

# U.S. Fish and Wildlife Service's Compensatory Mitigation Policy

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# DEFINITIONS

## MITIGATION

- Actions taken to **avoid, minimize, restore, and compensate** for the loss of ecological values due to an activity

## COMPENSATORY MITIGATION

- Replacement, substitution, enhancement, or protection of ecological values to offset **anticipated** losses caused by a permitted activity

## SERVICE GOAL

Assisting Federal agencies in developing landscape-scale conservation programs for species that are designed to fully offset the effects of their actions (i.e., achieve “**no net loss**”), thereby contributing to the conservation of the species



# MITIGATION HIERARCHY



**Step 1. Avoid**



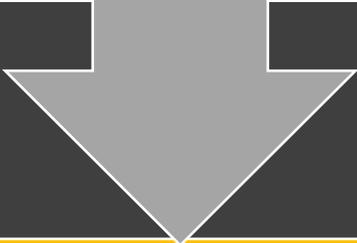
**Step 2. Minimize**



**Step 3. Compensate**

WHEN DO WE START  
TALKING ABOUT  
COMPENSATORY  
MITIGATION?

As soon as impacts have  
been identified



That *can't* be avoided  
or minimized



# APPLICATION OF COMPENSATORY MITIGATION

**Effective Siting  
Landscape Scale**

**In-kind Mitigation  
for Species**

**Reliable and  
Consistent  
Metrics**

**Judicious Use of  
Additionality**

**Reasonable Timing  
and Appropriate  
Duration**

**Durability**

**Effective  
Conservation  
Outcomes and  
Accountability**

**Effective  
Collaboration**

# COMPENSATORY MITIGATION MECHANISMS

<b>Mitigation Mechanism</b>	<b>Responsible Party</b>	<b>Credits Generated</b>	<b>Responsibility Transferable</b>
<b>Permittee-responsible Mitigation Site</b>	<b>Permittee</b>	<b>No</b>	<b>No</b>
<b>Conservation Bank Program</b>	<b>Bank Sponsor</b>	<b>Yes</b>	<b>Yes</b>
<b>In-lieu Fee Program Site</b>	<b>In-lieu Fee Sponsor</b>	<b>Yes</b>	<b>Yes</b>
<b>Habitat Credit Exchange Site</b>	<b>Exchange Administrator, Mitigation Sponsor, or other identified responsible entity</b>	<b>Yes</b>	<b>Yes</b>

# CALIFORNIA CONDOR CONSERVATION PLAN

Total Mitigation = 2 adults x 3 captive-raised condors per adult =  
6 captive-reared releasable condors

Funding Need	Per Unit Cost	Estimated Years	Estimated Total Cost	Funding Assurances
Condor Risk Minimization Program	\$200,000/year +2.5% escalation/year	30 years	\$8,780,541	Operations budget
Mitigation	\$90,000 per condor keeper FTE per year (2.5% escalator) = \$10,000 per year to transport additional condors to release sites	5 years	\$527,822	First 3 years (\$308,181) paid within 12 months of ITP issuance, then annually out of Operations budget until mitigation is fully funded
Monitoring	Incorporated in cost of on-site operations personnel	-	-	Operations budget
Adaptive Management	\$250,000	-	\$500,000	Corporate guarantee
Information Management and Reporting	Incorporated in cost of on-site operations personnel	-	-	Operations budget
Contingency Fund	5% of total minimization cost	-	\$400,000	Corporate guarantee

# CONTACT US – ECOLOGICAL SERVICES

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## Maine Field Office

- <https://www.fws.gov/office/maine-ecological-services>

## New England Field Office

- <https://www.fws.gov/office/new-england-ecological-services>

## Long Island Field Office

- <https://www.fws.gov/office/long-island-ecological-services>

## New York Field Office – Onshore and Solar

- <https://www.fws.gov/office/new-york-ecological-services-field>

## Pennsylvania Field Office – Onshore and Solar

- <https://www.fws.gov/office/pennsylvania-ecological-services/contact-us>

## Chesapeake Bay Field Office

- <https://www.fws.gov/office/chesapeake-bay-ecological-services>

## West Virginia Field Office – Onshore and Solar

- <https://www.fws.gov/office/west-virginia-ecological-services>

## Virginia Field Office -

- <https://www.fws.gov/office/virginia-ecological-services>