

Accessing the Southeast Alaska Mitigation Fund In Lieu Fee Compensatory Mitigation Program

Southeast Alaska Watershed Coalition

Funding Opportunity

Compensatory Mitigation Required Under Federal Law

Funding Authority

Army Corps of Engineers via the Clean Water Act
Section 404 regulatory program

Funding Administrator and Mechanism

Southeast Alaska Watershed Coalition via the
Southeast Alaska Mitigation Fund ILF

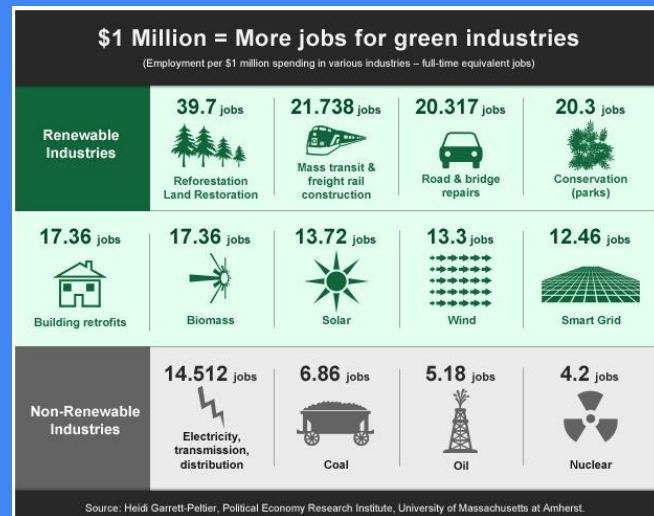
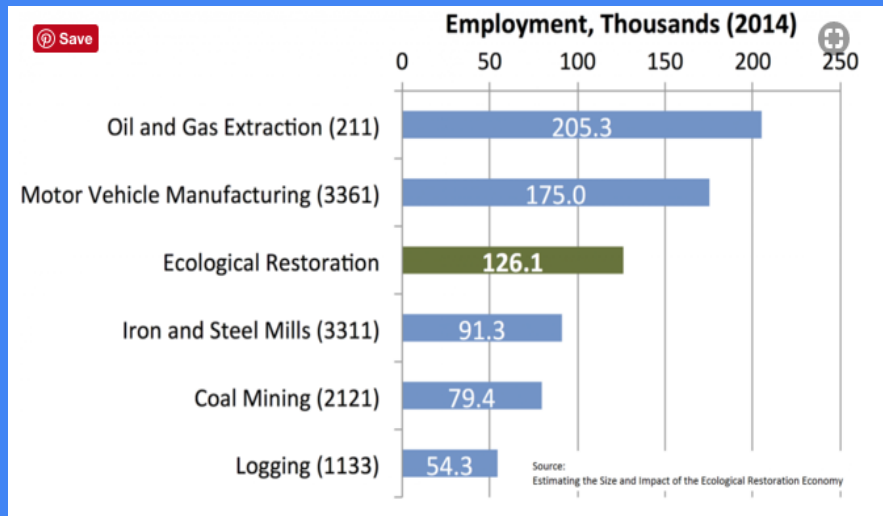
Project Eligibility

Stakeholder Involvement



Pat Creek, Wrangell, AK. Photo Courtesy- SAWC

\$25 Billion “restoration economy”



<https://www.greenbiz.com/article/10-things-you-need-know-about-restoration-economy>

- Stimulates rural economies and communities
- Research shows restoration jobs are evenly divided among planners, designers, engineers, the earth movers and site construction operators
- Government driven- compensatory mitigation- \$2.8 Billion, not including grants

Southeast Alaska Watershed Coalition

Supporting community lead natural resource management, restoration and stewardship in SE AK.



Above: Pullen Creek, Skagway AK. Photo Courtesy Taiya Inlet Watershed Council



Above: Pat Creek, Wrangell AK. Photo Courtesy SAWC



Above: Lena Point, Juneau AK. Photo Courtesy- John Hudson



Right: Yakutat Forelands. Photo Courtesy- Bill Lucy, Yakutat Salmon Board

Funding Authority- Environmental Laws and Regulations

Compensatory Mitigation – A Multi Billion Dollar Industry

Clean Water Act (\$2.8billion)

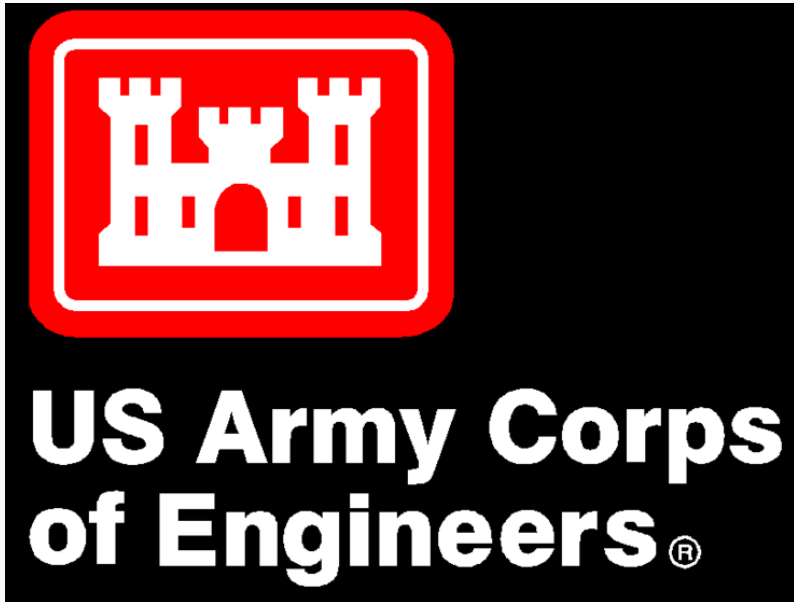
Endangered Species Act

Natural Resource Damages

- Comprehensive Environmental Response, Compensation and Liability Act,
- The Oil Pollution Act of 1990,
- The Park System Resource Protection Act, and
- The National Marine Sanctuaries Act

Funding Authority: Clean Water Act, Section 404 Program

Compensatory mitigation of wetlands and streams to offset permitted impacts



- Required to be an ILF program or Mitigation Bank
- Required to have approved "Instrument" with the USACE
- All mitigation sites have to meet specific criteria/regulations
- Specific full-cost accounting requirements

(2008 Federal Rule: Compensatory Mitigation of Losses to Aquatic Habitat)

Funding Administrator

Southeast ILF and Bank Sponsors

- Southeast Alaska Land Trust ILF. Sponsor, SEAL Trust
- The Conservation Fund, ILF. Sponsor, SEAL Trust
- Natzuhini Bay Mitigation Bank. Sponsor, Sealaska Corp.
- Southeast Alaska Mitigation Fund ILF. Sponsor, SAWC

The screenshot displays the Funding Administrator interface. On the left, there is a table listing programs with columns for Program Name, District List, Status, and Zoom. The table shows four programs, all with a status of 'Approved' and a green zoom icon. On the right, a Google Map shows the coastline of Southeast Alaska with several red location pins. The map includes a legend with options for Roads, Borders, Counties, USACE Districts, HUC 8, and Service Areas.

Program Name	District List	Status	Zoom
Great Land Trust	Alaska	Approved	🟢
Southeast Alaska Land Trust	Alaska	Approved	🟢
Southeast Alaska Mitigation Fund	Alaska	Approved	🟢
The Conservation Fund	Alaska	Approved	🟢

The screenshot displays the Funding Administrator interface for the Natzuhini Bay Mitigation Bank. On the left, the 'General Information' section provides details about the bank's chair, district, field office, region, state, permit, and establishment. Below this, the 'Credit Ledger Summary' section includes a disclaimer about credit totals and a table with columns for Name, Available Credits, Withdrawn Credits, Released Credits, and Potential Credits. On the right, a Google Map shows the location of the bank in Southeast Alaska, with a green location pin. The map includes a legend with options for Roads, Borders, Counties, USACE Districts, FWS Field Offices, NOAA Regions, and HUC 8.

General Information

Natzuhini Bay Mitigation Bank

Chair(s): USACE
USACE District: Alaska
FWS Field Office: Juneau
NOAA Fisheries Region: Alaska
State: Alaska
Permit No: POA-2006-349
Year Established: 2004
Total Acres:
Status: Approved
Approved Date: 12-OCT-04
Type: Public Commercial
Website:
Comments:

Credit Ledger Summary

Last Transaction:
The credit totals shown on the ledger do NOT reflect any credit reservations or pending transactions. It is the responsibility of potential purchasers to contact the Sponsor and obtain written confirmation of credit availability.

Name	Available Credits	Withdrawn Credits	Released Credits	Potential Credits
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Southeast Alaska Mitigation Fund

First ILF in Alaska to be approved since the 2008 Federal Rule.

First ILF in AK to offer restoration, enhancement and creation.

Utilizes function-based tools to guide restoration decisions- new way of doing business in Alaska.



Photo Courtesy: Takshanuk Watershed
Council

Goal

Compensate for the authorized losses of aquatic resource permitted under Section 404 of the CWA and Section 10 of the Rivers and Harbors Act-

by restoring, enhancing, and establishing significant aquatic resources.

Funding Mechanism- Southeast Alaska Mitigation Fund ILF Program Instrument

- States SAMF's legal authority and responsibility
- Describes how the funds are administered and SAMF's accounting procedures
- Describes SAWC's responsibility to use full cost accounting when determining the amount we charge developers
- Describes the types of projects eligible
- Site identification and selection framework
- Science based decision making tools- Credit Debit Methods



DEPARTMENT OF THE ARMY
ALASKA DISTRICT, U.S. ARMY CORPS OF ENGINEERS
REGULATORY DIVISION
P.O. BOX 6899
JBER, ALASKA 99506-0899

Regulatory Division
Southeast Alaska Mitigation Fund
POA-2012-0138

SEP 07 2017

Southeast Alaska Watershed Coalition
Attention: Jessica Kayser Forster
Southeast Alaska Watershed Coalition
319 Seward St., Suite 10
Juneau, AK 99801


Dear Ms. Kayser Forster:

This letter is in regard to the proposed "Southeast Alaska Mitigation Fund" Wetland In-Lieu Fee (ILF) operating in southeast Alaska. It has been assigned number POA-2012-0138, which should be referred to in all correspondence with us.

Please find enclosed your copy of the signed of the "Southeast Alaska Mitigation Fund" Wetland ILF Instrument dated August 2017 and approved September 7, 2017.

Questions pertaining to this matter should be directed to Calvin Alvarez via email at Calvin.L.Alvarez@usace.army.mil, by mail at the address above, or by phone or at (907)753-2778. For more information about the Regulatory Program, please visit our website at www.poa.usace.army.mil/Missions/Regulatory.

Sincerely,


Shelia Newman
Special Actions Branch Chief

Site Eligibility

Wetland and/or Stream

Site identification is based on watershed approach

No other legal obligation to remediate exists

The site can be protected

Site assessments describing functional lift

Performance standards can be developed

Project cost is competitive on the market

Mitigation plan approved by USACE and IRT



Porcupine Pond and Klehini River. Haines Alaska. Photo Courtesy- SAWC

Site Eligibility: Types of projects- wetlands and streams

Stream bank stabilization

Stream channel creation or reconfiguration

Plant/enhance riparian vegetation

Floodplain restoration/reconnection

Wetland restoration, enhancement, and creation

Fish habitat restoration and/or enhancement (instream structures)



Bad examples
High risk



Nancy Street Wetland Creation, Juneau AK



Good examples
Low risk

12- Mile Creek, Prince of Wales Island



SAMF will implement projects that have proven success in Southeast Alaska

Stakeholder Involvement

Mitigation Fund Partners

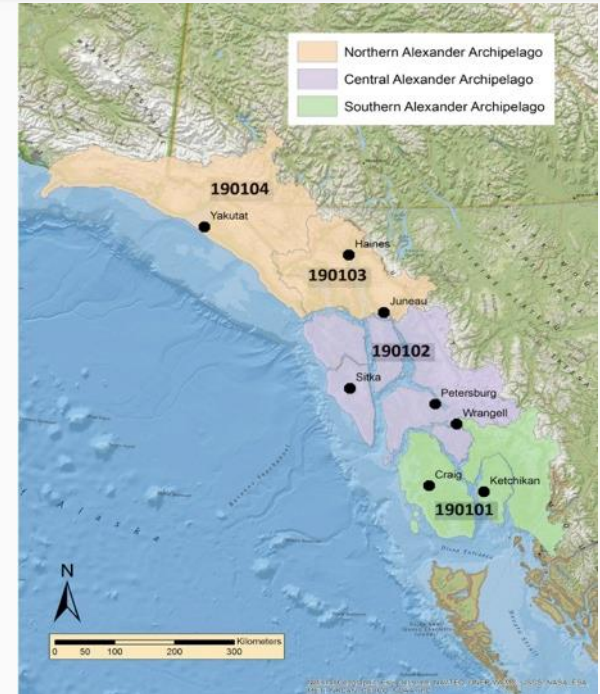
- Project identification
- Project development
- Project implementation
- Monitoring
- Long-term management
- Site protection

New Hampshire Aquatic Resource Mitigation Fund Final In-Lieu Fee Program Instrument May, 2012



Random things to consider

- Funds are not from a federal source- these are private/nonprofit dollars
- Site identification to monitoring
- Whether or not the funding can be used as a match will be determined project by project
- Timing is everything



Thank you to our partners –

National Forest Foundation
Alaska Conservation Foundation
USFS Tongass National Forest
The Nature Conservancy
US Fish and Wildlife Service

Thanks!

Contact Us:

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www.alaskawatershedcoalition.org



Rebecca Bellmore- SAWC, Daniel Klanott- Chilkat Indian Village, Jess Kayser- SAWC.
Chilkat River wetlands. Haines, Alaska