

INDIVIDUAL PERMIT (IP) WETLAND MITIGATION PROCESS:

There are three types of compensatory mitigation a permittee may utilize to satisfy their legal requirement for mitigation to offset an unavoidable wetland impact authorized under a Wetland IP:

- 1) Purchase credits from an approved mitigation bank;
- 2) Purchase credits from an approved in-lieu fee program;
- 3) Conduct permittee-responsible mitigation.

This document is aimed at describing the process steps associated with each of these mitigation types.

Mitigation Bank Credit Purchase Process Steps:

- 1) Submit a Draft Mitigation Summary Sheet with the other required materials to the DNR Water Management Specialist (WMS) before the pre-application meeting.
- 2) After completion of the pre-application meeting, revise the Draft Mitigation Summary Sheet and include a final version with the wetland IP application. Indicate each proposed wetland impact by cover type and delineated acreage using the wetland types on the Mitigation Summary Sheet. If known, also indicate the name of the mitigation bank where the credits are intended to be purchased and summarize any contacts made with the bank.
- 3) The DNR Mitigation Coordinator (MC) will then notify the permittee of their mitigation credit purchase requirement after receiving a preliminary determination from the WMS indicating the amount of approvable wetland impact. This notification will detail the approved mitigation ratio, credit quantity, credit cover type and mitigation bank. The MC will also notify the approved mitigation bank that the credit purchase has been authorized by the Department. The permittee will then need to complete the credit purchase transaction with the approved mitigation bank. Once complete, the permittee or the mitigation bank must submit a copy of the signed Affidavit of Bank Credit Purchase to the MC via email or by mail to:
WI DNR Wetland Mitigation Coordinator WT/4
P.O. Box 7921
Madison, WI 53707-7921
- 4) After the signed affidavit has been received, the MC will notify the WMS that the mitigation requirement has been satisfied enabling the WMS to proceed with approval of the Wetland IP.

In-Lieu Fee Program Credit Purchase Process Steps:

- 1) Submit a Draft Mitigation Summary Sheet with the other required materials to the DNR Water Management Specialist (WMS) before the pre-application meeting.
- 2) After completion of the pre-application meeting, revise the Draft Mitigation Summary Sheet and include a final version with the wetland IP application. Indicate each proposed wetland impact by cover type and delineated acreage using the wetland types on the Mitigation Summary Sheet along with the Service Area of the project.
- 3) The DNR Mitigation Coordinator (MC) will then notify the permittee of their mitigation credit purchase requirement after receiving a preliminary determination from the WMS indicating the amount of approvable wetland impact. This notification will detail the approved mitigation ratio, credit quantity, credit cover type and Service Area where the credits shall be applied.
- 4) The MC will provide a separate notification to the Wetland In-Lieu Fee (ILF) Coordinator of the DNR Sponsored WI Wetland Conservation Trust (WWCT) that the credit purchase has been authorized by the Department. The permittee will then be required to contact the WWCT in order to initiate the credit purchase.

- 5) Once contacted by the permittee, the WWCT will generate a credit invoice payable by the permittee. The permittee will then need to complete the credit purchase transaction. Upon transaction completion the ILF Coordinator will send the permittee an Affidavit of Compensatory Mitigation Credit Purchase and the permittee shall fill out and sign the form then send it to the ILF Coordinator. The ILF Coordinator must then submit a copy of the signed Affidavit of Compensatory Mitigation Credit Purchase to the MC via email or by mail to:
WI DNR Wetland Mitigation Coordinator WT/4
P.O. Box 7921
Madison, WI 53707-7921
- 6) After the signed affidavit has been received, the MC will notify the WMS that the mitigation requirement has been satisfied enabling the WMS to proceed with approval of the Wetland IP.

Permittee-Responsible Mitigation Process Steps:

- 1) Submit a Draft Mitigation Summary Sheet with the other required materials to the WMS before the pre-application meeting.
- 2) After completion of the pre-application meeting, revise the Draft Mitigation Summary Sheet and include a final version along with a draft Compensation Site Plan (CSP) when submitting the IP application.
- 3) The DNR Mitigation Coordinator (MC) will then initiate a separate process with the permittee to review the proposed mitigation site and associated CSP.
- 4) Once the CSP has been approved by the MC, the permittee may then submit the required final, signed financial assurance documents and the final, signed conservation easement to the MC for DNR signature and execution of the documents. After being fully executed, the MC will send copies of the documents to the permittee for their records.
- 5) The MC will then notify the WMS that the mitigation plan has been approved and provide language for the permit related to the mitigation plan. The WMS can then finalize and issue the wetland IP.
- 6) The permittee may then proceed with the construction period. Construction must be started prior to, or concurrent with, the wetland impact authorized by the permit. Once construction is complete, the permittee shall submit an as-built plan to the MC. Construction-based financial assurances shall be released to the permittee after the MC has approved the as-built plan and conducted an on-site review.
- 7) The permittee will be required to monitor and maintain the mitigation site for the length of time stipulated in the approved CSP (typically 5 to 10 years). Monitoring reports shall be submitted to the MC by the permittee as frequently as indicated in the approved CSP.
- 8) After completion of the required monitoring period and submittal of the final monitoring report, the MC shall conduct an on-site review to determine whether all performance standards have been met and if the mitigation project successfully generated the required number of mitigation credits. The MC will follow up on this site review by providing a letter to the permittee with the results of the site visit and review of the final monitoring report. If the mitigation is successful and the required number of credits has been generated, the mitigation site shall be closed out and the post-construction financial assurance will be released. If the site is not successful and final performance standards have not been met to generate the necessary credits, the MC will provide details regarding further actions necessary to comply with mitigation requirements.
- 9) Any deficiency of the site to achieve the required quantity of mitigation credits is the sole responsibility of the permittee and further mitigation may be necessary in order to fully satisfy the permit's legal requirements for compensatory mitigation.