

Wetlands & Waters Program



Brad Livingston

Statewide Wetlands Program Lead

- Region 3 Wetland Specialist (2003-2010)
- Wetland & Permitting Program Coordinator (2010 – Present)





Wetlands & Waters Takeaways

1. Early Coordination with DSL & Corps
2. Avoidance and Minimization is key to success
3. Mitigation (if not purchasing credits) can impact scope, schedule and budget.





Waters of the US and State Regulatory Considerations

Alternatives analysis

Avoidance-Minimization-Mitigation

Site Restoration

Permitting Pathways

Compensatory Mitigation



Alternatives Analysis

Avoidance

- Alignment, detour locations, steepening slopes; adding guardrail, retaining walls, full spans, containment, interchange/intersection configuration, staging areas, etc.

Minimization

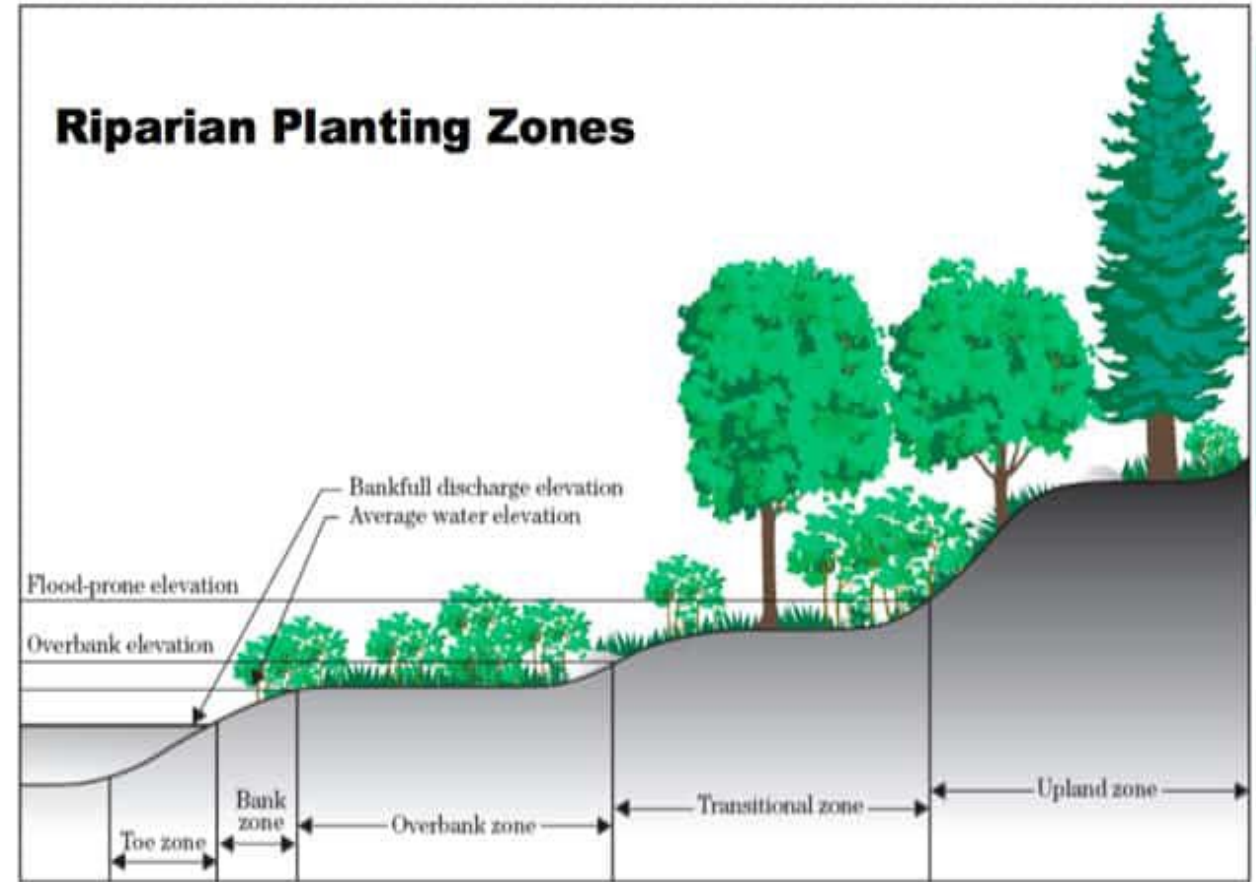
- Narrowing footprint, shortening duration of in-water work, drilled shafts vs. spread footings, erosion and sediment control, factors noted in Avoidance, etc.

Mitigation

- Site restoration, incorporating nature based design, adding large wood and channel complexity, aquatic life passage, purchasing bank/advanced compensatory mitigation credits

Site Restoration

- Riparian site restoration most common
- Restoration of temporary wetlands/waters impacts
- 3-5 year post-construction monitoring for success
- Budget



Source: US Department of Agriculture

[This Photo](#) by Unknown Author is licensed under [CC BY-ND](#)



Permitting Pathways

- USACE Nationwide Permits

- Most Common, 85%+
- SLOPES vs. FAHP
- Section 401 WQC
- Coast guard, section 408, oh my!
- Non-notifying nationwides are rare but useful at times
- Individual permits are rare

- ODSL: General Permits

- Most Common, 85%+
- Conditions align with fish passage and FAHP
- ODOT Liaison, Single POC
- Prepare for fee shock
- General Authorizations are rare but useful at times
- Individual permits are rare

WE SUPPORT ADVANCED MITIGATION, WHY?



0 750 500 1,000 1,500 2,000 2,500
Feet

DISCLAIMER
This product is for informational purposes only and may not be
prepared to or be subject for legal engineering or surveying.
Users of this information should review or consult the primary
and information sources to ascertain the usability of the data.



Eco-Logical: An Ecosystem Approach

Long Term Planning

- Population and transportation growth projections
- Market Analysis/Needs Assessment
- Local Consistency (MPO's)

Conservation Integration

- Rare habitats &/or watershed priorities
- Wildlife action plans, connectivity and adjoining land uses
- Collaborate with natural resource groups

- Eco-logical
- Enables project delivery
- Upfront compliance

COMPENSATORY MITIGATION @ ODOT

Over 100 Legacy sites

1 Codified Conservation Bank

2 “Conservation sites”

6 Active Wetlands Banks (single user)

5 Active Permittee Responsible Wetlands Sites

2 Advanced Mitigation Sites





STREAM MITIGATION @ ODOT

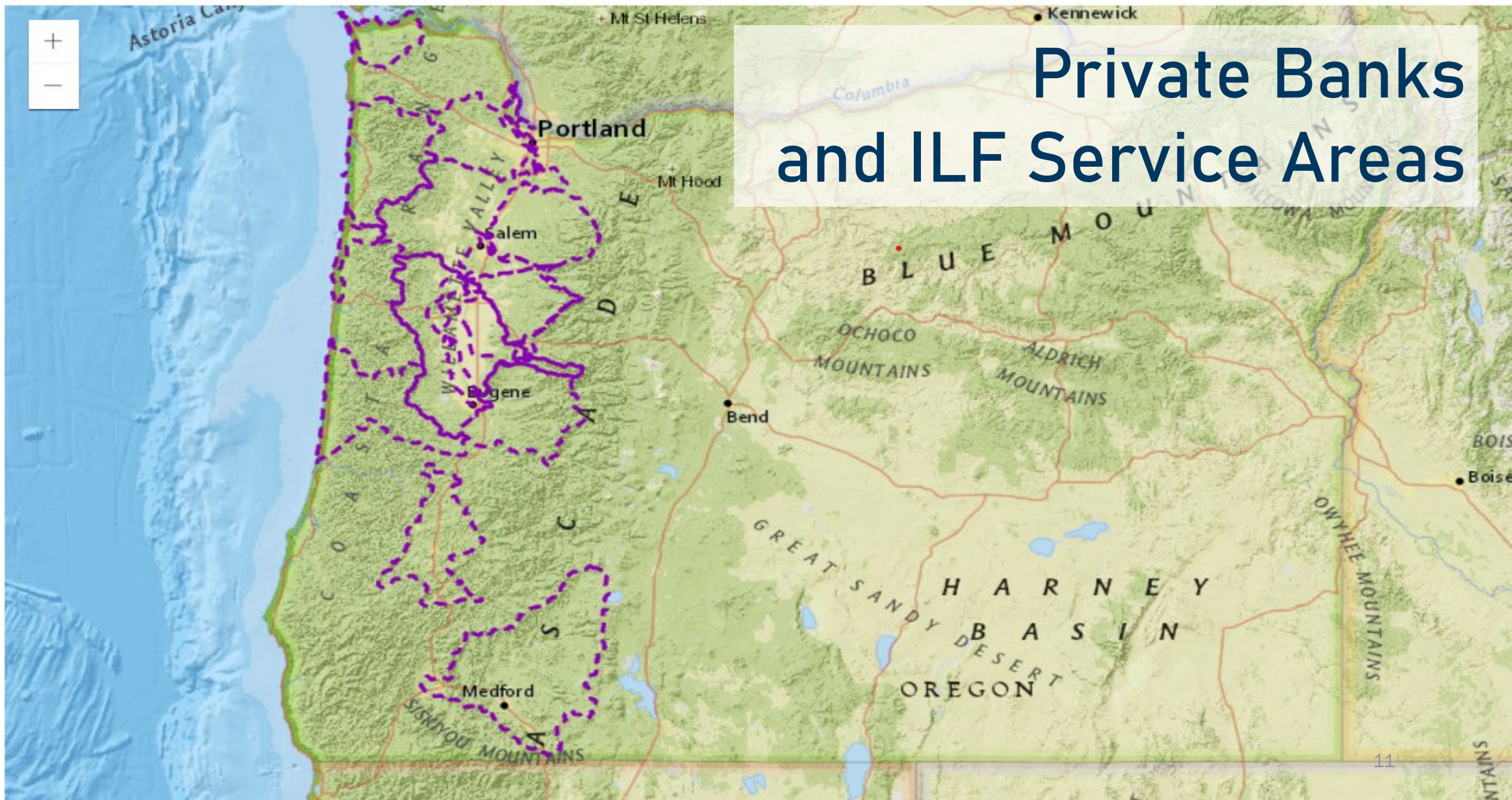
7 Active Permittee Responsible Sites

Programmatic Permit Conditions =
“Self Mitigating”

Culvert Repair Agreement for Fish Passage



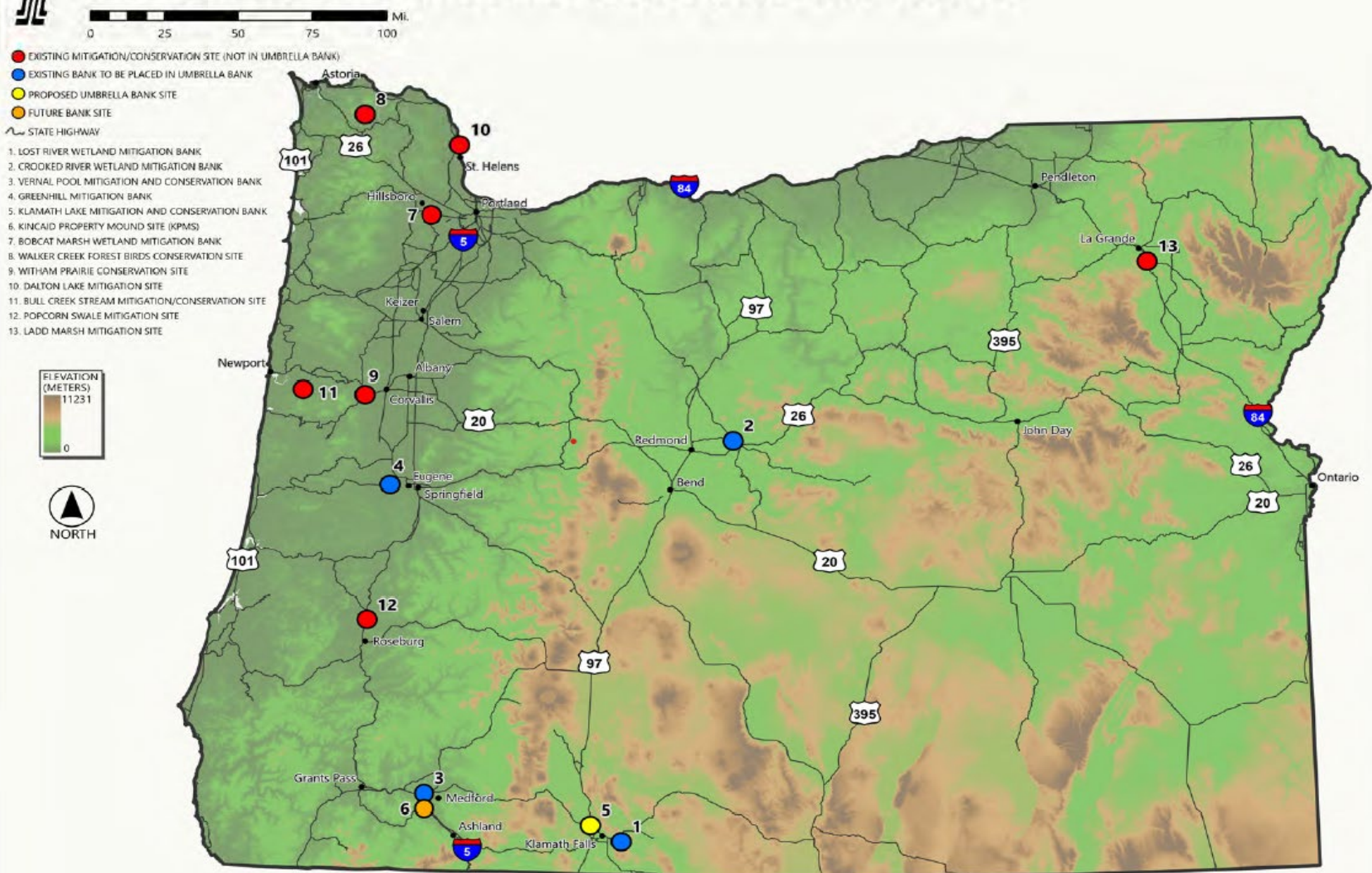
Mitigation Banks Map



Private Banks
and ILF Service Areas

Notable ODOT Sites

FIGURE 1: NOTABLE ODOT MITIGATION/CONSERVATION SITES



An aerial photograph of Upper Klamath Lake and its surrounding landscape. The lake is a deep blue, occupying the left and center of the frame. In the foreground, there are green, marshy islands and peninsulas with small pools of water. The middle ground shows a dense forest of evergreen trees covering the hillsides. In the background, more mountains are visible under a bright blue sky with wispy white clouds. The overall scene is a beautiful natural landscape.

Upper Klamath Lake

Bobcat Marsh, Jackson Bottoms



Greenhill Wet Prairie





Witham Prairie





Dalton Lake

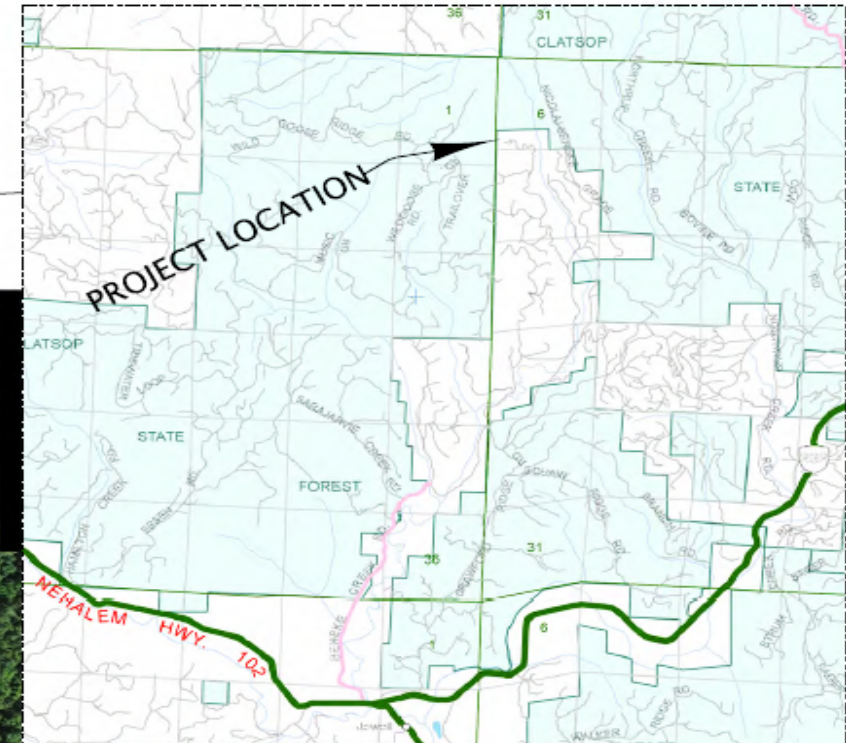
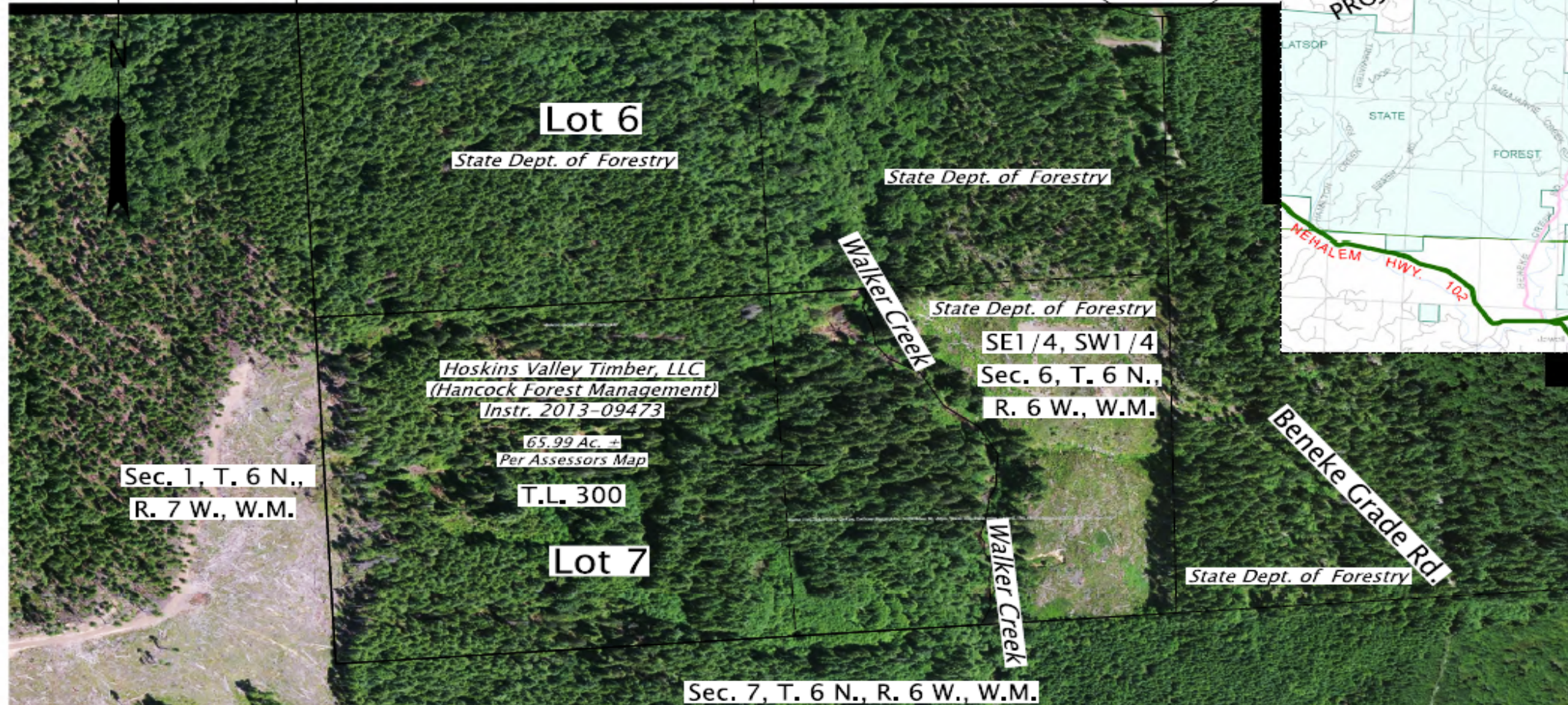


SEC. 6, T. 6 N., R. 6 W., W.M.

DRAWING 1R-4-0000

Walker Creek, Forest Birds

6



**PRELIMINARY
DRAWING**
THE R/W NECESSARY TO SUPPORT
THE PROJECT DESIGN HAS NOT BEEN
FULLY DETERMINED
SUBJECT TO CHANGE



OREGON DEPARTMENT OF TRANSPORTATION



**RIGHT OF WAY
DRAWING**

SECTION	WALKER CREEK PARCEL CONSERVATION BANK	CAD FILE NAME	S_9237_WALKER_CREEK_rw_WRK.dgn
HIGHWAY	N/A	SCALE	1" = 400'
COUNTY	CLATSOP	DATE	JANUARY, 2017
PURPOSE	CONSERVATION BANK	PROJ. NO.	9237

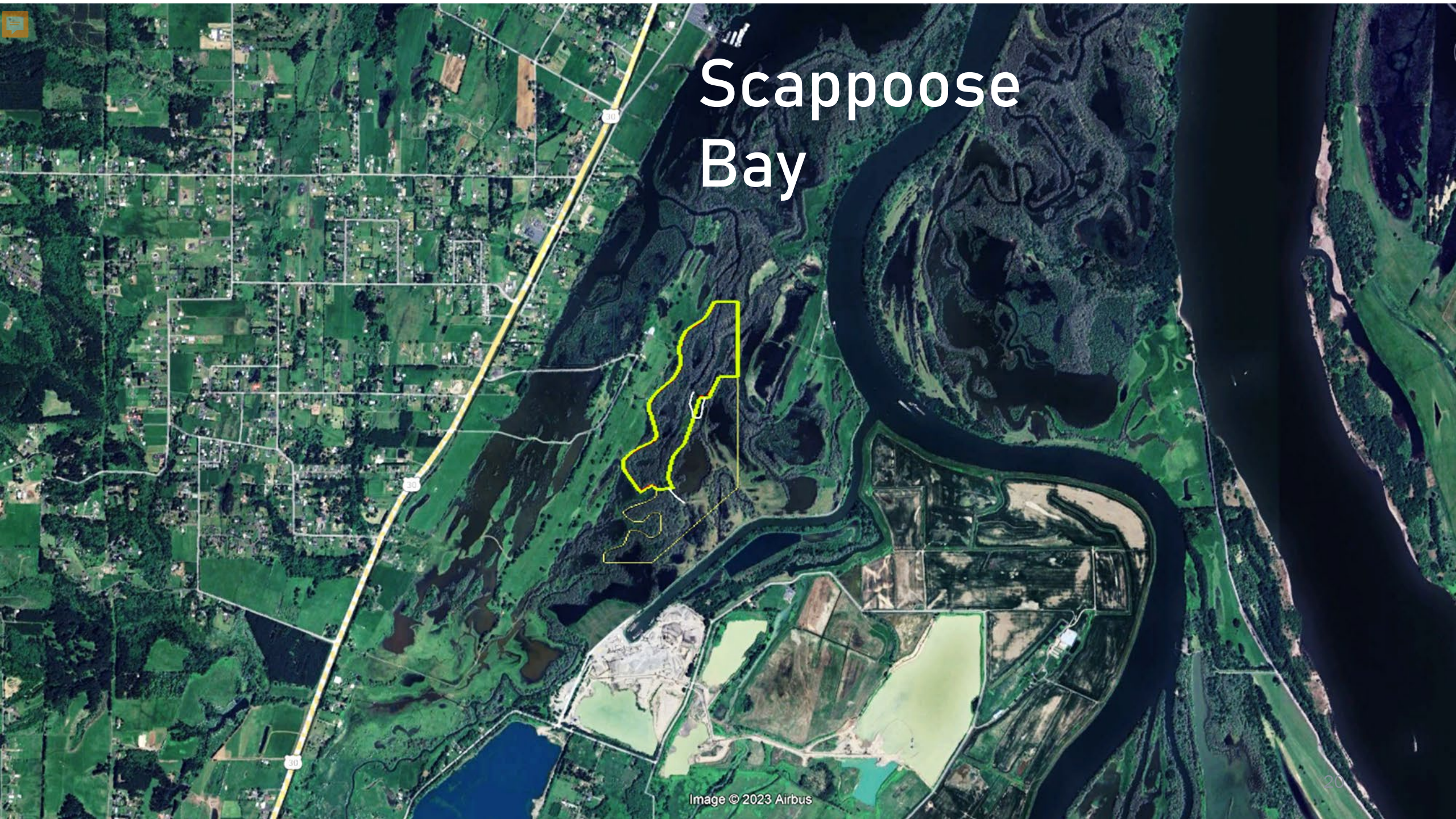
REVISION HISTORY		
DATE	NAME	DESCRIPTION
MM/DD/YYYY	PLACE NAME HERE	PLACE DESCRIPTION OF REVISION HERE
		18

Project Site Location

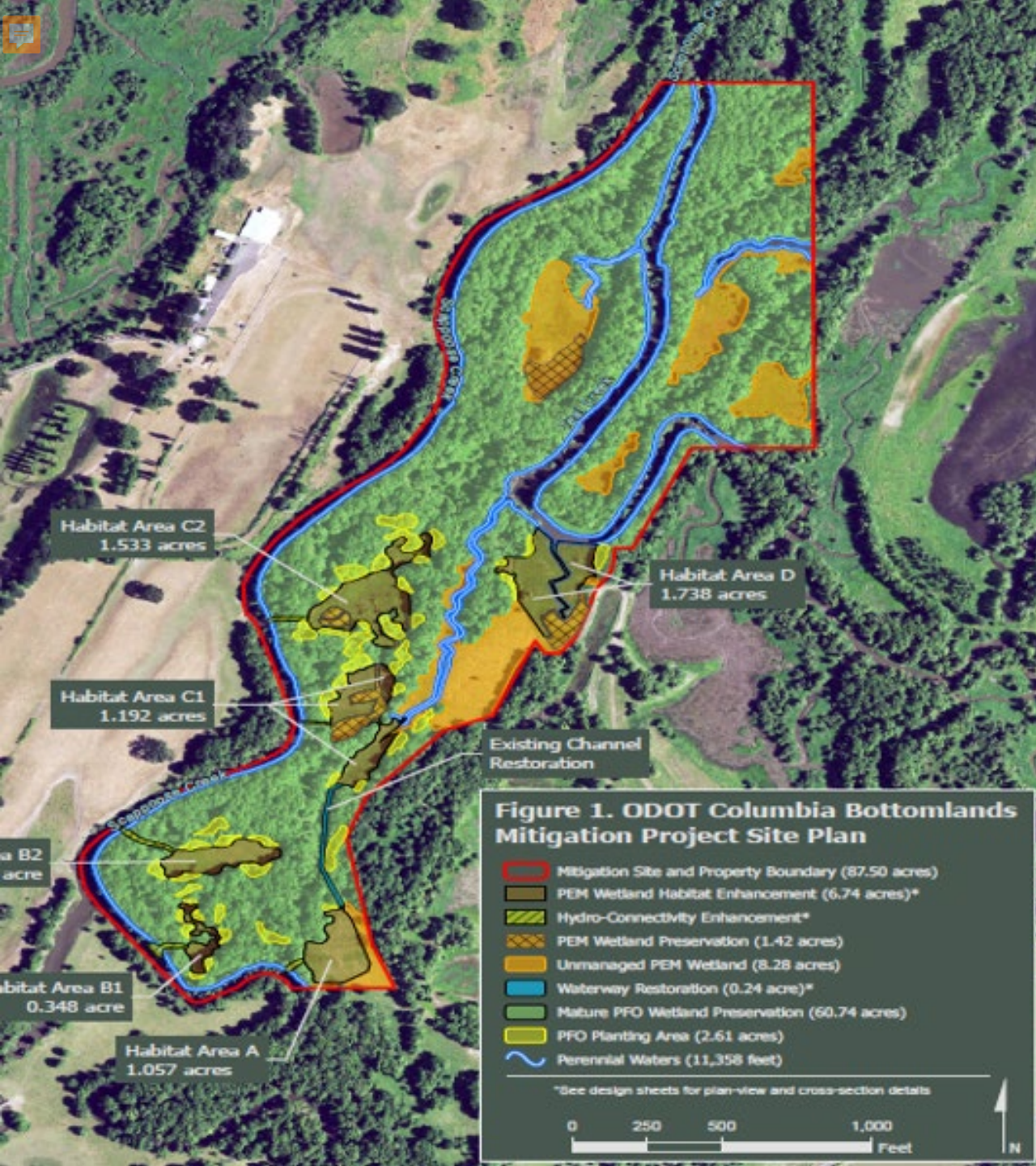
- The 88-acre site is in Columbia County, near Scappoose.
- Accessed by Hogan Ranch Road.
- The site is composed of PEM wetland (16.76 ac.), mature PFO wetland (60.73 ac.), and approximately 10 acres of low gradient tidal channels.
- Scappoose Creek forms the western boundary of the site.
- Teal Creek flows through the northern part of the site with Scappoose Bay ~1 RM north/downstream.



Scappoose Bay



Mitigation Project Site Plan





Questions?

Brad Livingston

Statewide Wetlands Program Lead

(541-515-3641)

Bradley.f.livingston@odot.Oregon.gov

