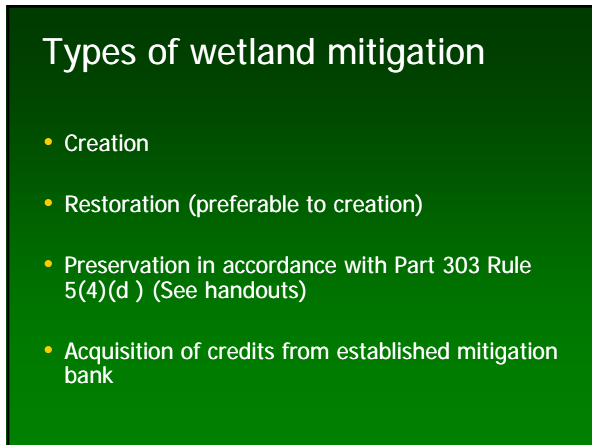




What is wetland mitigation?

- Replacement of unavoidably lost wetlands with created or restored wetlands
- Goal is replacement to extent possible of functions and benefits of lost wetland



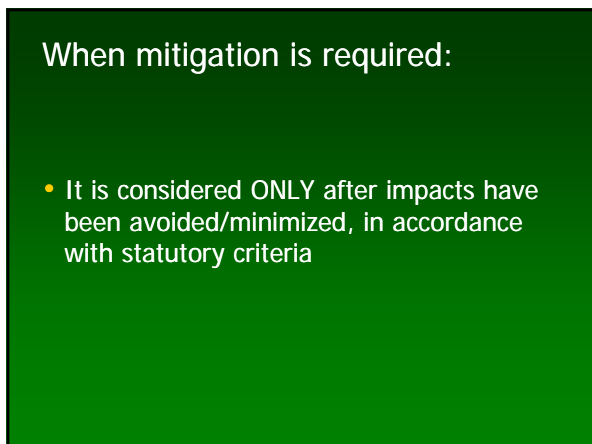
Types of wetland mitigation

- Creation
- Restoration (preferable to creation)
- Preservation in accordance with Part 303 Rule 5(4)(d) (See handouts)
- Acquisition of credits from established mitigation bank



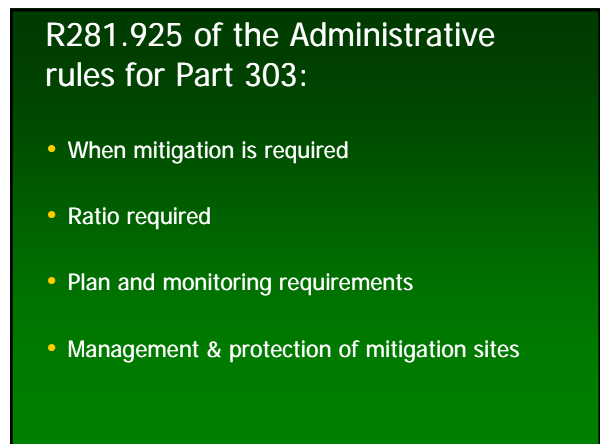
Purpose for wetland mitigation

- Replacement of functions and values of unavoidable, permitted impacts
- Required by Part 303, Wetlands Protection of NREPA, as defined in Administrative Rules, R281.925, Rule 5



When mitigation is required:

- It is considered ONLY after impacts have been avoided/minimized, in accordance with statutory criteria



R281.925 of the Administrative rules for Part 303:

- When mitigation is required
- Ratio required
- Plan and monitoring requirements
- Management & protection of mitigation sites

General Permit (GP) category projects:

- Defined by Part 303
- Minimal impact categories of projects
- Still subject to statutory permitting criteria

GP Mitigation requirements...

- GP projects with no federal funding- no mitigation
- GP category projects with federal funding- mitigation ratio 1:1

GP wetland mitigation can:

- Be done in advance
- Be of any wetland type
- Be aggregated at sites
- Be located in any state watershed
- Be moment of opportunity- MOO

MOU sets Transportation GP Mitigation agreement:

- Between MDOT and MDEQ
- Attachment B(6)E addresses wetlands and mitigation (see handout)

Non-GP mitigation:

- Must be in same watershed if feasible
- Credit for advanced mitigation only for transportation projects identified in advance, when future impacts can be identified or estimated

Non-GP mitigation ratios:

- Restoration or creation of 5 acres for 1 acre permitted impact to rare or imperiled wetlands
- Restoration or creation of 2 acres for 1 acre permitted impact to forested, coastal, and inland lakeshore wetlands

Non-GP mitigation ratios...

- Restoration or creation of 1.5 acres for 1 acre of permitted impact for all other wetland types

Non GP Mitigation Ratios...

- Mitigation by preservation of qualifying wetlands is 10:1 ratio
- After-the-fact permit requires double mitigation ratio

Permit mitigation requirements:

- Conceptual mitigation plan sent with application (see handouts)
- Final site plan and monitoring requirements
- Conservation easement over site (See sample CE format)

All wetland permit and mitigation requirements may be found at:

- www.michigan.gov/deq
- Click "Inside DEQ"
- Click "Land and Water Management Division"
- Click "Wetlands Protection"

Newly constructed borrow pit site



Borrow pit mitigation site- 5+ years



Mitigation site lacking organics



Mitigation site with too much open water and steep slopes (pond)



Up to 20% open water is OK



Spring Inundation – Good Site



Woody debris added to mitigation site



Mitigation site constructed from upland adjacent to natural wetland



The End

