

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

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

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

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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

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