



Just the Facts—Choosing and Using a Wetlands Consultant

When Do You Need a Wetlands Consultant?

If you are a realtor with undeveloped land on the market, a developer, a public works director developing a stormwater management plan, or someone who for any reason might need a wetland permit, chances are you will need the specialized expertise of a wetlands consultant. Wetlands staff at the Division of State Lands (DSL) can help landowners, developers and local governments determine whether or not there may be wetlands on a parcel and what permit requirements might apply. In addition, a qualified wetlands consultant can provide a number of helpful or essential services.

Typical Services a Consultant Can Provide

- Conduct a preliminary site reconnaissance to determine if wetlands are present, their approximate extent, and whether a full wetland delineation is needed
- Conduct a wetland boundary delineation to identify and accurately map areas subject to wetland permit requirements

- Prepare or contribute to site development designs that integrate development goals with wetland and stream protection
- Advise you on state and federal wetland permit requirements and options
- Handle all technical aspects of a permit application, including the alternatives analysis and compensatory mitigation plan
- Implement the mitigation plan, including instructing and monitoring heavy equipment operators, planting, annual monitoring, and preparing monitoring reports for DSL and the Corps of Engineers

General Qualifications

A wetlands consultant should have:

- An educational background in science, ecology and wetland-specific training, including a wetland delineation course
- A thorough knowledge of local, state and federal permit requirements and processes

Continued on back

Wetland Delineation Approval Process

A wetland delineation report and map is often the first step in planning a development project on a site that contains wetlands. Although the report may be submitted to DSL at the same time as a removal-fill permit application, we strongly recommend that the wetland delineation be conducted and submitted to DSL well in advance of detailed project planning. Until the wetlands are located and their boundaries mapped, appropriate measures to avoid and minimize impacts as required by state and federal law cannot be taken. If considerable expense has already been incurred for site planning and local government approvals have been obtained, agency requirements to further reduce wetland impacts can cause substantial additional cost and delay. Note: the Corps of Engineers will generally review a delineation report only when it is submitted along with a permit application; they may rely upon DSL's delineation concurrence but are not bound to do so.

When a wetland delineation report is submitted to DSL for approval, it is reviewed by staff for technical accuracy. If the report meets applicable standards and provides sufficient information for DSL to make a determination of which areas (if any) meet wetland criteria and are subject to permit requirements, the staff member approves the report. DSL staff may request additional or clarifying information and/or conduct an onsite inspection. Because delineating wetland boundaries requires data interpretation and professional judgment, many reports—even from experienced consultants—are revised prior to acceptance by DSL. **Do not count on the accuracy of a wetland delineation until you get a concurrence letter from DSL!**

- An understanding of development standards and options
- The ability to help develop workable solutions for challenging sites
- Good communication skills and professional ethics
- Good working relationships with permit agency staff

Selecting a Consultant

A good, experienced consultant can facilitate the wetland permit process with minimal delays. In contrast, an inexperienced or less-than-competent consultant who submits unclear or inaccurate information, or provides their client with misinformation about regulatory requirements, can cause frustration and waste time and money for their client and agency staff. There are many ways to locate a wetlands consultant, including:

- **Word of mouth**—find out who does a consistently good job for others and has a good professional and ethical reputation.
- **DSL's Consultants List**—the list is maintained by DSL as a public service. Because there are no criteria for inclusion on the list, it is **not** a list of recommended firms.
In all cases, follow the recommendations below!
 - Contact at least three firms for a cost estimate
 - Ask for a resume or the firm's Statement of Qualifications
 - Ask about any professional certification the firm's individuals have (see box)
 - If it's a larger firm, ask about the specific person who will be doing the work for you
 - Ask about firm's experience with the specific services you want (i.e., wetland delineation; permit application; mitigation design and construction) or any specialized experience needed, such as agricultural wetland delineation
 - Talk to their references about the firm's performance with respect to work quality, staying within budget, innovation, meeting deadlines, communication throughout the project, and follow-through on agency or client requests and requirements

Working With Your Consultant and Permitting Agencies

Selecting the right consultant is the first step toward a successful project, but the subsequent working relationship is of equal importance. Ideally, this is a partnership,

Professional Certification

The Society of Wetland Scientists administers a professional certification program whereby individuals who meet specific educational and experience requirements may be certified as a Professional Wetland Scientist (PWS). The certification program does not guarantee that an individual is qualified to provide a specific service; for example, it is not a "wetland delineator" certification.

Likewise, certification does not guarantee the quality of work, but it does identify those individuals who have the necessary academic background and wetland-specific experience to provide good service. Wetlands specialists come from a variety of academic disciplines including botany, soil science, environmental studies, and wildlife management. Therefore, some may have additional professional certification, such as Professional Soil Scientist.

with all parties working in an efficient manner toward a good development project with minimal environmental impacts. Some tips and reminders:

- Good communication is essential. Depending on the scope of the project, an initial meeting may be needed to set the project off on the right track.
- Plan ahead! A wetland delineation typically takes several months from initiation to DSL approval, and permit applications typically take 90 days. Rush jobs can lead to errors, slowing rather than speeding the process.
- At the outset, give the consultant all pertinent information about the site and the project, including legal description, any previous studies, previous land uses, development objectives.
- The landowner or applicant is the legally responsible party for meeting permit requirements and conditions. Because the consultant is often the "intermediary" and the person who is communicating directly with agency staff, the consultant is responsible for keeping their client informed and getting the OK for major changes or commitments.
- If you experience unusual delays or problems that your consultant does not adequately explain, phone the agency staff person working on your project. It could be an agency problem, but sometimes agency staff have problems getting adequate information or products from the consultant.

