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**TOWN of GREENBURGH**  
**DEPARTMENT OF COMMUNITY**  
**DEVELOPMENT AND CONSERVATION**  
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## **Minor Project Wetlands and Watercourse** **Application Package**

It is the intent of the Town of Greenburgh to control, protect, preserve, conserve and regulate wetlands, watercourses and adjacent (buffer) areas within the Town so as to not hinder the benefits set forth in the legislative findings of Chapter 280. Activities in and around wetlands, watercourses and their buffer areas must conform with all applicable building codes, sediment control regulations, and other regulations, so that such activities do not threaten public safety, the natural environment, or cause nuisances by:

- A. Impeding flood flows, reducing flood storage areas or destroying storm barriers, thereby resulting in increased flood heights, frequencies, or velocities on other lands;
- B. Increasing water pollution through location of domestic waste disposal systems in wet soils; inappropriate siting of stormwater control facilities; unauthorized application of fertilizers; pesticides; herbicides and algacides; disposal of solid wastes at inappropriate sites; creation of unstabilized fills; or the destruction of wetland soils and vegetation serving pollution and sediment control functions;
- C. Increasing erosion;
- D. Decreasing breeding, nesting, and feeding areas for many species of waterfowl and shorebirds, including those rare and endangered;
- E. Interfering with the exchange of nutrients needed by fish and other forms of wildlife;
- F. Decreasing habitat for fish and other forms of wildlife;
- G. Adversely altering the recharge or discharge functions of wetlands, thereby impacting ground water or surface water supplies;
- H. Significantly altering the wetland hydroperiod and thereby causing either short- or long-term changes in vegetational composition, soils characteristics, nutrient recycling, or water chemistry;
- I. Destroying sites needed for education and scientific research, such as outdoor biophysical laboratories, living classrooms, and training areas;
- J. Interfering with public rights in navigable waters and the recreation opportunities provided by wetlands for fishing, boating, hiking, bird watching, photography, camping, and other passive uses; or
- K. Destroying or damaging aesthetic and property values, including significant public vistas.

### **Application Contents:**

1. Instruction to Applicants
2. Fee schedule
3. Wetland/Watercourse Application Permit Requirements
4. Affidavit of Ownership
5. Wetland/Watercourse Permit Application Form
6. Full Environmental Assessment Form
7. Project Site Plan Requirements and Checklist

## **I. Instructions for applying for a permit for development in a wetlands, watercourse or adjacent buffer area**

### Preliminary Submission Requirements

All applications for any permit issued by the Building Department, Department of Public Works, Antenna Review Board, Town Board, Planning Board, or Zoning Board of Appeals of the Town of Greenburgh must be accompanied by an authorized wetland/watercourse clearance form. An applicant must provide sufficient information to enable the Wetland Inspector or other authorized representative to properly determine if the proposed activity is an allowable activity, as defined herein, or use that does not also require an activity permit; is a prohibited activity; or is a regulated activity or use which requires an activity permit as issued by the Planning Board in accordance with the standards and procedures set forth herewith.

Upon submission of a completed clearance form by an applicant, the Wetland Inspector or other authorized representative must determine one of the following, provided the proposed activity is not prohibited pursuant to this chapter:

- (1) That the proposed activity or use is an allowable activity or use pursuant to this chapter, and no wetland/watercourse permit is required. The Wetland Inspector shall sign and issue a wetlands/watercourse clearance form indicating same.
- (2) That the proposed activity or use does not impact or occur within a wetland/watercourse or adjacent (buffer) area, and no wetland/watercourse permit is required. The Wetland Inspector shall sign and issue a wetlands/watercourse clearance form indicating same.
- (3) That a wetland/watercourse permit is required in accordance with the standards and procedures set forth in Chapter 280.

The Wetland Inspector or other authorized representative may require an applicant to provide additional information, including but not limited to a qualified wetland delineation, report and survey, to assist in making such a determination; and may further defer the making of said determination to the Planning Board.

### Minor Project Submission Requirements

Where an applicant proposes a minor project that is not referred to the Planning Board by the Town's Wetland Inspector, application submission requirements as set forth in Chapter 280, Subsection C may be waived in part, at the discretion of the Town Wetlands Inspector and with the approval of the Planning Board, if all of the following conditions are met:

- (a) Request for utilization of this process shall be in writing and clearly state the reasons in support of such request, in order to allow the Wetlands Inspector to determine that the granting of any such request is no less protective of wetlands, watercourses and adjacent (buffer) areas.
- (b) The proposed activity, taken as a whole, must constitute a Type II action pursuant to SEQRA.
- (c) The Town Wetland Inspector must report to the Planning Board on each minor application received and give the basis for the proposed determination.

### Fees

All required fees and escrow for review as set forth in Section III.

**The Planning Board may terminate this expedited permit process at any time and require the full processing of the application at its discretion.**

## **II. Wetland/Watercourse Application Permit Requirements**

1. A list of the names and addresses of property owners, along with tax map identification addresses, of properties within 500 feet of the boundaries of the property that is the subject of this application. The list must include the names and addresses of the owners of record of lands adjacent to the wetland or watercourse and wetland/watercourse buffer in which the project is to be undertaken which relate to any land within 500 feet of the boundary of the property on which the proposed regulated activity would be located.
2. Rejected Wetlands/Watercourse Clearance Form
3. Wetland/Watercourse Permit Application Form
4. Project Site Plan including;
  - a. Project location map, showing the subject property as a parcel centered within adjacent parcels within 500 feet, surrounding zoning, named streets and water-related resources; and having a scale of no less than one inch equals 400 feet.
  - b. Existing conditions map, including information as specified under §280 (C). (Please refer to Site Plan Requirements and Checklist).
  - c. Complete plans and estimates for the proposed site improvements, certified by an engineer, land surveyor, architect, or landscape architect licensed in the State of New York, drawn to a scale no less detailed than one inch equals 50 feet.
  - d. Details of erosion and sediment control practices.
  - e. Proposed mitigation plans.
5. A complete and accurate long-form environmental assessment form (EAF) in accordance with the procedures of the State Environmental Quality Review Act.
6. All required fees and escrow for review as set forth in Section III.
7. The approval authority may require additional information as needed such as the study of flood, erosion, or other hazards at the site and the effect of any protective measures that might be taken to reduce such hazards, and other information deemed necessary to evaluate the proposed use in terms of the goals and standards of this chapter.

All applications for a wetland/watercourse permit shall be referred to the Town of Greenburgh Conservation Advisory Council (CAC) for review and recommendations, and the CAC shall have 60 days from the date of receipt to make its recommendation to the approval authority. Failure to render a recommendation within the specified time period will be interpreted as no objection to the application.

The Planning Board shall hold a public hearing on the application at such time as it deems appropriate, in order to give the public at least 15 days' notice thereof. The applicant shall also give at least 15 days' notice by certified mail to each of the owners of property within a five-hundred-foot radius from the boundary of the property, and such notice shall include the notice required for any other required public hearing in connection with the application, if practicable. Insofar as practicable, any public hearing on the application may be integrated with any public hearing required or otherwise held pursuant to any other law, including the State Environmental Quality Review Act. Any hearing will be held by the Planning Board. At the hearing, the applicant shall bear the burden of proof and have the burden of demonstrating that the proposed activity will be in accord with the goals and policies of this chapter and the standards set forth below.

### III. Wetland/Watercourse Application Permit Requirements

#### TOWN OF GREENBURGH WETLAND/WATERCOURSE PERMIT FEE SCHEDULE

This form is to be included in the Application Package

| Minor Wetland/Watercourse Permit  | Fee  |       | Totals         |
|---|--|-------|----------------|
| Minor Project Application   | \$100  |       | \$100          |
| Escrow Review (separate check)  | \$400  |       | \$400          |
| Public Hearing Notice (Escrow) (separate check)   | \$200  |       | \$200          |
| Public Hearing Transcript (Escrow) (separate check)   | \$200  |       | \$200          |
| Construction Inspection Fee   | 0.5% of the estimated project's total site improvement costs, exclusive of the construction costs of all buildings |       |                |
| <b>Subtotal</b>   |  |       |                |
| Planning Board Wetland/Watercourse Permit   |  |       |                |
| Planning Board Permit Application   | \$500  |       | \$500          |
| Escrow Review (separate check)  | \$1000   |       | \$1000         |
| Public Hearing Notice (Escrow) (separate check)   | \$200  |       | \$200          |
| Public Hearing Transcript (Escrow) (separate check)   | \$200  |       | \$200          |
|   | 0.5% of the estimated project's total site improvement costs, exclusive of the construction costs of all buildings |       |                |
| <b>Subtotal</b>   |  |       |                |
| <p><b>Please include a separate check for each subtotaled portion of the application.</b><br/> <b>All fees must be made payable to the "Town of Greenburgh"</b></p> |  |       |                |
| Town of Greenburgh, Department of Community Development and Conservation – File Use   |  |       |                |
|   | Date Received  | Total | Staff initials |
| Minor Wetland/Watercourse Permit  |  |       |                |
| Escrow Review   |  |       |                |
| Construction Inspection Fee   |  |       |                |
| Minor Wetland/Watercourse Permit  |  |       |                |
| Escrow Review   |  |       |                |
| Construction Inspection Fee   |  |       |                |

**AFFIDAVIT OF OWNERSHIP**

State of New York )ss.  
County of Westchester)

\_\_\_\_\_ being duly sworn, deposes and says that (s)he resides at  
\_\_\_\_\_ in the Town of \_\_\_\_\_ in the County  
of \_\_\_\_\_ in the State of \_\_\_\_\_ that (s)he is the  
owner in fee of all that piece or parcel of land situated and lying in the Town of Greenburgh  
aforesaid and known and designated Parcel ID: \_\_\_\_\_ and that  
(s)he hereby authorizes \_\_\_\_\_ to make  
application in his/her (its) behalf and that the statement of facts contained in said application is true.

\*\*\*\*\*

\_\_\_\_\_  
Signature of Owner

Sworn to me before this \_\_\_\_\_  
Day of \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
Notary Public

TOWN OF GREENBURGH  
DISCLOSURE FORM TO ACCOMPANY CERTAIN APPLICATIONS\*

1. This form relates to property located within the Town of Greenburgh. The street address of the property which is the subject of this application is:

\_\_\_\_\_

Name of Applicant: \_\_\_\_\_

Address of Applicant: \_\_\_\_\_

Date(s) of Application(s): \_\_\_\_\_

Type(s) of Application(s): \_\_\_\_\_

Project Name: \_\_\_\_\_

2. Name and address of Owner(s) if different from Applicant: \_\_\_\_\_

\_\_\_\_\_

3. Do any officers or employees of the State of New York, County of Westchester, Town of Greenburgh and/or Town of Greenburgh Agency have an interest\*\* in the applicant or owner of the property? \_\_\_\_\_

If the answer is "yes", please identify the person(s) by name, residence and the nature of extend of such interest.

\_\_\_\_\_

\_\_\_\_\_

4. If the application is for a project involving site plan approval of five acres or more and/or for a change of zoning, and either or both the applicant or the owner, if different from the applicant, is not an individual or individuals, list the owners and officers of the corporation, limited liability corporation, partnership or other legal entity.

Name of Applicant Legal Entity: \_\_\_\_\_

Name(s) and Addresses of Applicant Owners\*\*\* and Officers:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\*Every application, petition, or request submitted for a variance, amendment, change of zoning, site plan approval, approval of plat, exemption from a plat or official map, license, special permit or permit pursuant to the provisions of any ordinances, local law or rule constituting the zoning and planning of the Town of Greenburgh.

\*\*For the purpose of this paragraph, an officer or employee shall be deemed to have an interest in an applicant when s/he, his or her spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of any of them (a) is the applicant or (b) is an officer, director, partner of the applicant, or (c) legally or beneficially owns or controls stock of a corporate applicant or is a member of a partnership or association applicant, or (d) is a party to an agreement with such applicant, express or implied, whereby he or she may receive payment or other benefit whether or not for services rendered, dependent or contingent upon the favorable approval of such application, petition or request.

\*\*\*With respect to any corporation traded on the New York, American or other stock exchange, any person who is the owner of more than 5% of the outstanding shares of stock or any class of such a corporation, and with respect to other than a publically traded corporation, a limited liability company or other legal entity, any person who is an owner of more than 2% of the equity of such legal entity.

Name of Applicant: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



**C) What is the environmental impact assessment and description of the wetland, watercourse, and/or adjacent (buffer) area proposed to be disturbed or altered? (If more room is needed please submit on a separate sheet)**

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**D) What is the intended purpose of the proposed activity or use and the applicant's interest in the subject property and area to be affected? (If more room is needed please submit on a separate sheet)**

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**E) What is the intended purpose and extent of impact or alteration on the affected wetland, watercourse, and/or adjacent (buffer) area? (If more room is needed please submit on a separate sheet)**

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**F) Please explain why the proposed regulated activity cannot be located at another site or location with no or less impact upon the wetland, watercourse, and/or adjacent (buffer) area? (If more room is needed please submit on a separate sheet)**

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G) Please explain as to whether or not the proposed activity is dependent on the affected wetland, watercourse, and/or adjacent (buffer) area? (If more room is needed please submit on a separate sheet)

H) What other alternatives to the proposed activity were considered, and why was the proposal to disturb or alter the affected wetland, watercourse and/or adjacent (buffer) area chosen instead? (If more room is needed please submit on a separate sheet)

I) Please describe the mitigation measures proposed to avoid or reduce impact on the affected wetland, watercourse, and/or adjacent (buffer) area? Please include details concerning soil erosion measures and specify how the plans address the rectification by repairing or restoring existing damaged wetlands, watercourses or adjacent (buffer) areas, including enhancement thereto. (If more room is needed please submit on a separate sheet)

### 5) Site Characteristics:

1) Is there an existing structure located on the site: Yes  No

2) Proposed Starting Date: \_\_\_\_\_ Proposed Completion Date: \_\_\_\_\_

3) Size of Activity (disturbance) Area: \_\_\_\_\_ Total Value of Work: \_\_\_\_\_  
(as provided for on site plan)

4) Estimated Quantity of Excavation/Fill: Excavation: \_\_\_\_\_ yards<sup>3</sup> Imported Fill: \_\_\_\_\_ yards<sup>3</sup>

5) What are the predominant soil types on the property? \_\_\_\_\_

6) Approximately what percentage of the property is:  
Well Drained \_\_\_\_\_ % of property  
Moderately Drained \_\_\_\_\_ % of property  
Poorly Drained \_\_\_\_\_ % of property

7) What is the approximate depth to groundwater? \_\_\_\_\_ feet

8) Are there any trees 6-inches or greater in diameter proposed for removal as part of this work? Yes  No

a) If yes, how many? \_\_\_\_\_

9) Does the property contain any species of plant or animal life listed as rare, threatened, or endangered by New York State, the New York State Natural Heritage Program or the United States of America? Yes  No

a) If yes, please identify each species and its status as classified by New York State, the New York State Natural Heritage Program or the United States.

10) Has the property ever been used for the disposal of solid waste or hazardous waste? Yes  No

**6) Project Information:**

1) Is work proposed in a (*Check all that apply*): Wetland  Watercourse  Adjacent Buffer Area  N/A

2) Total area of Wetland, Watercourse, and Adjacent Buffer Area on the property: \_\_\_\_\_sq.ft.

3) Total area of disturbance proposed in Wetland, Watercourse and Adjacent Buffer Area on the property: \_\_\_\_\_sq.ft.

4) Functions provided by Wetland or Watercourse: \_\_\_\_\_

5) Name and phone number of expert delineating Wetland or Watercourse: \_\_\_\_\_

6) Plans Prepared by: \_\_\_\_\_ License # \_\_\_\_\_ Dated: \_\_\_\_\_ Revised: \_\_\_\_\_

**7. Authorizations and Certifications:**

- A. I/we hereby indemnify and hold the Town or its representatives harmless against any damage or injury and that the owner and applicant consent to the approval authority's (including its agents or employees) entry upon lands or waters for the purpose of undertaking any investigations, inspections, examination, survey, or other activity outlined in Chapter 280 of the Town Code of Greenburgh.
- B. I/we further certify that I/we am/are aware that it is a violation of law to obtain a wetlands permit or ruling through deception or through inaccurate or misleading information.
- C. I/we hereby certify that I/we am/are familiar with the information included in this application and the requirements for a permit under §280 "Wetlands and Watercourses Law" and am/are aware that the law provides that any person who commits, takes part in, or assists in any violation of any provision of §280, be punishable by a fine of not less than \$1,000. For each subsequent offense, such person shall be punishable by a fine of not less than \$2,000, nor more than \$15,000, and/or a term of imprisonment of not more than 15 days.
- D. I/we hereby certify that I/we am/are familiar with the permit fees and construction inspection fees for permits obtained from the Town of Greenburgh.

\_\_\_\_\_  
**Signature of Applicant**

\_\_\_\_\_  
**Print Applicant's Name**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Signature of Owner**

\_\_\_\_\_  
**Print Owner's Name**

\_\_\_\_\_  
**Date**

**Chapter 280, WETLANDS AND WATERCOURSES**

**§ 280-6. Authorized clearance form required**

A. All applications for any permit issued by the Building Department, Department of Public Works, Antenna Review Board, Town Board, Planning Board, or Zoning Board of Appeals of the Town of Greenburgh must be accompanied by an authorized wetland/watercourse clearance form. An applicant must provide sufficient information to enable the Wetland Inspector or other authorized representative to properly determine if the proposed activity is an allowable activity, as defined herein, or use that does not also require an activity permit; is a prohibited activity; or is a regulated activity or use which requires an activity permit as issued by the Planning Board in accordance with the standards and procedures set forth herewith. No permits, certificates of occupancy, or temporary certificates of occupancy may be issued without prior approval of the Planning Board for any project involving a wetland/watercourse permit.

This space is for Town use

**TOWN OF GREENBURGH ENGINEERING NOTES**  
**FOR SITE PLANS**

NOTES TO BE PUT ON CONSTRUCTION DRAWINGS:

1. All work and materials to conform to Town of Greenburgh specifications.
2. Upon request, the Town Water Department shall locate existing water mains and services but shall not guarantee locations.
3. Provide designed retaining walls on all slopes exceeding (1) foot vertical on two (2) feet horizontal.
4. Underground electric shall be encased in rigid casing for a minimum of six feet (2-4-2) across all water mains.
5. The builder shall furnish and install 6" perforated pipe encased in crushed stone in back of curb wherever directed by the Engineer.
6. The Town Highway Department shall regulate and order what obstructions must be removed by builder for sight distance.
7. The Applicant /Contractor shall be required to comply with all rule and regulations of the Town of Greenburgh Consolidated Water District No. 1.
8. The contractor shall be required to backfill utility trenches in the public right of way with 50 psi controlled density backfill (k-crete).
9. The Applicant/contractor shall be responsible for the proper removal/disposal of existing subsurface structure (i.e. oil tanks, septic fields, fields, etc.), their contents and any remedial measures that may be required.
10. It shall be the responsibility of the Applicant/Contractor to call in Code 53. No work shall commence until a Code 53 field mark out has been performed.

GRADING PLANS:

1. Existing and proposed contours must be shown with spot elevations.
2. All lots must have positive drainage.
3. Provide drain inlets, if low spots cannot be eliminated by positive drainage.
4. Driveways must be shown on grading plans with turnarounds and proper offsets from property line.
5. House leaders must tie into an approved stormwater drainage system.

NOTES TO BE PUT ON GRADING PLANS:

1. Provide retaining walls on all slopes exceeding (1) foot vertical on two (2) feet horizontal.
2. Owner must guarantee positive drainage on all lots.
3. Swales may be required along all property lines to minimize rain run-off.
4. All driveways sloping down to garage or house shall have a drain inlet with pipe connected to an approved stormwater drainage system.
5. All driveways sloping down shall rise 6" the first 5' and then slope down. (Label the driveway slope on the plan.)

NOTES TO BE PUT ON EROSION CONTROL PLANS:

1. The applicant shall be required to clean roadways and existing downstream drainage utilities from all siltation and construction debris as required, and upon completion of the work.
2. All plans should fully incorporate the appropriate recommendations from New York State Department of Environmental Conservation's Standards and Specifications for Erosion and Sediment Control dated August 2005, or the most current version or its successor. The plan and its implementation shall be subject to the approval of the Town Engineer.
3. All storm water control measures for this project are to be consistent with the New York State's Stormwater Design Manual Dated August 2004, or the most current version or its successor.
4. Plans shall note, "*The measures for the control of erosion and sedimentation are undertaken consistent with the New York State's Stormwater Design Manual, dated August 2004, or the most current version or its successor, satisfactory to the Town.*"

## **Project Site Plan and Mitigation Plan Requirements Checklist**

**A.** Project location map, showing the subject property as a parcel centered within adjacent parcels within 500 feet, surrounding zoning, named streets and water-related resources; and having a scale of no less than one inch equals 400 feet. ( this should be included as part of the title page for the site plan)

**B.** An existing conditions and proposed construction and disturbance plan, with sufficient detail to allow review of the project. The plan should be at a scale to be able to determine where the wetland, watercourse and adjacent buffer area is located and its size, boundaries and topographic features certified by an engineer, land surveyor, architect, or landscape architect licensed in the State of New York, drawn to a scale no less detailed than one inch equals 50 feet, and including:

|     |   |
|-----|---|
| ... | (1) Location of existing buildings, structures, walls, fences, areas of one-hundred-year floodplain, vegetative cover, including dominant species, and all trees with a dbh of four inches or greater;  |
| ... | (2) Location of wetland or watercourse and corresponding 100 foot wetland/watercourse buffer area;  |
| ... | (3) Location of the construction area or area proposed to be disturbed, and its relation to property lines, roads, buildings, structures, walls, fences, areas within 100 yards of floodplain, and trees with a dbh of four inches or greater and watercourses within 250 feet of the proposed activity;  |
| ... | (4) The exact locations and specifications for all proposed draining, filling, grading, dredging, and vegetation removal, including the amount computed from cross-sections, estimated quantities and the nature of material to be deposited or removed, and the procedures to be used;   |
| ... | (5) Location of any septic systems or well(s), and depth(s) thereof, and any disposal system within 100 feet of area(s) to be disturbed;  |
| ... | (6) Existing and proposed contours at two-foot intervals in all proposed disturbed areas and to a distance of 100 feet beyond; at the discretion of the approval authority, the existing elevations of the site and adjacent lands within 200 feet of the site at contour intervals of no greater than five feet;   |
| ... | (7) Details of any drainage, diversion, detention or retention system proposed both for the conduct of work, and after completion thereof, including locations at any point discharges, artificial inlets, or other human-made conveyances which would discharge into the wetland or wetland buffer, and measures proposed to control erosion both during and after the work; |
| ... | (8) Erosion and sedimentation control plan, including installation details of proposed control measures, directive construction notations and a schedule for the installation and maintenance of proposed control measures;   |
| ... | (9) Construction schedule   |
| ... | (10) A box area for dated approval signature by the Town Engineer, Secretary to the Planning Board and Wetland Inspector.   |

| <b>Mitigation Plan</b>  |   |
|---|---|
| <b>All mitigation plans shall be based on the following order of preference:</b>  |   |
| <ul style="list-style-type: none"> <li>(1) Minimization of impacts and disturbance to wetlands, watercourses and adjacent (buffer) areas, in that order.</li> <li>(2) Preservation of remaining wetlands, watercourses and adjacent (buffer) areas through the dedication and establishment of perpetual conservation easements, development restriction areas, or equivalent.</li> <li>(3) Rectification by repairing or restoring existing damaged wetlands, watercourses or adjacent (buffer) areas, including enhancement thereto.</li> </ul> |   |
| <b>(1) For disturbance in a wetland/watercourse or buffer:</b>  |   |
| ...   | a. Implementation of preventative practices to protect the natural condition and functions of the wetland, watercourse; and/or  |
| ...   | b. Restoration or enhancement (e.g., improving the density and diversity of native woody plant species) of remaining or other upland buffer to offset the impacts to the original buffer.   |
| ...   | c. Plantings: source of stock, procedures for transplanting/seeding the stock, area(s) to be planted, and planting schedule. If vegetation from the wild is to be used, identify the source and measures to prevent introduction of undesirable exotics.  |
| <b>(2) For disturbance in a wetland:</b>  |   |
| ...   | a. Restoration of areas of significantly disturbed or degraded wetlands at a ratio of at least 1.5 (restored wetland) to 1.0 (impacted wetland) by reclaiming significantly disturbed or degraded wetland to bring back one or more of the functions that have been partially or completely lost by such actions as draining or filling, provided the area of proposed mitigation occurs in a confirmed disturbed or degraded wetland having significantly lesser functional values as a result of disturbance or degradation; and/or |
| ...   | b. The in-kind replacement of impacted wetland by the construction of new wetland, usually by flooding or excavating lands that were not previously occupied by a wetland, that recreates as nearly as possible the original wetland in terms of type, functions, geographic location and setting, and that is larger than, by a ratio of at least 1.5 to 1.0, the original wetland.  |
| ...   | c. Plantings: source of stock, procedures for transplanting/seeding the stock, area(s) to be planted, and planting schedule. If vegetation from the wild is to be used, identify the source and measures to prevent introduction of undesirable exotics.  |
| ...   | d. Plans for monitoring site during and after construction, including methods and schedule for data collection and provisions for mid-course corrections  |