



US Army Corps
Of Engineers
Wilmington District

PUBLIC NOTICE

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FEDERAL PUBLIC NOTICE

NOTIFICATION OF ISSUANCE OF GUIDANCE FOR COMPENSATORY STREAM AND WETLAND MITIGATION CONDUCTED FOR WILMINGTON DISTRICT

The Wilmington District is releasing updated compensatory mitigation guidance, entitled Wilmington District Stream and Wetland Compensatory Mitigation Update. This guidance document has been developed in coordination with the North Carolina Interagency Review Team (NCIRT) to provide updates to existing District guidance for compensatory mitigation. The NCIRT is a joint interagency team chaired by the USACE, which includes representation from the US Fish and Wildlife Service, US Environmental Protection Agency, National Marine Fisheries Service, NC Division of Water Resources, NC Wildlife Resources Commission, NC Division of Coastal Management, and the NC State Historic preservation Office. This guidance is applicable to stream and wetland mitigation projects that are used to satisfy the requirements of Department of the Army permits issued in accordance with Section 404 of the Clean Water Act and Sections 9 and 10 of the Rivers and Harbors Act of 1899. In particular, these updates are intended to bring District monitoring requirements up to the standards established in 33 CFR part 332 – Compensatory Mitigation for Losses of Aquatic Resources (Mitigation Rule), issued in April, 2008, and Regulatory Guidance Letter 08-03, issued in October, 2008, which establishes minimum monitoring requirements for compensatory mitigation projects.

This guidance document is effective as of the date of this public notice and should be put to immediate use for new compensatory mitigation projects. Further details pertaining to which mitigation projects this guidance applies to can be found in Section II of the document. This guidance was previously put out for public comment on February 22, 2013. Comments and new information received since the issuance of the first public notice have been incorporated into the current version. The Corps will be continually accepting comments related to this guidance from the public, Federal, state, and local agencies and officials; Indian Tribes; and other interested parties. This document is intended to be updated regularly as new techniques and information becomes available. The most recent copy of this document will be available for review and download on the

Wilmington District Regulatory In-lieu Fee and Bank Information Tracking System (RIBITS) webpage at <https://ribits.usace.army.mil>.

Comments can be submitted to Mr. Todd Tugwell, Wilmington District, US Army Corps of Engineers, 3331 Heritage Trade Drive, Suite 105, Raleigh, NC 27587. If you have questions about this proposal, please contact Mr. Tugwell at (919) 554-4884 x58.