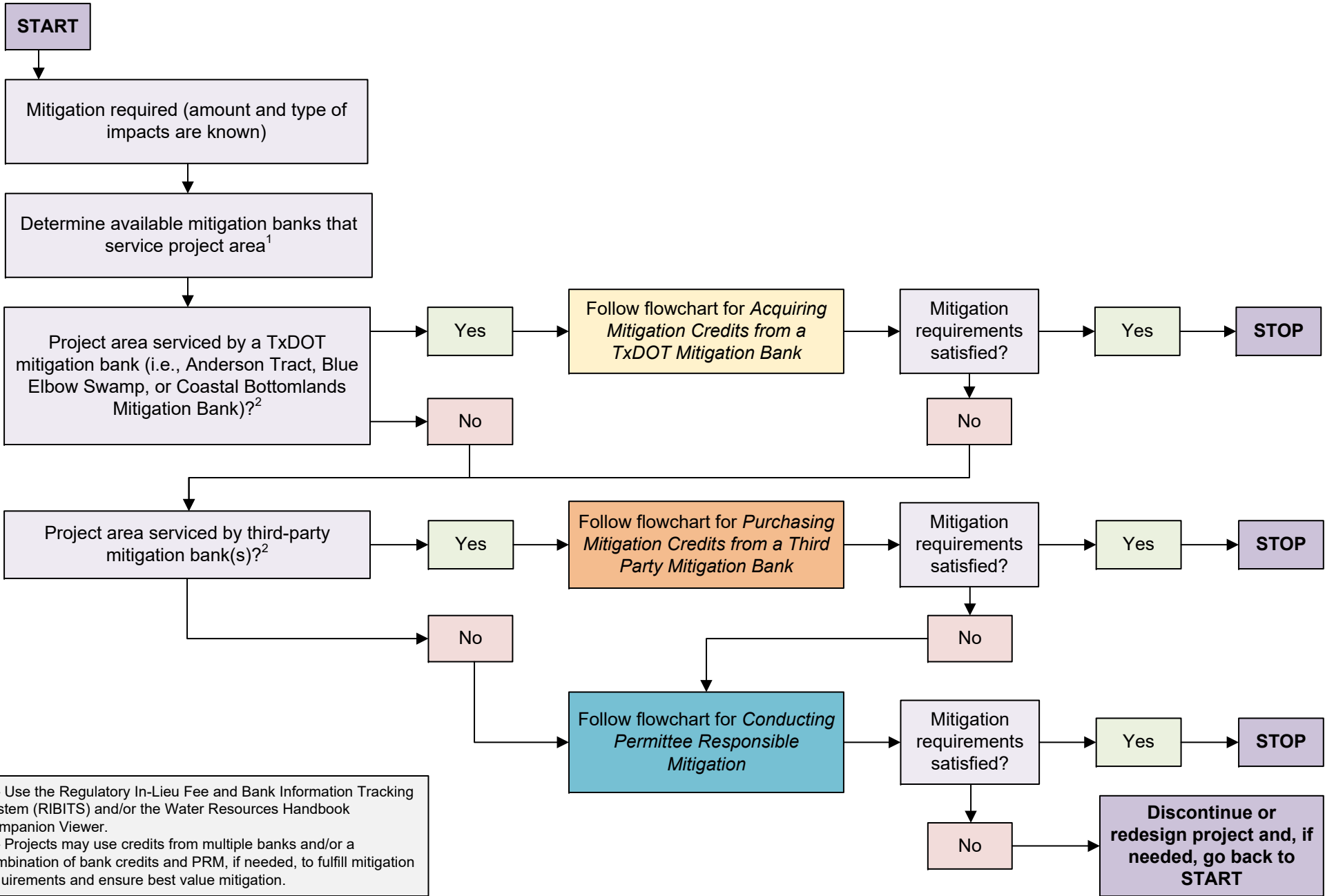




Section 404 Compensatory Mitigation Flowchart ~ Overview ~



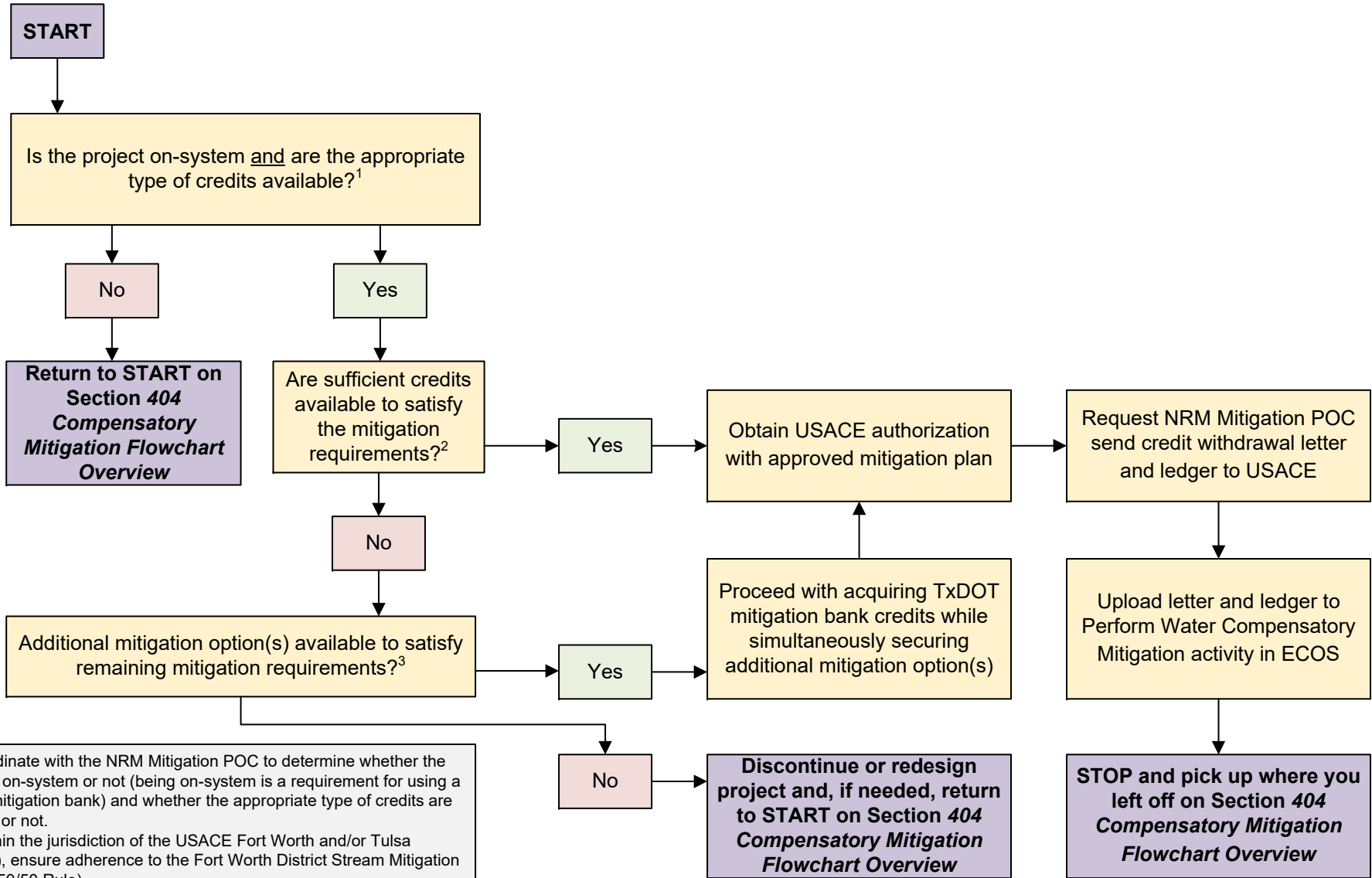
1 – Use the Regulatory In-Lieu Fee and Bank Information Tracking System (RIBITS) and/or the Water Resources Handbook Companion Viewer.
 2 – Projects may use credits from multiple banks and/or a combination of bank credits and PRM, if needed, to fulfill mitigation requirements and ensure best value mitigation.



Section 404 Compensatory Mitigation Flowchart

~ Acquiring Mitigation Credits from a TxDOT Mitigation Bank ~

For additional information see Standard Operating Procedure: Acquiring and/or Purchasing Section 404 Compensatory Mitigation Credits



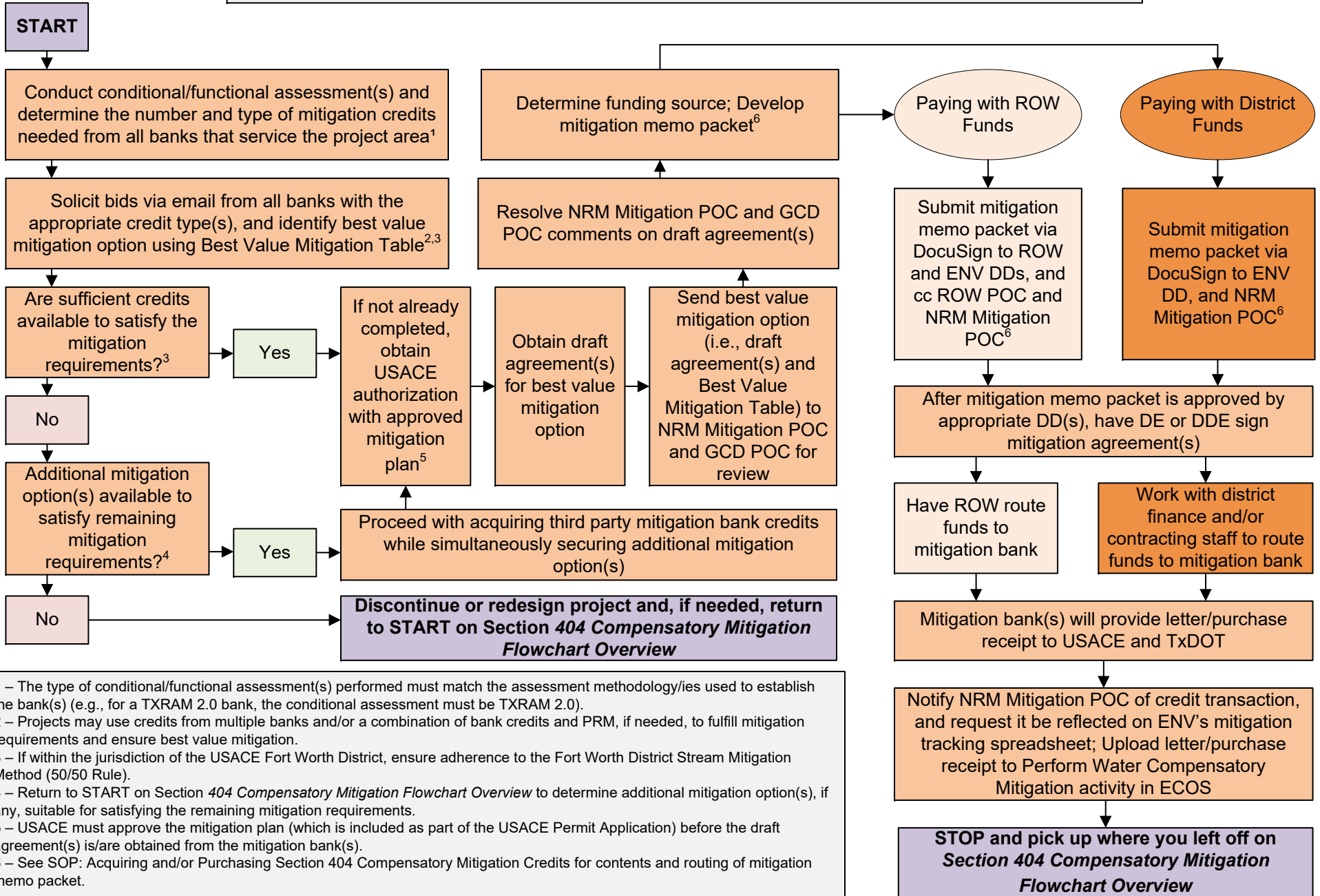
1 – Coordinate with the NRM Mitigation POC to determine whether the project is on-system or not (being on-system is a requirement for using a TxDOT mitigation bank) and whether the appropriate type of credits are available or not.
 2 – If within the jurisdiction of the USACE Fort Worth and/or Tulsa District(s), ensure adherence to the Fort Worth District Stream Mitigation Method (50/50 Rule).
 3 – Return to START on Section 404 Compensatory Mitigation Flowchart Overview to determine additional mitigation option(s), if any, suitable for satisfying the remaining mitigation requirements.



Section 404 Compensatory Mitigation Flowchart

~ Purchasing Mitigation Credits from a Third Party Mitigation Bank ~

For additional information see Standard Operating Procedure: Acquiring and/or Purchasing Section 404 Compensatory Mitigation Credits

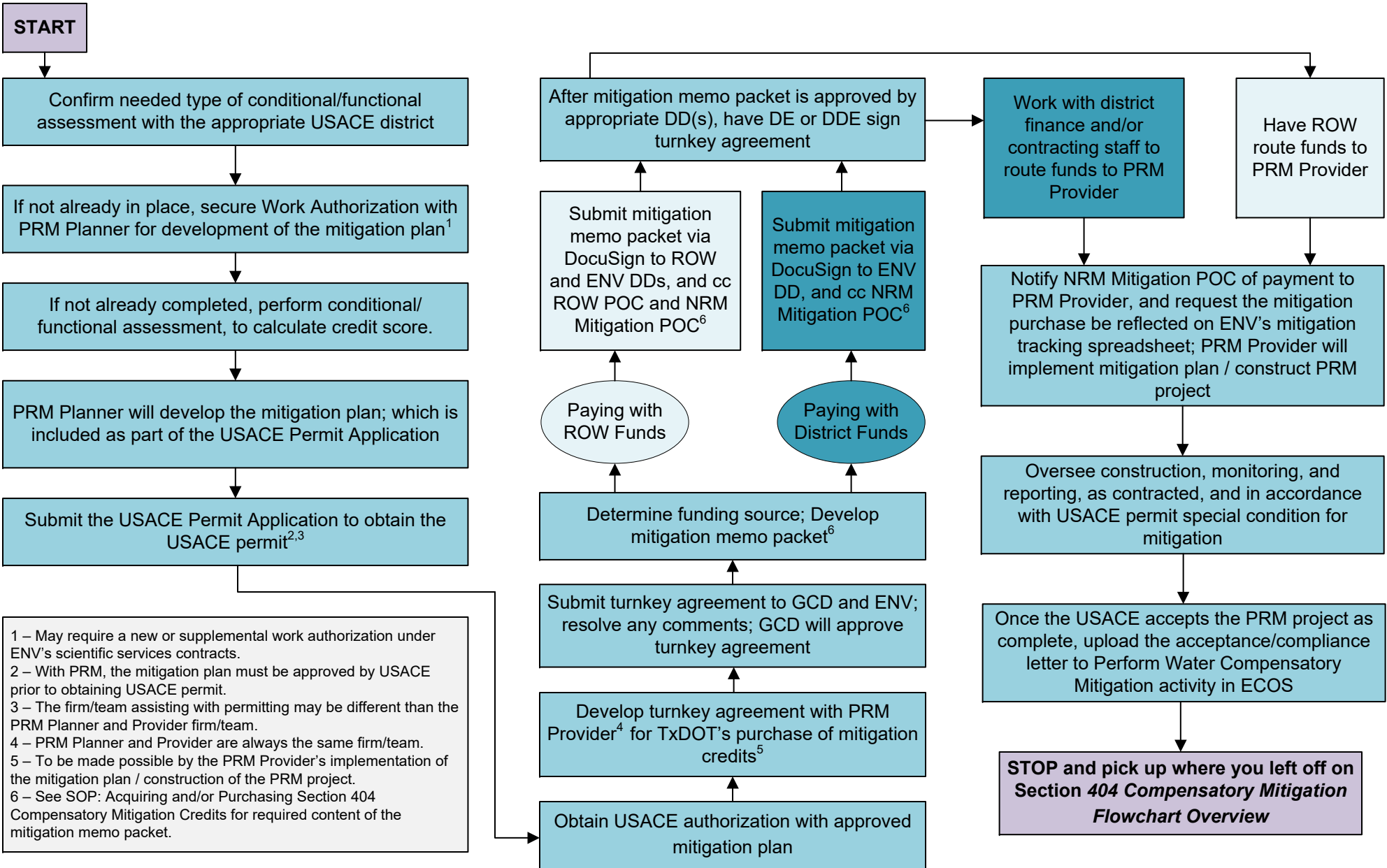


1 – The type of conditional/functional assessment(s) performed must match the assessment methodology/ies used to establish the bank(s) (e.g., for a TXRAM 2.0 bank, the conditional assessment must be TXRAM 2.0).
 2 – Projects may use credits from multiple banks and/or a combination of bank credits and PRM, if needed, to fulfill mitigation requirements and ensure best value mitigation.
 3 – If within the jurisdiction of the USACE Fort Worth District, ensure adherence to the Fort Worth District Stream Mitigation Method (50/50 Rule).
 4 – Return to START on Section 404 Compensatory Mitigation Flowchart Overview to determine additional mitigation option(s), if any, suitable for satisfying the remaining mitigation requirements.
 5 – USACE must approve the mitigation plan (which is included as part of the USACE Permit Application) before the draft agreement(s) is/are obtained from the mitigation bank(s).
 6 – See SOP: Acquiring and/or Purchasing Section 404 Compensatory Mitigation Credits for contents and routing of mitigation memo packet.



Section 404 Compensatory Mitigation Flowchart ~ Conducting Permittee Responsible Mitigation ~

For additional information see Standard Operating Procedure: Conducting Section 404 Compensatory Mitigation via Permittee Responsible Mitigation (PRM)



1 – May require a new or supplemental work authorization under ENV's scientific services contracts.
 2 – With PRM, the mitigation plan must be approved by USACE prior to obtaining USACE permit.
 3 – The firm/team assisting with permitting may be different than the PRM Planner and Provider firm/team.
 4 – PRM Planner and Provider are always the same firm/team.
 5 – To be made possible by the PRM Provider's implementation of the mitigation plan / construction of the PRM project.
 6 – See SOP: Acquiring and/or Purchasing Section 404 Compensatory Mitigation Credits for required content of the mitigation memo packet.