

# Overview of Bank and In-Lieu Fee Mitigation

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US Army Corps of Engineers  
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# Preference Hierarchy for Mitigation

*(33 CFR 332.3(b))*

1. Mitigation bank credits
2. In-lieu fee program credits
3. Permittee-responsible mitigation under a watershed approach
4. On-site and/or in-kind permittee-responsible mitigation
5. Off-site and/or out-of-kind permittee-responsible mitigation



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# Mitigation banks

- Credits usually produced in advance of impacts
- One or more sites where resources (e.g., wetlands, streams) are restored, established, enhanced, and/or preserved for the purpose of providing compensatory mitigation for impacts authorized by DA permits
- Sells compensatory mitigation credits to permittees
- Bank sponsor assumes responsibility for providing the mitigation
- Operation and use are governed by a mitigation banking instrument
- Commercial entity or a single user (e.g., State DOT)



# Mitigation Banking in Tennessee

## 13 Public Banks Approved

1 Pending Wetland Bank

11 Wetland, 1 Stream,

1 Wetland/Stream

## 2 Active Single-Client Banks

1 Pending Wetland Bank

2 Wetland



# Active Service Areas for Mitigation Banks in Tennessee



# Service Areas for Approved Stream Mitigation Banks in LRN



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# Mitigation Banking Within Other Areas of the Nashville District

## Alabama – 6

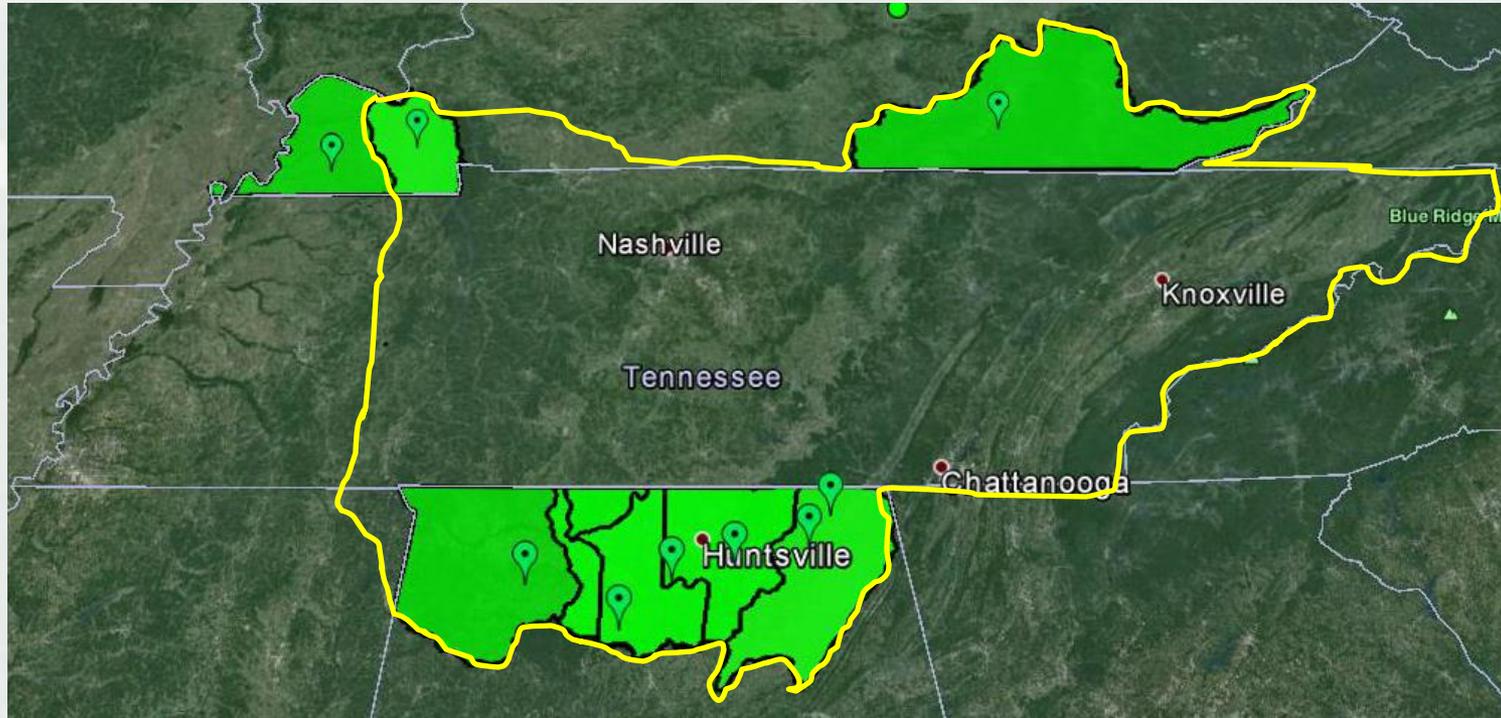
- 2 Single-Client Wetland Banks
- 2 Public Wetland/Stream Banks
- 2 Public Wetland Banks

## Kentucky – 3

- 1 Public Wetland Bank
- 1 Single-Client Wetland Bank
- 1 Single-Client Wetland/Stream Bank

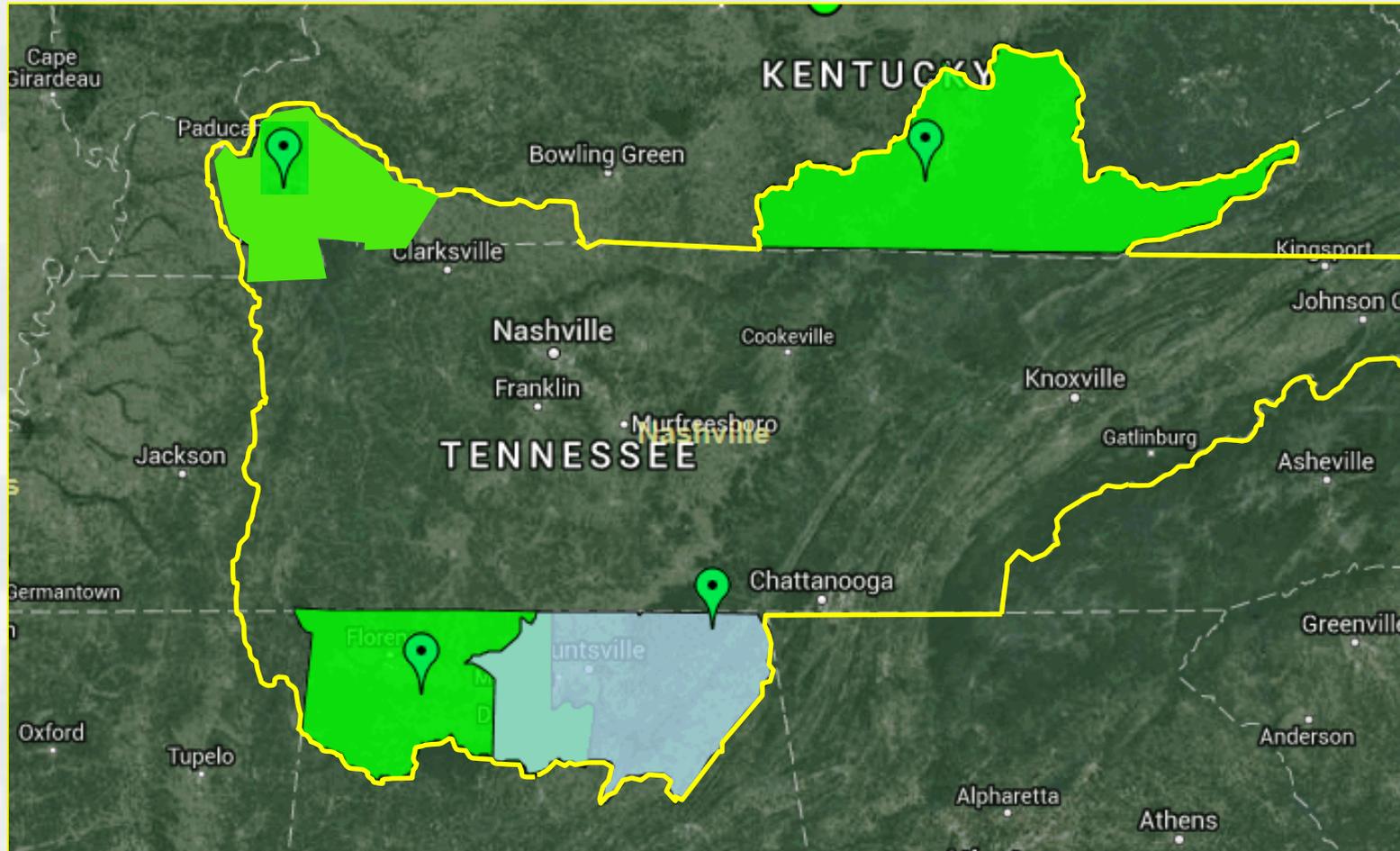


# Active Service Areas for Wetland Mitigation Banks in LRN Outside of TN



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# Active Single Client Mitigation Banks in LRN



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# Pending Mitigation Banks in Tennessee

Stream Bank



Wetland Bank



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# In-lieu fee program

- Credits usually produced after impacts
- Government or non-profit natural resource management entity
- Collects fees from permittees to do larger compensatory mitigation projects
- Sponsor assumes responsibility for providing the mitigation
- Operation and use are governed by an in-lieu fee program instrument



# Two In-Lieu Fee (ILF) Mitigation Programs within Tennessee

**#1 - Tennessee Stream Mitigation Program (TSMP)**

**#2 - Tennessee Wildlife Federation (TWF) Statewide Wetland ILF Program**

## In-Lieu Fee Programs Within Other States

**#3 - Kentucky Department of Fish and Wildlife Resources (KDFWR) Wetland & Stream Fee In-Lieu-Of Mitigation Program**



# TSMP ILF Program

- Established per 2002 MOA and currently operates under a 2013 In-Lieu Fee Instrument
- Operates across TN (Nashville and Memphis Districts)
- 10 Service Areas
- Currently credit sales are only available in three service areas

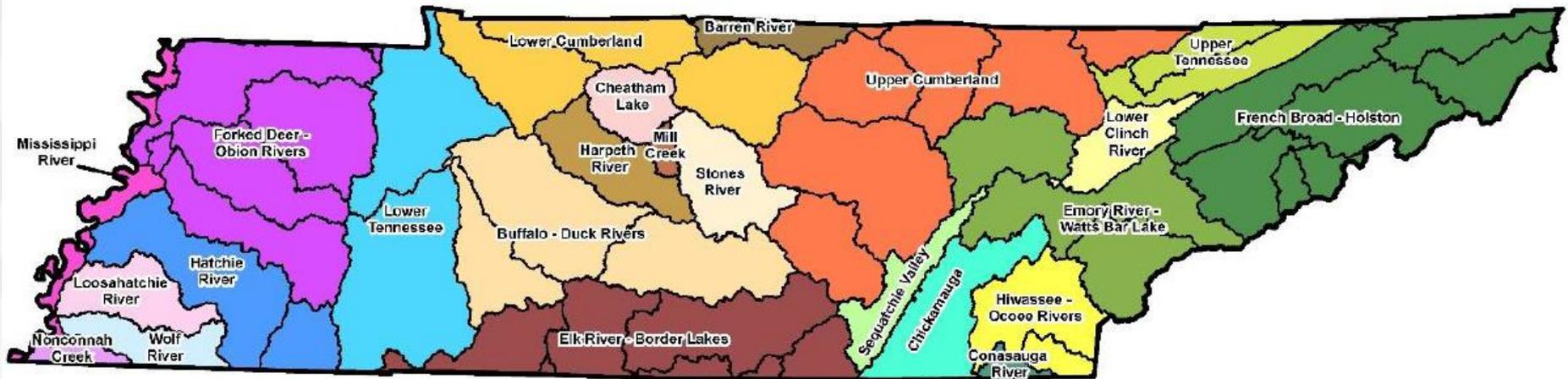


 North Hatchie Obion	 East Lower Cumberland
 South Hatchie Obion	 Upper Cumberland
 Lower Tennessee	 Middle Tennessee Hiwassee
 Middle Tennessee Elk	 Upper Tennessee
 West Lower Cumberland	 French Broad Holston



# Tennessee Wildlife Federation (TWF) Statewide Wetland In-Lieu Fee Program

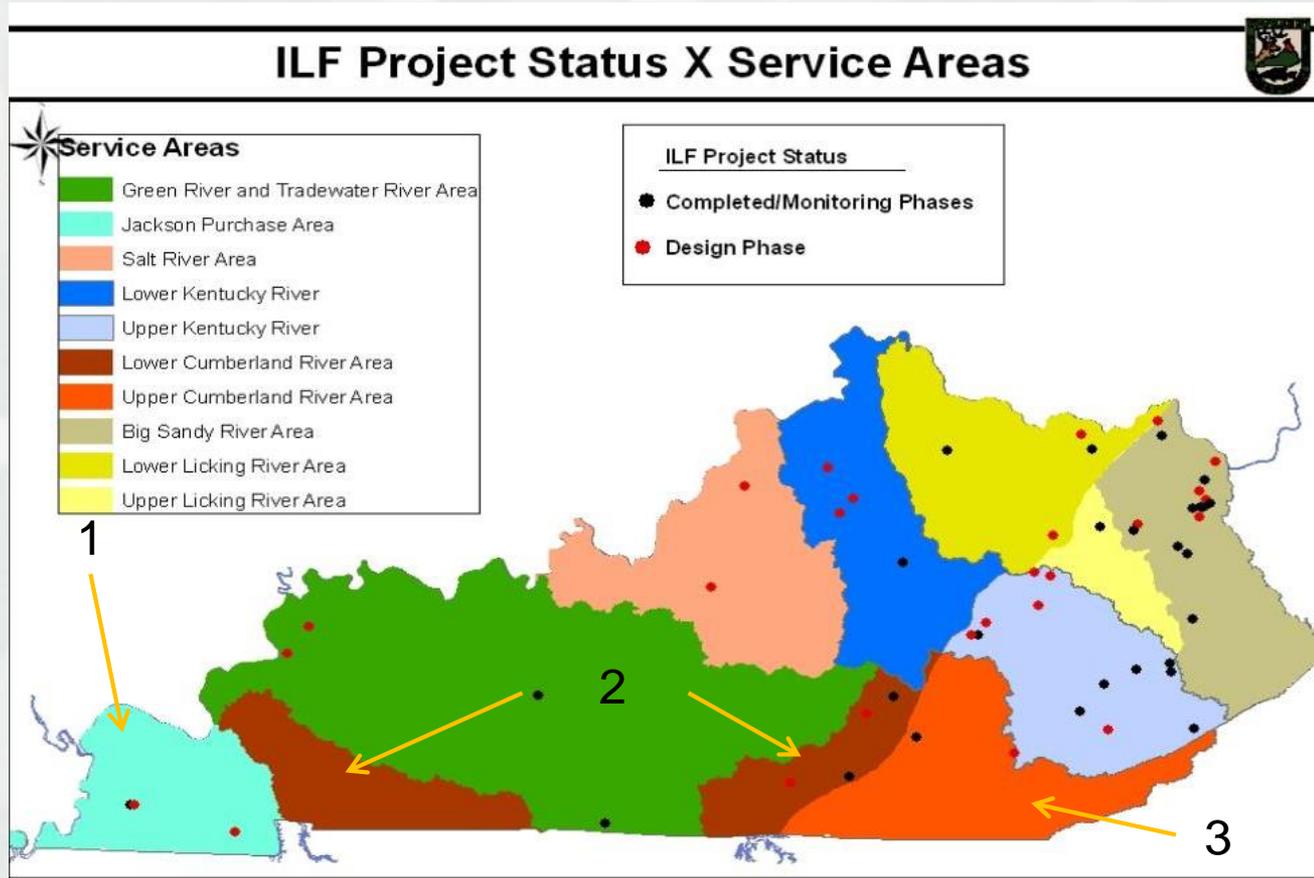
- Instrument Approved in 2012.
- Operates across TN (Nashville and Memphis Districts)
- 24 Service Areas – The IRT is currently reviewing an Instrument modification request to reduce service areas from 24 to 10



# KDFWR Overview

- Instrument approved in 2002 and modified in 2011
- Operates in LRN, MVM and LRL Districts
- 10 Service Areas Total (3 in LRN)

- 1) Jackson Purchase
- 2) Lower Cumberland
- 3) Upper Cumberland



# Regulatory In-lieu Fee and Bank Information Tracking System (RIBITS)

<https://ribits.usace.army.mil>



# Regulatory In-lieu Fee and Bank Information Tracking System (RIBITS)

**RIBITS**  
Regulatory In-lieu Fee and Bank Information Tracking System

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- FWS Field Office
- NOAA Fisheries Region

Tennessee

**Optional Login**

**RIBITS**

Roads  Borders  Counties

Kentucky

Tennessee

Google

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**RIBITS Sponsors**

- US Army Corps of Engineers
- US Environmental Protection Agency
- US Fish and Wildlife Service
- NOAA

**About RIBITS**

RIBITS (Regulatory In lieu fee and Bank Information Tracking System) was developed by the U.S. Army Corps of Engineers, the U.S. Environmental Protection Agency, the U.S. Fish and Wildlife Service, the Federal Highway Administration, and NOAA. RIBITS allows users to view information on mitigation and conservation programs across the country. RIBITS allows users to view information on the types and numbers of mitigation and conservation programs, fee program sites, associated documents, maps, service areas, as well information on national procedures that affect mitigation and conservation program development and operation.

**Top News**

May 24, 2016

IRT Members (TN)  
Neely's Bend has new IRT



# Regulatory In-lieu Fee and Bank Information Tracking System (RIBITS)

Regulatory In-lieu Fee and Bank Information Tracking System

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### Find Credits - Sources of Credits for Impact Location

**About the Results**

**Search Criteria**

Ctrl-click the map in the desired location to set the latitude and longitude for your query.

Permit No:

• Latitude:

• Longitude:

Single Client  Yes (primarily governmental use)

Habitats:  Stream [Nashville]  
 Wet Sedge Meadow [Nashville]  
 Wetlands [Memphis]  
 Wetlands [Nashville]

• Service Area Rank  Primary  
 Secondary  
 Tertiary

**Search?**

### Map Region

Roads  Borders  Counties  USACE Districts  HUC 8  FWS Field Offices  NOAA Regions



# Regulatory In-lieu Fee and Bank Information Tracking System (RIBITS)

Wetlands 2.95

Notes:

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**Bank Name:** Shady Valley II Landore & Plummer

[Bank Info](#)

**Comments:** Landore: 2.77 Total Acres of restored, prior converted wetlands, which includes 1.1 acres captured within buffer for stream restoration portion of project. Plummer: 37.6 total acres of restored, prior converted wetlands (wet sedge meadow/fen)

**Bank States:** Tennessee

**Bank Sponsor:** **The Nature Conservancy - TN**  
Shady Valley Office  
10537 HWY 421 North  
Shady Valley, TN 37688

**Bank POC:** **Gabrielle K Lynch**  
**TNC Shady Valley Program Manager**  
TNC Shady Valley Office  
10537 Highway 421 North  
Shady Valley, TN 37688  
Email: glync@tnc.org  
Phone: (423) 739-2937  
Cell Phone: (423) 471-0700  
Fax: (423) 739-2441

**Credit Classifications Available Credits**

Stream	2,478.80
Wet Sedge Meadow	9.50

Notes:



# Questions?

