

The background of the slide features a pattern of overlapping autumn leaves in various shades of brown and orange, set against a darker brown gradient background.

**Session 6:**  
**Ecological Considerations for  
Mitigation Bank Site Selection  
and Design**

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# Case Study: Virginia

## Joint DEQ-Corps Off-Site Mitigation Guidelines:

- For permit-specific compensation, mitigation banks, and in-lieu-fee projects.
- Helps identify priority areas for compensation sites
  - sites that have a higher likelihood of success
  - sites that may satisfy more than one conservation goal.

# Case Study: Virginia

## Joint DEQ-Corps Off-Site Mitigation Guidelines

### General Goals

- Site within same 8 digit HUC Catalog Unit or an adjacent HUC Catalog Unit in same river basin and topographic region/province (coastal plain, piedmont, mountain). Outside of this area, documentation necessary to indicate that no suitable sites are available within the area.
- Mitigation banks, by state law, must be located within same 8 digit HUC Catalog Unit or an adjacent HUC Catalog Unit in same river basin.
- Mitigation should be in-kind to the extent that it is practicable. Wetland mitigation should not be used to compensate for stream and open water impacts and vice versa without justification.

# Case Study: Virginia

## Joint DEQ-Corps Off-Site Mitigation Guidelines

### Site Selection Goals

- Wetland restoration before wetland creation.
- Stream restoration or enhancement with preservation of streams and riparian buffers. Stream preservation only for exemplary systems.
- Mitigation sites contiguous with or connected to other aquatic areas.
- Mitigation areas should not be selected if future foreseeable upstream or up gradient activities are likely to cause adverse effects.
- Riparian buffer protection should provide greater protection than any current state or local requirements and should enhance water quality and/or fish and wildlife habitat.
- The use of the property for mitigation purposes should be consistent with local planning documents.
- Restoration, enhancement, or preservation of streams of an order that is commensurate with that which is being impacted.
- Legal protection of the mitigation site through the recordation of a third party conservation easement.

# Case Study: Virginia

## Joint DEQ-Corps Off-Site Mitigation Guidelines

### Conservation Goals

- Abutting or adjoining an existing reserve or conservation areas
  - National Wildlife Refuge, National Park, State Wildlife Management Area, Natural Area Preserve, State Park, local parks or protected areas,
  - Creating or contributing to a corridor linking existing reserves, conservation areas, or large wetland or aquatic resource systems to other habitats.
- Conserve or restore habitat for one or more state or federal-listed species.
- Conserve or restore wetland, stream, or riparian habitat for species identified as rare by Division of Natural Heritage or for Species of Greatest Conservation Need identified in the Virginia Wildlife Action Plan.
- Conserve or restore wetland, stream, or riparian areas and associated buffer areas identified by Division of Natural Heritage, or as rare or imperiled natural communities.
- Contribute to improved water quality through wetland or stream restoration associated with identified/designated impaired waters (with an emphasis on implementation of TMDL restoration plans).

# Case Study: Virginia

## Joint DEQ-Corps Off-Site Mitigation Guidelines

### Conservation Goals

- Remove barriers to fish passage as identified by VDGIF.
- Restore, enhance, or preserve aquatic resources and/or associated riparian areas identified as meriting restoration/conservation in an approved Federal, state, or local watershed management plan.
- Conserve and/or restore the entire watershed associated with stream systems. Proof of control may range from full legal protection (e.g. legally binding real estate restriction such as open space easements or declaration of restrictions) to written guarantees by local governments that stricter runoff standards would be applied in that watershed.
- Remediate inputs of substantial amounts of sediments or removal of other pollutants to downstream waters .
- Conserve or restore areas designated by VDGIF as wild trout streams or Anadromous Fish Use Areas.

# Case Study: Virginia

- Several initiatives are underway or proposed to better identify and track potential restoration sites:
  - VDCR Restoration Catalogue (underway)
  - Develop database to track voluntary restoration projects (grant proposal submitted to NOAA thru VDEQ's Coastal Program)