**Section 1090.10 Definitions**

The following terms will be used throughout this Part:

"Act" – The Interagency Wetland Policy Act of 1989 [20 ILCS 830].

"Agricultural Activity" – Includes, but is not limited to, normal farming, ranching, horticulture, silviculture, grazing, haying, production of tree fruits or nuts, raising of livestock, production of row crops, and other farming activities including but not limited to tillage, seeding, irrigation, spraying, cultivating, and harvesting for the production of food and fiber products.

"Compensation Ratios" – Relationship between the amount of compensation required as compared with the amount of adverse impact to a wetland.

"Best Technology Currently Available" – The term includes, but is not limited to, devices, systems, methods, techniques, construction practices, siting requirements, vegetative selection, planting requirements, scheduling of activities and design of structures that are currently available.

"Buffer Area" – A portion of the supportive upland or related essential environmental area adjacent to a wetland that serves as an integral component of the wetland ecosystem and helps to protect the wetland's functional values.

"Converted Wetland" – The alteration of wetland hydrology, plants or soil such that the area no longer meets the definition of a wetland.

"Department" – The Department of Natural Resources.

"Destruction" – An adverse wetland impact that does not meet the criteria to be defined as a programmatic action and that causes either:

The removal or loss of 2 or more acres of wetland vegetation; or

The alteration of preexisting hydrology or soils of more than 0.5 acres of a wetland for more than 12 months. This includes, but is not limited to, the placement of dredge or fill material into a wetland, the drainage of a wetland, filling in of a wetland through sedimentation, etc.

"Essential Habitat" – As defined in 17 Ill. Adm. Code 1075 - Consultation Procedures for Assessing Impacts of Agency Actions on Endangered and Threatened Species and Natural Areas, the physical and biological environment that is required to maintain viable populations of a listed species in order to ensure the survival and recovery of that species.

"Fisheries Management Activities" – Activities that preserve, restore, maintain, control or enhance aquatic resources. This includes biological, chemical, mechanical, or physical management of aquatic life and their habitats.

"Forestry Activity" – Planting, cultivating, thinning, harvesting, or any other silvicultural activity undertaken to use forest resources or to improve their quality or productivity. This does not include the clearing of trees to convert forest to another land use.

"Hydrologic Unit" – The drainage area of a river or stream as identified in Exhibit A.

"Level of Impact" – Refers to amount of adverse impact a project will have on a wetland and is expressed in terms of minimal alteration, significant alteration or wetland destruction.

"Listed Species" – Those species declared threatened or endangered by the Illinois Endangered Species Protection Board.

"Minimal alteration" – An adverse wetland impact that:

Meets the criteria to be defined as a programmatic action; or

Causes the removal or loss of 0.5 acre or less of wetland vegetation but that does not alter the preexisting hydrology of the wetland for a period of more than 12 months.

"Normal Circumstances" – Determined on the basis of an area's characteristics and use, at present and in the recent past. If an area is abandoned and over time regains wetland characteristics such that it meets the definition of wetland, then jurisdiction has been restored.

"Off the Site" – A wetland compensation area located within the same Hydrologic Unit boundary (as identified in Exhibit A), but more than one mile, from the site of the proposed project for which the wetland compensation is required.

"On the Site" – When a wetland compensation area is located within the same Hydrologic Unit boundary (as identified in Exhibit A) and within one mile of the site of the proposed project for which the wetland compensation is required.

"Out of the Drainage Basin" – When a wetland compensation area is located outside the Hydrologic Unit boundary (as identified in Exhibit A) which includes the site of the proposed project for which the wetland compensation is required.

"Performance Standards" – Predetermined goals for achieving and measuring the success of a wetland compensation project.

"Programmatic Actions" – Actions defined in an agency Action Plan that will result in the establishment of coordination procedures between the agency and Department that will reduce the amount of time, correspondence and documentation required to fulfill an agency's obligations under this Part.

"Progressive Levels of Compensation" – Refers to a system which requires increasing levels of compensation based upon the level of adverse impact to an affected wetland and the location of a compensation wetland in relationship to the adversely impacted wetland.

"Significant Alteration" – An adverse wetland impact that does not meet the criteria to be defined as a programmatic action and that causes either:

The removal or loss of more than 0.5 acre but less than 2 acres of wetland vegetation but that does not alter the preexisting hydrology of the wetland for a period of more than 12 months; or

The alteration of preexisting hydrology or soils of 0.5 acre or less of a wetland for more than 12 months. This includes, but is not limited to the placement of dredge or fill material into a wetland, the drainage of a wetland, filling in of a wetland through sedimentation, etc.

"State Jurisdictional Wetland" – Land that has a predominance of hydric soils and that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of hydrophytic vegetation typically adapted for life in saturated soil conditions. Areas that are restored or created as the result of mitigation or planned construction projects and that function as a wetland are included within this definition even when all 3 wetland parameters are not present.

"Value" – Unit of measure (i.e., acres, wetland functions, or dollars) that is multiplied by the appropriate wetland compensation ratio to determine the amount of wetland compensation that is required.

"Wetland Compensation" – The required planning and implementation process that results in the replacement of wetland function and area to offset an adverse wetland impact; or providing funding for wetland research, acquisition, etc.

"Wetland Compensation Account" – A system of accounting for wetland loss and compensation; can include one or more wetland compensation account sites.

"Wetland Creation" – The establishment of a wetland where a wetland does not currently exist.

"Wetland Enhancement" – Wetland management or other activity that increases one or more natural or artificial wetland functions while minimizing adverse impacts to other wetland functions.

"Wetland Management Practices" – Activities that maintain, control and enhance wetland wildlife habitat. This includes the chemical and/or mechanical control of undesirable vegetation.