



US Army Corps
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New England District

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PUBLIC NOTICE

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This public notice is to share with the public the **“Ducks Unlimited – Vermont In-Lieu Fee Program 2013 Annual Report”** dated **“April 9, 2014”**. The program, which is an In-lieu Fee (ILF) program, serves as an alternative form of compensation for impacts to aquatic resources authorized by the New England District Army Corps of Engineers (Corps) and/or the State of Vermont Department of Environmental Conservation.

Compensatory mitigation occurs in circumstances where a permittee is required to compensate for the functions and values of aquatic resources lost as a result of the authorization after all efforts are made to avoid and minimize impacts. ILF is an option available to the applicant instead of completing permittee-responsible mitigation. Use of the ILF program is contingent upon Corps and/or State approval.

All ILF agreements in New England are available on the Corps’ website:
<http://www.nae.usace.army.mil/Missions/Regulatory/Mitigation/InLieuFeePrograms.aspx>.

JENNIFER L. MCCARTHY
Chief, Regulatory Division

If you would prefer not to continue receiving Public Notices, please contact Ms. Tina Chaisson at (978) 318-8058 or e-mail her at bettina.m.chaisson@usace.army.mil. You may also check here () and return this portion of the Public Notice to: Bettina Chaisson, Regulatory Division, U.S. Army Corps of Engineers, 696 Virginia Road, Concord, MA 01742-2751.

NAME: _____

ADDRESS: _____

DUCKS UNLIMITED



MITIGATION AND
ECOLOGICAL SERVICES



Ducks Unlimited – Vermont In-Lieu Fee Program 2013 Annual Report

April 9, 2014



Ducks Unlimited: Great Lakes / Atlantic Regional Office
1220 Eisenhower Place, Ann Arbor, MI 48108

Ducks Unlimited Vermont In-Lieu Fee Program

Annual Report – January 1, 2013-December 31, 2013

1. INTRODUCTION

The Ducks Unlimited Vermont In-Lieu Fee Program (DU-VT-ILF) is an option for compensatory mitigation for unavoidable impacts to waters of the United States in the State of Vermont. Permits are required by the U.S. Army Corps of Engineers (“Corps”) through the Clean Water Act (“CWA”) Section 404 for discharge of dredge or fill materials within “waters of the U.S.”; through the Rivers and Harbors Act Section 10 for structures or work in or affecting navigable water of the U.S.; and by the Vermont Department of Environmental Conservation (“DEC”) under section 8.5 of the Vermont Wetland Rules. These regulatory agencies require that aquatic resource functions and services lost due to impacts be replaced through compensatory mitigation after addressing avoidance and minimization of impacts. The DU-VT ILF program contains four (4) service areas that cover the entire state of Vermont (See Appendix A for a Service Area Map and payment distribution for the current reporting year). This report outlines the DU-VT ILF program activities from January 1, 2013 to December 31, 2013.

2. IMPACTS and FEES RECEIVED

During the period of this annual report, five (5) In-Lieu Fee (ILF) payments were received. The tables that follow provide information on ILF payments, impact types and amounts, and funds available for future ILF projects.

- Table 1 provides a full list of all of the permitted impacts that have generated ILF payments. Included in this table is the applicant, date the payment was received, project name, permit numbers, town of impact, habitat type impacted, required amount of compensatory mitigation and the amount of the payment. This table is sorted by service area.
- Table 2 shows the financial account ledger for the DU-VT ILF program. Included in this table is the starting balance, payments received, administration fees collected, interest earned, disbursements made and the remaining account balance. This table is broken down by service area.
- Table 3 is the credit ledger for the DU-VT ILF program. This table shows the authorized advance credits, advance credits sold, credits released, released credits sold (in excess of satisfied advance credits), and the total credits available, broken down by service area.
- Table 4 indicates the funds distribution by service area. This table shows where funds are available to do projects.

3. Project Implementation

As a result of the payments received into this program and the timeframe within which projects must be delivered, the DU-VT ILF Program has started to search for project sites within the Richelieu Service Area. No funds have been expended during this reporting period, but a project will likely be selected within the next six to eight months.

Table 1: Payments Received in 2013 by Service Area

DU-VT ILF Service Area	Applicant	Date Payment Received	Project Name	Permit Numbers	Town	Acres of Impact	Habitat Type Impacted	Required Compensatory Mitigation (Acres)	Amount of Payment
Connecticut River	Green Mountain Railroad Corporation	9/18/2013	GMRC Propane Off-Loading Facility	DA - 2013-1802	Rockingham	0.6	0.038 PEM/0.564 PSS/PEM	0.38	\$42,054.61
Richelieu	City of Burlington	2/4/2013	Moran Center at Waterfront Park	DA - 2009-0587	Burlington	0.33	0.33 PEM/SS	0.52	\$68,629.50
Richelieu	Vermont Agency of Transportation	9/30/2013	Rutland Airport	DA - 2012-0279	Clarendon	2.67	1.496 PFO/1.163 PEM/0.009 RSB	2.01	\$264,896.28
Richelieu	Vermont Agency of Transportation	9/30/2013	Morrisville-Stowe Airport	DA - 2013-0415	Morristown	4.18	4.157 PFO/0.012 PEM/.009 RSB	1.24	\$163,729.60
Richelieu	Paul Bouffard	12/13/2013	Paul Bouffard Subdivision	DA - 2009-0081	Essex	0.75	.057 PSS/PEM (ILF)/ 0.692 PSS/PEM (Preservation)	0.057	\$7,500.00
Totals						8.53		4.207	\$546,809.99

Table 2: 2013 Financial Account Ledger

DU-VT ILF Service Area	January 1, 2013 Account Balance	Payments	Administration Fee	Interest Earned	Disbursements	Remaining Account Balance
Connecticut River	\$0.00	\$42,054.61	\$6,308.19	\$39.95	\$0.00	\$35,786.37
St. Francois	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Richelieu	\$121,882.35	\$504,755.38	\$75,713.31	\$615.79	\$0.00	\$551,540.21
Upper Hudson	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Totals	\$121,882.35	\$546,809.99	\$82,021.50	\$655.74	\$0.00	\$587,326.58

Table 3: 2013 Credit Ledger by Service Area

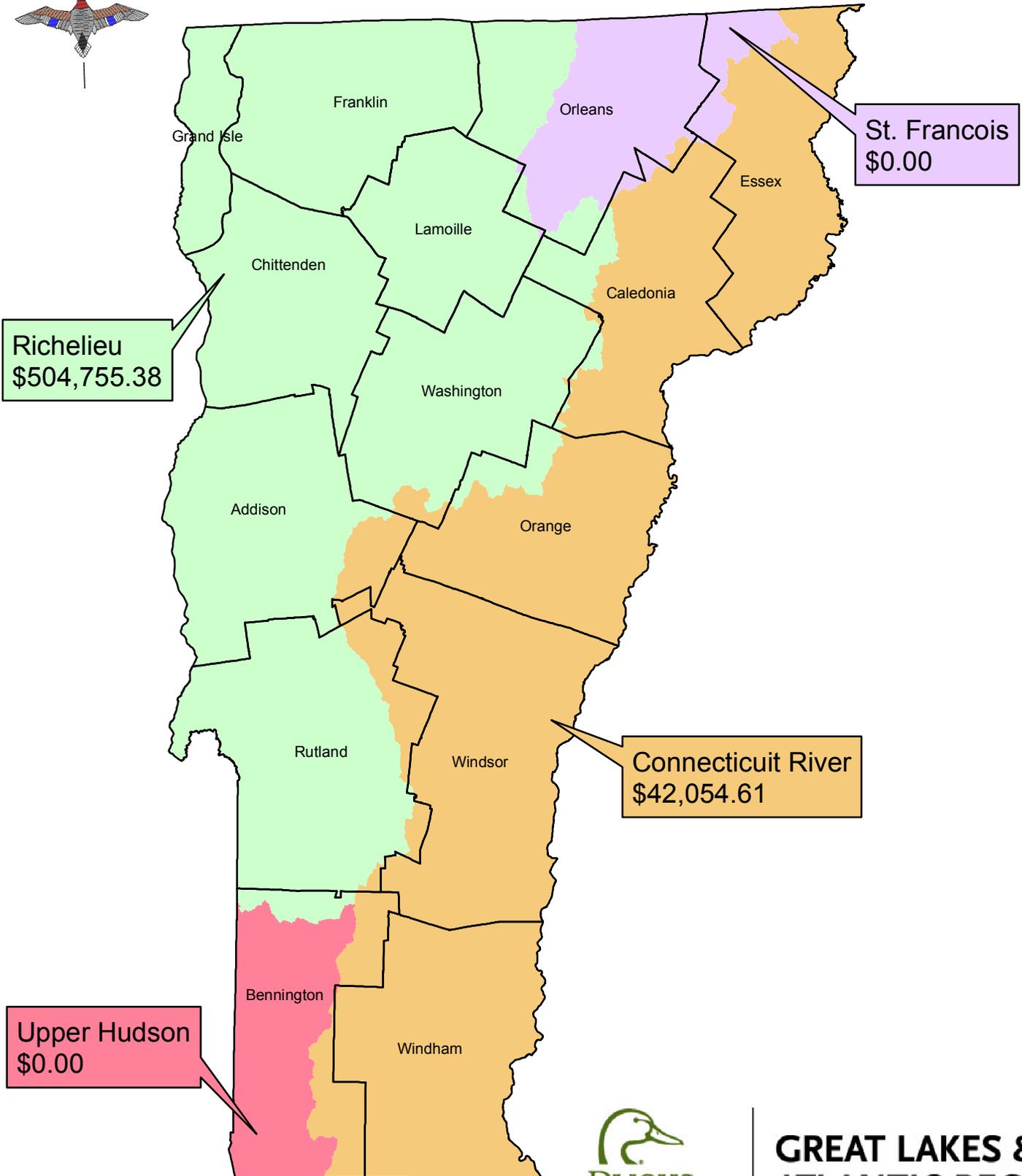
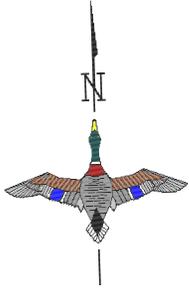
Service Area	Authorized Advance Credits	Advance Credits Sold	Credits Released	Released Credits Sold	Credits Available
Connecticut River	25	0.38	0	0	24.62
St. Francois	25	0	0	0	25
Richelieu	152.94	3.84	0	0	149.1
Upper Hudson	25	0	0	0	25

Table 4: Percent of Total 2013 Funds Available for all Service Areas

DU-VT ILF Service Area	Funds Available	% of Total Funds Available	Interest Earned
Connecticut River	\$35,786.37	6.09%	\$ 39.95
St. Francois	\$0.00	0.00%	\$ -
Richelieu	\$551,540.21	93.91%	\$ 615.79
Upper Hudson	\$0.00	0.00%	\$ -
Total	\$587,326.58	100.00%	\$ 655.74

Appendix A

DU-VT ILF Program - 2013 Funds Collected



**GREAT LAKES &
ATLANTIC REGION**