



ENVIRONMENTAL LAW INSTITUTE[®]

AN INDEPENDENT, NON-PARTISAN ENVIRONMENTAL EDUCATION AND POLICY RESEARCH CENTER.

National In-Lieu Fee Program Training Workshop

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

Training Workshop Agenda

**This project made possible through a Wetland Program Development Grant from the
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 th	
8:00 am to 8:30 am	Registration/Arrival
8:30 am to 9:00 am	Welcome & Introductions
	<p><u>Welcome</u>: Rebecca Kihslinger, Environmental Law Institute; Leslie Day US Army Corps of Engineers, St. Paul District</p> <p><u>Workshop Overview & Introductions</u>: Rebecca Kihslinger, Environmental Law Institute</p>
9:00 am to 10:00 am	Session I: Regulatory Developments/Review of Corps/EPA Report on Mitigation Since the Rule
	<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>Panel: Steve Martin (Institute for Water Resources) Palmer Hough (U.S. Environmental Protection Agency) Dana Hicks (Oregon Department of State Lands)</p> <p>Q&A and Discussion</p>
10:00 am to 10:15 am	Break
10:15 am to 11:30 am	Session II: Understanding and Applying the Watershed Approach for ILF Programs
	<p><i>Session Objective: Discuss the watershed approach and how it can be applied to guide site selection for ILF programs.</i></p> <p>Panel: Nick Miller (The Nature Conservancy, Wisconsin Chapter) Lori Sommer (New Hampshire Aquatic Resource Mitigation Fund)</p> <p>Q&A and Discussion</p>
11:30 am to 12:30 pm	Lunch
12:30 pm to 1:15 pm	Session III: ILF Program Instrument Review
	<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>Speaker: Erin Okuno (Stetson University College of Law)</p> <p>Q&A and Discussion</p>

1:15 pm to 2:00 pm	Session IV: Establishing Fee Schedules (I)
	<p><i>Session Objective: Discuss how to determine project specific costs and establish fee schedules.</i></p> <p>Panel: Devin Schenk (The Nature Conservancy, Ohio Chapter) Dana Hicks (Oregon Department of State Lands)</p> <p>Q&A and Discussion</p>
2:00 pm to 2:45 pm	Session V: Establishing Fee Schedules (II)
	<p><i>Session Objective: Walk through examples of how ILF programs develop and modify fee schedules and how they have met expectations in practice.</i></p> <p>Panel: Michael Ellison (North Carolina Division of Mitigation Services) Gail Terzi (U.S. Army Corps of Engineers, Seattle District)</p> <p>Q&A and Discussion</p>
2:45 pm to 3:00 pm	Break
3:00 pm to 3:45 pm	Session VI: Managing Risk and Uncertainty
	<p><i>Session Objective: Discuss risk and uncertainty in the development and implementation of ILF programs.</i></p> <p>Panel: Vinny Pero (U.S. Army Corps of Engineers, Norfolk District) Megan McNeil (King County)</p> <p>Q&A and Discussion</p>
3:45 pm to 5:00 pm	Session VII: Small Group Roundtables
	<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>Roundtables</p> <ul style="list-style-type: none"> • Streams – Michael Ellison (North Carolina Division of Mitigation Services) • Data Management – Karen Johnson (The Nature Conservancy, Virginia Chapter) • RIBITS – Steve Martin (Institute for Water Resources) • Standard Operating Procedures – Vinny Pero (U.S. Army Corps of Engineers, Norfolk District)
5:00 pm	Wrap-Up & Adjourn

Thursday, July 14 th	
8:15 am to 8:45 am	Registration/Arrival
8:45 am to 9:00 am	Recap and Overview of Day Two
	Rebecca Kihslinger (ELI)
9:00 am to 10:15 am	Session VIII: Individual Project Approval: Challenges and Solutions
	<p><i>Session Objective: Discuss challenges in developing individual projects and how to work with the IRT on project approval.</i></p> <p>Panel: Steve Martin (Institute for Water Resources) Karen Johnson (The Nature Conservancy, Virginia Chapter) Dave Mitchell (Great Land Trust)</p> <p>Q&A and Discussion</p>
10:15 am to 11:00 am	Session IX: Calculating and Securing Financial Assurances
	<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>Panel: Steve Martin (Institute for Water Resources) Bob Polin (National Fish and Wildlife Foundation)</p> <p>Q&A and Discussion</p>
11:00 am to 11:15 am	Break
11:15 am to 12:15 pm	Session X: Calculating and Financing Long-Term Management Funding
	<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>Panel: Angela Sturdevant (The Nature Conservancy, Indiana Field Office)</p> <p>Q&A and Discussion</p>
12:15 pm to 1:15 pm	Lunch

1:15 pm to 1:45 pm	Session XI: Program Evaluation and Audits
	<p><i>Session Objective: Discuss program evaluation and audits</i></p> <p>Panel: Amy Streitwieser (ELI) Gail Terzi (U.S. Army Corps of Engineers, Seattle District)</p> <p>Q&A and Discussion</p>
1:45 pm to 3:00 pm	Session XII: Practitioners Panel of Experts (Possible topics program evaluation, functional assessments – may change given workshop discussions)
	<p><i>Session Objective: An open forum for participants to ask regulators and experienced program operators questions about program operation. Possible topics may vary given workshop discussions, but may include topics, like adaptive management and functional assessments, that were not covered in formal sessions.</i></p> <p>Panel: Karen Johnson (Virginia Aquatic Resources Trust Fund) Additional programs TBD Steve Martin (Institute for Water Resources) Palmer Hough (U.S. Environmental Protection Agency)</p>
3:00 pm to 3:15 pm	Break
3:15 pm to 4:00 pm	Session XIII: Sponsoring an ILF Program
	<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>Facilitator: Rebecca Kihslinger (ELI)</p>
4:00 pm to 4:30 pm	Wrap-Up – Discuss Future Convening Opportunities
	<p><i>Session Objective: Discuss possibility for workshop participants to develop a sustainable structure for continued ILF program convenings.</i></p> <p>Facilitator: Rebecca Kihslinger (ELI)</p>
4:30 pm	Adjourn