

# WSDOT GUIDANCE ON CUT SLOPES AND WETLANDS

WSDOT Updated 4/16/08

To accommodate roadway placement or widening in areas that traverse a hillside, a cut slope is typically required. The vertical cut adjacent to the road is called a cut slope (Figure 1). When cut slopes are created, sometimes the cut intersects the water table, bringing groundwater to the surface and inadvertently creating a seep wetland on previously upland hillsides. These hillside groundwater-discharge (seep) wetlands created by road-building activities, called **cut slope wetlands**, are generally regulated at federal, state, and local levels, and are thus identified, delineated, and mitigated by WSDOT. Naturally occurring hillside seep wetlands are treated the same as cut slope wetlands. Disturbance of these wetlands by a proposed WSDOT project would be considered a wetland impact.

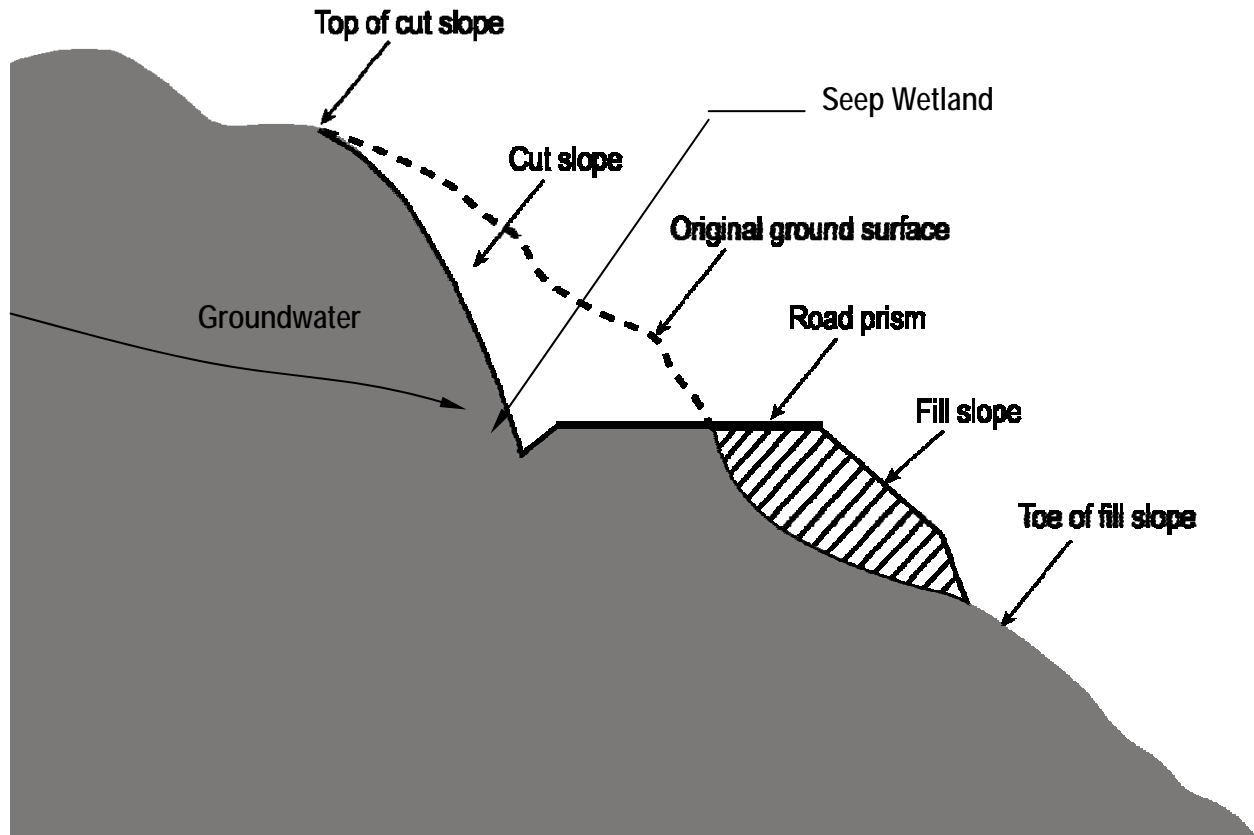


Figure 1. Roadway on a Cut Slope.

## Cut Slopes & Wetland Impacts

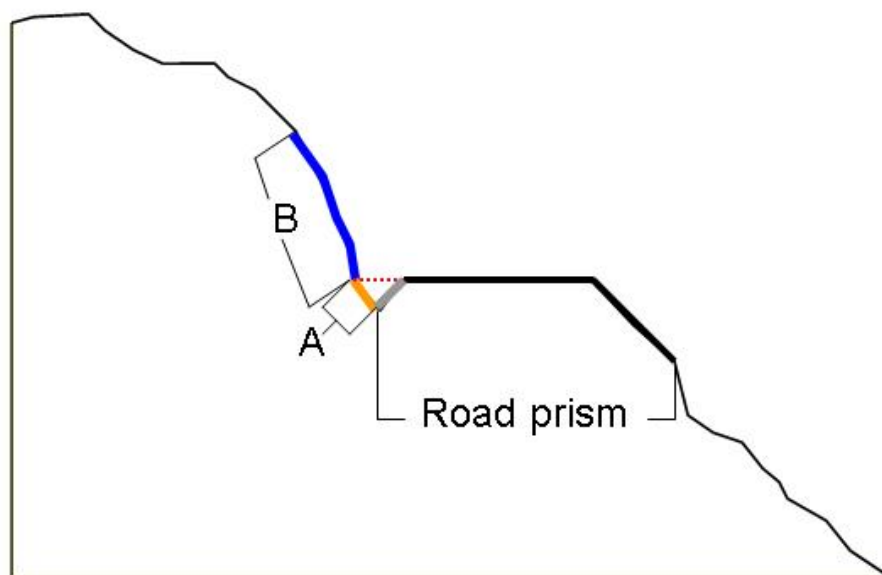
Figure 2 depicts a cross section view of a cut slope wetland adjacent to a road. Section A represents a ditch adjacent to the road prism, and Section B represents the cut slope wetland. WSDOT obtains federal, state, and local permits and also provides compensatory mitigation prior to conducting any ground-disturbing activities in cut slope wetlands (Section B).

### Cut Slope Wetlands and Ditches

On a cut slope, the ditch is below the level of the road surface (red dashed line). The ditch contains two distinct areas: 1. the side of the ditch that is part of the road prism (in grey) and 2. the portion of the ditch that could potentially be determined to be wetland, since it is not part of the road prism (Section A). (For further information on road prisms and ditches, see [WSDOT Guidance on Delineating Wetlands and Buffers Adjacent to Roads and Road Prisms](#)). If a cut slope wetland (Section B) is adjacent to a ditch that displays wetland characteristics, then WSDOT evaluates the second portion of the ditch (Section A) to determine if it should be delineated as part of the jurisdictional wetland (Section B).

Figure 3 displays a map view of a cut slope wetland (Section B) adjacent to a ditch. If the ditch meets wetland criteria, WSDOT delineates that section directly adjacent to the wetland (Section A) as part of the cut slope wetland (Section B). Please refer to [WSDOT's Guidance on the Rapanos Case](#) for additional information on determining jurisdiction of ditches.

**Figure 2. Cross-section View of Cut Slope Wetland**



## Cut Slope wetlands and isolation

A cut slope wetland may appear at first to be an isolated wetland (thus not in federal jurisdiction), but a wetland biologist should carefully evaluate this. If a wetland biologist believes a cut slope wetland to be isolated, they notify the WSDOT Project Contact, who then contacts the Army Corps of Engineers to make the final decision on isolation. Figure 3 depicts a roadside cut slope wetland (Section B) that is not isolated because it is connected, via a ditch, to a “water of the U.S.” (in this case, a federally regulated stream). Please refer to the [WSDOT Guidance on Isolated Wetlands](#) to review how court decisions affect the way that isolated wetlands are federally regulated.

Even if a wetland is isolated and not subject to federal wetland regulations, it will likely still be considered a “[water of the state](#)” and therefore under Dept. of Ecology and/or local [Critical Area Ordinance](#) jurisdiction.

Figure 3. Map View of Cut Slope Wetland

