

MEMORANDUM

DATE: December 13, 2005
TO: The Board of Supervisors
FROM: Michael D. Woolson, Senior Watershed Planner, Environmental Division
SUBJECT: Umbrella Wetland and Stream Mitigation Bank

On February 26, 2002, and October 14, 2003, the Board adopted the Powhatan Creek and Yarmouth Creek Watershed Management Plans (WMPs) respectively. One of the priorities of each of these plans is to stabilize and/or restore several stream channel segments within each watershed. The WMPs estimate the costs of these types of projects, which can be significant due to the specialized nature of the work. Development Management is currently in design development process of two stream restoration projects within the Powhatan Creek watershed.

Sometimes, as part of the normal design development process, unavoidable wetland and/or stream impacts are incurred by the development and are regulated by State and Federal agencies. As mitigation for these unavoidable impacts, the developer must provide some type of compensation, usually the creation of the same natural system that was impacted by the development. Another form of compensation would be purchasing 'credits' from a mitigation bank where those types of credits would be available.

The private sector has been successful in providing several wetlands mitigation banks near our County and developers of projects here have the option of buying credits from any of these banks. What has not been successful is the creation of any stream mitigation banks in our area due to various factors. When developers need stream mitigation, the permitting for their projects tends to take longer because of the lack of viable mitigation options available to them.

In order to help offset costs incurred by the County for the design and construction of the stream restoration projects outlined in the adopted WMPs and to provide another alternative to developers for their mitigation requirements, the Environmental Division proposes to start an umbrella stream mitigation bank. The bank would be regulated by the Mitigation Banking Review Team, which is composed of members from each of the involved wetland permitting agencies (US Corps of Engineers, US Environmental Protection Agency, US Fish and Wildlife, Virginia Department of Environmental Quality, Virginia Department of Game and Inland Fisheries, and Virginia Marine Resources Commission). Staff is in discussions with the agencies on starting a stream mitigation bank and will have the lead agency, the US Army Corps of Engineers, issue a public notice of our intentions in early 2006. Although some future Board action may be necessary, no Board action is required at this time.

Michael D. Woolson

CONCUR:

John T. P. Horne