Background

- **Purpose:**
  - To address long-standing need within Corps for improvement and standardization of mitigation ratio setting process and performance standards

- **Original Participants:**
  - Dr. Richard Ambrose, UCLA
  - Dr. Eric Stein, SCCWRP
  - Several senior-level technical staff of U.S. Army Corps of Engineers, Los Angeles District, Regulatory Division
Background (2)

- Has evolved into a regional Corps effort, including:
  - Representatives from other 3 Corps districts (San Francisco, Sacramento, Albuquerque) covering Arizona, California, Nevada, Utah, New Mexico, and parts of Colorado and Texas
  - Representative from South Pacific Division (SPD, Corps regional headquarters in California)

- Concurrent with revisions to Corps Habitat Maintenance and Monitoring Plan Guidelines
  - LA District effort has become a SPD Division-wide effort
  - Performance standards and mitigation ratio-setting considerations will be incorporated into the HMMP Guidelines

- Meetings:
  - Initial workshop held at UCLA in May 2009
  - On-going effort (6 meetings to date)
  - Expect completion of draft products Spring 2010
Goals

- Establish regional procedure for setting mitigation ratios as requirements of Corps permits

- Establish regional, uniform mitigation performance standard language (not targets) to be incorporated in mitigation plans and/or Corps permits
Ratio Setting Procedure

Why does Corps need a procedure for setting mitigation ratios?

► Inconsistency between project managers, offices, districts
► Recent Corps-EPA mitigation rule doesn't provide procedure
► Current ratio-setting practices
  • Need to incorporate current scientific understanding
  • Best professional judgment varies
  • Little/no documentation of rationale
► Uncertainty on behalf of regulated community regarding mitigation requirements
► Recommendations of various outside (GAO, UCLA) reports/studies call for greater consistency and documentation
Ratio-Setting Procedure (2)

- Group is currently working on ratio-setting checklist:
  - Would provide structured decision-making procedure while retaining flexibility
  - Allows for qualitative or quantitative assessments of impacts & mitigation
  - Would create written rationale (decision document) for each ratio determination
  - Would be accompanied by guidance for each step of checklist
  - May incorporate default ratios for smaller impacts

- Draft checklist criteria:
  - Impact-mitigation comparison (qualitative or quantitative)
  - Mitigation site location
  - Mitigation type
  - Out-of-kind mitigation
  - Uncertainty
  - Special habitat status
  - Indirect impacts
  - Cumulative impacts
  - Temporal loss
Uniform Performance Standards

Why are uniform performance standards (PS) needed?
- Currently PS vary across project managers, districts, states, projects
- Current PS are often difficult to interpret or enforce
- Standardization would make PS more comparable, resulting in:
  - Better predictability for regulated community
  - Increased ability of Regulatory agencies to ensure compliance
  - Better gauge of long-term ecological viability of mitigation sites
  - Allow improved scientific comparison between mitigation sites

Focus is on ecological performance standards (not water treatment)

Overall goals:
- Uniform PS language, not specific targets
  - Why? Specific targets would require substantial research
  - Different aquatic resources and ecoregions throughout four Districts
  - Good goal for future, funded effort by region
- Expand beyond flora-based PS
  - Why? Flora-based PS do not represent full suite of ecological functions provided by impacted and mitigation sites
Uniform Performance Standards (2)

- **Draft performance standard categories:**
  - Physical
  - Hydrologic
  - Water quality
  - Flora
  - Fauna
  - Soil

- **PS language will incorporate:**
  - Aquatic resource type
  - Reference sites
  - Corresponding functional/condition metrics
  - Guidance
Coordination & Implementation

- **Coordination steps:**
  - Informational outreach to State and Federal agencies
    - EPA, CWMW, WRP, Vernal Pool Forum
  - Expect completion of draft products Spring 2010
  - Internal review by Corps management within South Pacific Division
  - Inter-agency coordination (State and Federal)
  - “Final” draft products
  - Incorporation of concepts into SPD Habitat Mitigation and Monitoring Guidelines update
    - Public review and comment period

- **Implementation steps:**
  - Adoption of final products by Corps
  - Pursuing web-based submittal of monitoring data following uniform PS
  - Potential for inter-agency data sharing
Context

- Support regional and statewide wetland monitoring efforts
  - State Wetland Monitoring Strategy and SoCal IWRAP
  - Supports the collection of standardized level 2 (CRAM/HGM) and 3 (IWRAP and other monitoring protocols) data at Corps compensatory mitigation sites across the State
  - CRAM training program for LA District Regulatory staff

- Leverage capabilities of innovative technologies:
  - Standardize incoming information
  - Map and drawing standards, GIS information
  - Web-based submittal of monitoring data following uniform PS
  - Expand data-sharing with agencies and public, e.g. Wetland Portal/Wetland Tracker
Questions?