

TOPICS



New Wetland Permits Will Cost You: How to Minimize the Sting

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The U.S. Army Corps of Engineers recently made wetland permit compliance tougher, and they are not alone. Other wetland agencies are also raising the bar for wetland replacement success.

Rigorous new “Special Conditions” have appeared in fourteen Corps permits (obtained by Westwood staff) since August 2005. These new Special Conditions will increase the cost of permit compliance and mitigation acceptance.



You can minimize the sting of the new requirements by building better wetlands. The following practices can help you obtain timely signoff and release of cash surety from regulatory agencies:

- Conduct as-built topographic surveys immediately after grading to ensure that wetlands are constructed correctly,
- Install automated shallow groundwater monitoring wells to obtain the required water level data while minimizing labor costs and site visits,
- Coordinate native seeding and vegetation management with ecological landscape contractors to meet vegetation goals,
- Consistently compare new native plant communities against agency required performance standards, and adjust management as needed, and
- Have your wetland scientist work with your native landscape contractor to translate monitoring results into timely vegetation management practices.

These practices will help eliminate bad news and will help to comply with the new Special Conditions that require diligent wetland replacement construction and monitoring. Special Conditions include:

Regular inspections by wetland professionals during wetland construction,
Topographic as-built surveys with one-foot contours,
Weekly water elevation monitoring during much of the growing season,
Prescriptive hydrology success criteria for created wetlands,
Identification of all plant species within vegetation sample plots,
Vigilant control of invasive and non-native plant species,
Establishing 75 percent cover of dominant native plant species by year five, and
Jurisdictional wetland delineations at the end of the monitoring period.

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