

EEP PPM Section 8.2.1		Document No.: PLNPOL 01.01.01	
Policy Title: Interim Policy on Requests to Accept Stream and Wetland Mitigation Requirements		Rev. No.	Page: 1 of 1
		Date: October 29, 2007	

## 1.0 PURPOSE AND SCOPE

This policy pertains to requests to the Ecosystem Enhancement Program to accept stream and wetland mitigation requirements for applicants to the Memorandum of Understanding (MOU) program under EEP fund 2981. This policy is effective October 29, 2007 until after the legislature acts on proposed fee revisions during the 2008 session.

## 2.0 POLICY STATEMENT

The Environmental Management Commission and the Rules Review Commission have adopted and approved a revised fee schedule for EEP's in-lieu fee program for stream and wetland mitigation. The fee schedule is divided into two categories based on 8-digit hydrologic units – a base fee and an augmented fee for areas of the state where it costs more to deliver compensatory mitigation credits. The revised fees are needed to bring revenues in line with expenditures. Per established protocols for rule-making, these rules will be considered in the next legislative session beginning May 13, 2008. Until legislative consideration, EEP will take a guarded approach on accepting mitigation requests in order to protect the program's fiscal stability. The following steps will be taken for new requests until the legislature approves the new fee schedule.

1. In those areas where existing assets are available, EEP will accept new mitigation requests.
2. In those areas where existing assets are not available and a request is small enough to not warrant the construction of a cost effective project (considered in the context of unpaid acceptances), EEP will either accept conditionally on the basis of utilizing an adjacent CU (or other alternative) or decline acceptance.
3. In those areas where anticipated project costs would be above the fee schedule, EEP will decline the request unless there is sufficient information from a watershed plan or other study to indicate that such a project could be undertaken within the existing fee schedule that exists as of 10/29/07.
4. If the request is a minor modification or update to an unexpired acceptance, it will be accepted.
5. Requests for renewal of acceptance will be granted if at least one permit was issued prior to November 1, 2007.
6. Requests for renewal of acceptance will be granted if the project has at least one permit issued within the six month acceptance period.

## 3.0 REFERENCES

Re-publication of Proposed Revisions to 15A NCAC 2R.0402; Schedule of Fees Applied to the Ecosystem Enhancement Program.

[www.nceep.net/pages/Announcement\\_of\\_RePub%20v2\\_3\\_15\\_07.pdf](http://www.nceep.net/pages/Announcement_of_RePub%20v2_3_15_07.pdf)

## 4.0 AUTHORIZATION



10-29-2007

William Gilmore, EEP Director

Date