In-Lieu Fee Mitigation: Review of Program Instruments and Implementation Across the Country

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- contributed in an extraordinary way, through science, education, land stewardship, land development, or program development, to the conservation of the nation's wetlands resources.
- · National Wetlands Newsletter: The National Wetlands Newsletter was published for nearly 38 years, providing key information and analysis to people engaged in protection ent of wetlands watersheds floodnialos and coastal resources ELL

30th Annual National Wetlands Awards

Nominate Wetland Leaders In: **Conservation** and Restoration **Education** and **Outreach** Landowner Stewardship Science Research State, Tribal, and Local Program Development **Business Leadership** 30th Anniversary Lifetime Achievement

Nominations due FRIDAY DECEMBER 14, 2018 Visit www.nationalwetlandsawards.org



Our Study

Goals

- Transfer of knowledge
- Improved effectiveness
- Improved protection and restoration

Methods

- Document Review
 - Program Instruments
 - Other relevant documents and appendices
- Interviews
 - Phone interviews
 - 41 of 58 currently approved programs

 Funded by EPA Wetland Program Development Grant



Results

- Program Administration
 - Stakeholder participation
- Watershed Approach
- Service Areas
- Credits
- Fees
- Mitigation Projects
 - Project Approval
 - Project Prioritization
- Financial Assurances
- Project Monitoring
- Long-Term Management
- Data Management
- Audits



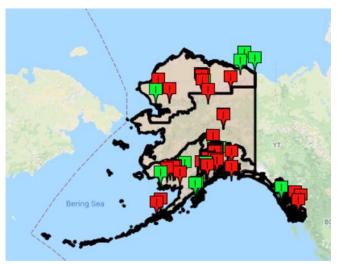
Results

- Program Administration
 - Stakeholder participation \checkmark
- Watershed Approach \checkmark
- Service Areas \checkmark
- Credits
- Fees
- Mitigation Projects
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 - Project Prioritization \checkmark
- Financial Assurances
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- Long-Term Management
- Data Management
- Audits \checkmark

ILF Mitigation 101

- 58 currently approved programs; about 11% of compensatory mitigation annually
- •56% non-profit sponsors; 44% public agencies
- Programs are found across the country
- Programs vary in size and scope





Program Name	Credits Offered	
Arizona Game and Fish Department ILF	Riparian, Wetland	
Mitigation Program		
California State Coastal Conservancy -	Tidal influence aquatic resource and buffer, Non-tidal	
Calleguas Creek ILF Program	influence aquatic resource and buffer	
Coachella Valley ILF Program	Wetland, Stream	
Connecticut ILF Program	Emergent wetlands, Scrub-shrub wetlands, Forested	
	wetlands, Open water, Submerged aquatic vegetation,	
	Stream, Mudflat, Upland	
Ducks Unlimited New York ILF Program	Wetland, Stream	
Ducks Unlimited Vermont ILF Program	Wetland, Stream	
Georgia-Alabama Land Trust ILF Program	Wetland, Stream	
Great Land Trust	Wetland (Slope/Flat, Riverine, Tidal/Marine Palustrine, REV)	
Everglades National Park	Wetland (Palustrine Emergent)	
Hood Canal Coordinating Council	Wetlands (Habitat, Hydrology, Water Quality,	
	Marine/Nearshore)	
Kentucky Department of Fish and Wildlife	Wetland, Stream	
Resources ILF Program		
Keys Restoration Fund ILF Program	Tidal wetlands (mangrove and salt marsh), Non-tidal	
	(Freshwater) wetland, Seagrass	

Credits

A credit is "a unit of measure (e.g., a functional or areal measure or other suitable metric) representing the accrual or attainment of aquatic functions at a compensatory mitigation site. The measure of aquatic functions is based on the resources restored, established, enhanced, or preserved."

- Advance Credits
- Released Credits
- Types of Credits
- Number of Credits

Program	Fee Category	Pricing Per Unit
Coachella Valley ILF Program	Restoration/Rehabilitation	\$224,500.00/acre
	Enhancement	\$187,450.00/acre
	Buffer	\$144,900/acre
Connecticut ILF Program	Housatonic River	\$7.56
	Southwest Coastal	\$9.12
	Southcentral Coastal	\$7.45
	Connecticut River	\$10.11
	Thames River	\$10.80
	Thames River North of I-95 and Southeast Coastal	\$7.97
Georgia-Alabama Land Trust ILF Program	Upper Savannah, Upper Coosa, Etowah, and Tennessee Wetlands	\$44,000.00/CR
	Upper Chattahoochee Wetlands	\$55,000.00/CR
	Upper Oconee and Upper Ocmulgee Wetlands	\$49,500.00/CR
	Withlacoochee Streams	\$104.50/CR
	Tennessee and Lower Flint: Middle Flint/Lake Blackshear Streams	\$121.00/CR
	Satilla: St Mary's River Non-Tidal Streams	\$88.00/CR
Hole in the Donut ILF Mitigation Product, Everglades, FL	Federal UMAM	\$32,500.00/CR
	State Acre	\$12,759.61/CR
Keys Restoration Fund ILF Program	Wetlands	\$217,800.00/CR
	Seagrasses	\$1,089,000/CR
Maine Natural Resources Conservation Program ILF Program	Calculator for all	Varies

Fees

- Programs determine fees
- must be based on "full cost accounting"
 - Fixed fees
 - Formula
 - Calculator
- comparisons across programs are difficult, but may be able to identify trends
- fee evaluation and adjustment

Long-Term Management

 regulations require that compensation sites are protected (by appropriate real estate mechanism) and managed in perpetuity

- regulations require the ILF instrument include a long-term management plan
- the plan must include a description of the annual costs of long-term management
 - Calculator
 - Past experience
 - Percentage





Questions