

An Introduction to ILF Project Development

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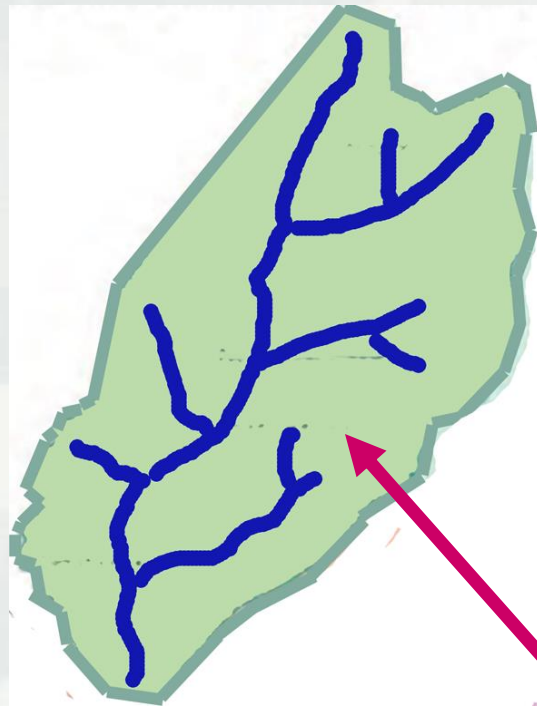
US Army Corps of Engineers
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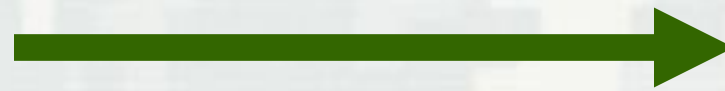
The 2008 Mitigation Rule does **NOT** indicate **HOW** ILF mitigation projects should be developed

Only **WHAT** must be included in an ILF project and **WHEN** it must be implemented





Service Area



Advance Credits



**Debit =
Promise of
Future
mitigation**



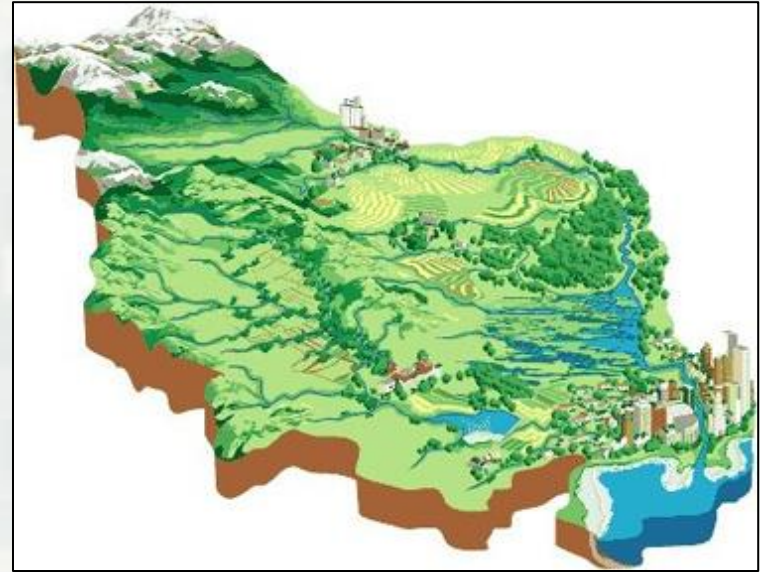
Successful implementation of projects = securing the mitigation obligation on the ground 332.8(n)(3)



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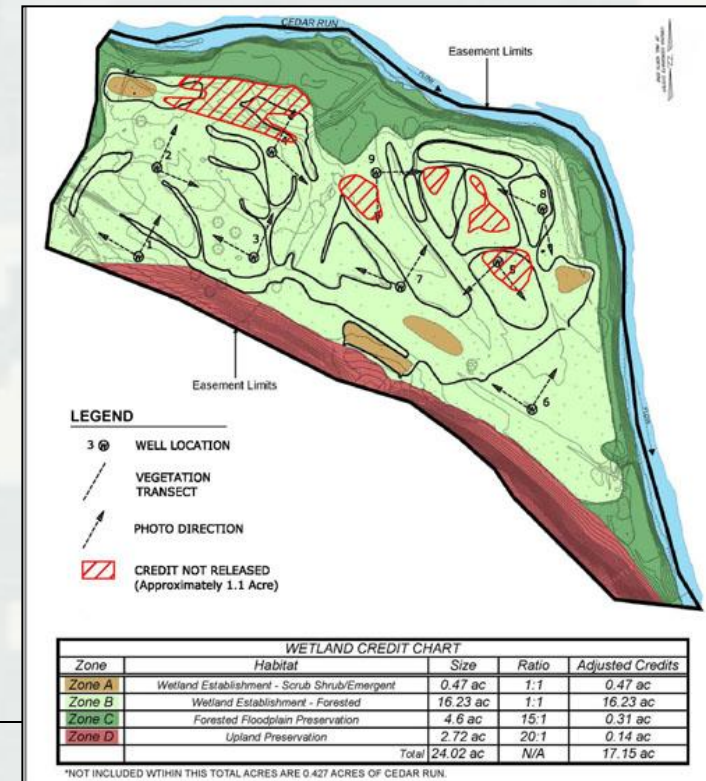
All ILF projects
must be
consistent with
the ILF
Compensation
Planning
Framework

33 CFR 332.8(c)(1)



Mitigation Plans must have/address these elements *33 CFR 332.4(c)*

1. Objectives
2. Site protection instrument
3. Baseline information
4. Work plan
5. Maintenance plan
6. Performance standards
7. Monitoring requirements
8. Financial assurances
9. Site selection factors
10. Credit determination
11. Long-term management plan
12. Adaptive management plan



ILF project implementation

- Land acquisition & initial physical/biological improvements by **3rd growing season (3rd year)** after first advance credit is **secured** by permittee*

33 CFR 332.8(n)(4)



Different approaches to ILF project development:

- Design and build
- Design-Bid-Build
- Request for Proposals
 - Full Project Delivery
 - Letter of Intent process
- Purchase Bank Credits



Leveraging - ILF funds have been used as matching funds for larger projects

Caution:

- ILF program account for mitigation fees only!
Do **NOT** commingle with other funds

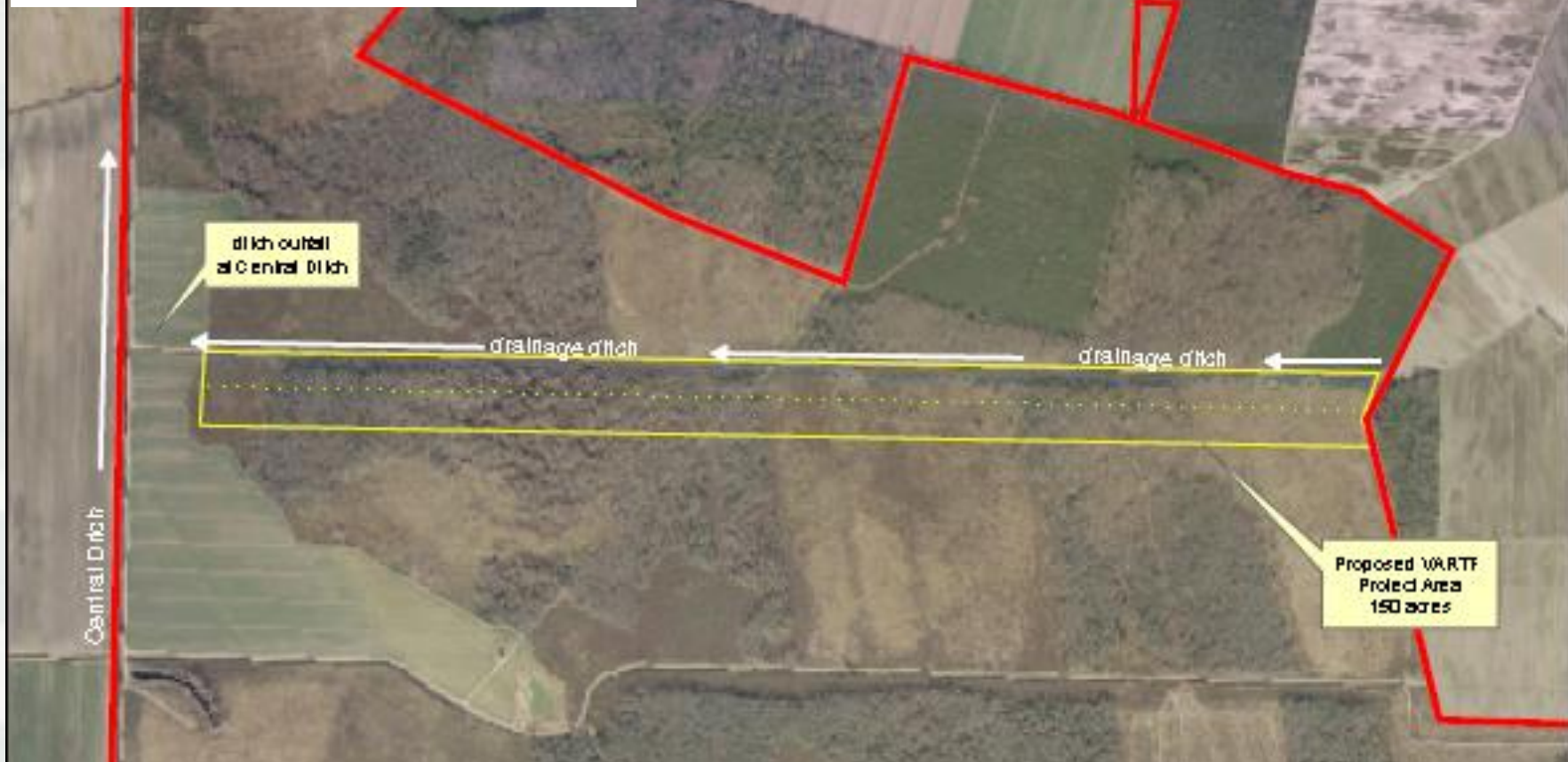
33 CFR 332.8(i)(1)

- Make sure grant allows mitigation funds as a match
- Mitigation credits are **ONLY** generated by mitigation funds
- Non Mitigation federal funds **CANNOT** generate 404 credits *33 CFR 332.3(j)(2)*



Accounting for ILF funds in a larger project

Fig. 2. Cavalier Tract: 150-acre VARTF project area



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Legend

- Cavalier Tract
- VARTF project area

Potential range of drainage effect due to ditching

- 200 foot drainage effect
- 100 foot drainage effect

