



Legislation Text

File #: 2021-2376, Version: 1

Public Hearing: YES NO

Department: Watershed Management

SUBJECT:

Commission District(s): 1, 2, 4, 6 & 7

Mitigation Bank Credits for the U.S. Army Corps of Engineers (COE) Permitting for Consent Decree (CD) Priority Area Sewer Assessment and Rehabilitation Program (PASARP) Package 7 Projects

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PURPOSE:

To authorize the documents necessary for the County to acquire compensatory mitigation bank credits as required to obtain permits from the U.S. Army COE, related to sewer capacity projects required by the County's CD within CD PASARP Package 7, in the amount of \$600,351.40.

NEED/IMPACT:

A mitigation bank is a wetland, stream or other aquatic resource area that has been restored, established, enhanced, or preserved. This resource area is then set aside to compensate for future impacts to aquatic resources resulting from permitted activities. The value of a bank is determined by quantifying the aquatic resource functions restored, established, enhanced, and/or preserved in terms of "credits." Permittees such as DeKalb County, upon approval of regulatory agencies, can acquire these credits to meet their requirements for compensatory mitigation as required through the U.S. Army COE permitting process.

Mitigation banks sites are approved by the Corps to sell compensatory mitigation credits for projects resulting in unavoidable impacts to waters of the U.S. When a permit is issued that requires compensatory mitigation, the permit will specify how many credits are required to be purchased at an approved mitigation bank.

The County has determined that two (2) of the sewer capacity improvement projects required under the EPA's Consent Decree with the County, CD PASARP Package 7 Component 3 and Component 8, will require the acquisition of compensatory mitigation bank credits in order to compensate for the impacts during construction of these projects as a requirement of the U.S. Army COE permit approvals.

FISCAL IMPACT:

To be in compliance with the EPA's CD, to make payments timely in order to reduce the County's liability and to avoid potential higher costs in the long run.

Funding: \$600,351.40 Renewal & Extension

RECOMMENDATION:

To authorize the Chief Executive Officer or designee to execute all necessary documents to acquire compensatory mitigation bank credits for an amount of \$600,351.40.