

**2017 National Mitigation & Ecosystem Banking Conference
In-Lieu Fee Workshop
Tuesday May 9, 2017**

Record Keeping and Data Management

Data Requirements and Management

- **Program Account** (33 CFR 332.8(i)(3))
 - Annual reports must include:
 - All income received, disbursements, and interest earned by the account
 - Permit #s, service area of authorized impacts, amount of authorized impacts, the amount of required compensation, amount paid to the program, date funds received
 - Description of ILF expenditures (e.g., costs of land acquisition, planning, construction, monitoring, maintenance, contingences, adaptive management, and administration.)
 - Balance of advance credits and released credits for each service area
 - Any other information required by the district engineer

- **Credit Ledger** (33 CFR 332.8(q))
 - Individual ledgers for each project
 - Annual ledger report
 - Beginning and ending balance of available credits and permitted impacts for each resource type
 - All additions and subtractions of credits ((e.g., additional credits released, credit sales suspended)
 - Any other changes in credit availability

Audits

- **Audits** (33 CFR 332.8(i)(4))
 - Determine substantial compliance with all required program elements - Compensatory Mitigation Rule, State Law/Regulations, Program Instrument
 - Determine whether material representations made in its reports are supported by documentation, and
 - Determine whether any procedures or practices warrant additional attention

- Potential Audit Documents
 - Documents pertaining to specific mitigation projects commenced since date of Program Instrument (e.g., prospectus/proposal for initial approval, site development plan/mitigation plan, etc.)
 - Credit ledger spreadsheet
 - Budget spreadsheet
 - Documentation of credit sales and release
 - Standard letters used in implementing the program
 - Internal databases used by the Sponsor to track status or projects
 - Annual Reports

- Potential Audit Elements
 - Maintenance of credit tracking system, and accurate tracking of credits using the system;
 - Conformation of Mitigation Project service areas to applicable regulations and standards;
 - Compliance with the approved Compensation Planning Framework;
 - Documented approval of Mitigation Project Sites;
 - Site Development Plans (Mitigation Plans) including all required elements;
 - Monitoring Plan;
 - Long Term Management and Maintenance Plan;
 - Adaptive Management Plan;
 - Financial Assurance;
 - Recorded land protection documents;
 - Advance credits with documented completion of land acquisition and initial physical and biological improvements by the third full growing season after first advance credit in service area is sold or debited;
 - Documentation of credit costs;
 - Satisfaction of required reporting protocols; and
 - Additional elements as agreed