written approval may be transmitted in accordance with the **Notice** provision detailed above.

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[http://www.lrh.usace.army.mil/Portals/38/docs/regulatory/publicnotices/OWF%20WWCT%20DRAFT%20Instrument%20Huntington%201-16-2013%20\(2\).pdf](http://www.lrh.usace.army.mil/Portals/38/docs/regulatory/publicnotices/OWF%20WWCT%20DRAFT%20Instrument%20Huntington%201-16-2013%20(2).pdf)
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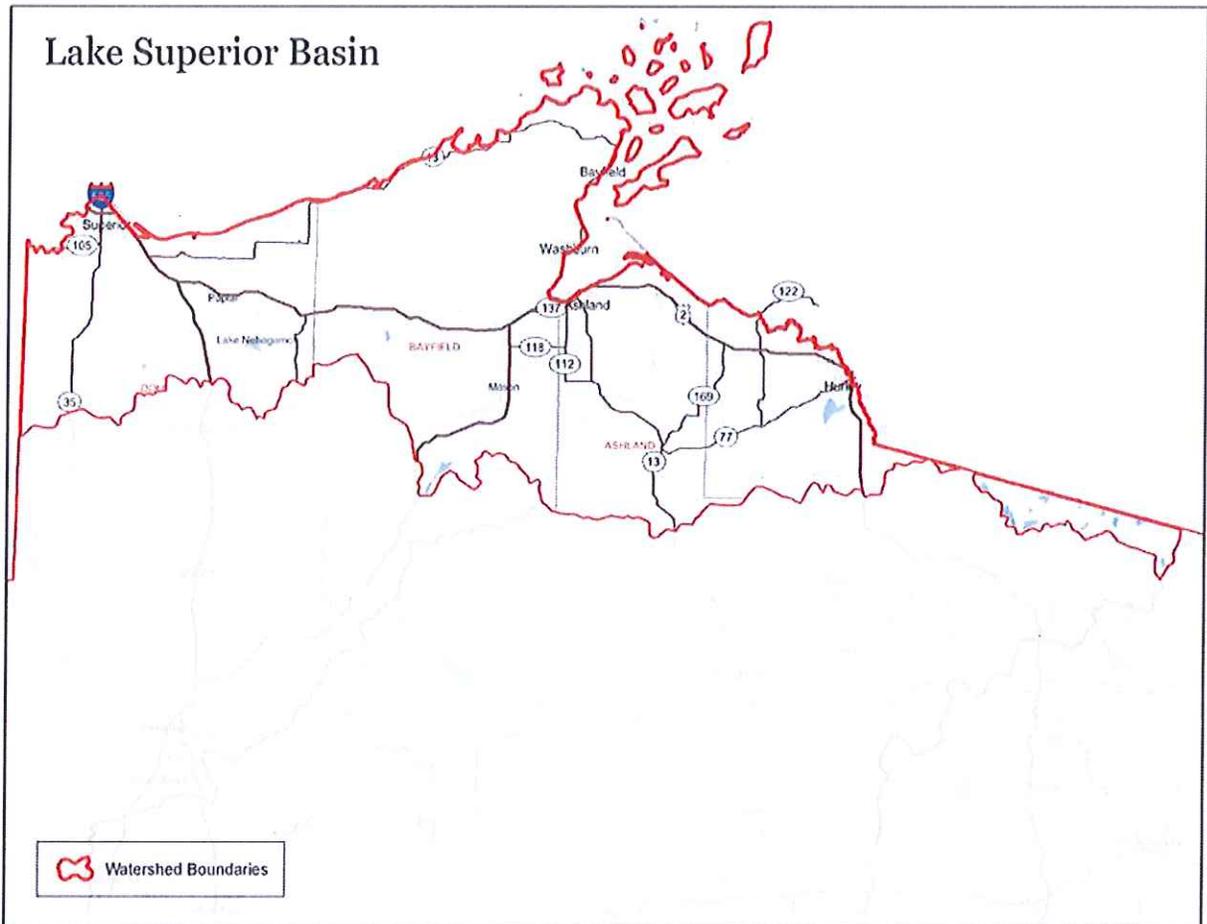
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Appendix A. – CPF for Respective Primary Service Areas

Lake Superior CPF

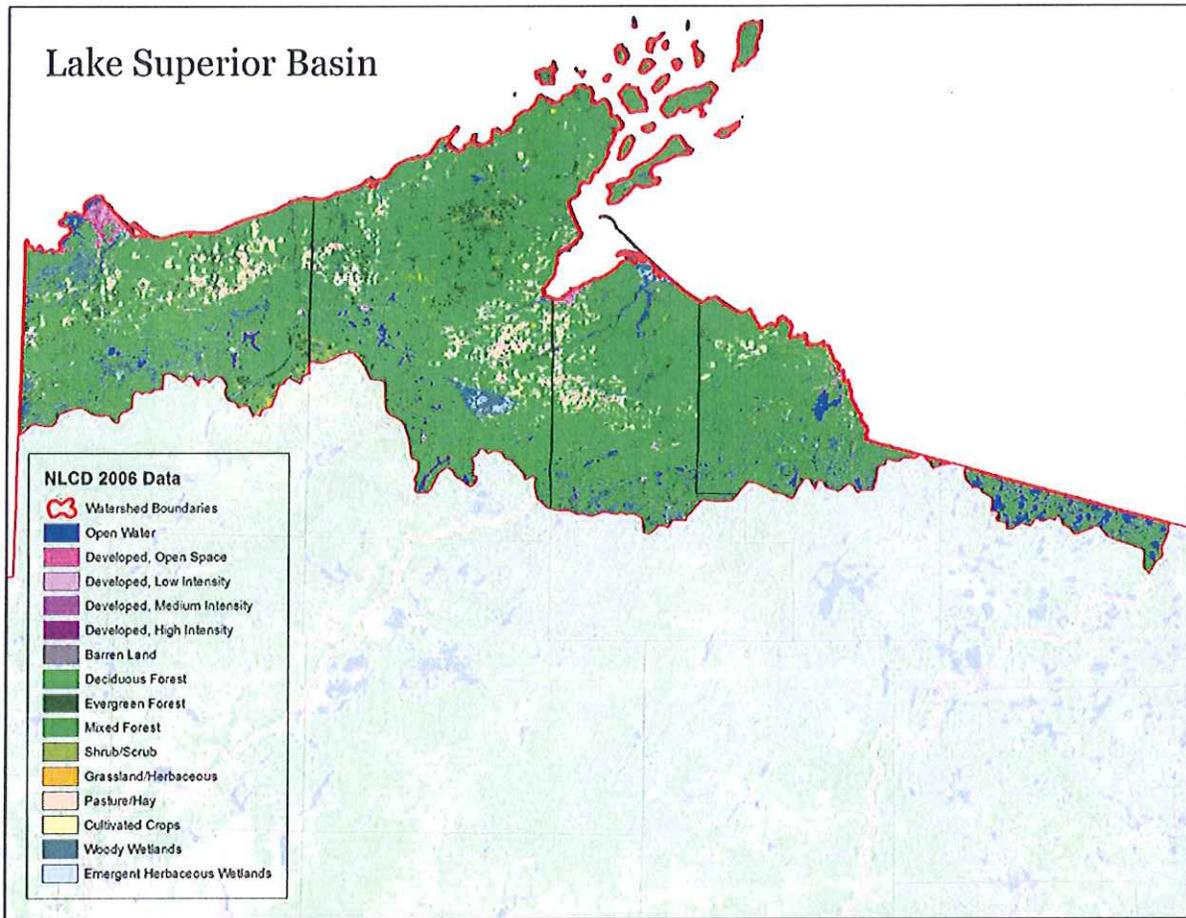
Element I. Service Area:



The Lake Superior watershed (040102,040103,040201), comprised of Douglas, Bayfield, Ashland, Iron and Vilas counties is located at the northern tip of Wisconsin and drains an area approximately 2,984 square miles. Ecological Landscapes include North Central Forest, Northern Highland, Northwest Lowlands, Northwest Sands and Superior Coastal Plan (*WDNR 2012*).

Element II. Threats and Remediation:

- Groundwater Depletion and Surface Water Alteration
- Nutrient and Sediment Loading
- Habitat Segmentation and Loss
- Invasive Species
- Agricultural Impacts



Element III. Historic Loss:

This watershed area has been generally spared of the heavy urbanization that the other Great Lake regions have encountered. The Lake Superior watershed’s soils are poor in comparison to other state areas, which when combined with a shortened growing season has resulted in little historical agricultural impact. The area also contains red clay soils capable of stifling infiltration rates resulting in increased runoff and sedimentation. Having a majority of land use being forested, timber harvest and the logging industry have had the greatest historical impact along with mining and transportation infrastructure stemming from its widely used ports (*WDNR Basin Website 2013*).

Potentially Restorable Wetlands Data Summary in ACRES:

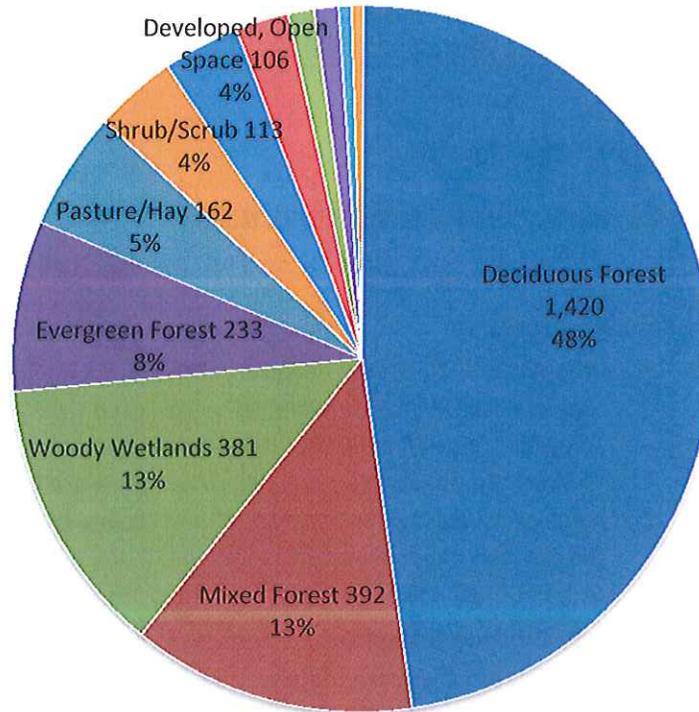
Less than 0.5 Acres	PRW	Unrecoverable	Total PRW (all categories)
2,720	25,453	869	29,043

Total WWI Mapped Wetland	Total Historic Wetlands (Total PRW+WWI Mapped)	Historic Wetland Loss % (Total PRM all / Total historic)	Restoration Opportunity
278,707	307,750	9.44%	9.13%

Element IV. Current Conditions:

Lake Superior Watershed Current Land Use (square miles based on USGS NLCD 2006)

- Deciduous Forest 1,420
- Mixed Forest 392
- Woody Wetlands 381
- Evergreen Forest 233
- Pasture/Hay 162
- Shrub/Scrub 113
- Developed, Open Space 106
- Open Water 73
- Developed, combined intensity 35
- Cultivated Crops 34
- Emergent Herbaceous Wetlands 18
- Grassland/Herbaceous 16
- Barren Land 1



The Lake Superior Watershed Area consists of a largely rural undeveloped cross section with anthropogenic impacts stemming from residential, industrial and commercial development as the major contributing threat factors. Roads, sidewalks, bridges and wastewater treatment plants along with ponds are some of the activities that contribute to the majority of permitted actions. As the northern population continues to grow and expand these activities will remain a leading factor contributing to wetland losses. There has also been recent interest in metallic mining within this watershed that could become a major resource threat should an active site be pursued and constructed. However, even with these threats this watershed is one of the least overall impacted areas in our state and poses many opportunities to preserve pristine high quality wetland areas. This is also the only watershed in our state that drains to Lake Superior providing another opportunity to protect this unique shoreline against adverse impacts such as erosion and toxic pollution. Lake Superior represents that largest expanse of fresh water in the world as well as the “cleanest” of the Great Lakes (*WDNR Basin Website 2013*).

Lake Superior PSA: WWI Mapped Wetland ACRE TYPE Summary

Total Wetland Acres	Aquatic Bed Acres	Emergent / Wet Meadow Acres	Scrub/Shrub Acres	Forested Acres	Flats/Unvegetated Acres	Open Water <6FT Acres
278,707	9	7,758	77,382	189,930	17	3,611

Lake Superior PSA: WWI Mapped Wetland Type Relative Frequency

Aquatic Bed	Emergent/Wet Meadow	Scrub/Shrub	Forested	Flats/Unvegetated	Open Water <6FT
0.00%	2.78%	27.76%	68.15%	0.01%	1.30%

Element V. Goals and Objectives:

Existing Advanced Watershed Plans (AWP): None

1. Shore line Protection

- **Associated Objective:** Restore, enhance and establish wetlands mapped as Potentially Restorable Wetlands or identified on advanced watershed plans. Target areas capable of providing opportunities to protect shoreline areas from erosion, non-point runoff, invasive species and other adverse threats capable of degrading the shoreline and riparian area. Focus on projects located within headwaters, lake fringes, estuaries, shoreline and floodplain areas of lakes, rivers and streams with a lotic, lentic and estuarine landscape position.

2. Storm and Floodwater Storage

- **Associated Objective:** Restore, enhance and establish wetlands in areas mapped as Potentially Restorable Wetlands or identified as priority areas of advanced watershed plans within flood prone locations primarily located in and adjacent to floodplain areas. Target projects whose hydrology has been altered through ditching, tiling and other draining techniques, which were previously capable of storing floodwaters of downstream flood prone areas/communities. Focus on projects located within or adjacent to mapped 100 year floodplain or other locations capable of storm and flood water storage having terrene, lotic, lentic and estuarine landscape positions.

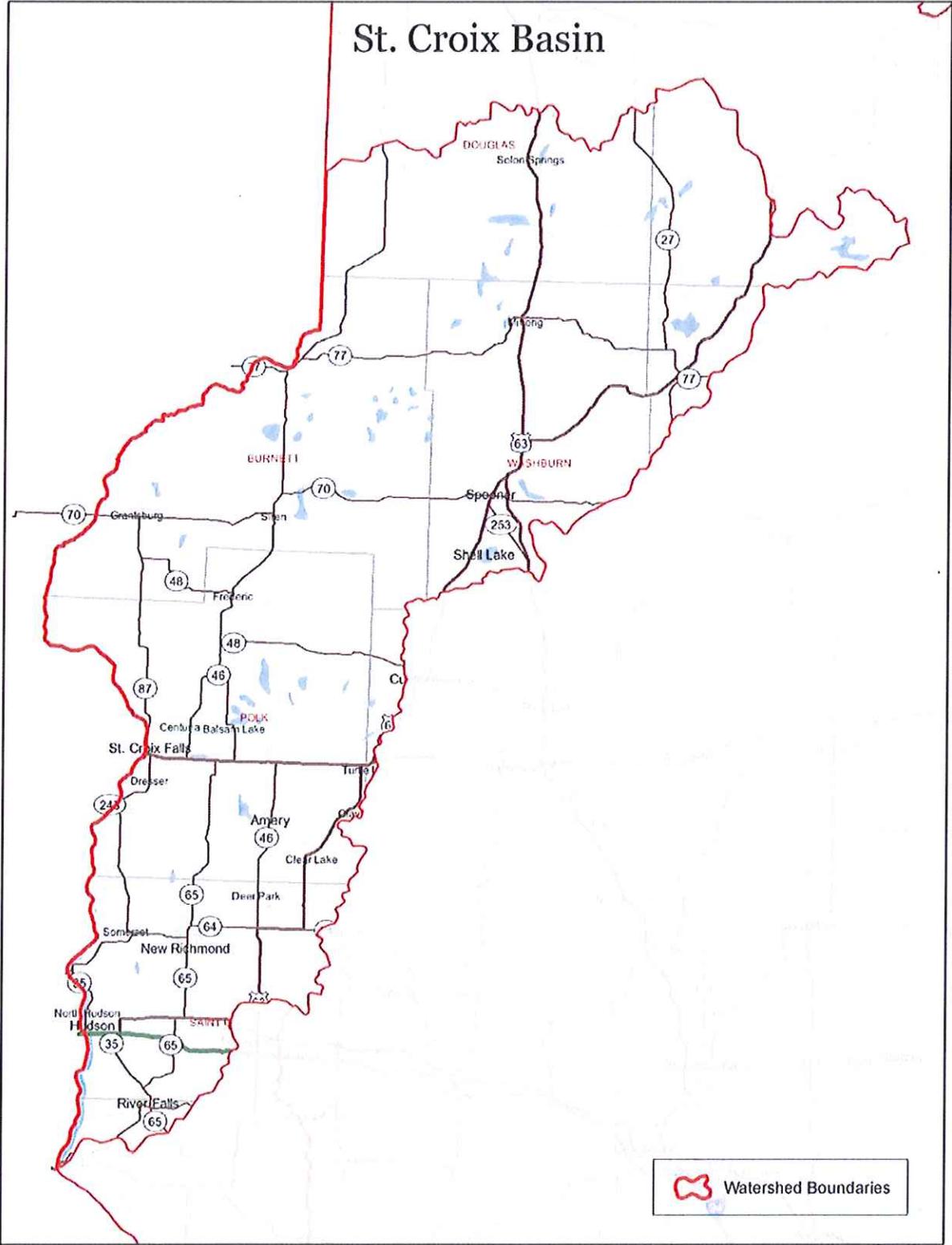
3. Wildlife Habitat

- **Associated Objective:** Restore, enhance and establish wetlands in areas mapped as Potentially Restorable Wetlands, Priority Conservation Opportunity Areas or areas identified on advanced watershed plans. Target priority habitat for Species of Greatest Conservation Need in Wisconsin's Wildlife Action Plan, projects located in a Joint Venture priority township or habitat areas highlighted in advanced watershed plans. Focus on projects consistent with identified priority conservation actions of Wisconsin's Wildlife Action Plan that will benefit multiple species of the above mentioned plans.

4. Preservation of wetland resources as referenced under Element VII.
 - o **Associated Objective:** Preserve wetland resources and surrounding buffer meeting the requirements of Element VII. focusing on areas such as:
 - high quality wetlands including, but not limited to calcareous fens, ephemeral pond and bogs;
 - critical habitat for threatened and endangered species;
 - priority habitat for Species of Greatest Conservation Need; and
 - areas that satisfy one of the other ranked objectives listed above;
 - other important areas identified on the WI Land Legacy Report, WI Wildlife Action Plan, WI State Natural Areas Program, Natural Heritage Inventory or other scientific based selection methodology.
5. Water Quality Protection
6. Fish and Aquatic Life Habitat
7. Groundwater Processes

St. Croix CPF

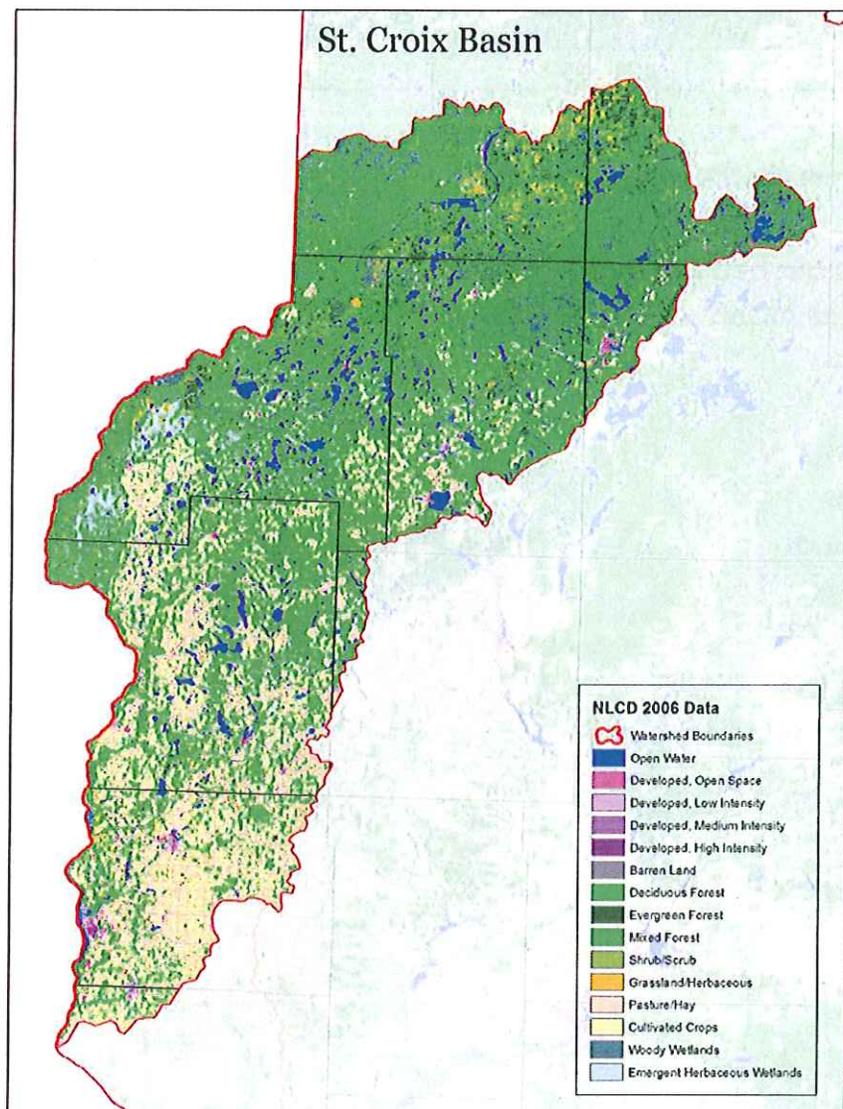
Element I. Service Area:



The Saint Croix watershed (070300), comprised of Douglas, Bayfield, Burnett, Washburn, Polk, Barron and Saint Croix counties is located at the north western tip of Wisconsin and drains an area approximately 4,188 square miles. Ecological Landscapes include Forest Transition, North Central Forest, Northwest Lowlands, Northwest Sands and Western Prairie (*WDNR 2012*).

Element II. Threats and Remediation:

- Agricultural Impacts
- Groundwater Depletion and Surface Water Alteration
- Invasive Species
- Habitat Segmentation and Loss
- Nutrient and Sediment Loading



Element III. Historic Loss:

This watershed area is known for its rich water based resources that brought people to the area to utilize and enjoy them. Historically logging and agriculture practices dominated the early economy along with dams for milling and eventually electricity. These changes to the landscape have altered and impacted the character of wetlands changing their hydrology and vegetative communities and influencing their soil composition (*WDNR Basin Website 2013*).

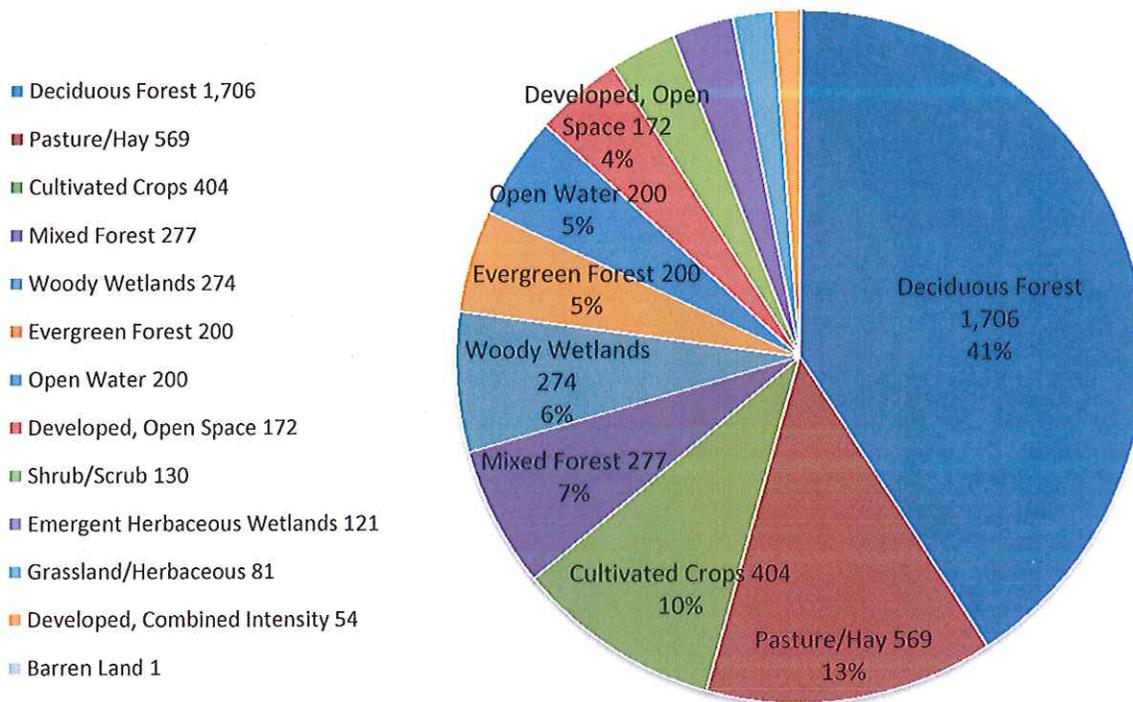
Potentially Restorable Wetlands Data Summary in ACRES:

Less than 0.5 Acres	PRW	Unrecoverable	Total PRW (all categories)
4,852	51,405	833	57,090

Total WWI Mapped Wetland	Total Historic Wetlands (Total PRW+WWI Mapped)	Historic Wetland Loss % (Total PRM all / Total historic)	Restoration Opportunity
421,025	478,115	11.94%	12.21%

Element IV. Current Conditions:

St. Croix Watershed Current Land Use (square miles based on USGS NLCD 2006)



The St. Croix Watershed Area consists of a large dispersal of water resources including both groundwater and surface water fed areas. Water rich, this watershed area consists of primarily rolling glacial terrain ranging from flat outwash plains to knob and kettle moraines. This area is growing in popularity as a result of its abundant streams, lakes, wetlands rich forest, wildlife and fisheries as both a place for recreation and general living. Following deciduous forested areas, combined agricultural areas dominate the land use and changes to more row crops and larger confined animal feeding operations are cause for water resource concern from non-point runoff, erosion and manure management. Increased growth and its associated development activities are also major threats as they are occurring largely along shorelines and other resource areas (*WDNR Basin Website 2013*).

St. Croix PSA: WWI Mapped Wetland ACRE TYPE Summary

Total Wetland Acres	Aquatic Bed Acres	Emergent / Wet Meadow Acres	Scrub/Shrub Acres	Forested Acres	Flats/Unvegetated Acres	Open Water <6FT Acres
421,025	5,599	74,085	123,691	203,133	33	14,484

St. Croix PSA: WWI Mapped Wetland Type Relative Frequency

Aquatic Bed	Emergent/Wet Meadow	Scrub/Shrub	Forested	Flats/Unvegetated	Open Water <6FT
1.33%	17.60%	29.38%	48.25%	0.01%	3.44%

Element V. Goals and Objectives:

Existing Advanced Watershed Plans (AWP):

United States Army Corps of Engineers and Wisconsin Department of Natural Resources. (November 2013). *Watershed Study Report for the Headwaters of the St. Croix River Basin, WI*. Retrieved from: <http://dnr.wi.gov/lakes/publications/stcroix/>

1. Wildlife Habitat

- o **Associated Objective:** Restore, enhance and establish wetlands in areas mapped as Potentially Restorable Wetlands, Priority Conservation Opportunity Areas or areas identified on advanced watershed plans. Target priority habitat for Species of Greatest Conservation Need in Wisconsin’s Wildlife Action Plan, projects located in a Joint Venture priority township or habitat areas highlighted in advanced watershed plans. Focus on projects consistent with identified priority conservation actions of Wisconsin’s Wildlife Action Plan that will benefit multiple species of the above mentioned plans.

2. Preservation of wetland resources as reference under Element VII

- **Associated Objective:** Preserve wetland resources and surrounding buffer meeting the requirements of Element VII. focusing on areas such as:
 - high quality wetlands including, but not limited to calcareous fens, ephemeral pond and bogs;
 - critical habitat for threatened and endangered species;
 - priority habitat for Species of Greatest Conservation Need; and
 - areas that satisfy one of the other ranked objectives listed above;
 - other important areas identified on the WI Land Legacy Report, WI Wildlife Action Plan, WI State Natural Areas Program, Natural Heritage Inventory or other scientific based selection methodology.

3. Shore Line Protection

- **Associated Objective:** Restore, enhance and establish wetlands mapped as Potentially Restorable Wetlands or identified on advanced watershed plans. Target areas capable of providing opportunities to protect shoreline areas from erosion, non-point runoff, invasive species and other adverse threats capable of degrading the shoreline and riparian area. Focus on projects located within headwaters, lake fringes, estuaries, shoreline and floodplain areas of lakes, rivers and streams with a lotic, lentic and estuarine landscape position.

4. Groundwater Processes

- **Associated Objective:** Restore, enhance and establish wetlands in areas mapped as Potentially Restorable Wetlands, priority areas identified in Advanced Watershed Plans or other areas associated groundwater processes. Target areas with high groundwater indicators, seeps or springs that have had been adversely impacted and present an opportunity for remediation. Focus on headwaters, seeps, springs and other locations capable of recharging surface waters and contributing to their base flow through regular groundwater discharge having a terrene, lotic, lentic and estuarine landscape positions.

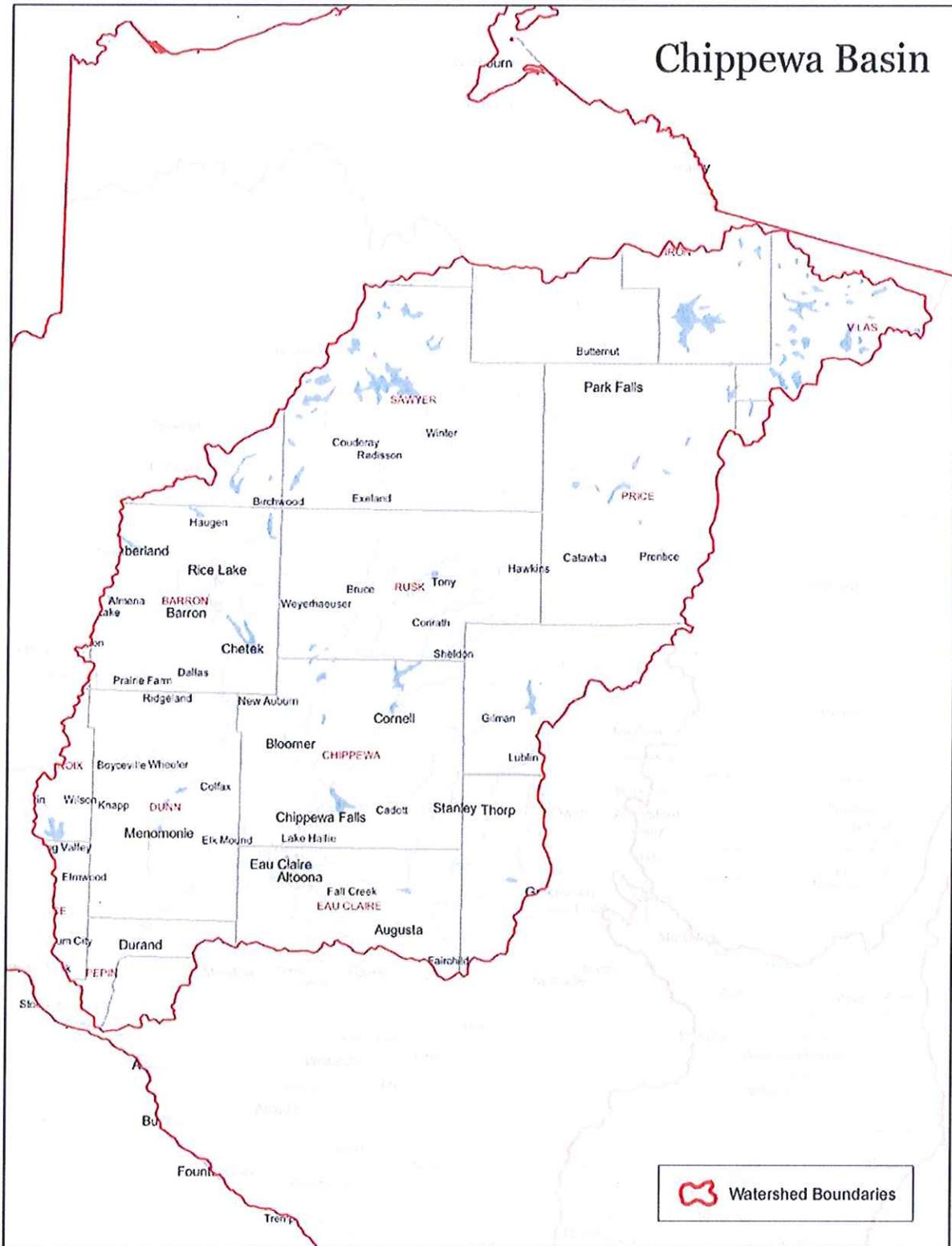
5. Fish and Aquatic Life Habitat

6. Water Quality Protection

7. Storm and Floodwater Storage

Chippewa CPF

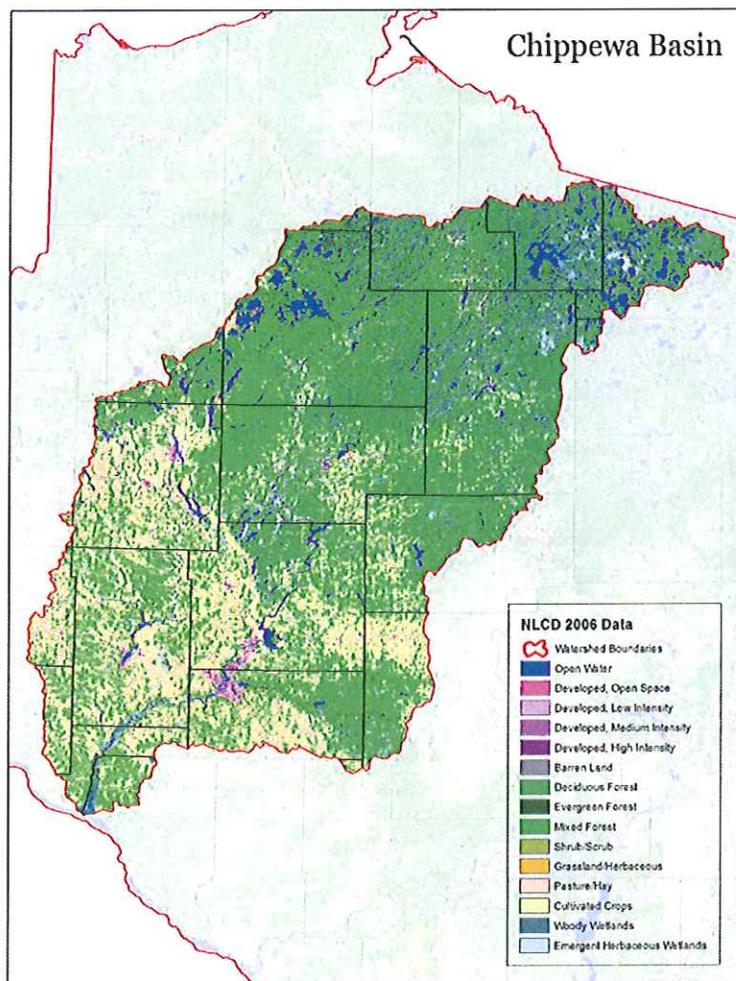
Element I. Service Area:



The Chippewa Watershed is the largest of the 12 service areas comprised of Bayfield, Burnett, Polk, Ashland, Iron, Vilas, Washburn, Sawyer, Price, Oneida, Barron, Rusk, Saint Croix, Dunn, Chippewa, Taylor, Pierce, Pepin, Buffalo, Eau Claire, Clark and Jackson counties, located in the northern western portion of Wisconsin and draining an area of approximately 9,583 square miles. Ecological Landscapes include Central Sand Plains, Forest Transition, North Central Forest, Northern Highland, Northwest Sands, Western Coulees and Ridges and Western Prairie (*WDNR 2012*).

Element II. Threats and Remediation:

- Agricultural Impacts
- Habitat Segmentation and Loss
- Invasives Species
- Groundwater Depletion and Surface Water Alteration
- Nutrient and Sediment Loading



Element III. Historic Loss:

This watershed has a history rooted in the timber industry with pulp and paper mills setting the stage for subsequent population growth and industrialization. The red clay soils of the lower watershed contributed to red bricks used to fabricate the structures of the areas, which in many cases remain in place today. As settlement grew in response to the growing economy trails were cut followed by roadways and the ever expanding effects of anthropogenic influence (*WDNR Basin Website 2013*).

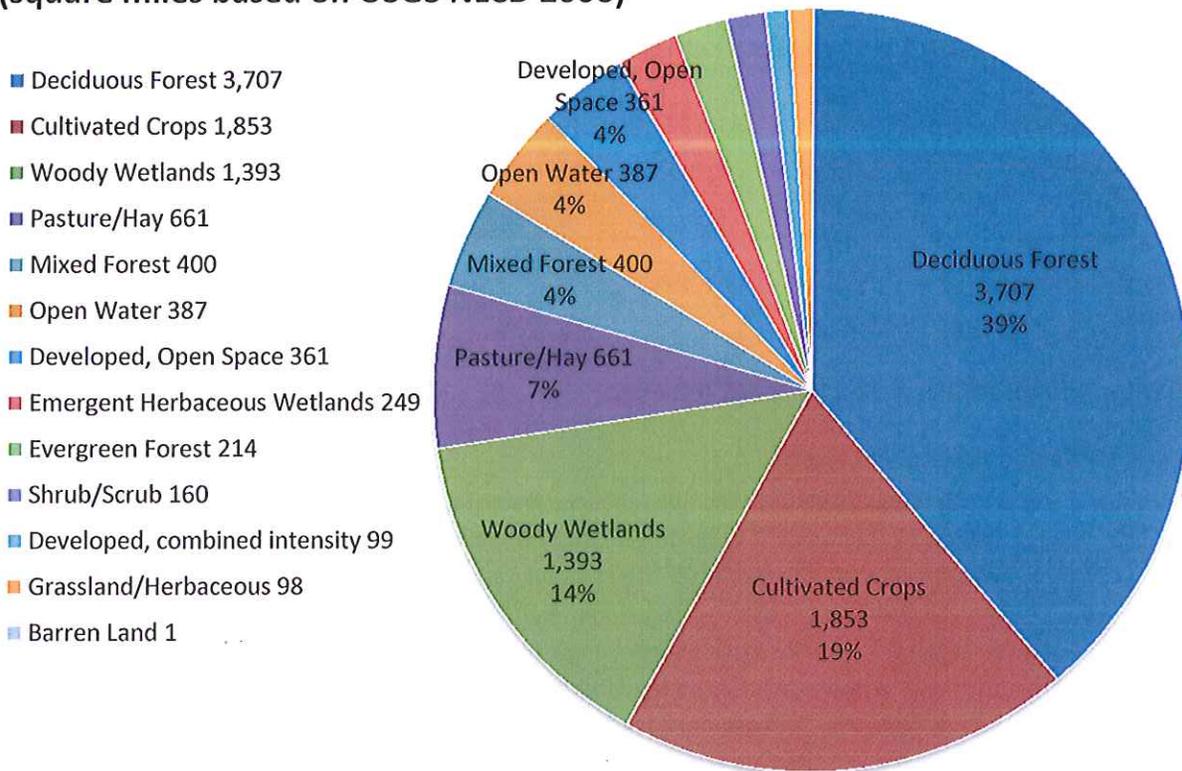
Potentially Restorable Wetlands Data Summary in ACRES:

Less than 0.5 Acres	PRW	Unrecoverable	Total PRW (all categories)
17,514	210,097	11,241	238,853

Total WWI Mapped Wetland	Total Historic Wetlands (Total PRW+WWI Mapped)	Historic Wetland Loss % (Total PRM all / Total historic)	Restoration Opportunity
1,087,736	1,326,589	18.01%	19.32%

Element IV. Current Conditions:

Chippewa Watershed Current Land Use (square miles based on USGS NLCD 2006)



The Chippewa Watershed Area consists of the Upper and Lower Chippewa River and comprises the largest Primary Service Area. The Upper Chippewa is formed by the confluence of the West Fork Chippewa River (rising from Chippewa Lake) and the East Form Chippewa River (rising from wetlands in the Town of Knight). The Lower Chippewa downstream from Eau Claire and downstream from Menomonie on the Red Cedar contains more rare species (125) and more native prairie (25% of state total) than any area of comparable size in Wisconsin (*WDNR Basin Website 2013*). This area provides significant areas of habitat, recreation, navigation and is home to over 40 lakes that host Wild Rice stands, a critical natural resource protected by state and tribal (*WDNR Basin Website 2013*). The Chippewa Watershed also provides a great sport fishery hosting musky, walleye and smallmouth bass in its many water resource areas. Hosting critical habitat for rare species this watershed area has been subject of many preservation activities through the various State Wildlife Areas and Natural Areas. Being the largest of our 12 Primary Service Areas this watershed contains a wide variety of resources and is subject to many diverse impacts. For examples, the Lower Chippewa watershed is subject to groundwater threats by the extensive network of high capacity wells, whereas the Upper Chippewa has relatively few high capacity wells (*Figure 5*).

Chippewa PSA: WWI Mapped Wetland ACRE TYPE Summary

Total Wetland Acres	Aquatic Bed Acres	Emergent / Wet Meadow Acres	Scrub/Shrub Acres	Forested Acres	Flats/Unvegetated Acres	Open Water <6FT Acres
1,087,736	4,486	109,529	346,760	615,479	90	11,392

Chippewa PSA: WWI Mapped Wetland Type Relative Frequency

Aquatic Bed	Emergent/Wet Meadow	Scrub/Shrub	Forested	Flats/Unvegetated	Open Water <6FT
0.41%	10.07%	31.88%	56.58%	0.01%	1.05%

Element V. Goals and Objectives:

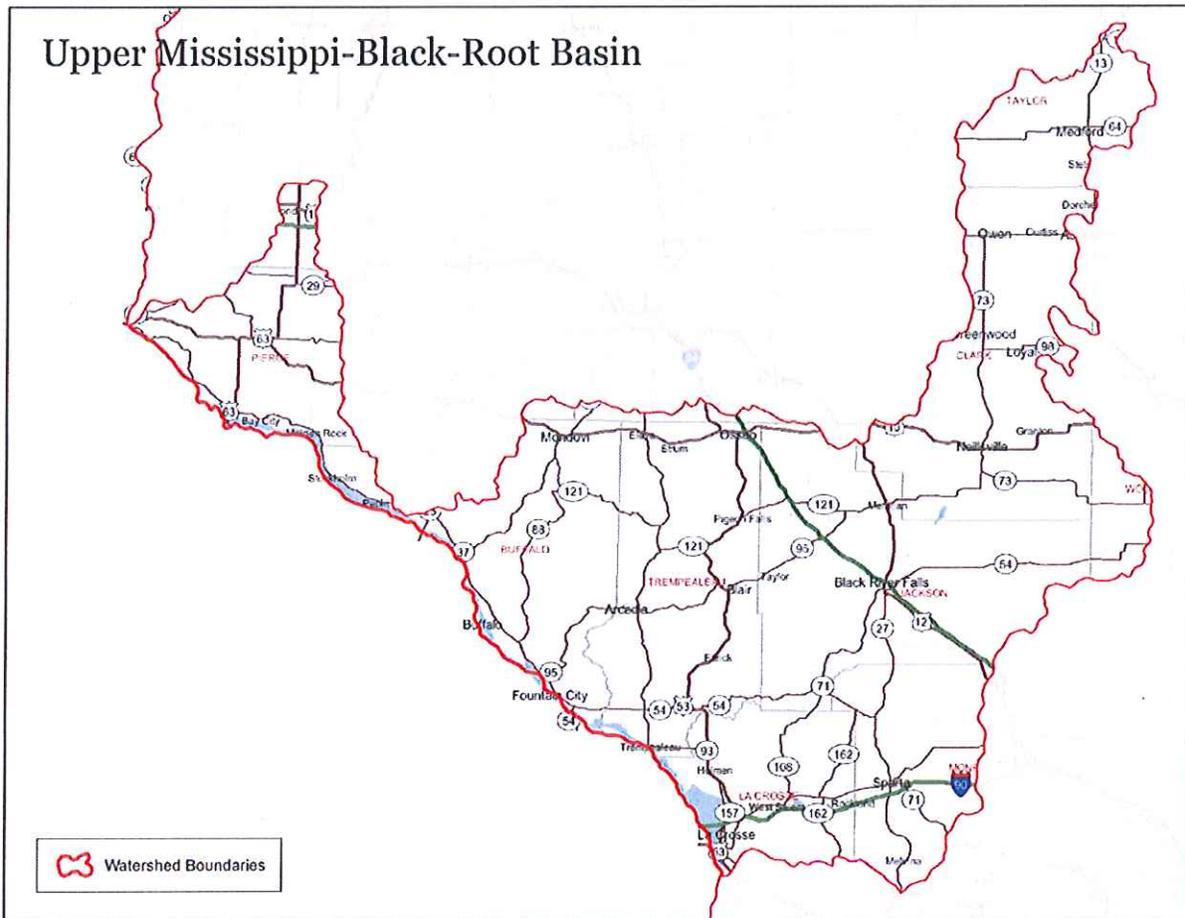
Existing Advanced Watershed Plans (AWP): None

1. Fish and Aquatic Life Habitat
 - **Associated Objective:** Restore, enhance and establish wetlands in areas mapped as Potentially Restorable Wetlands, Priority Conservation Opportunity Areas or identified on advanced watershed plans specifically for fish and other aquatic life. Target priority habitat for fish and aquatic Species of Greatest Conservation Need in Wisconsin’s Wildlife Action Plan or highlighted in advanced watershed plans supporting a suite of life cycles. Focus on projects located within headwaters, lake fringes, estuaries, shoreline and floodplain areas of lakes, rivers and streams with a lotic, lentic and estuarine landscape position.
2. Groundwater Processes

- **Associated Objective:** Restore, enhance and establish wetlands in areas mapped as Potentially Restorable Wetlands, priority areas identified in Advanced Watershed Plans or other areas associated groundwater processes. Target areas with high groundwater indicators, seeps or springs that have had been adversely impacted and present an opportunity for remediation. Focus on headwaters, seeps, springs and other locations capable of recharging surface waters and contributing to their base flow through regular groundwater discharge having a terrene, lotic, lentic and estuarine landscape positions.
3. Wildlife Habitat
- **Associated Objective:** Restore, enhance and establish wetlands in areas mapped as Potentially Restorable Wetlands, Priority Conservation Opportunity Areas or areas identified on advanced watershed plans. Target priority habitat for Species of Greatest Conservation Need in Wisconsin's Wildlife Action Plan, projects located in a Joint Venture priority township or habitat areas highlighted in advanced watershed plans. Focus on projects consistent with identified priority conservation actions of Wisconsin's Wildlife Action Plan that will benefit multiple species of the above mentioned plans.
4. Shore Line Protection
- **Associated Objective:** Restore, enhance and establish wetlands mapped as Potentially Restorable Wetlands or identified on advanced watershed plans. Target areas capable of providing opportunities to protect shoreline areas from erosion, non-point runoff, invasive species and other adverse threats capable of degrading the shoreline and riparian area. Focus on projects located within headwaters, lake fringes, estuaries, shoreline and floodplain areas of lakes, rivers and streams with a lotic, lentic and estuarine landscape position.
5. Water Quality Protection
6. Storm and Floodwater Storage
7. Preservation of wetland resources as reference under Element VII

Upper Mississippi – Black Root CPF

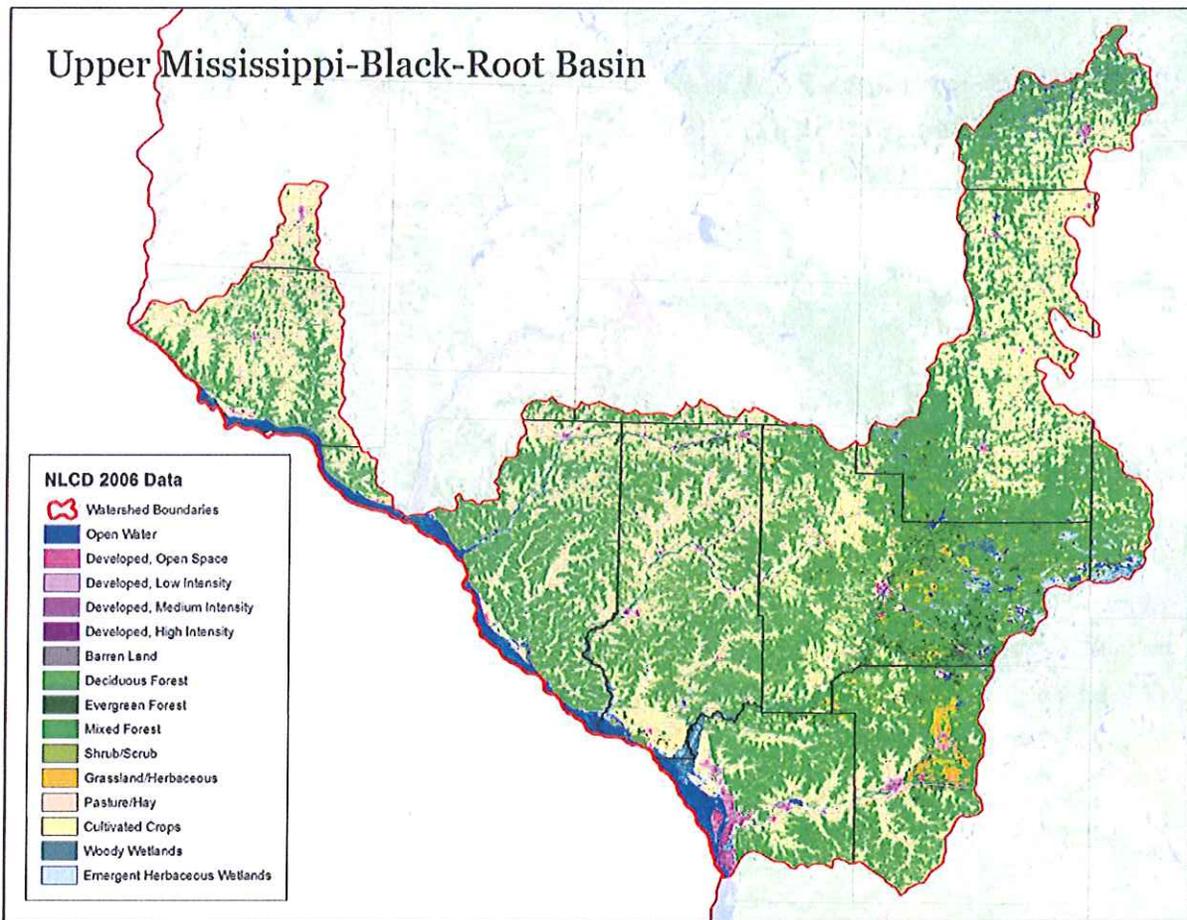
Element I. Service Area:



The Upper Mississippi – Black Root watershed (070400), comprised of Saint Croix, Pierce, Pepin, Eau Claire, Buffalo, Trempealeau, La Crosse, Monroe, Jackson, Wood, Clark and Taylor counties is located on the western side of Wisconsin and drains an area approximately 4,843 square miles. Ecological Landscapes include Central Sand Plains, Forest Transition, North Central Forest, Western Coulees and Ridges and Western Prairie (*WDNR 2012*).

Element II. Threats and Remediation:

- Invasives Species
- Agricultural Impacts
- Nutrient and Sediment Loading
- Groundwater Depletion and Surface Water Alteration
- Habitat Segmentation and Loss



Element III. Historic Loss:

This watershed’s historical activity is rooted in logging practices, agriculture activities and dams for grain mills. These past land use activities brought with them more settlers looking to participate in the growing economy leading to further wetland loss and adverse impacts as settlement grew (*WDNR Basin Website 2013*).

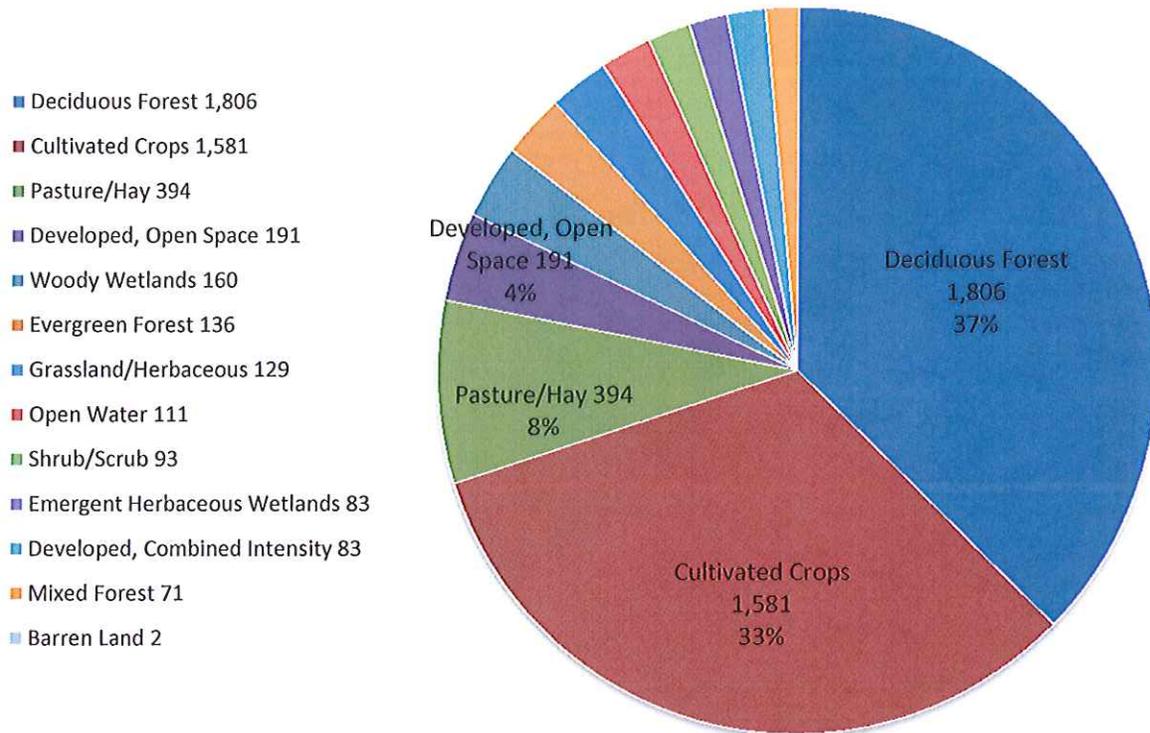
Potentially Restorable Wetlands Data Summary in ACRES:

Less than 0.5 Acres	PRW	Unrecoverable	Total PRW (all categories)
2,025	76,931	6,187	85,143

Total WWI Mapped Wetland	Total Historic Wetlands (Total PRW+WWI Mapped)	Historic Wetland Loss % (Total PRM all / Total historic)	Restoration Opportunity
266,026	351,169	24.25%	28.92%

Element IV. Current Conditions:

**Upper Mississippi Black-Root Watershed Current Land Use
(square miles based on USGS NLCD 2006)**



The Upper Mississippi – Black Root Watershed area is comprised of four smaller basins commonly referred to as the Great Western Rivers that drain directly into the Mississippi River. This watershed area consists of the Buffalo-Trempealeau, Black River, Bad Axe-La Crosse and Grant-Platte basins. The overall watershed contains mainly forested and agricultural land use activities. In addition mining, timber and other resource related industries operate within this area. Urban and rural non-point runoff, barnyard runoff, non-stabilized riparian areas and water quality threats pose risks to the watershed health. This watershed area spans both large portions of the driftless area of the state viewed for miles from the regions steep bluffs as well as those areas impacted by the last glacier. Coldwater streams can be readily found within this watershed supported by groundwater discharges. Portions of this watershed also contain many natural stream channels whose meandering pathways have never been channelized (*WDNR Basin Website 2013*).

Upper Mississippi - Black Root PSA: WWI Mapped Wetland ACRE TYPE Summary

Total Wetland Acres	Aquatic Bed Acres	Emergent / Wet Meadow Acres	Scrub/Shrub Acres	Forested Acres	Flats/Unvegetated Acres	Open Water <6FT Acres
266,026	2,707	68,003	52,163	138,631	71	4,451

Upper Mississippi – Black Root PSA: WWI Mapped Wetland Relative Type Frequency

Aquatic Bed	Emergent/Wet Meadow	Scrub/Shrub	Forested	Flats/Unvegetated	Open Water <6FT
1.02%	25.56%	19.61%	52.11%	0.03%	1.67%

Element V. Goals and Objectives:

Existing Advanced Watershed Plans (AWP): None

1. Storm and Floodwater Storage

- **Associated Objective:** Restore, enhance and establish wetlands in areas mapped as Potentially Restorable Wetlands or identified as priority areas of advanced watershed plans within flood prone locations primarily located in and adjacent to floodplain areas. Target projects whose hydrology has been altered through ditching, tiling and other draining techniques, which were previously capable of storing floodwaters of downstream flood prone areas/communities. Focus on projects located within or adjacent to mapped 100 year floodplain or other locations capable of storm and flood water storage having terrene, lotic, lentic and estuarine landscape positions.

2. Water Quality Protection

- **Associated Objective:** Restore, enhance and establish wetlands in areas mapped as Potentially Restorable Wetlands, priority areas identified in Advanced Watershed Plans, areas associated with implementation of Total Maximum Daily Load’s and plans such as priority watershed plans (i.e. Section 319 of the Clean Water Act) and Healthy Watershed Initiative to achieve improvement in water quality. Target projects located within watershed areas that have moderate amounts of impervious surfaces and water bodies present on the 303d list of impaired waterways capable of improvement based on a listing factor eligible for remediation by the project. Focus on projects draining to water quality effected water bodies as referenced above having a terrene, lotic, lentic and estuarine landscape positions.

3. Wildlife Habitat

- **Associated Objective:** Restore, enhance and establish wetlands in areas mapped as Potentially Restorable Wetlands, Priority Conservation Opportunity Areas or areas identified on advanced watershed plans. Target priority habitat for Species of Greatest Conservation Need in Wisconsin’s Wildlife Action Plan, projects located in a Joint Venture priority township or habitat areas highlighted in advanced watershed plans. Focus on projects consistent with identified priority conservation actions of Wisconsin’s Wildlife Action Plan that will benefit multiple species of the above mentioned plans.

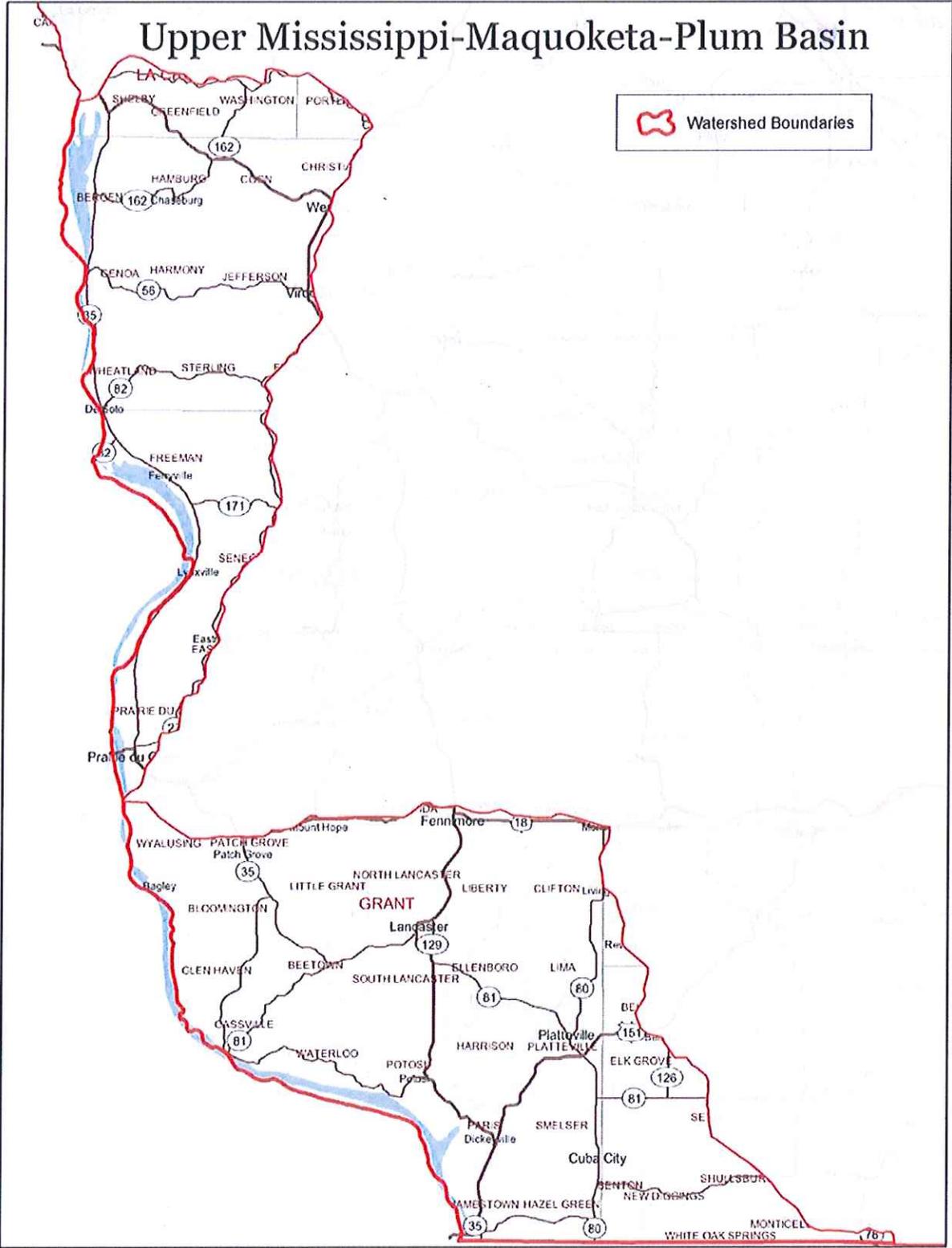
4. Groundwater Processes

- **Associated Objective:** Restore, enhance and establish wetlands in areas mapped as Potentially Restorable Wetlands, priority areas identified in Advanced Watershed Plans or other areas

associated groundwater processes. Target areas with high groundwater indicators, seeps or springs that have had been adversely impacted and present an opportunity for remediation. Focus on headwaters, seeps, springs and other locations capable of recharging surface waters and contributing to their base flow through regular groundwater discharge having a terrene, lotic, lentic and estuarine landscape positions.

5. Fish and Aquatic Life Habitat
6. Shore Line Protection
7. Preservation of wetland resources as reference under Element VII

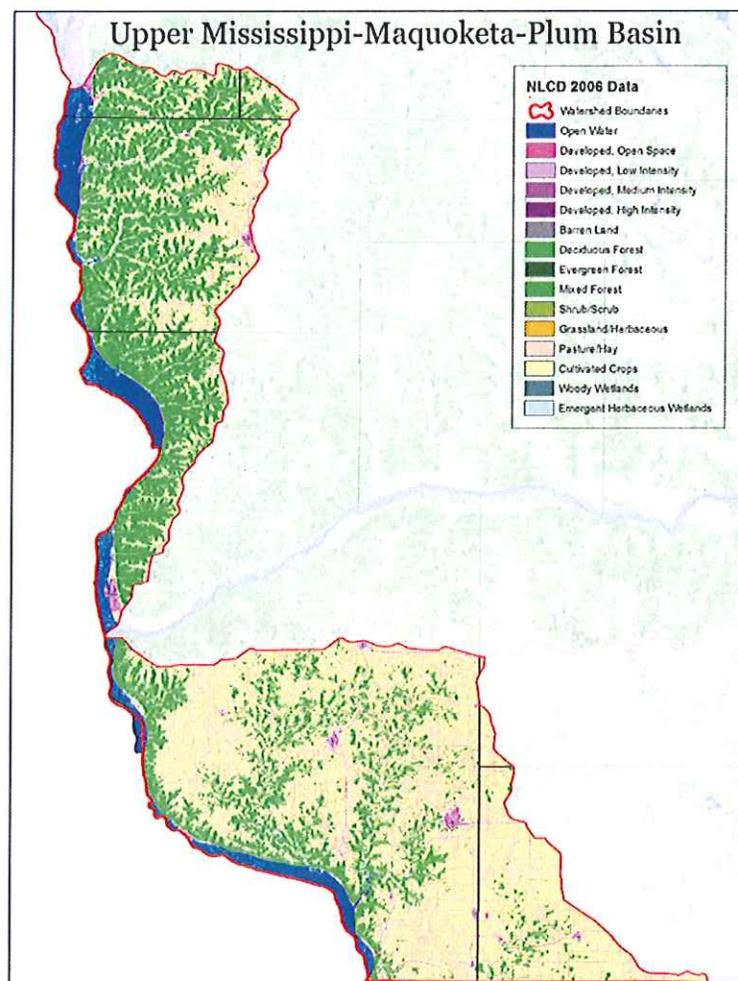
Upper Mississippi – Maquoketa Plum CPF
Element I. Service Area:



The Upper Mississippi – Maquoketa Plum watershed (070600), comprised of La Crosse, Monroe, Vernon, Crawford, Grant, Iowa and La Fayette counties is located at the south western tip of Wisconsin and drains an area approximately 1,730 square miles. Ecological Landscapes include Southwest Savanna and Western Coulees and Ridges (*WDNR 2012*).

Element II. Threats and Remediation:

- Agricultural Impacts
- Nutrient and Sediment Loading
- Habitat Segmentation and Loss
- Invasives Species
- Groundwater Depletion and Surface Water Alteration



Element III. Historic Loss:

The settlement of the lower portion of this watershed and its diverse elevations, ridges and coulees was centered on agricultural practices. Wetlands and their rich humus soil composition were drained, grazed

and disturbed to fall within the realm of farming practices. Many streams and their associated wetland areas were dammed to power the mills for processing their harvest. Early farming did not have the benefit of modern soil conservation standards leading to sedimentation and nutrient loading of drainage areas. The upper portions of this watershed also followed the same agricultural path, but had a greater influence from the timber industry seeking to benefit from its higher density of original forest cover compared to the lower region comprised of large areas of prairie and oak opening (*WDNR Basin Website 2013*).

Potentially Restorable Wetlands Data Summary in ACRES:

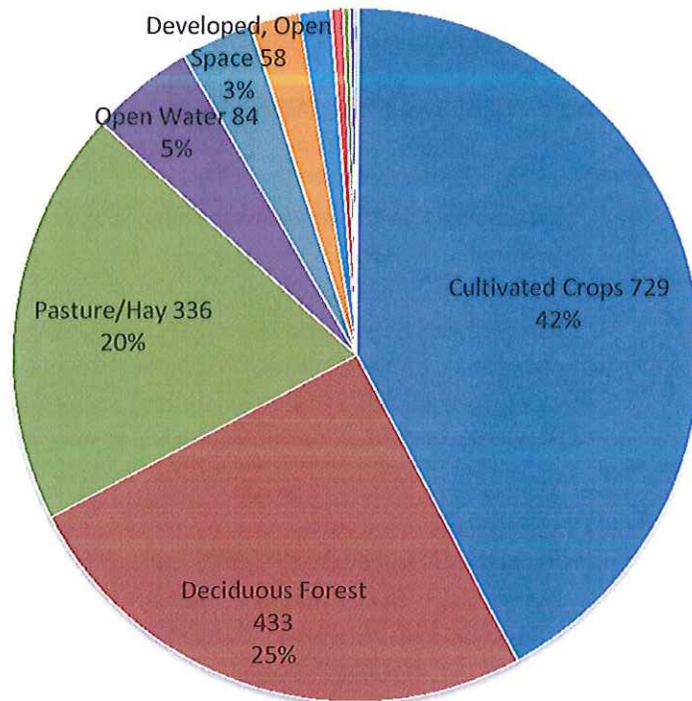
Less than 0.5 Acres	PRW	Unrecoverable	Total PRW (all categories)
89	4,987	600	5,675

Total WWI Mapped Wetland	Total Historic Wetlands (Total PRW+WWI Mapped)	Historic Wetland Loss % (Total PRM all / Total historic)	Restoration Opportunity
32,576	38,251	14.84%	15.31%

Element IV. Current Conditions:

Upper Mississippi Maquoketa-Plum Watershed Current Land Use (square miles based on USGS NLCD 2006)

- Cultivated Crops 729
- Deciduous Forest 433
- Pasture/Hay 336
- Open Water 84
- Developed, Open Space 58
- Developed, Combined Intensity 40
- Woody Wetlands 25
- Emergent Herbaceous Wetlands 10
- Grassland/Herbaceous 5
- Shrub/Scrub 4
- Evergreen Forest 3
- Mixed Forest 1
- Barren Land 0



The Upper Mississippi Maquoketa-Plum Watershed is comprised of two basin areas, the southern portion of the Bad Axe-La Crosse and the Grant-Platte with most areas draining directly to the Mississippi River except for the Sugar-Pecatonica Basin that drains into the Rock River. The land use is dominated by rural agricultural activities especially in the southern portion of the watershed where head of cattle outnumber people nearly 3.5:1 (*WDNR Basin Website 2013*). This area also has its fair share of coldwater fisheries contained more so in the northern portions of the watershed. Given the prevalence of cultivated crops and pasture land uses, non-point runoff and water quality issues are paramount to the overall health of this watershed.

Upper Mississippi – Maquoketa Plum PSA: WWI Mapped Wetland ACRE TYPE Summary

Total Wetland Acres	Aquatic Bed Acres	Emergent / Wet Meadow Acres	Scrub/Shrub Acres	Forested Acres	Flats/Unvegetated Acres	Open Water <6FT Acres
32,576	1,434	13,856	583	14,954	15	1,734

Upper Mississippi – Maquoketa Plum PSA: WWI Mapped Wetland Type Relative Frequency

Aquatic Bed	Emergent/Wet Meadow	Scrub/Shrub	Forested	Flats/Unvegetated	Open Water <6FT
4.40%	42.53%	1.79%	45.91%	0.05%	5.32%

Element V. Goals and Objectives:

Existing Advanced Watershed Plans (AWP): None

1. Storm and Floodwater Storage
 - **Associated Objective:** Restore, enhance and establish wetlands in areas mapped as Potentially Restorable Wetlands or identified as priority areas of advanced watershed plans within flood prone locations primarily located in and adjacent to floodplain areas. Target projects whose hydrology has been altered through ditching, tiling and other draining techniques, which were previously capable of storing floodwaters of downstream flood prone areas/communities. Focus on projects located within or adjacent to mapped 100 year floodplain or other locations capable of storm and flood water storage having terrene, lotic, lentic and estuarine landscape positions.

2. Wildlife Habitat
 - **Associated Objective:** Restore, enhance and establish wetlands in areas mapped as Potentially Restorable Wetlands, Priority Conservation Opportunity Areas or areas identified on advanced watershed plans. Target priority habitat for Species of Greatest Conservation Need in Wisconsin’s Wildlife Action Plan, projects located in a Joint Venture priority township or habitat areas highlighted in advanced watershed plans. Focus on projects consistent with identified priority

conservation actions of Wisconsin's Wildlife Action Plan that will benefit multiple species of the above mentioned plans.

3. Preservation of wetland resources as referenced under Element VII.

- **Associated Objective:** Preserve wetland resources and surrounding buffer meeting the requirements of Element VII. focusing on areas such as:
 - high quality wetlands including, but not limited to calcareous fens, ephemeral pond and bogs;
 - critical habitat for threatened and endangered species;
 - priority habitat for Species of Greatest Conservation Need; and
 - areas that satisfy one of the other ranked objectives listed above;
 - other important areas identified on the WI Land Legacy Report, WI Wildlife Action Plan, WI State Natural Areas Program, Natural Heritage Inventory or other scientific based selection methodology.

4. Water Quality Protection

- **Associated Objective:** Restore, enhance and establish wetlands in areas mapped as Potentially Restorable Wetlands, priority areas identified in Advanced Watershed Plans, areas associated with implementation of Total Maximum Daily Load's and plans such as priority watershed plans (i.e. Section 319 of the Clean Water Act) and Healthy Watershed Initiative to achieve improvement in water quality. Target projects located within watershed areas that have moderate amounts of impervious surfaces and water bodies present on the 303d list of impaired waterways capable of improvement based on a listing factor eligible for remediation by the project. Focus on projects draining to water quality effected water bodies as referenced above having a terrene, lotic, lentic and estuarine landscape positions.

5. Groundwater Processes

- **Associated Objective:** Restore, enhance and establish wetlands in areas mapped as Potentially Restorable Wetlands, priority areas identified in Advanced Watershed Plans or other areas associated groundwater processes. Target areas with high groundwater indicators, seeps or springs that have had been adversely impacted and present an opportunity for remediation. Focus on headwaters, seeps, springs and other locations capable of recharging surface waters and contributing to their base flow through regular groundwater discharge having a terrene, lotic, lentic and estuarine landscape positions.

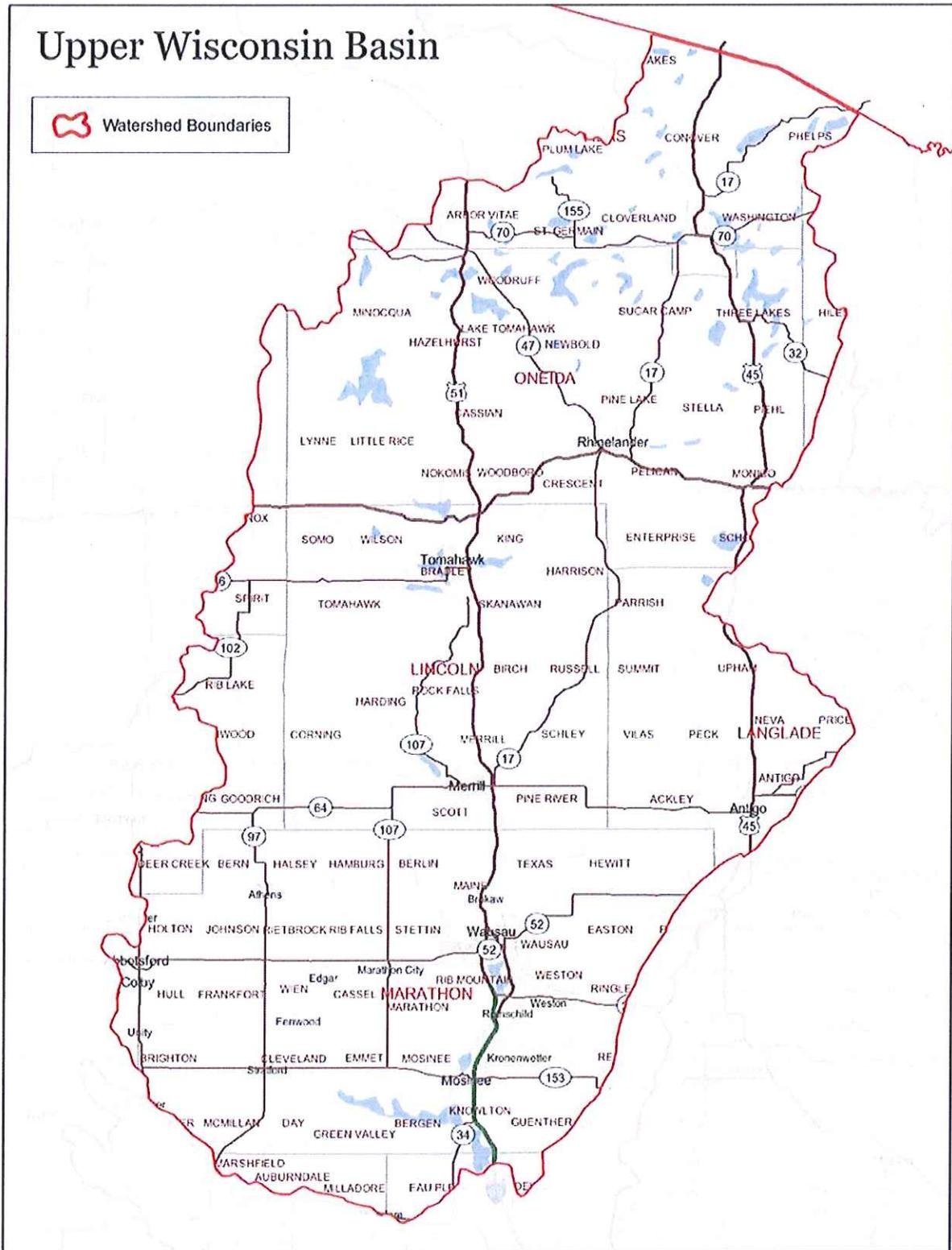
6. Fish and Aquatic Life Habitat

7. Human Use Values: recreation, culture, education, science and natural scenic beauty.

8. Shore Line Protection

Upper Wisconsin CPF

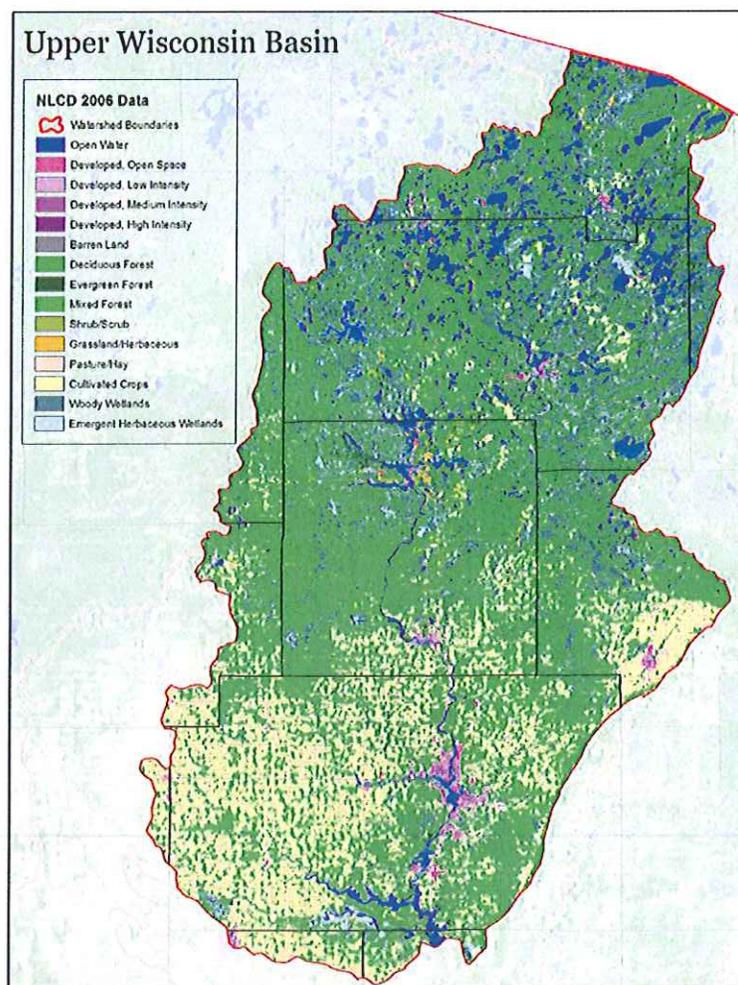
Element I. Service Area:



The Upper Wisconsin watershed (070700), comprised of Vilas, Forest, Price, Oneida, Taylor, Lincoln, Langlade, Clark, Marathon, Wood and Portage counties is located in the north central portion of Wisconsin and drains an area approximately 5,608 square miles. Ecological Landscapes include Central Sand Plains, Forest Transition, North Central Forest and Northern Highland (*WDNR 2012*).

Element II. Threats and Remediation:

- Habitat Segmentation and Loss
- Groundwater Depletion and Surface Water Alteration
- Agricultural Impacts
- Invasives Species
- Nutrient and Sediment Loading



Element III. Historic Loss:

This watershed like many other of the northern parts of Wisconsin was developed based on the timber and saw mill industry that impacted the wooded wetland vegetation of the area. Dams were also constructed to hold water that could later be used to maintain the river flow to enable logs to be floated downstream. Infrastructure to support the saw mills such as railroads and other means of transportation followed. Saw mills eventually converted to paper mills and settlers and subsequent unique sandy soil based agriculture practices followed suit as lands were cleared and changed the wetland landscape of the area (*WDNR Basin Website 2013*).

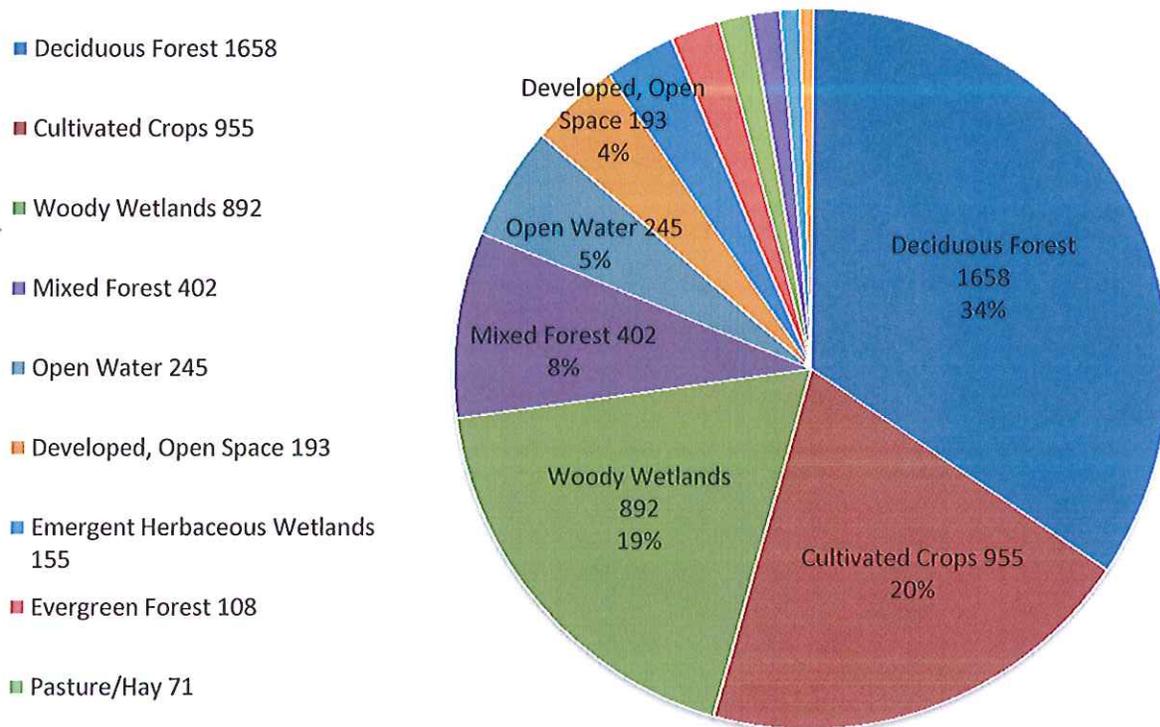
Potentially Restorable Wetlands Data Summary in ACRES:

Less than 0.5 Acres	PRW	Unrecoverable	Total PRW (all categories)
5,191	94,067	8,560	107,818

Total WWI Mapped Wetland	Total Historic Wetlands (Total PRW+WWI Mapped)	Historic Wetland Loss % (Total PRM all / Total historic)	Restoration Opportunity
667,490	775,308	13.91%	14.09%

Element IV. Current Conditions:

Upper Wisconsin Watershed Current Land Use (square miles based on USGS NLCD 2006)



The Upper Wisconsin Watershed was formed when melting glaciers left the area with a very large portion of Wisconsin’s open water when compared to most other watershed areas of the state containing 34% of named and unnamed lakes and 22% of the total lake acreage (*WDNR 2002*). Known as a headwaters area this watershed also contains an abundance of streams as well as a significant amount of cold water fisheries. Heavily forested, the wooded wetland areas of this watershed dominate all other types in acreage. Water recreation is by no surprise very active in this area with many people flocking to this area to take part in the many opportunities represented within this watershed. In general this area contains a majority of farm fringe and forested regions of northern Wisconsin, but provides a unique habitat for aquatic dependent species such as bald eagles, osprey, common loons, river otters and colonial nesting water birds. This area also contains a very high density of housing units per square miles, which are largely centered on the many lakes that are found concentrated in the northern regions as development pressures continue to grow (*WDNR Basin Website 2013*).

Upper Wisconsin PSA: WWI Mapped Wetland ACRE TYPE Summary

Total Wetland Acres	Aquatic Bed Acres	Emergent / Wet Meadow Acres	Scrub/Shrub Acres	Forested Acres	Flats/Unvegetated Acres	Open Water <6FT Acres
667,490	1,074	55,997	171,781	430,586	1,132	6,920

Upper Wisconsin PSA: WWI Mapped Wetland Type Relative Frequency

Aquatic Bed	Emergent/Wet Meadow	Scrub/Shrub	Forested	Flats/Unvegetated	Open Water <6FT
0.16%	8.39%	25.74%	64.51%	0.17%	1.04%

Element VI. Priorities:

Existing Advanced Watershed Plans (AWP): None

1. Wildlife Habitat

- **Associated Objective:** Restore, enhance and establish wetlands in areas mapped as Potentially Restorable Wetlands, Priority Conservation Opportunity Areas or areas identified on advanced watershed plans. Target priority habitat for Species of Greatest Conservation Need in Wisconsin’s Wildlife Action Plan, projects located in a Joint Venture priority township or habitat areas highlighted in advanced watershed plans. Focus on projects consistent with identified priority conservation actions of Wisconsin’s Wildlife Action Plan that will benefit multiple species of the above mentioned plans.

2. Fish and Aquatic Life Habitat

- **Associated Objective:** Restore, enhance and establish wetlands in areas mapped as Potentially Restorable Wetlands, Priority Conservation Opportunity Areas or identified on advanced watershed plans specifically for fish and other aquatic life. Target priority habitat for fish and

aquatic Species of Greatest Conservation Need in Wisconsin's Wildlife Action Plan or highlighted in advanced watershed plans supporting a suite of life cycles. Focus on projects located within headwaters, lake fringes, estuaries, shoreline and floodplain areas of lakes, rivers and streams with a lotic, lentic and estuarine landscape position.

3. Shoreline Protection

- **Associated Objective:** Restore, enhance and establish wetlands mapped as Potentially Restorable Wetlands or identified on advanced watershed plans. Target areas capable of providing opportunities to protect shoreline areas from erosion, non-point runoff, invasive species and other adverse threats capable of degrading the shoreline and riparian area. Focus on projects located within headwaters, lake fringes, estuaries, shoreline and floodplain areas of lakes, rivers and streams with a lotic, lentic and estuarine landscape position.

4. Preservation of wetland resources as referenced under Element VII.

- **Associated Objective:** Preserve wetland resources and surrounding buffer meeting the requirements of Element VII. focusing on areas such as:
 - high quality wetlands including, but not limited to calcareous fens, ephemeral pond and bogs;
 - critical habitat for threatened and endangered species;
 - priority habitat for Species of Greatest Conservation Need; and
 - areas that satisfy one of the other ranked objectives listed above;
 - other important areas identified on the WI Land Legacy Report, WI Wildlife Action Plan, WI State Natural Areas Program, Natural Heritage Inventory or other scientific based selection methodology.

5. Groundwater Processes

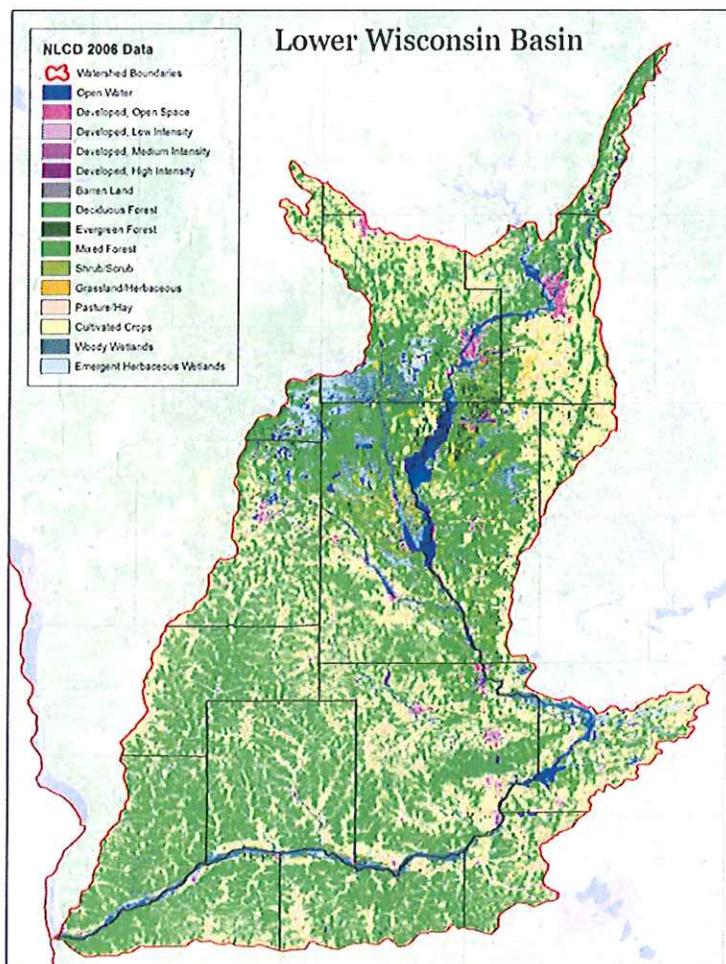
6. Water Quality Protection

7. Storm and Floodwater Storage

The Lower Wisconsin watershed (070700), comprised of Clark, Marathon, Langlade, Jackson, Wood, Portage, Monroe, Juneau, Adams, Waushara, Vernon, Crawford, Richland, Sauk, Columbia, Grant, Iowa and Dane counties is located in the south central portion of Wisconsin and drains an area approximately 7,049 square miles. Ecological Landscapes include Central Sand Hills, Central Sand Plains, Forest Transition, Southeast Glacial Plains, Southwest Savanna and Western Coulees and Ridges (*WDNR 2012*).

Element II. Threats and Remediation:

- Nutrient and Sediment Loading
- Groundwater Depletion and Surface Water Alteration
- Agricultural Impacts
- Invasive Species
- Habitat Segmentation and Loss



Element III. Historic Loss:

This watershed like many other of the northern parts of Wisconsin was developed based on the timber and saw mill industry that impacted the wooded wetland vegetation of the area. Dams were also

constructed to hold water that could later be used to maintain the river flow to enable logs to be floated downstream. Infrastructure to support the saw mills such as railroads and other means of transportation followed. Saw mills eventually converted to paper mills and settlers and subsequent unique sandy soil based agriculture practices followed suit as lands were cleared and changed the wetland landscape of the area (*WDNR Basin Website 2013*).

Potentially Restorable Wetlands Data Summary in ACRES:

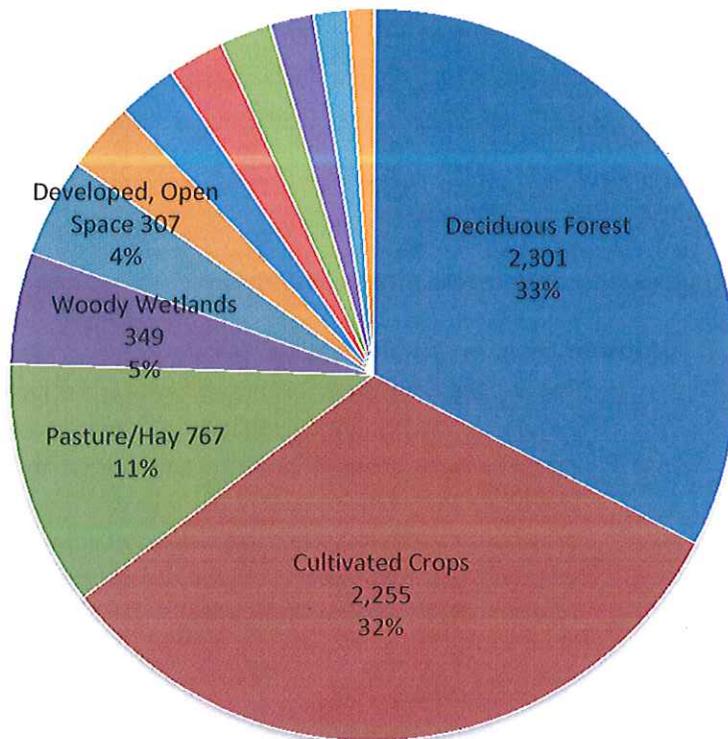
Less than 0.5 Acres	PRW	Unrecoverable	Total PRW (all categories)
4,087	187,219	23,690	214,996

Total WWI mapped wetland	Total Historic Wetlands (total PRW+WWI Mapped)	Historic Wetland Loss % (Total PRM all / Total historic)	Restoration Opportunity
573,277	788,273	27.27%	32.66%

Element IV. Current Conditions:

Lower Wisconsin Watershed Current Land Use (square miles based on USGS NLCD 2006)

- Deciduous Forest 2,301
- Cultivated Crops 2,255
- Pasture/Hay 767
- Woody Wetlands 349
- Developed, Open Space 307
- Emergent Herbaceous Wetlands 216
- Evergreen Forest 185
- Grassland/Herbaceous 177
- Open Water 163
- Developed, Combined Intensity 137
- Mixed Forest 106
- Shrub/Scrub 83
- Barren Land 3



The Lower Wisconsin Watershed water quality is generally considered good with primary concerns centered on nonpoint runoff from agricultural land origins along with hydrological alterations of wetland areas. This basin contains few lakes, but an abundance of streams with a large portion being cold water trout fisheries comprised of some of the best trout fishing in the nation (Black Earth Creek Watershed). Most of the categorized lakes are actually flowages created to support cranberry culture or resulting from historical attempts to drain wetlands for agricultural purposes. Much of the western portion of this watershed lies within the driftless region, which was not covered by the last glacier. Consequently the eastern portion of this watershed was historically covered with glacial drift. The north central portion lies within the boundary of glacial Lake Wisconsin, which contains large wetland complexes ranging from wet meadow and open marsh to wooded lowlands. Other wetland areas are abundant along the riparian areas of the many streams and rivers in the watershed with the most common type of wetland resources found in this watershed being forested (*WDNR 2012*).

Lower Wisconsin PSA: WWI Mapped Wetland ACRE TYPE Summary

Total Wetland Acres	Aquatic Bed Acres	Emergent / Wet Meadow Acres	Scrub/Shrub Acres	Forested Acres	Flats/Unvegetated Acres	Open Water <6FT Acres
573,277*	981	148,427	103,240	305,559	1,731	13,331

*Includes 8 acres of Moss area.

Lower Wisconsin PSA: WWI Mapped Wetland Type Relative Frequency

Aquatic Bed	Emergent/Wet Meadow	Scrub/Shrub	Forested	Flats/Unvegetated	Open Water <6FT
0.17%	25.89%	18.01%	53.30%	0.30%	2.33%

Element V. Goals and Objectives:

Existing Advanced Watershed Plans (AWP): None

1. Storm and Floodwater Storage
 - **Associated Objective:** Restore, enhance and establish wetlands in areas mapped as Potentially Restorable Wetlands or identified as priority areas of advanced watershed plans within flood prone locations primarily located in and adjacent to floodplain areas. Target projects whose hydrology has been altered through ditching, tiling and other draining techniques, which were previously capable of storing floodwaters of downstream flood prone areas/communities. Focus on projects located within or adjacent to mapped 100 year floodplain or other locations capable of storm and flood water storage having terrene, lotic, lentic and estuarine landscape positions.

2. Groundwater Processes
 - **Associated Objective:** Restore, enhance and establish wetlands in areas mapped as Potentially Restorable Wetlands, priority areas identified in Advanced Watershed Plans or other areas associated groundwater processes. Target areas with high groundwater indicators, seeps or

springs that have had been adversely impacted and present an opportunity for remediation. Focus on headwaters, seeps, springs and other locations capable of recharging surface waters and contributing to their base flow through regular groundwater discharge having a terrene, lotic, lentic and estuarine landscape positions.

3. Water Quality Protection

- **Associated Objective:** Restore, enhance and establish wetlands in areas mapped as Potentially Restorable Wetlands, priority areas identified in Advanced Watershed Plans, areas associated with implementation of Total Maximum Daily Load's and plans such as priority watershed plans (i.e. Section 319 of the Clean Water Act) and Healthy Watershed Initiative to achieve improvement in water quality. Target projects located within watershed areas that have moderate amounts of impervious surfaces and water bodies present on the 303d list of impaired waterways capable of improvement based on a listing factor eligible for remediation by the project. Focus on projects draining to water quality effected water bodies as referenced above having a terrene, lotic, lentic and estuarine landscape positions.

4. Fish and Aquatic Life Habitat

- **Associated Objective:** Restore, enhance and establish wetlands in areas mapped as Potentially Restorable Wetlands, Priority Conservation Opportunity Areas or identified on advanced watershed plans specifically for fish and other aquatic life. Target priority habitat for fish and aquatic Species of Greatest Conservation Need in Wisconsin's Wildlife Action Plan or highlighted in advanced watershed plans supporting a suite of life cycles. Focus on projects located within headwaters, lake fringes, estuaries, shoreline and floodplain areas of lakes, rivers and streams with a lotic, lentic and estuarine landscape position.

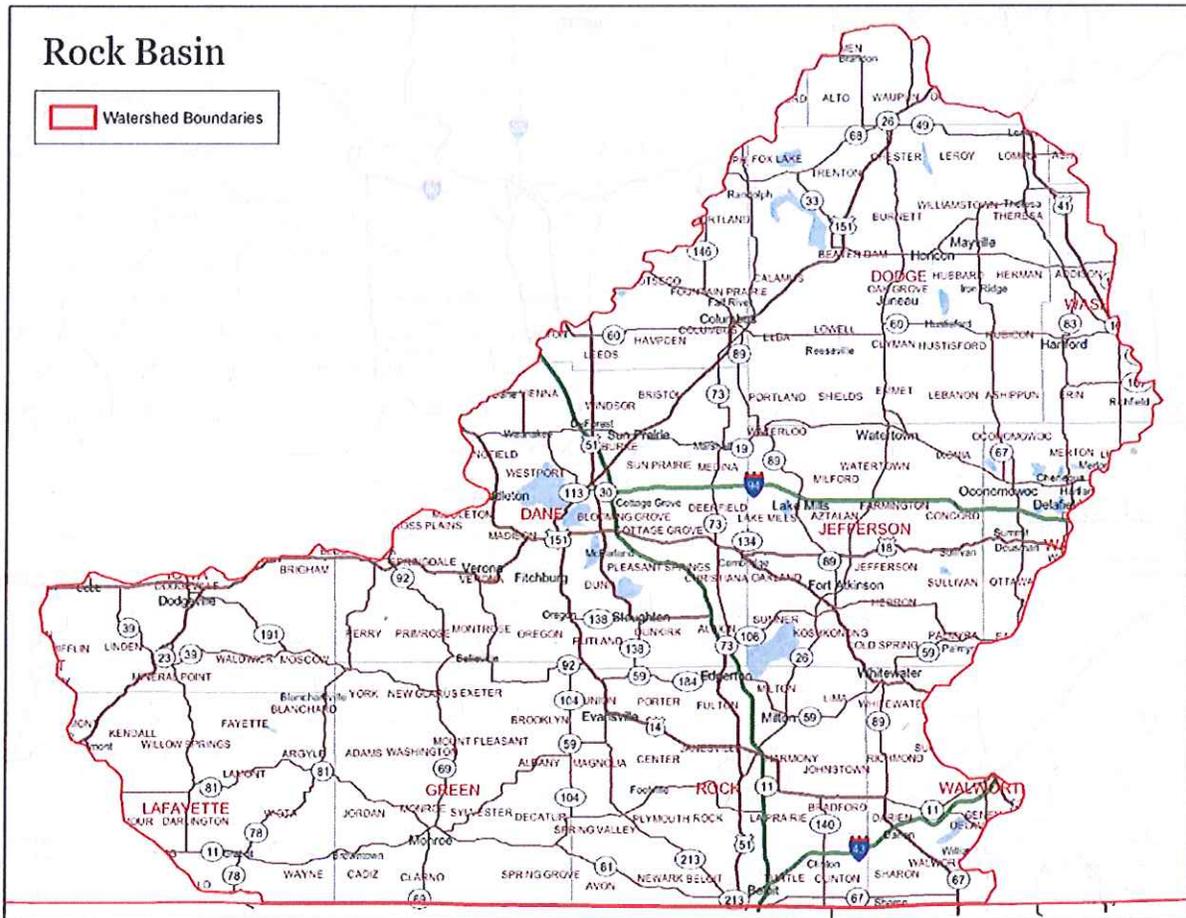
5. Wildlife Habitat

6. Shore Line Protection

7. Preservation of wetland resources as reference under Element VII

Rock CPF

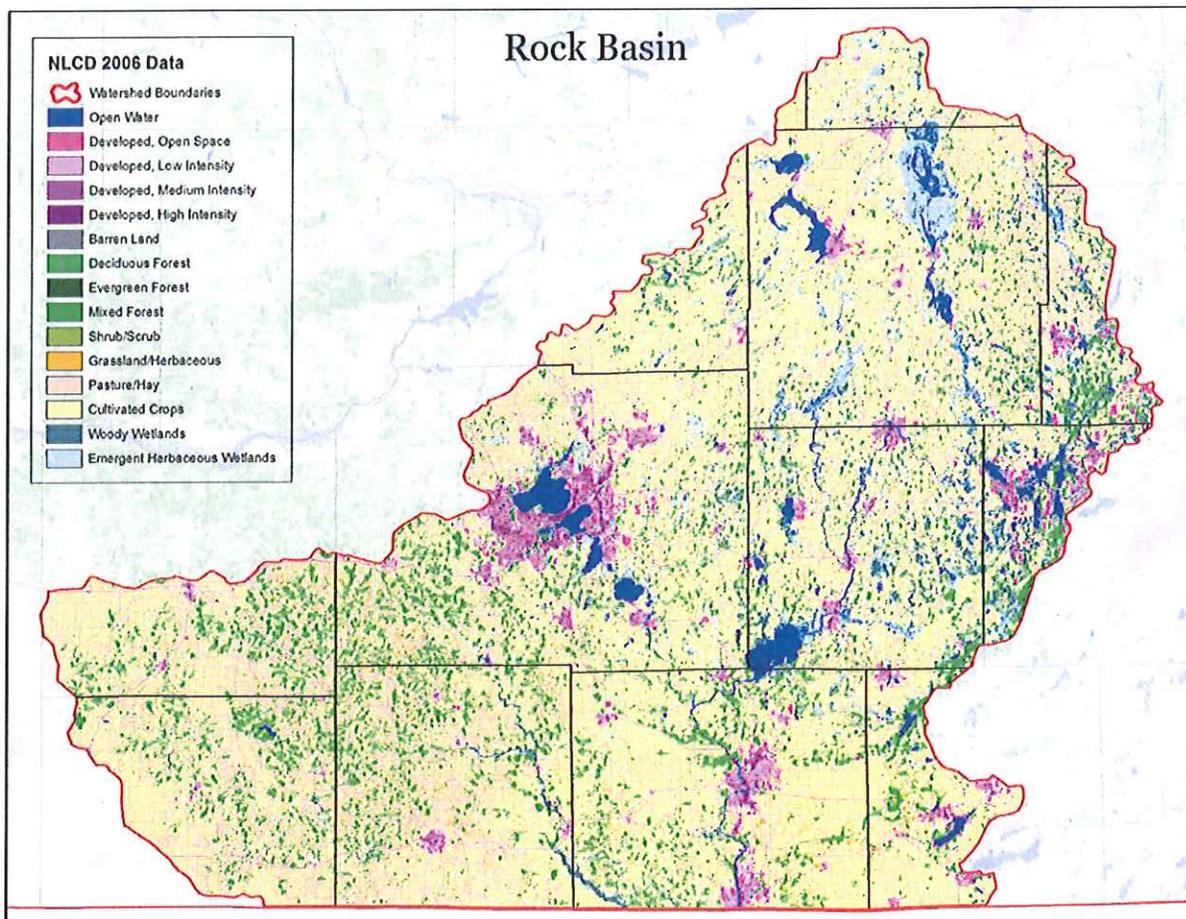
Element I. Service Area:



The Rock watershed (070900), comprised of Green Lake, Fond Du Lac, Columbia, Dodge, Washington, Iowa, Dane, Jefferson, Waukesha, Lafayette, Green, Rock and Walworth counties is located at the southern tip of Wisconsin and drains an area approximately 4,815 square miles. Ecological Landscapes include Central Sand Hills, Southeast Glacial Plains, Southwest Savanna and Western Coulees and Ridges (WDNR 2012).

Element II. Threats and Remediation:

- Agricultural Impacts
- Nutrient and Sediment Loading
- Groundwater Depletion and Surface Water Alteration
- Invasives Species
- Habitat Segmentation and Loss



Element III. Historic Loss:

This watershed has been most impacted by agricultural practices that still dominate the land use. Also located within the western areas of this watershed is the center of historic lead and zinc mining with most being adjacent to streams, drainage ways and their associated wetlands. The economic development of the area was due largely in part to the railroad, which brought with it opportunity to grow commerce and industry leading to subsequent development that heavily impacted wetlands (WDNR Basin Website 2013).

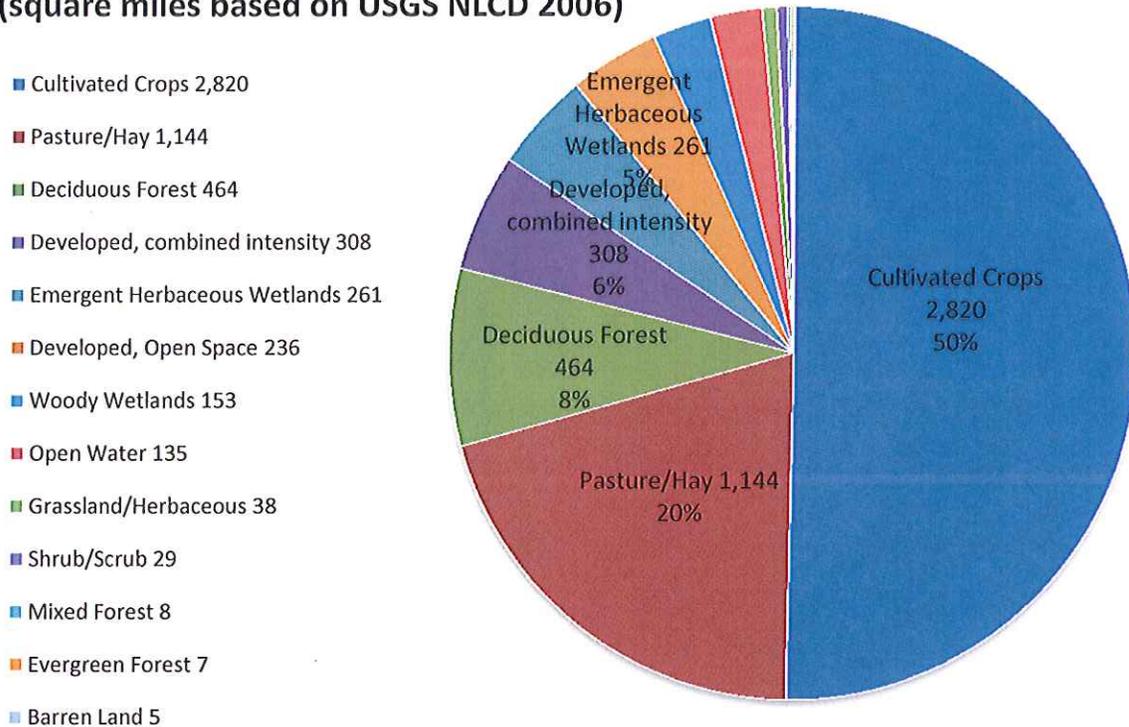
Potentially Restorable Wetlands Data Summary in ACRES:

Less than 0.5 Acres	PRW	Unrecoverable	Total PRW (all categories)
2,568	302,825	44,635	350,028

Total WWI Mapped Wetland	Total Historic Wetlands (Total PRW+WWI Mapped)	Historic Wetland Loss % (Total PRM all / Total historic)	Restoration Opportunity
373,742	723,770	48.36%	81.03%

Element IV. Current Conditions:

**Rock Watershed Current Land Use
(square miles based on USGS NLCD 2006)**



The Rock Watershed consists of three basin areas, the Sugar-Pecatonica, Lower Rock and Upper Rock and all drain to the Rock River. Land use in this watershed, similar to other portions of the state is dominated by agriculture with crops cultivation leading the way as area soils are fertile and productive. This area is also home to Horicon Marsh, which comprises the confluence of East, South and West branches of the Rock River. Despite the rural character of the watershed urbanization is a growing trend in this glaciated portion of the state. The overall watershed has been heavily impacted by sedimentation and nutrient loading stemming from non-point runoff from agricultural sources and also suffers from habitat fragmentation and alteration of hydrology to accommodate farming. These same activities have also lead to significant groundwater contamination, mainly in the portions of the Lower Rock River Basin (*WDNR Basin Website 2013*).

Rock PSA: WWI Mapped Wetland ACRE TYPE Summary

Total Wetland Acres	Aquatic Bed Acres	Emergent / Wet Meadow Acres	Scrub/Shrub Acres	Forested Acres	Flats/Unvegetated Acres	Open Water <6FT Acres
373,742	7,231	206,304	47,072	97,501	2,225	13,409

Rock PSA: WWI Mapped Wetland Type Relative Frequency

Aquatic Bed	Emergent/Wet Meadow	Scrub/Shrub	Forested	Flats/Unvegetated	Open Water <6FT
1.93%	55.20%	12.59%	26.09%	0.60%	3.59%

Element V. Goals and Objectives:

Existing Advanced Watershed Plans (AWP): None

1. Water Quality Protection

- **Associated Objective:** Restore, enhance and establish wetlands in areas mapped as Potentially Restorable Wetlands, priority areas identified in Advanced Watershed Plans, areas associated with implementation of Total Maximum Daily Load’s and plans such as priority watershed plans (i.e. Section 319 of the Clean Water Act) and Healthy Watershed Initiative to achieve improvement in water quality. Target projects located within watershed areas that have moderate amounts of impervious surfaces and water bodies present on the 303d list of impaired waterways capable of improvement based on a listing factor eligible for remediation by the project. Focus on projects draining to water quality effected water bodies as referenced above having a terrene, lotic, lentic and estuarine landscape positions.

2. Wildlife Habitat

- **Associated Objective:** Restore, enhance and establish wetlands in areas mapped as Potentially Restorable Wetlands, Priority Conservation Opportunity Areas or areas identified on advanced watershed plans. Target priority habitat for Species of Greatest Conservation Need in Wisconsin’s Wildlife Action Plan, projects located in a Joint Venture priority township or habitat areas highlighted in advanced watershed plans. Focus on projects consistent with identified priority conservation actions of Wisconsin’s Wildlife Action Plan that will benefit multiple species of the above mentioned plans.

3. Storm and Floodwater Storage

- **Associated Objective:** Restore, enhance and establish wetlands in areas mapped as Potentially Restorable Wetlands or identified as priority areas of advanced watershed plans within flood prone locations primarily located in and adjacent to floodplain areas. Target projects whose hydrology has been altered through ditching, tiling and other draining techniques, which were previously capable of storing floodwaters of downstream flood prone areas/communities. Focus on projects located within or adjacent to mapped 100 year floodplain or other locations capable of storm and flood water storage having terrene, lotic, lentic and estuarine landscape positions.

4. Fish and Aquatic Life Habitat

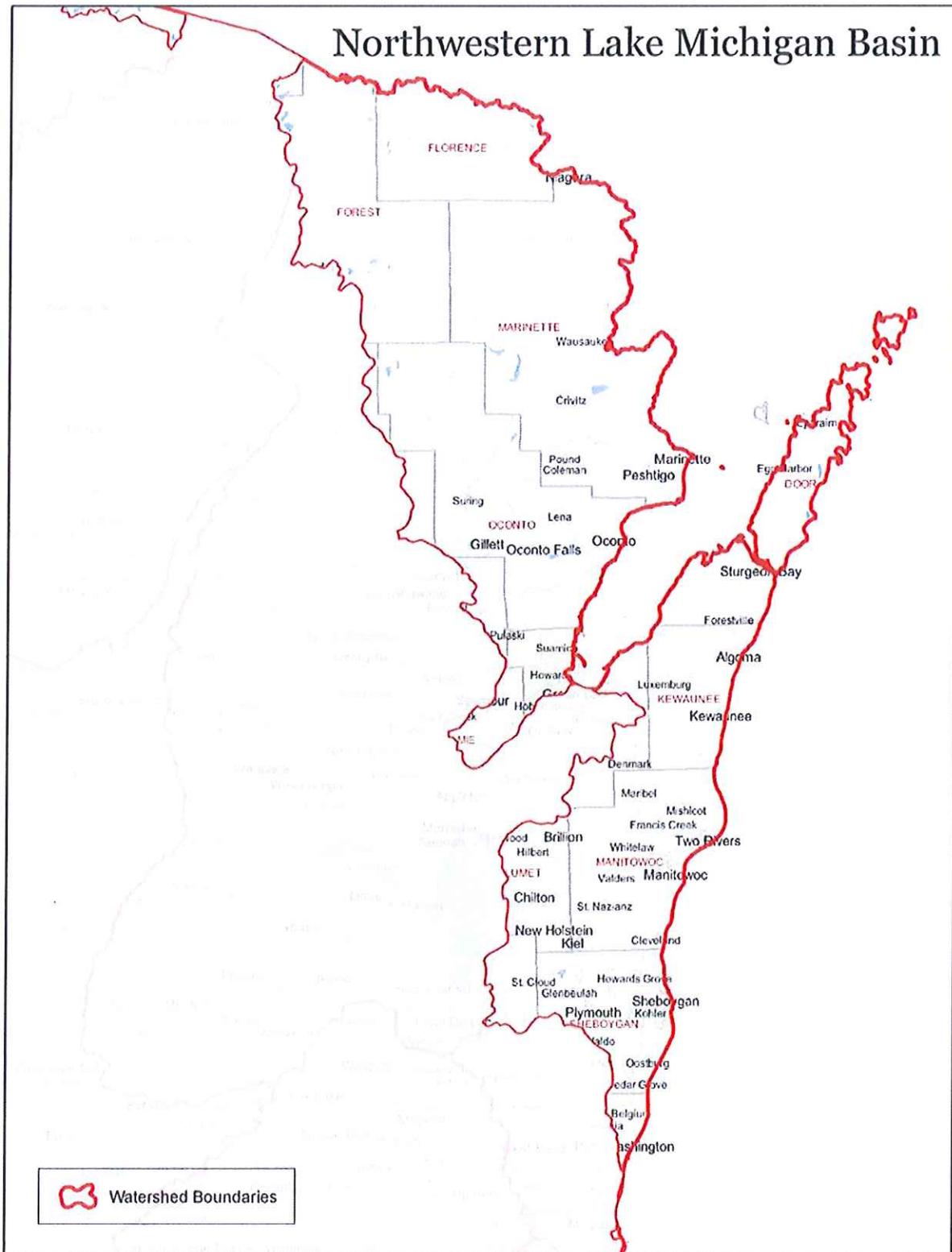
- **Associated Objective:** Restore, enhance and establish wetlands in areas mapped as Potentially Restorable Wetlands, Priority Conservation Opportunity Areas or identified on advanced watershed plans specifically for fish and other aquatic life. Target priority habitat for fish and aquatic Species of Greatest Conservation Need in Wisconsin’s Wildlife Action Plan or highlighted

in advanced watershed plans supporting a suite of life cycles. Focus on projects located within headwaters, lake fringes, estuaries, shoreline and floodplain areas of lakes, rivers and streams with a lotic, lentic and estuarine landscape position.

5. Groundwater Processes
6. Shore Line Protection
7. Preservation of wetland resources as reference under Element VII

Northwestern Lake Michigan CPF

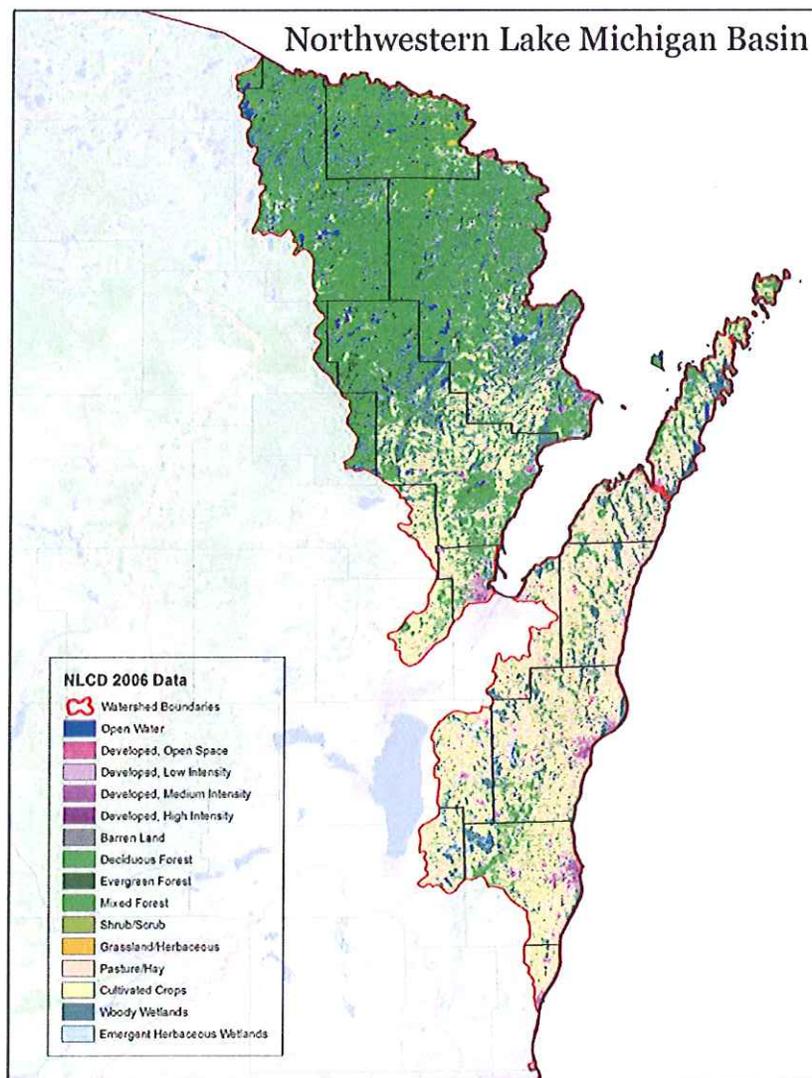
Element I. Service Area:



The Northwestern Lake Michigan watershed (040301), comprised of Vilas, Forest, Florence, Langlade, Menominee, Shawano, Outagamie, Marinette, Oconto, Brown, Calumet, Fond Du Lac, Sheboygan, Ozaukee, Manitowoc, Kewaunee and Door counties is located at the north eastern portion of Wisconsin and drains an area approximately 6,579 square miles. Ecological Landscapes include Central Lake Michigan Coastal, Forest Transition, North Central Forest, Northeast Sands, Northern Lake Michigan Coastal and Southeast Glacial Plains (*WDNR 2012*).

Element II. Threats and Remediation:

- Habitat Segmentation and Loss
- Groundwater Depletion and Surface Water Alteration
- Agricultural Impacts
- Nutrient and Sediment Loading
- Invasive Species



Element III. Historic Loss:

This watershed’s settlement was centered initially on the timber industry as settlers moved into this area rich in its shore line areas that provided natural harbors for transporting goods and people. As saw mills began dotting the landscape so did commercial fishing and shipbuilding, which brought more people to the area leading to typical anthropogenic adverse impacts. Original vegetation in the northern portions of the watershed was heavy with hemlock providing the catalyst for the tanning industry. After forested areas were cleared agriculture moved in as the dominating force altering the wetland landscape followed by the adverse effects of an increasing population (*WDNR Basin Website 2013*).

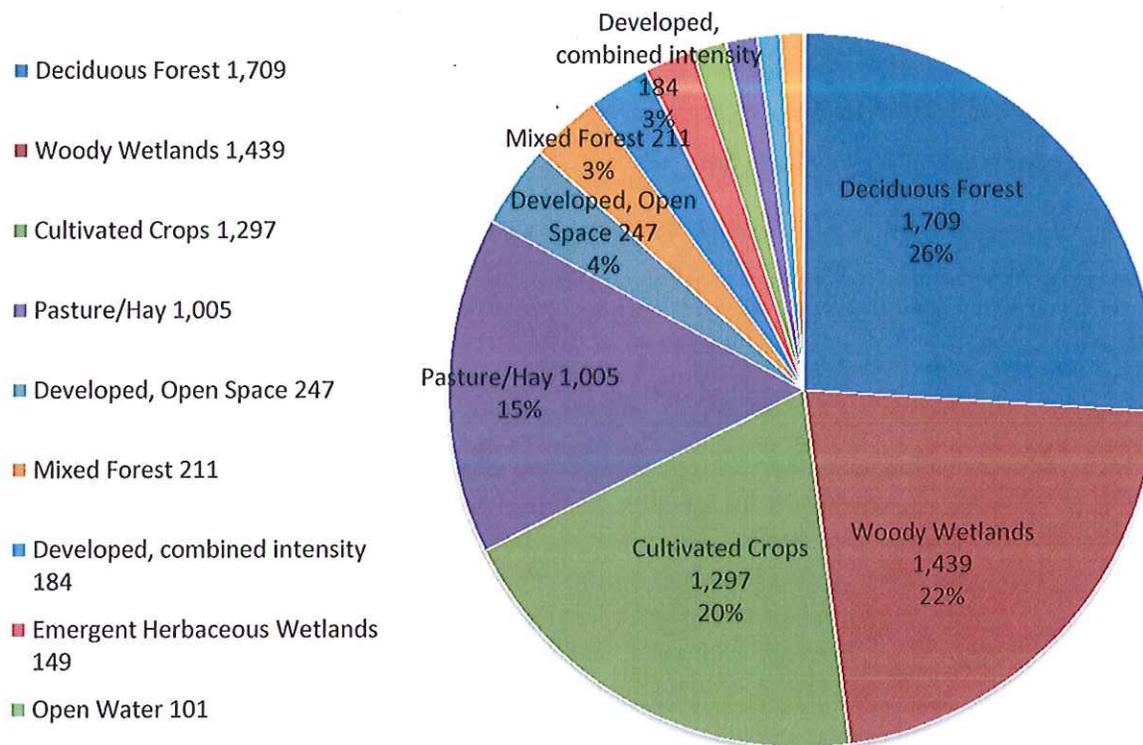
Potentially Restorable Wetlands Data Summary in ACRES:

Less than 0.5 Acres	PRW	Unrecoverable	Total PRW (all categories)
6,974	121,826	15,972	144,772

Total WWI Mapped Wetland	Total Historic Wetlands (Total PRW+WWI Mapped)	Historic Wetland Loss % (Total PRM all / Total historic)	Restoration Opportunity
684,230	829,002	17.46%	17.80%

Element IV. Current Conditions:

Northwest Lake Michigan Current Land Use (square miles based on USGS NLCD 2006)



The Northwest Lake Michigan watershed area is composed of 5 smaller basin areas that all ultimately drain into Lake Michigan and includes Green Bay, Twin-Door-Kewaunee, Manitowoc, Lower Fox and Sheboygan. Glaciers sculpted this area, which is dominated by Niagara limestone formation and contains the longest stretch of Lake Michigan shore line compared with all other Primary Service Areas. Areas of interest include the wildlife sensitive bay area and peninsula offering a unique opportunity for shoreline and coastal wetlands. Land use is somewhat spread between forest, agriculture, public lands with dense pockets of urban development. There are also significant areas hosting large percentages of classified coldwater streams in the northern portions fed by networks of groundwater discharges. Tourism, manufacturing and agriculture dominate the overall watershed with increased natural resources pressure stemming from increased development and interest in this watershed (*WDNR Basin Website 2013*).

Northwestern Lake Michigan PSA: WWI Mapped Wetland ACRE TYPE Summary

Total Wetland Acres	Aquatic Bed Acres	Emergent / Wet Meadow Acres	Scrub/Shrub Acres	Forested Acres	Flats/Unvegetated Acres	Open Water <6FT Acres
684,230	374	68,123	58,494	550,770	176	6,293

Northwestern Lake Michigan PSA: WWI Mapped Wetland Type Relative Frequency

Aquatic Bed	Emergent/Wet Meadow	Scrub/Shrub	Forested	Flats/Unvegetated	Open Water <6FT
0.05%	9.96%	8.55%	80.49%	0.03%	0.92%

Element V. Goals and Objectives:

Existing Advanced Watershed Plans (AWP):

Miller, N., T. Bernthal, J. Wagner, M. Grimm, G. Casper, and J. Kline. (2012). *The Duck-Pensaukee Watershed Approach: Mapping Wetland Services, Meeting Watershed Needs*. The Nature Conservancy and Environmental Law Institute. Madison, Wisconsin.

1. Shore Line Protection

- o **Associated Objective:** Restore, enhance and establish wetlands mapped as Potentially Restorable Wetlands or identified on advanced watershed plans. Target areas capable of providing opportunities to protect shoreline areas from erosion, non-point runoff, invasive species and other adverse threats capable of degrading the shoreline and riparian area. Focus on projects located within headwaters, lake fringes, estuaries, shoreline and floodplain areas of lakes, rivers and streams with a lotic, lentic and estuarine landscape position.

2. Groundwater Processes

- **Associated Objective:** Restore, enhance and establish wetlands in areas mapped as Potentially Restorable Wetlands, priority areas identified in Advanced Watershed Plans or other areas associated groundwater processes. Target areas with high groundwater indicators, seeps or springs that have had been adversely impacted and present an opportunity for remediation. Focus on headwaters, seeps, springs and other locations capable of recharging surface waters and contributing to their base flow through regular groundwater discharge having a terrene, lotic, lentic and estuarine landscape positions.

3. Wildlife Habitat

- **Associated Objective:** Restore, enhance and establish wetlands in areas mapped as Potentially Restorable Wetlands, Priority Conservation Opportunity Areas or areas identified on advanced watershed plans. Target priority habitat for Species of Greatest Conservation Need in Wisconsin's Wildlife Action Plan, projects located in a Joint Venture priority township or habitat areas highlighted in advanced watershed plans. Focus on projects consistent with identified priority conservation actions of Wisconsin's Wildlife Action Plan that will benefit multiple species of the above mentioned plans.

4. Water Quality Protection

- **Associated Objective:** Restore, enhance and establish wetlands in areas mapped as Potentially Restorable Wetlands, priority areas identified in Advanced Watershed Plans, areas associated with implementation of Total Maximum Daily Load's and plans such as priority watershed plans (i.e. Section 319 of the Clean Water Act) and Healthy Watershed Initiative to achieve improvement in water quality. Target projects located within watershed areas that have moderate amounts of impervious surfaces and water bodies present on the 303d list of impaired waterways capable of improvement based on a listing factor eligible for remediation by the project. Focus on projects draining to water quality effected water bodies as referenced above having a terrene, lotic, lentic and estuarine landscape positions.

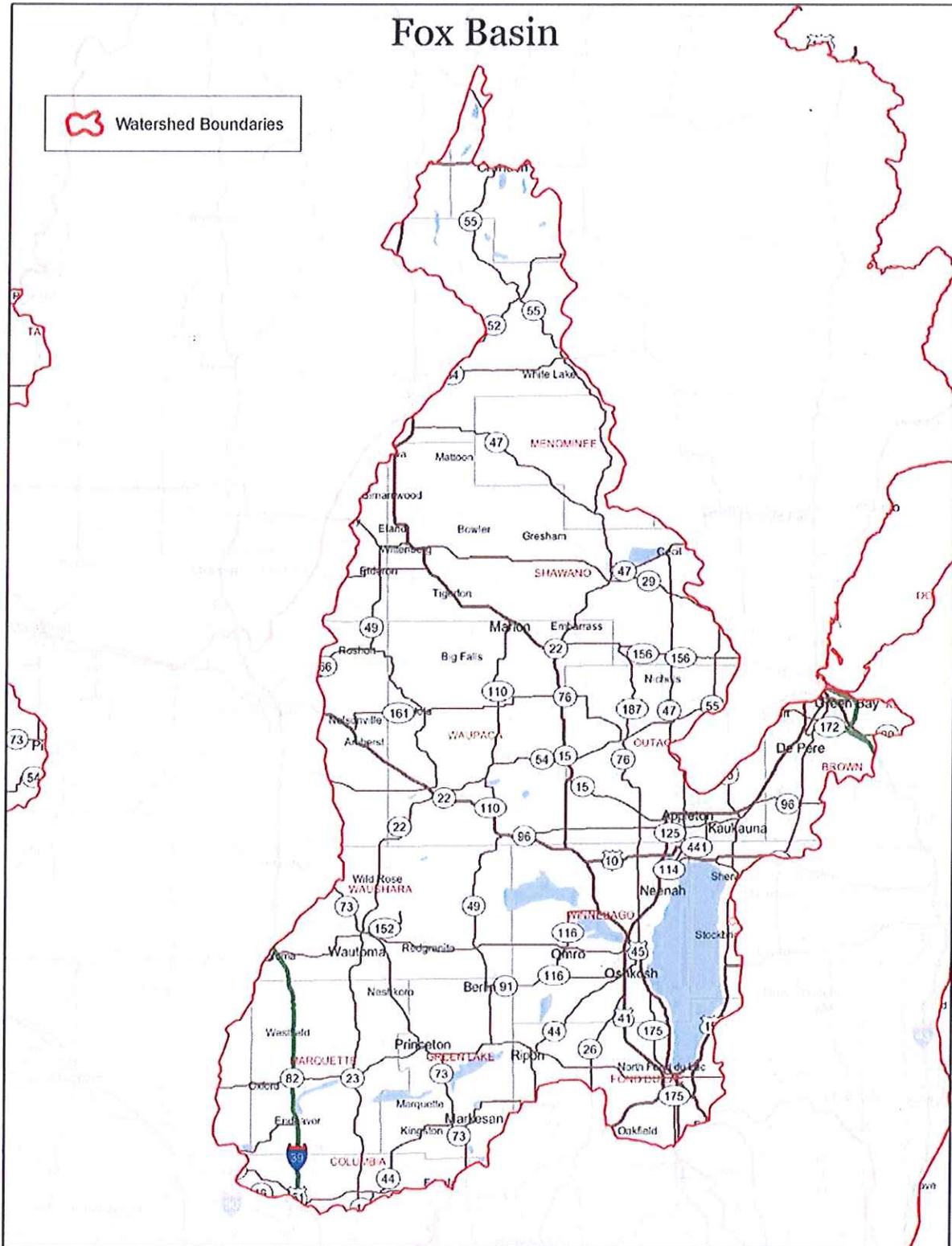
5. Fish and Aquatic Life Habitat

6. Storm and Floodwater Storage

7. Preservation of wetland resources as reference under Element VII

Fox CPF

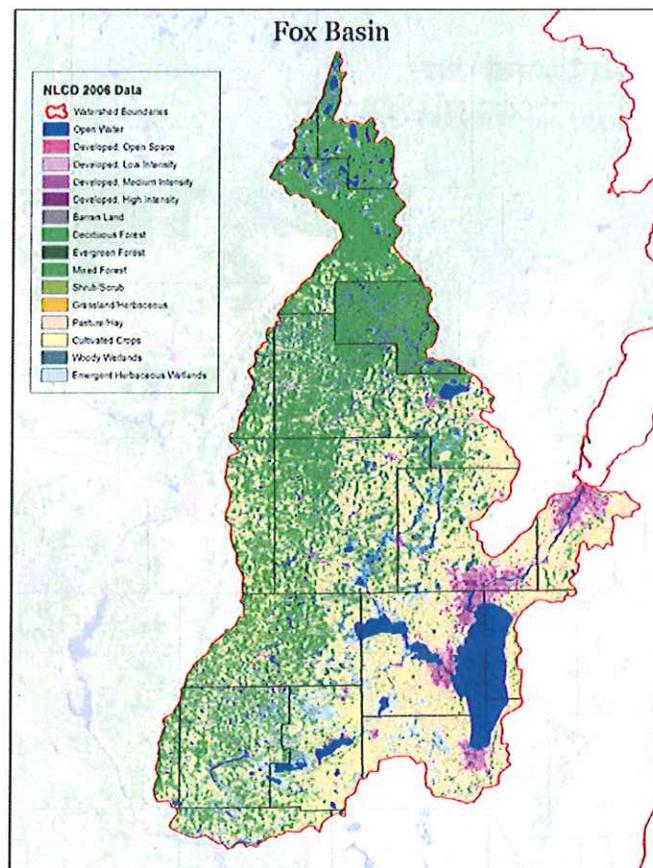
Element I. Service Area:



The Fox watershed (070700), comprised of Forest, Oneida, Langlade, Marathon, Shawano, Oconto, Brown, Portage, Waupaca, Outagamie, Waushara, Adams, Marquette, Green lake, Fond Du Lac and Columbia counties is located in the eastern portion of Wisconsin and drains an area approximately 6,359 square miles. Ecological Landscapes include Central Lake Michigan Coastal, Central Sand Hills, Central Sand Plains, Forest Transition, North Central Forest, Northeast Sands, Northern Lake Michigan Coastal and Southeast Glacial Plains (*WDNR 2012*).

Element II. Threats and Remediation:

- Nutrient and Sediment Loading
- Habitat Segmentation and Loss
- Agricultural Impacts
- Invasive Species
- Groundwater Depletion and Surface Water Alteration



Element III. Historic Loss:

This watershed follows suit with much of the state in that agriculture practices following the peak of the timber industry have historically lead to the majority of wetland losses. Wetland areas have had their hydrology altered through ditching and tiling and their vegetation cleared to make way for farming. The

clearing of forested areas gave way to agriculture, which in turn brought more people to the area. Dams built in support of mills to process harvest grains have also play a role in adversely altering riparian wetlands, but the largest historical impact in this particular watershed remains the timber industry and subsequent agricultural culture (*WDNR Basin Website 2013*).

Potentially Restorable Wetlands Data Summary in ACRES:

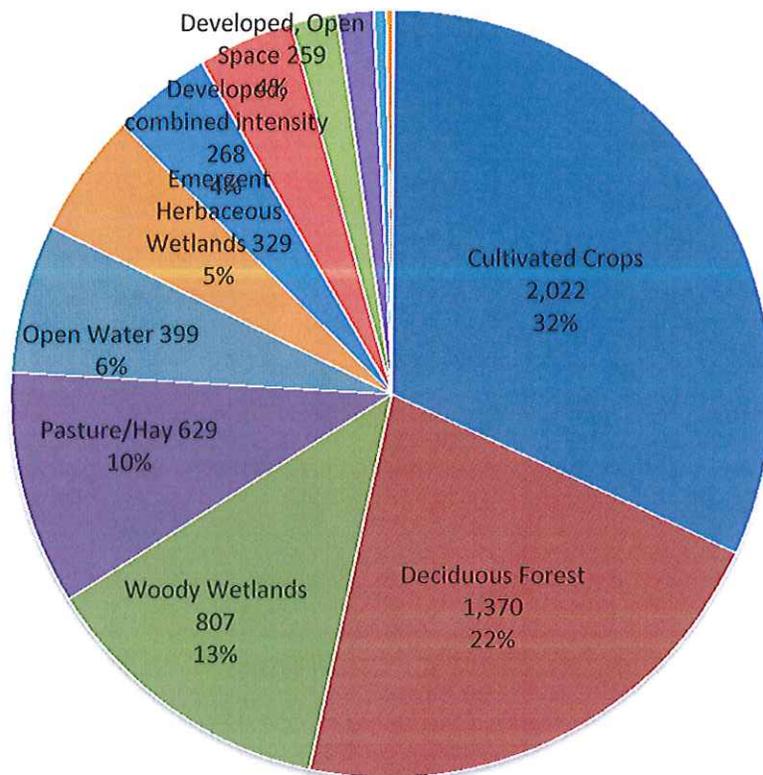
Less than 0.5 Acres	PRW	Unrecoverable	Total PRW (all categories)
4,752	206,405	23,825	234,982

Total WWI Mapped Wetland	Total Historic Wetlands (Total PRW+WWI Mapped)	Historic Wetland Loss % (Total PRM all / Total historic)	Restoration Opportunity
744,754	979,736	23.98%	27.71%

Element IV. Current Conditions:

**Fox Watershed Current Land Use
(square miles based on USGS NLCD 2006)**

- Cultivated Crops 2,022
- Deciduous Forest 1,370
- Woody Wetlands 807
- Pasture/Hay 629
- Open Water 399
- Emergent Herbaceous Wetlands 329
- Developed, combined intensity 268
- Developed, Open Space 259
- Mixed Forest 124
- Evergreen Forest 97
- Grassland/Herbaceous 33
- Shrub/Scrub 18
- Barren Land 4



The Fox Watershed can be broken down into 3 main basin areas including the Wolf River, Lower Fox and Upper Fox that all drain in a southern direction into Lake Winnebago, the Fox River and ultimately into the Mississippi River. The watershed is very diverse with a varied and dynamic land use affected by rapid growth of its communities. Agriculture, urban, recreation, tourism and forests compose the major land use activities. A complex geomorphology consisting of two main distinct ecoregions, the Central Sand Ridges and the Southeast Glacial Plains have intricately shaped the character of the natural resources (WDNR Basin Website 2013).

Fox PSA: WWI Mapped Wetland ACRE TYPE Summary

Total Wetland Acres	Aquatic Bed Acres	Emergent / Wet Meadow Acres	Scrub/Shrub Acres	Forested Acres	Flats/Unvegetated Acres	Open Water <6FT Acres
744,754	3,636	168,732	123,386	429,066	37	19,897

Fox PSA: WWI Mapped Wetland Type Relative Frequency

Aquatic Bed	Emergent/Wet Meadow	Scrub/Shrub	Forested	Flats/Unvegetated	Open Water <6FT
0.49%	22.66%	16.57%	57.61%	0.00%	2.67%

Element V. Goals and Objectives:

Existing Advanced Watershed Plans (AWP):

Stark, Kevin J., and Jensen D. Connor. 2013. A landscape-scale wetland functional assessment and identification of potential wetland restoration sites for the Stockbridge-Munsee Community. GeoSpatial Services, Saint Mary’s University of Minnesota. Winona, MN.

1. Water Quality Protection

- **Associated Objective:** Restore, enhance and establish wetlands in areas mapped as Potentially Restorable Wetlands, priority areas identified in Advanced Watershed Plans, areas associated with implementation of Total Maximum Daily Load’s and plans such as priority watershed plans (i.e. Section 319 of the Clean Water Act) and Healthy Watershed Initiative to achieve improvement in water quality. Target projects located within watershed areas that have moderate amounts of impervious surfaces and water bodies present on the 303d list of impaired waterways capable of improvement based on a listing factor eligible for remediation by the project. Focus on projects draining to water quality effected water bodies as referenced above having a terrene, lotic, lentic and estuarine landscape positions.

2. Fish and Aquatic Life Habitat

- **Associated Objective:** Restore, enhance and establish wetlands in areas mapped as Potentially Restorable Wetlands, Priority Conservation Opportunity Areas or identified on advanced

watershed plans specifically for fish and other aquatic life. Target priority habitat for fish and aquatic Species of Greatest Conservation Need in Wisconsin's Wildlife Action Plan or highlighted in advanced watershed plans supporting a suite of life cycles. Focus on projects located within headwaters, lake fringes, estuaries, shoreline and floodplain areas of lakes, rivers and streams with a lotic, lentic and estuarine landscape position.

3. Wildlife Habitat

- **Associated Objective:** Restore, enhance and establish wetlands in areas mapped as Potentially Restorable Wetlands, Priority Conservation Opportunity Areas or areas identified on advanced watershed plans. Target priority habitat for Species of Greatest Conservation Need in Wisconsin's Wildlife Action Plan, projects located in a Joint Venture priority township or habitat areas highlighted in advanced watershed plans. Focus on projects consistent with identified priority conservation actions of Wisconsin's Wildlife Action Plan that will benefit multiple species of the above mentioned plans.

4. Groundwater Processes

- **Associated Objective:** Restore, enhance and establish wetlands in areas mapped as Potentially Restorable Wetlands, priority areas identified in Advanced Watershed Plans or other areas associated groundwater processes. Target areas with high groundwater indicators, seeps or springs that have had been adversely impacted and present an opportunity for remediation. Focus on headwaters, seeps, springs and other locations capable of recharging surface waters and contributing to their base flow through regular groundwater discharge having a terrene, lotic, lentic and estuarine landscape positions.

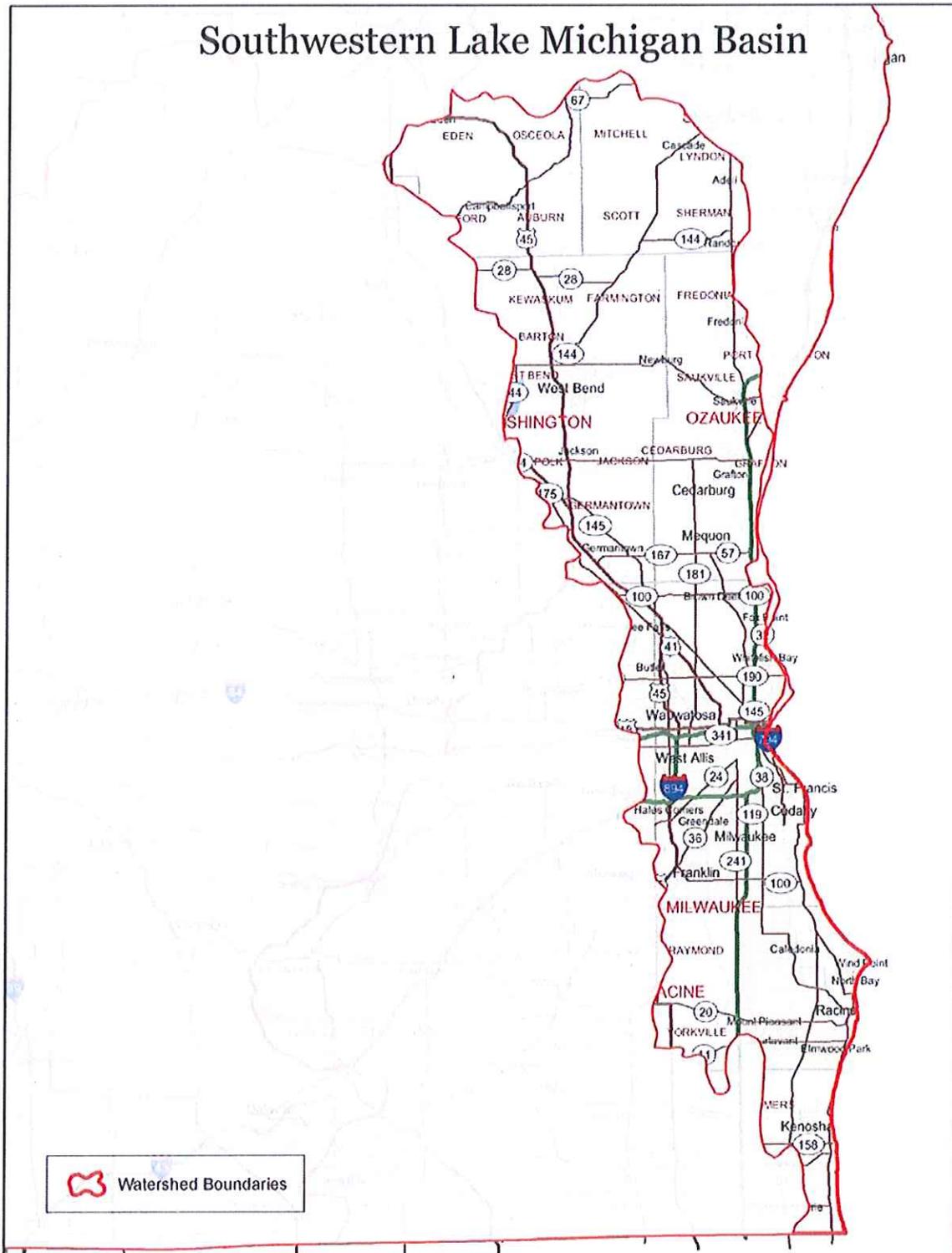
5. Shoreline Protection

6. Storm and Floodwater Storage

7. Preservation of wetland resources as reference under Element VII

Southwestern Lake Michigan CPF

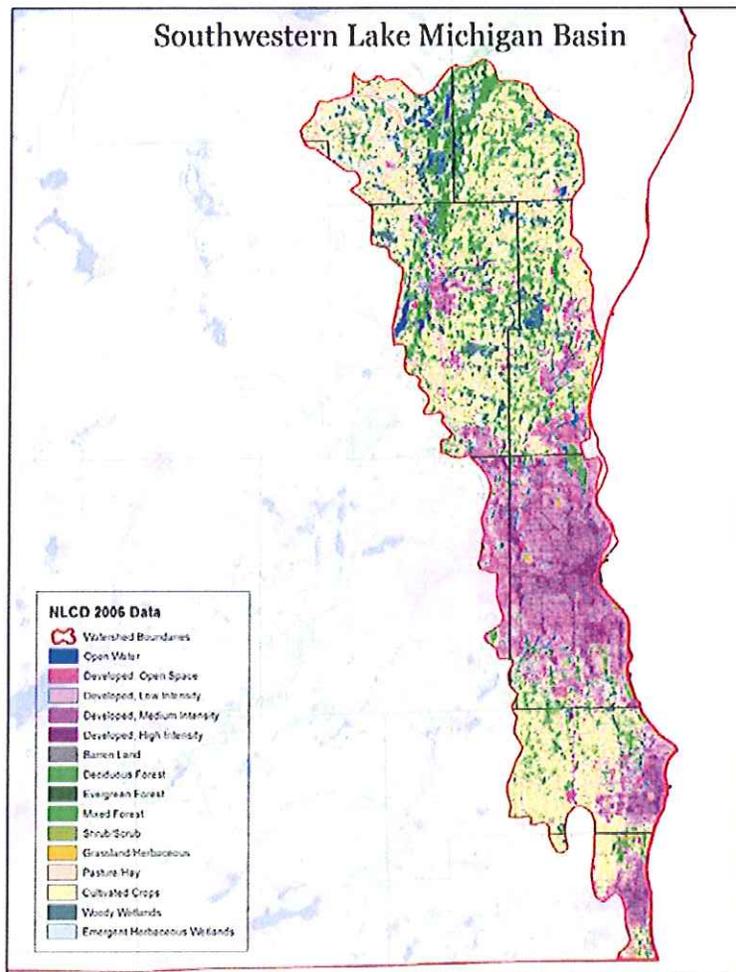
Element I. Service Area:



The Southwestern Lake Michigan watershed (040400), comprised of Fond Du Lac, Sheboygan, Washington, Ozaukee, Waukesha, Milwaukee, Racine and Kenosha counties is located at the south eastern tip of Wisconsin and drains an area approximately 1,182 square miles. Ecological Landscapes include Central Lake Michigan Coastal, Southeast Glacial Plains and Southern Lake Michigan Coastal (WDNR 2012).

Element II. Threats and Remediation:

- Habitat Segmentation and Loss
- Nutrient and Sediment Loading
- Agricultural Impacts
- Invasive Species
- Groundwater Depletion and Surface Water Alteration



Historic Loss:

This watershed area follows the pattern of early settlement with the timber industry clearing the lands marking the future construction of roadways and farmland. As lands were cleared agricultural ways took over especially in those flat fertile soil areas along rivers and wetland areas. In the northern portions farming took over, while in the more southern area clearing was followed by settlement and incorporation. Damming of waterways provided the hydropower and mechanical means for grain and saw mills, which adversely impacted wetlands along these fringe areas. This watershed was historically altered by the heaviest impact from early settlement (*WDNR Basin Website 2013*).

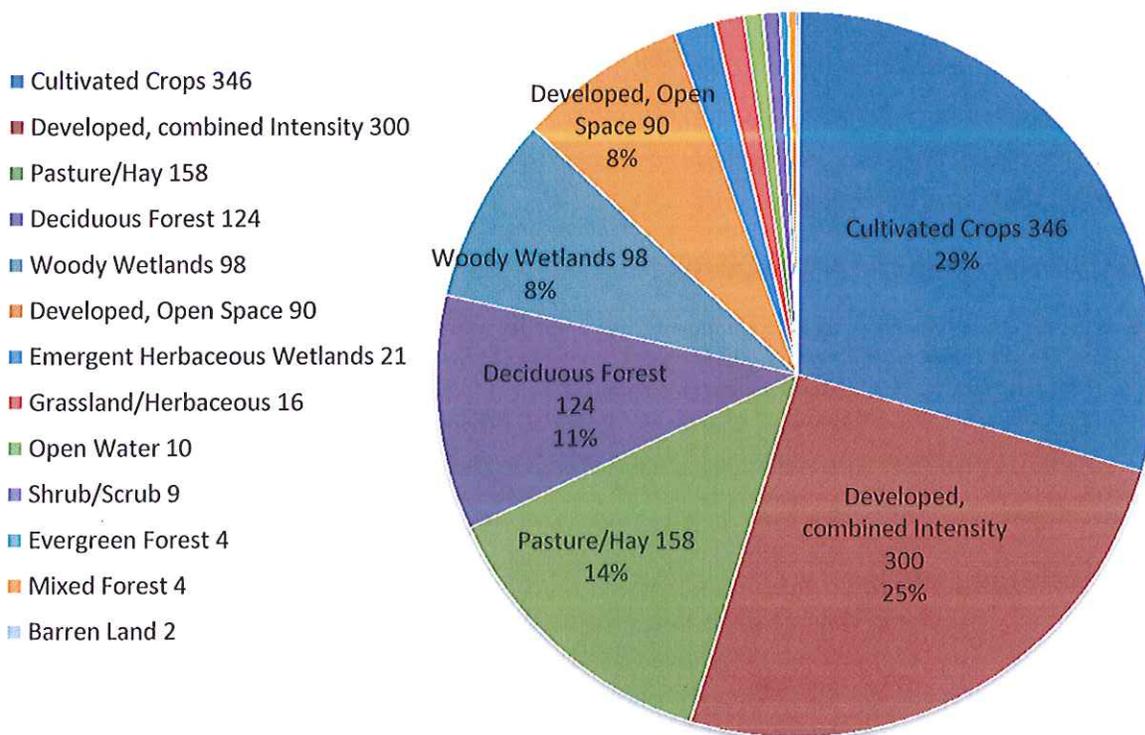
Potentially Restorable Wetlands Data Summary in ACRES:

Less than 0.5 Acres	PRW	Unrecoverable	Total PRW (all categories)
1,444	35,039	28,072	64,555

Total WWI Mapped Wetland	Total Historic Wetlands (Total PRW+WWI Mapped)	Historic Wetland Loss % (Total PRM all / Total historic)	Restoration Opportunity
100,046	164,601	39.22%	35.02%

Element IV. Current Conditions:

Southwest Lake Michigan Watershed Current Land Use (square miles based on USGS NLCD 2006)



The Southwest Lake Michigan watershed can be divided into two basin areas, the Milwaukee River and Southeast comprised of the Root and Pike Rivers, which all ultimately drain to Lake Michigan. This watershed contains the highest amount of developed land and greatest densities of urban population. The southern quarter of the Milwaukee River basin contains 90% of the basin population and the overall watershed overall has a population in excess of 1.5 million people (*WDNR Basin Website 2013*). The water resources in this area are some of the most degraded in the state as decades of urban and rural development have left their mark. Most historical wetland have been drained and filled with streams undergoing major channelization or relocations and there are currently no classified coldwater streams located within the Root-Pike areas of this watershed. The Milwaukee River basin does contain a few coldwater communities (~12% of stream miles), located mainly in the North Branch watershed (*WDNR Basin Website 2013*). This area does contain areas of shoreline and Lake Michigan coastal stretches providing potential opportunities for unique wetland projects.

Southwestern Lake Michigan PSA: WWI Mapped Wetland ACRE TYPE Summary

Total Wetland Acres	Aquatic Bed Acres	Emergent / Wet Meadow Acres	Scrub/Shrub Acres	Forested Acres	Flats/Unvegetated Acres	Open Water <6FT Acres
100,046	875	20,827	14,658	57,437	1,828	4,421

Southwestern Lake Michigan PSA: WWI Mapped Wetland Type Relative Frequency

Aquatic Bed	Emergent/Wet Meadow	Scrub/Shrub	Forested	Flats/Unvegetated	Open Water <6FT
0.87%	20.82%	14.65%	57.41%	1.83%	4.42%

Element VI. Goals and Objectives:

Existing Advanced Watershed Plans (AWP):

Kline, Joanne, Bernthal, Thomas, Burzynski, Marsha and Barrett, Kate. (June 2006). *Milwaukee River Basin Wetland Assessment Project: Developing Decision Support Tools for Effective Planning*. Final Report to U.S. EPA – Region V Wetland Grant #97593901. Wisconsin Department of Natural Resources. Madison, Wisconsin. Retrieved from: http://dnr.wi.gov/topic/wetlands/documents/Mukwonago_Version_MRPWAP_August_17.pdf

1. Shore Line Protection

- **Associated Objective:** Restore, enhance and establish wetlands mapped as Potentially Restorable Wetlands or identified on advanced watershed plans. Target areas capable of providing opportunities to protect shoreline areas from erosion, non-point runoff, invasive species and other adverse threats capable of degrading the shoreline and riparian area. Focus on projects located within headwaters, lake fringes, estuaries, shoreline and floodplain areas of lakes, rivers and streams with a lotic, lentic and estuarine landscape position.

2. Wildlife Habitat

- **Associated Objective:** Restore, enhance and establish wetlands in areas mapped as Potentially Restorable Wetlands, Priority Conservation Opportunity Areas or areas identified on advanced watershed plans. Target priority habitat for Species of Greatest Conservation Need in Wisconsin's Wildlife Action Plan, projects located in a Joint Venture priority township or habitat areas highlighted in advanced watershed plans. Focus on projects consistent with identified priority conservation actions of Wisconsin's Wildlife Action Plan that will benefit multiple species of the above mentioned plans.

3. Storm and Floodwater Storage

- **Associated Objective:** Restore, enhance and establish wetlands in areas mapped as Potentially Restorable Wetlands or identified as priority areas of advanced watershed plans within flood prone locations primarily located in and adjacent to floodplain areas. Target projects whose hydrology has been altered through ditching, tiling and other draining techniques, which were previously capable of storing floodwaters of downstream flood prone areas/communities. Focus on projects located within or adjacent to mapped 100 year floodplain or other locations capable of storm and flood water storage having terrene, lotic, lentic and estuarine landscape positions.

4. Water Quality Protection

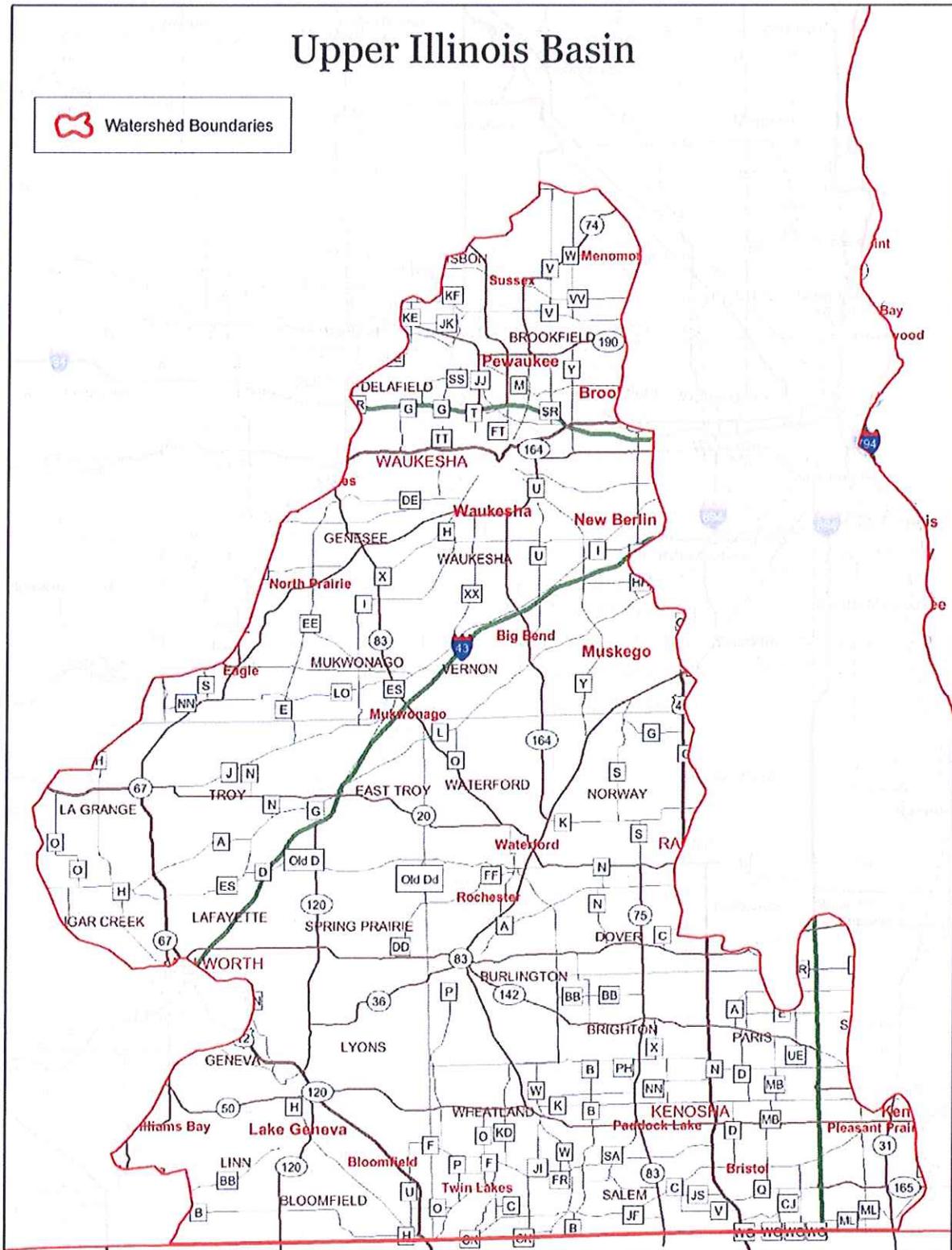
- **Associated Objective:** Restore, enhance and establish wetlands in areas mapped as Potentially Restorable Wetlands, priority areas identified in Advanced Watershed Plans, areas associated with implementation of Total Maximum Daily Load's and plans such as priority watershed plans (i.e. Section 319 of the Clean Water Act) and Healthy Watershed Initiative to achieve improvement in water quality. Target projects located within watershed areas that have moderate amounts of impervious surfaces and water bodies present on the 303d list of impaired waterways capable of improvement based on a listing factor eligible for remediation by the project. Focus on projects draining to water quality effected water bodies as referenced above having a terrene, lotic, lentic and estuarine landscape positions.

5. Fish and Aquatic Life Habitat

6. Groundwater Processes

7. Preservation of wetland resources as reference under Element VII

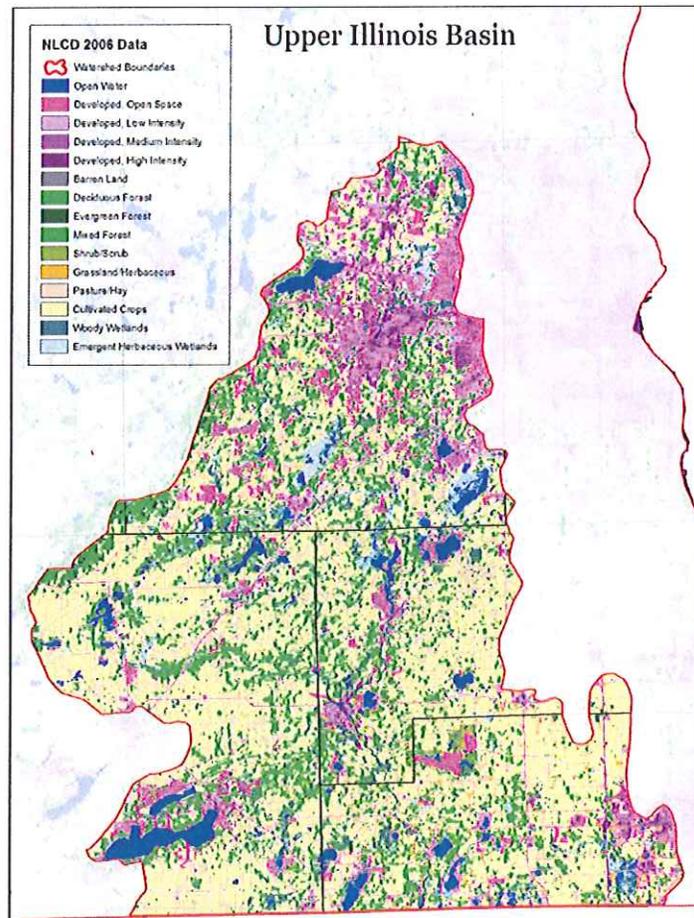
Upper Illinois CPF
Element I. Service Area:



The Upper Illinois watershed (071200), located in all or part of Waukesha, Washington, Jefferson, Walworth, Racine, Milwaukee and Kenosha counties is located in the south eastern portion of Wisconsin and drains an area approximately 1,088 square miles. Ecological Landscapes include Southeast Glacial Plains and Southern Lake Michigan Coastal (*WDNR 2012*).

Element II. Threats and Remediation:

- Habitat Segmentation and Loss
- Groundwater Depletion and Surface Water Alteration
- Agricultural Impacts
- Nutrient and Sediment Loading
- Invasive Species



Element III. Historic Loss:

This watershed is similar to other portions of the heavily urbanized southeastern portion of the state in its historic loss of wetlands. As this area was initially settled forest cover was cleared and utilized in the timber industry followed by agriculture and cultivated crops. This area was also heavily developed as the cities grew resulting in wetlands being filled, hydrology altered and habitat significantly segmented

throughout the watershed. This area has also been greatly impacted by early settlement with little of pre-settlement vegetation and wetlands remaining (*WDNR Basin Website 2013*).

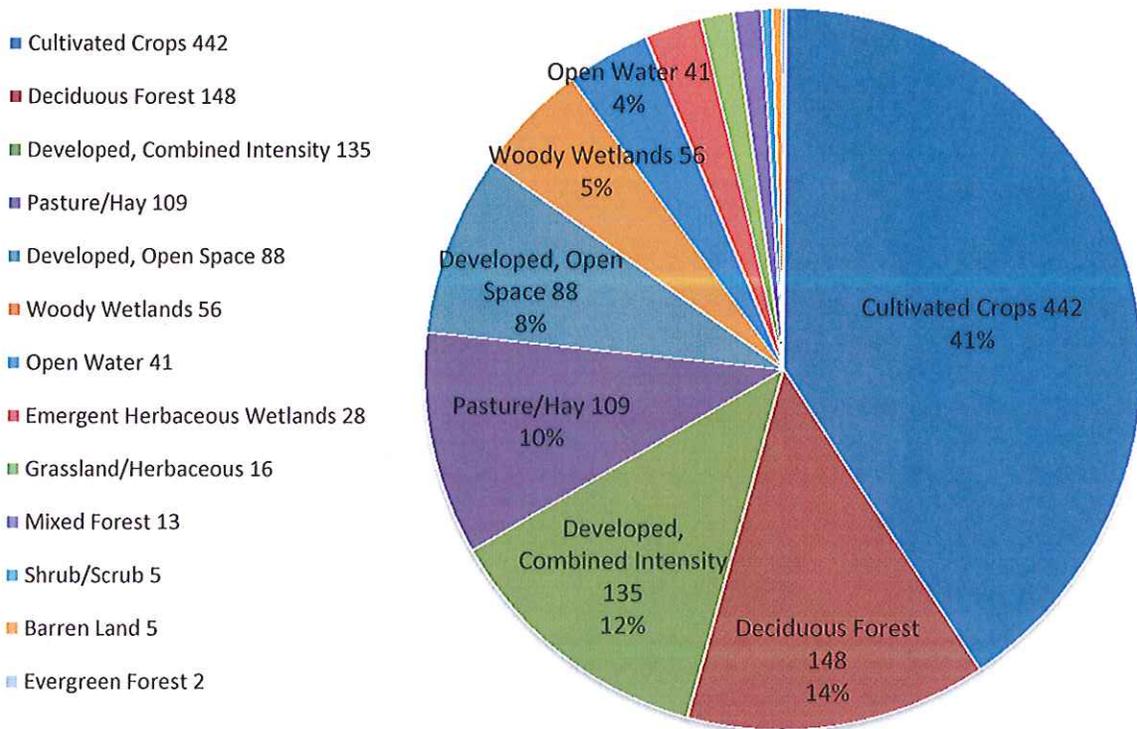
Potentially Restorable Wetlands Data Summary in ACRES:

Less than 0.5 Acres	PRW	Unrecoverable	Total PRW (all categories)
1,454	60,663	18,237	80,354

Total WWI Mapped Wetland	Total Historic Wetlands (Total PRW+WWI Mapped)	Historic Wetland Loss % (Total PRM all / Total historic)	Restoration Opportunity
104,693	185,047	43.42%	57.94%

Element IV. Current Conditions:

Upper Illinois Watershed Current Land Use (square miles based on USGS NLCD 2006)



The Upper Illinois Watershed is home to approximately half a million people and following farmland contains heavily urbanized land use with roughly 20% in a developed state. All areas drain to the Fox River (Upper, Middle and Lower) from start to finish and occupy nearly half the basin area. The overall watershed has been affected by development and increases in impervious area, which has created a lack

of infiltration for groundwater recharge and exasperated the flashy nature of area streams. The majority of historic wetlands have been drained or filled and in general the overall health of the watershed is poor with a considerable number of waterways being adversely affected through point and non-point runoff, erosion and toxic discharges such as PCB's (Polychlorinated biphenyls). Historically people traveled great distances to visit the many "spring houses" that dotted the landscape containing artisanal groundwater discharges; however this practice has since been (*WDNR Basin Website 2013*).

Upper Illinois PSA: WWI Mapped Wetland ACRE TYPE Summary

Total Wetland Acres	Aquatic Bed Acres	Emergent / Wet Meadow Acres	Scrub/Shrub Acres	Forested Acres	Flats/Unvegetated Acres	Open Water <6FT Acres
104,693	4,567	37,424	24,483	27,664	4,673	5,882

Upper Illinois PSA: WWI Mapped Wetland Type Relative Frequency

Aquatic Bed	Emergent/Wet Meadow	Scrub/Shrub	Forested	Flats/Unvegetated	Open Water <6FT
4.36%	35.75%	23.39%	26.42%	4.46%	5.62%

Element V. Goals and Objectives:

Existing Advanced Watershed Plans (AWP): None

1. Wildlife Habitat

- **Associated Objective:** Restore, enhance and establish wetlands in areas mapped as Potentially Restorable Wetlands, Priority Conservation Opportunity Areas or areas identified on advanced watershed plans. Target priority habitat for Species of Greatest Conservation Need in Wisconsin's Wildlife Action Plan, projects located in a Joint Venture priority township or habitat areas highlighted in advanced watershed plans. Focus on projects consistent with identified priority conservation actions of Wisconsin's Wildlife Action Plan that will benefit multiple species of the above mentioned plans.

2. Storm and Floodwater Storage

- **Associated Objective:** Restore, enhance and establish wetlands in areas mapped as Potentially Restorable Wetlands or identified as priority areas of advanced watershed plans within flood prone locations primarily located in and adjacent to floodplain areas. Target projects whose hydrology has been altered through ditching, tiling and other draining techniques, which were previously capable of storing floodwaters of downstream flood prone areas/communities. Focus on projects located within or adjacent to mapped 100 year floodplain or other locations capable of storm and flood water storage having terrene, lotic, lentic and estuarine landscape positions.

3. Groundwater Processes

- **Associated Objective:** Restore, enhance and establish wetlands in areas mapped as Potentially Restorable Wetlands, priority areas identified in Advanced Watershed Plans or other areas associated groundwater processes. Target areas with high groundwater indicators, seeps or springs that have had been adversely impacted and present an opportunity for remediation. Focus on headwaters, seeps, springs and other locations capable of recharging surface waters and contributing to their base flow through regular groundwater discharge having a terrene, lotic, lentic and estuarine landscape positions.

4. Water Quality Protection

- **Associated Objective:** Restore, enhance and establish wetlands in areas mapped as Potentially Restorable Wetlands, priority areas identified in Advanced Watershed Plans, areas associated with implementation of Total Maximum Daily Load's and plans such as priority watershed plans (i.e. Section 319 of the Clean Water Act) and Healthy Watershed Initiative to achieve improvement in water quality. Target projects located within watershed areas that have moderate amounts of impervious surfaces and water bodies present on the 303d list of impaired waterways capable of improvement based on a listing factor eligible for remediation by the project. Focus on projects draining to water quality effected water bodies as referenced above having a terrene, lotic, lentic and estuarine landscape positions.

5. Fish and Aquatic life Habitat

6. Shore Line Protection

7. Preservation of wetland resources as reference under Element VII

Appendix B. – Credit Fees per Primary Service Area

Primary Service Area	Credit Fee
Lake Superior	TBD
St. Croix	TBD
Chippewa	TBD
Upper Mississippi – Black Root	TBD
Upper Wisconsin	TBD
Lower Wisconsin	TBD
Upper Mississippi – Maquoketa Plum	TBD
Northwestern Lake Michigan	TBD
Fox	TBD
Rock	TBD
Southwestern Lake Michigan	TBD
Upper Illinois	TBD

Attachment A. - Wetland Compensatory Mitigation Easement Template

The subsequent template easement document as referenced within the Draft Instrument is provided herein as a general reference to the type of legal mechanisms that may be employed to secure and protect project sites. Please note that this template document contains provisions relevant to sites being open to the public may need to be altered to meet the requirements of the WWCT.

State of Wisconsin
 Department of Natural Resources
 Box 7921
 Madison, WI 53707

**WETLAND COMPENSATORY
 MITIGATION EASEMENT**
 Sec. 281.36(8m), Wis. Stats
 (effective 7-1-2012)

THIS GRANT OF A CONSERVATION EASEMENT is made by and between _____, (hereinafter referred to as the "Grantor"), and the State of Wisconsin Department of Natural Resources, (hereinafter referred to as "Grantee"), as a holder of a Conservation Easement pursuant to the provisions of s. 281.36(8m), Wis. Stats.

RECITALS

WHEREAS, the Grantors are the owners in fee title of certain real property located in the Town of _____, _____ County in the State of Wisconsin, more particularly described on the attached Exhibit A, (hereinafter referred to as the "Conservancy Area");

WHEREAS, the Grantors desire and intend that the natural elements and the ecological and aesthetic values of the Conservancy Area be maintained and improved in accordance with the terms and conditions of this Conservation Easement;

WHEREAS, the Grantors and Grantee both desire, intend and have the common purpose of conserving and preserving in perpetuity the Conservancy Area in a relatively natural condition by placing restrictions on the use of the Conservancy Area and by transferring from the Grantors to the Grantee, by the creation of a Conservation Easement on, over and across the Conservancy Area, affirmative rights to ensure the preservation of the natural elements and values of the Conservancy Area;

WHEREAS, the Grantors have received valuable consideration for the granting of this Conservation Easement.

NOW THEREFORE, the Grantors, for valuable consideration received, do hereby give, grant, bargain and convey to the Grantee, its successors and assigns, forever, a Conservation Easement in perpetuity over the Conservancy Area consisting of the following:

I. PURPOSE OF THE EASEMENT

The purpose of this easement is to ensure that a wetland compensatory mitigation site will not be destroyed or substantially degraded by any subsequent owner of or holder of interest in the property on which the compensatory mitigation wetland is located.

II. RIGHTS OF THE GRANTEE

1. The Grantee shall have the right to enforce by proceedings at law or in equity the terms and conditions of this Conservation Easement hereinafter set forth. The right shall include but not be limited to, the right to bring an action in any court of competent jurisdiction to enforce the terms of this Conservation Easement, to require the restoration or enhancement of this property, consistent with the Site Mitigation Plan, titled, " _____ " and dated _____, and subsequent amendments thereto, if any, a copy of which is attached hereto and incorporated herein and marked as Exhibit B, or to enjoin non-compliance by appropriate injunctive relief. The Grantee does not waive or forfeit the right to take action as may be

Recording Area

Return: Department of Natural Resources
 Bureau of Facilities & Lands – LF/6
 P.O. Box 7921
 Madison, Wisconsin 53707

Parcel Identification Number (PIN):

necessary to ensure compliance with terms of this Conservation Easement by any prior failure to act. Nothing herein shall be construed to entitle the Grantee to institute any enforcement action against the Grantors for any changes to the Conservancy Area due to causes beyond the Grantors' control and without the Grantor's fault or negligence (such as changes caused by fire, flood, storm, civil or military authorities undertaking emergency action or unauthorized wrongful acts of third parties).

2. The Grantee, its contractors, agents and invitees, shall have the right to enter the Conservancy Area, in a reasonable manner and at reasonable times, for the purpose of inspecting the Conservancy Area to determine if the Grantors are complying with the terms and conditions of this Conservation Easement and the purposes of this grant, and further to observe, study, record and make scientific studies and educational observations.
3. The Grantee shall have the right to install, operate and maintain water control structures for the purpose of protecting, re-establishing and enhancing wetlands and their functional values. This includes the right to transport construction materials to and from the site of any existing or proposed water control structure.
4. The Grantee shall have the right to establish or re-establish vegetation through seedings or plantings.
5. The Grantee shall have the right to manipulate vegetation, topography and hydrology on the Conservancy Area through diking, pumping, water management, excavating, burning, cutting, pesticide application and other suitable methods for the purpose of protecting and enhancing wetlands and wetland vegetation.

III. COVENANTS OF THE GRANTOR

1. There shall be no commercial or industrial activity undertaken or allowed within the Conservancy Area.
2. There shall be no buildings, dwellings, barns, roads, advertising signs, billboards or other structures not related to conservation of wetland-based recreation or education purposes built or placed in the Conservancy Area.
3. There shall be no dredging, filling, excavating, mining, drilling or removal of any topsoil, sand, gravel, rock, minerals or other materials within the Conservancy Area except in conjunction with authorized management activities.
4. There shall be no dumping of trash, plant materials or compost, ashes, garbage or other unsightly or offensive material, especially including any hazardous or toxic waste within the Conservancy Area.
5. The hydrology of the Conservancy Area will not be altered in any way or by any means including pumping, draining, diking, impounding or diverting surface or ground water into or out of the Conservancy Area, unless consistent with the Site Mitigation Plan.
6. All agricultural uses are prohibited within the Conservancy Area (e.g. plowing, tilling, haying, cultivating, planting or other agricultural activities). This does not include native seed production activities, mowing, planting, or herbicide use conducted for the purpose of enhancing the ecological functions and values of the Conservancy Area consistent with the Site Mitigation Plan. The Grantor shall not stock animals or allow the grazing of animals on the Conservancy Area without prior written permission of the Grantee.

7. The Grantors are responsible for compliance with all federal, state and local laws governing the control of noxious weeds within the Conservancy Area.
8. There shall be no operation of motorized vehicles or equipment within the Conservancy Area except in conjunction with activities in conformance with Sections II and III herein.

IV. RESERVED RIGHTS

1. This Conservation Easement does not authorize entry upon or use of the Conservancy Area by the general public.
2. The Grantors and their invitees may hunt and fish in the Conservancy Area so long as they comply with all federal, state and local game and fishery regulations.
3. Nothing herein shall be construed as limiting the right of the Grantors to sell, give or otherwise convey the Conservancy Area, or any portion or portions thereof, provided that the conveyance is subject to the terms of this Conservation Easement.

V. GENERAL PROVISIONS

1. This Conservation Easement shall run with and burden the Conservancy Area in perpetuity and shall bind the Grantors and their heirs, successors and assigns. This Conservation Easement is fully valid and enforceable by any assignee of the Grantee, whether assigned in whole or in part. Prior to any assignment being effective, the Grantor must approve the assignment in writing.
2. The Grantors agree to pay any and all real property taxes and assessments levied by competent authority on the Conservancy Area.
3. The Grantors agree that the terms, conditions, covenants and restrictions set forth in this instrument will be inserted in any subsequent conveyance of any interest in said property. The Grantors agree to notify the Grantee of any such conveyance in writing and by certified mail no later than thirty (30) days before the conveyance.
4. The Grantee may assign or transfer this Conservation Easement and the rights contained herein to any Federal or state agency or private conservation organization for management and enforcement.
5. As the Covenants of the Grantor (Covenants) contained in this Conservation Easement are also material terms of the Mitigation Banking Instrument (MBI) between the Department of the Army, U.S. Army Corps of Engineers (Corps) and the Grantor, the Corps shall also have the right to enforce the Covenants. This right of enforcement right shall include, but not be limited to, the right to bring an action in any court of competent jurisdiction to enforce the terms of these Covenants, to require the restoration of this property to its natural condition, or to enjoin any non-compliance with the Covenants against the Grantor and the Grantor's successors in interest. The Corps shall also have the right to enter the Conservancy Area, in a reasonable manner and at reasonable times, for the purpose of inspecting the Conservancy Area to determine compliance with the Covenants. The Grantor shall notify the Corps of any proposed conveyance of the Conservancy Area (or any portion of it) in writing and by certified mail no later than thirty (30) days before the conveyance. The enforcement of these Covenants by the Corps shall be governed by federal law.

- 6. The terms "Grantors" and "Grantee" as used herein shall be deemed to include, respectively, the Grantors and their heirs, successors, personal representatives, executors and assigns, and the Grantee and its successors and assigns.
- 7. This Easement may not be modified, amended or terminated except by execution and recording of a written instrument signed by the Grantor, the Grantee and the Corps.
- 8. If any provision or specific application of this Easement is found to be invalid by a court of competent jurisdiction, the remaining provisions or specific applications of this Easement shall remain valid and binding.
- 9. This Easement shall be governed by and construed under the laws of the State of Wisconsin.

IN WITNESS THEREOF Grantor and Grantee have caused this instrument to be executed on their respective behalf effective this _____ day of _____, 20_____.

Grantor (SEAL)

Grantor (SEAL)

STATE OF WISCONSIN)
) ss.
_____ COUNTY)

Personally appeared before me this _____ day of _____, 20____, the above named _____
_____ to me known to be the persons who executed the foregoing
instrument and acknowledged the same.

*
Notary Public, State of Wisconsin
My commission (expires) (is) _____

ACCEPTED this _____ day of _____, 20__

State of Wisconsin
Department of Natural Resources
For the Secretary

_____(SEAL)
*

STATE OF WISCONSIN)
) ss
DANE COUNTY)

Personally appeared before me this _____ day of _____, 2011, the above
named _____ to me known to be the person who executed the foregoing
instrument and acknowledged the same.

*
Notary Public, State of Wisconsin
My commission (expires) (is) _____

CONSENT TO EASEMENT BY LIEN HOLDER

_____ (name of person or institution)

being the owner and holder of a certain _____ (lien, mortgage, land contract, etc.)

which is _____ (insert recording data: doc.#, volume, page, etc.)

against said Premises, does hereby join in and consent to said conveyance free of said lien.

IN WITNESS THEREOF, the hands and seals of any person joining in and consenting to this conveyance on the day and year first written.

_____ (SEAL) _____ (SEAL)

STATE OF)
) ss.
_____ COUNTY)

Personally appeared before me this _____ day of _____, 20____, the above named _____ to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

*
Notary Public, State of Wisconsin
My commission (expires) (is) _____

EXHIBIT A
LEGAL DESCRIPTION

EXHIBIT B
SITE MITIGATION PLAN