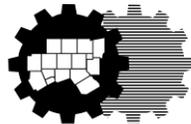




ONLINE TOOL TO STREAMLINE PERMITTEE RESPONSIBLE MITIGATION

North Central Texas Council of Governments
Flood Management Task Force
January 17, 2020



North Central Texas
Council of Governments



AUTHORITY FOR COMPENSATORY MITIGATION

- Mitigation for the discharge of dredge or fill material into Waters of the US
- Section 404 of the Clean Water Act
- 40 CFR Part 230 Compensatory Mitigation for Losses of Aquatic Resources; Final Rule
- Administered by US Army Corps of Engineers (USACE) Regulatory Division
- Not related to National Pollutant Discharge Elimination System program, which is authorized under Section 402 of the Clean Water Act



MITIGATION BANKING VS. PRM

- 2008 Final Rule identifies the preferred means for mitigating impacts as the purchase of credits from an established mitigation bank. Mitigation bank owner is responsible for maintaining the bank.
- Not all areas are served by a mitigation bank.
- Permit applicants may seek permission from USACE to conduct permittee responsible mitigation (PRM).
- PRM may be approved if it provides a greater ecological benefit than a mitigation bank or if no bank credits are available.
- The permittee is responsible for maintaining the site, and credits will not be sold to mitigate impacts beyond those created by the permittee. A PRM site is not a mitigation bank.



PRM PARTIES

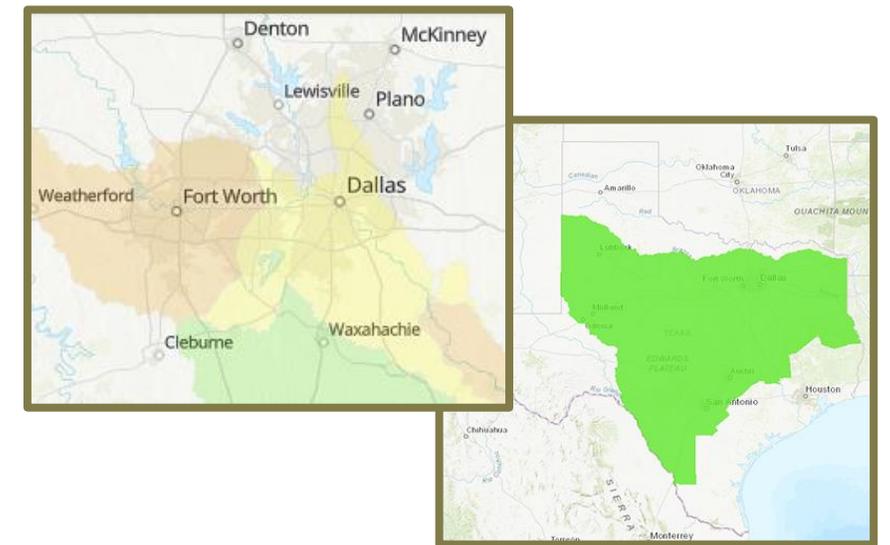
Willing landowner – agrees to allow restoration work; agrees to conservation easement if private property *or* develops integrated natural resources management plan if government property

Permit applicant – has mitigation need; responsible for enhancing or restoring function of stream, wetland, or riparian area at PRM site; monitors site for at least 5 years; conducts adaptive management as needed

Third-party land trust – holds conservation easement in perpetuity

PRM DATABASE

- Connects willing landowners and permit applicants
 - Landowners enter information about their property
 - Permit applicants enter mitigation needs and identify landowners who could be PRM partners
- Identifies Area of Applicable Use for impact location
- Covers area compatible with the US Army Corps of Engineers, Fort Worth District



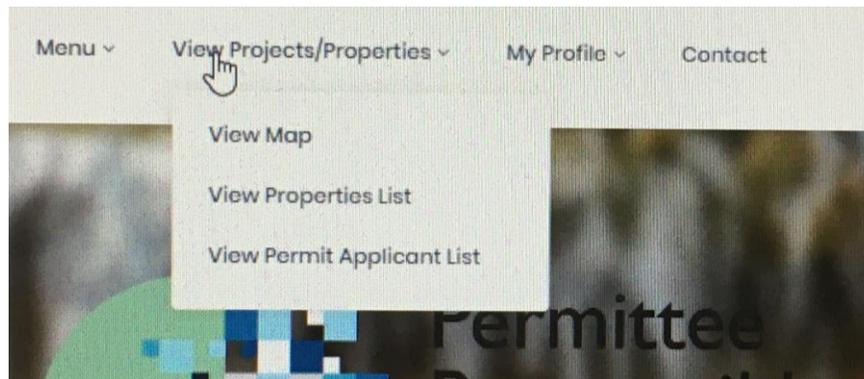


PRM DATABASE LINKS

- Glossary
- USACE Regulatory In-lieu Fee and Bank Information Tracking System
- USACE pre-application meeting request form – permit applicants should submit this to seek permission to use PRM
- Land trusts and conservation easement information

PRM DATABASE DEMONSTRATION

- <http://prmd.nctcog.org/>
- Note that users create a sign-in as a property owner or a permit applicant, but the same user can add locations for property available *and/or* for mitigation needs by clicking the “View Projects/Properties” dropdown and selecting “View Properties List” or “View Permit Applicant List”



CONTACTS

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Technical Questions

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