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# **National In-Lieu Fee Program Training Workshop**

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Dakota Lodge | Thompson County State Park  
St. Paul, Minnesota  
July 13 - 14, 2016

## **Training Workshop Agenda**

[www.eli.org/freshwater-ocean/in-lieu-fee-mitigation-workshop](http://www.eli.org/freshwater-ocean/in-lieu-fee-mitigation-workshop)

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United States Environmental Protection Agency**

## **PURPOSE OF THE TRAINING WORKSHOP**

To help new and established ILF programs develop and implement more successful programs that provide ecologically successful and sustainable compensation for impacts to wetlands and aquatic resources. Through presentations and discussions we will provide an opportunity for dialogue and sharing of experiences among sponsors and administrators and the agencies that oversee ILF programs from across the country.

Wednesday, July 13 <sup>th</sup>	
8:00 am to 8:30 am	<b>Registration/Arrival</b>
8:30 am to 9:00 am	<b>Welcome &amp; Introductions</b>
	<p><u>Welcome</u>: Rebecca Kihslinger, Environmental Law Institute; Leslie Day, US Army Corps of Engineers, St. Paul District; Tim Smith, Minnesota Board of Water and Soil Resources</p> <p><u>Workshop Overview &amp; Introductions</u>: Rebecca Kihslinger, Environmental Law Institute</p>
9:00 am to 10:00 am	<b>Session I: Regulatory Developments</b>
	<p><i>Session Objective: Provide a brief overview of the state of compensatory mitigation since the 2008 Rule and provide participants a chance to ask specific regulatory questions.</i></p> <p><b>Panel: Palmer Hough</b> (U.S. Environmental Protection Agency)  <b>Steve Martin</b> (USACE Institute for Water Resources)  <b>Dana Hicks</b> (Oregon Department of State Lands)</p> <p><b>Q&amp;A and Discussion</b></p>
10:00 am to 10:15 am	<b>Break</b>
10:15 am to 11:30 am	<b>Session II: Understanding and Applying the Watershed Approach for ILF Programs</b>
	<p><i>Session Objective: Discuss the watershed approach and how it can be applied to guide site selection for ILF programs.</i></p> <p><b>Panel: Nick Miller</b> (The Nature Conservancy, Wisconsin Chapter)  <b>Lori Sommer</b> (New Hampshire Aquatic Resource Mitigation Fund)</p> <p><b>Q&amp;A and Discussion</b></p>
11:30 am to 12:30 pm	<b>Lunch</b>
12:30 pm to 1:15 pm	<b>Session III: ILF Program Instrument Review</b>
	<p><i>Session Objective: Discuss the various ways in which final ILF program instruments provide certain information required by the 2008 Rule.</i></p> <p><b>Speaker: Erin Okuno</b> (Stetson University College of Law)</p> <p><b>Q&amp;A and Discussion</b></p>

1:15 pm to 2:00 pm	<b>Session IV: Establishing Fee Schedules (I)</b>
	<p><i>Session Objective: Discuss how to determine project specific costs and establish fee schedules.</i></p> <p><b>Panel: Devin Schenk</b> (The Nature Conservancy, Ohio Chapter)  <b>Dana Hicks</b> (Oregon Department of State Lands)</p> <p><b>Q&amp;A and Discussion</b></p>
2:00 pm to 2:45 pm	<b>Session V: Establishing Fee Schedules (II)</b>
	<p><i>Session Objective: Discuss how fees work in practice and how to adapt them if they are not sufficient.</i></p> <p><b>Panel: Michael Ellison</b> (North Carolina Division of Mitigation Services)  <b>Gail Terzi</b> (U.S. Army Corps of Engineers, Seattle District)</p> <p><b>Q&amp;A and Discussion</b></p>
2:45 pm to 3:00 pm	<b>Break</b>
3:00 pm to 3:45 pm	<b>Session VI: Managing Risk and Uncertainty</b>
	<p><i>Session Objective: Discuss risk and uncertainty in the development and implementation of ILF programs.</i></p> <p><b>Panel: Vinny Pero</b> (U.S. Army Corps of Engineers, Norfolk District)  <b>Megan McNeil</b> (King County, Washington)</p> <p><b>Q&amp;A and Discussion</b></p>
3:45 pm to 5:00 pm	<b>Session VII: Small Group Roundtables</b>
	<p><i>Session Objective: The session will allow for smaller, more informal discussions on given issues to give participants a chance to ask detailed questions. Each group will focus on one topic and will be led by a subject matter expert.</i></p> <p><b>Roundtables</b></p> <ul style="list-style-type: none"> <li>• <i>Streams</i> – <b>Michael Ellison</b> (North Carolina Division of Mitigation Services)</li> <li>• <i>Data Management</i> – <b>Karen Johnson</b> (The Nature Conservancy, Virginia Chapter; Virginia Aquatic Resources Trust Fund)</li> <li>• <i>RIBITS</i> – <b>Steve Martin</b> (USACE, Institute for Water Resources)</li> <li>• <i>Standard Operating Procedures</i> – <b>Vinny Pero</b> (U.S. Army Corps of Engineers, Norfolk District)</li> </ul>
5:00 pm	<b>Wrap-Up &amp; Adjourn</b>

Thursday, July 14 <sup>th</sup>	
8:15 am to 8:45 am	<b>Registration/Arrival</b>
8:45 am to 9:00 am	<b>Recap and Overview of Day Two</b>
	Rebecca Kihslinger (ELI)
9:00 am to 10:15 am	<b>Session VIII: Individual Project Approval: Challenges and Solutions</b>
	<p><i>Session Objective: Discuss challenges in developing individual projects and how to work with the IRT on project approval.</i></p> <p><b>Panel: Steve Martin</b> (USACE, Institute for Water Resources)  <b>Karen Johnson</b> (The Nature Conservancy, Virginia Chapter;  Virginia Aquatic Resources Trust Fund)  <b>Dave Mitchell</b> (Great Land Trust)</p> <p><b>Q&amp;A and Discussion</b></p>
10:15 am to 11:00 am	<b>Session IX: Calculating and Securing Financial Assurances</b>
	<p><i>Session Objective: Discuss how ILF programs calculate and secure financial assurances or contingency funding to ensure successful completion of compensatory mitigation projects in accordance with applicable performance standards.</i></p> <p><b>Panel: Steve Martin</b> (USACE, Institute for Water Resources)  <b>Bob Polin</b> (National Fish and Wildlife Foundation)</p> <p><b>Q&amp;A and Discussion</b></p>
11:00 am to 11:15 am	<b>Break</b>
11:15 am to 12:15 pm	<b>Session X: Calculating and Financing Long-Term Management Funding</b>
	<p><i>Session Objective: Discuss how ILF programs calculate and finance long-term funding to carry out the long-term management plan outlined in a mitigation plan.</i></p> <p><b>Panel: Angela Sturdevant</b> (The Nature Conservancy, Indiana Field Office)</p> <p><b>Q&amp;A and Discussion</b></p>

12:15 pm to 1:15 pm	<b>Lunch</b>
1:15 pm to 1:45 pm	<b>Session XI: Program Evaluation and Audits</b>
	<p><i>Session Objective: Discuss program evaluation and audits.</i></p> <p><b>Panel: Gail Terzi</b> (U.S. Army Corps of Engineers, Seattle District)  <b>Amy Streitwieser</b> (ELI)</p> <p><b>Q&amp;A and Discussion</b></p>
1:45 pm to 3:00 pm	<b>Session XII: Practitioners Panel of Experts</b>
	<p><i>Session Objective: An open forum for participants to ask regulators and experienced program operators questions about program operation.</i></p> <p><b>Panel: Karen Johnson</b> (The Nature Conservancy, Virginia Chapter;  Virginia Aquatic Resources Trust Fund)  <b>Bob Polin</b> (National Fish and Wildlife Foundation)  <b>Steve Martin</b> (USACE, Institute for Water Resources)  <b>Palmer Hough</b> (U.S. Environmental Protection Agency)</p>
3:00 pm to 3:15 pm	<b>Break</b>
3:15 pm to 4:00 pm	<b>Session XIII: Sponsoring an ILF Program</b>
	<p><i>Session Objective: Discuss what regulators can do to assist ILF programs and how ILF programs can better collaborate to support successful compensation projects.</i></p> <p><b>Facilitator:</b> Rebecca Kihslinger (ELI)</p>
4:00 pm to 4:30 pm	<b>Wrap-Up – Discuss Future Convening Opportunities</b>
	<p><i>Session Objective: Discuss possibility for workshop participants to develop a sustainable structure for continued ILF program convenings.</i></p> <p><b>Facilitator:</b> Rebecca Kihslinger (ELI)</p>
4:30 pm	<b>Adjourn</b>