Critical Definitions for Wetland Delineation: Normal Circumstances

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WDNR Critical Methods
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What is a Wetland?

- Technical definition:

Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.
If yes, data collection is based on current conditions.
If no, data collection is based on conditions that would exist in absence of disturbance.
### NEC vs. NC

**Normal Environmental Conditions?**

- Are climatic/hydrologic conditions of the site typical for this time of the year? [ ] (If no, explain in remarks)
- Are vegetation [ , soil [ ] , or hydrology [ ] significantly disturbed? [ ]
- Are vegetation [ , soil [ ] , or hydrology [ ] naturally problematic? [ ]

**Normal circumstances?**

- Are "normal circumstances" present? [ ]

#### SUMMARY OF FINDINGS

- Hydrophytic vegetation present? [N]
- Hydric soil present? [ ]
- Indicators of wetland hydrology present? [ ]

### Is the sampled area within a wetland? [N]

#### Optional wetland site ID:

**Remarks:** (Explain alternative procedures here or in a separate report.)
Normal Circumstances

- The long-term or stable condition of a site including any authorized or other legal alterations, such as highways, dams, and other relatively permanent infrastructure and development.
- The conditions indicated by the soils and hydrology normally present on a site, in cases where the vegetation has been altered or removed.
- The conditions that would exist on a site in the absence of any active and discretionary manipulation of hydrology.
Normal Circumstances

A new, **legal** alteration that is relatively permanent can establish a new normal circumstance (e.g., concrete dam, authorized wetland fill, ditch)

Ditch constructed in 1950s and maintained since = ditch is established as the normal circumstance; partially drained is the normal circumstance for hydrology

Ditch constructed last year = ?

1987 Manual: Mere presence of artificial drainage system does not necessarily mean wetland hydrology has been eliminated
Normal Circumstances

Recent, unauthorized fill that buried native soils and altered hydrology is not the normal circumstance.
Normal Circumstances

- Regular cropping of an agricultural field is NOT the normal circumstance.
- Normal circumstances can exist in an agricultural field.

- Determine the soils and hydrology driving the site.
- Applying the “Mapping Conventions” will help determine ‘normal’ hydrology in agricultural settings.
Normal Circumstances

1. Alterations that occurred before implementation of the Clean Water Act.
2. Alterations that were authorized, exempt, or did not require authorization.
3. Hydrologic modifications, such as functioning ditches or subsurface drains, that were installed legally, are relatively permanent, are maintained, and operate by gravity without any artificial input of energy or manpower.
4. Ongoing hydrologic manipulation that is permanent and non-discretionary, such as pumping of surface or groundwater for municipal water supply, done under a court order, or required for public safety.
5. A site with undisturbed conditions, including those wetlands identified as problem areas.
NOT normal circumstances

1. Unauthorized or illegal activities or activities done with the intent of evading Clean Water Act jurisdiction.
2. Total or partial clearing of vegetation, or selective removal of plant species (i.e., managed plant community).
3. The presence of a crop, tree farm, improved pasture, other planted vegetation, or cultivars (i.e., managed plant community).
4. Destruction of hydric soil indicators by cultivation or mixing of soil layers.
5. Irrigation.
6. Discretionary pumping of surface or groundwater, such as pumping for agricultural purposes.
7. Active and discretionary manipulation of water tables, such as subirrigation and other active water-table management for crop production or management of soil moisture and nutrients.
What is a Wetland?

- Technical definition:

  Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.
Difficult Wetland Situations

Disturbed/Atypical Situations:

- One or more parameters absent due to recent human activity or natural event
  - Unauthorized activities
  - Natural events
  - Man-induced wetlands
Checking the Boxes

**TERMINATION DATA FORM - Midwest Region**

- **Project/Site:**
- **Applicant/Own:**
- **Investigators:**
- **Landform (hillslope, terrace, etc.), Basin:**
- **Local relief (concave, convex, none):**
- **Slope (%):**
- **Long:**
- **Datum:**
- **Soil Map Unit Name:**
- **NWIS or USGS classification:** PEMFo

**Are climatic/hydrologic conditions on the site typical for this time of year?**
- Yes [ ]
- No [X]

**Are Vegetation [X], Soil [ ], or Hydrology [ ] significantly disturbed?**

**Are “Normal Circumstances” present?**
- Yes [ ]
- No [X]

**SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.**

- **Hydrophytic Vegetation Present?**
  - Yes [X]
  - No [ ]

- **Hydric Soil Present?**
  - Yes [X]
  - No [ ]

- **Wetland Hydrology Present?**
  - Yes [X]
  - No [ ]

**Is the Sampled Area within a Wetland?**
- Yes [X]
- No [ ]

**Remarks:**

- Above average precipitation, wetland area continuously mowed (manicured lawn)
Recently discharged fill material. Date of discharge reported as 4/12/14.
WETLAND DETERMINATION DATA FORM - Midwest Region

<table>
<thead>
<tr>
<th>Project/Site:</th>
<th>City/County:</th>
<th>Sampling Date:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant/Owner:</td>
<td>State:</td>
<td>Sampling Point:</td>
</tr>
<tr>
<td>Investigator(s):</td>
<td>Section, Township, Range:</td>
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<td>NWI Classification:</td>
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Are climatic/hydrologic conditions of the site typical for this time of the year? [ ] (If no, explain in remarks)

Are vegetation, soil, or hydrology significantly disturbed? [X] Are “normal circumstances” naturally problematic? [ ]

SUMMARY OF FINDINGS

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Is the sampled area within a wetland? [ ]

If yes, optional wetland site ID: ______________________

Remarks: (Explain alternative procedures here or in a separate report.)
Area is regularly grazed by livestock.
Areas affected by grazing

Area is regularly overgrazed by livestock.
Area is currently a golf course; regular irrigation and turf management (not NC); hydrology and soils disturbed years ago for construction (NC).
Difficult Wetland Situations

Problem Areas:

► One or more parameters absent due to normal seasonal or annual variability, or permanently due to the nature of the soils or plant species

- Seasonal wetlands
- Prairie potholes
- Floodplain wetlands
- Interdunal swales
The area is a wicked big puddle and it’s July, so it’s wicked dry.
The site is a prairie pothole wetland following a 3-year drought.
**The site is a floodplain, with alluvial soils and seasonal hydrology.**
Agricultural field where vegetation has been removed and soils **bulldozed**.
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Are climatic/hydrologic conditions of the site typical for this time of the year?  
If no, explain in remarks.

Are vegetation, soil, or hydrology significantly disturbed? Are "normal circumstances" present?  
If needed, explain any answers in remarks.

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Remarks: (Explain alternative procedures here or in a separate report.)
Normal Circumstances

The conditions that would exist if humans hadn’t screwed with them. Determine if one or more parameters is MISSING or OBSCURED due to disturbance.
I THINK YOU’VE CONFUSED ME
WITH SOMEONE WHO BUILDS A DAM.