



US Army Corps
of Engineers®
New England District

696 Virginia Road
Concord, MA 01742-2751

PUBLIC NOTICE

Date: May 26, 2015

File Number: NAE-2009-1349

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This public notice is to share with the public the **“Ducks Unlimited – Vermont In-Lieu Fee Program 2014 Annual Report” dated “March 30, 2015”, revised “May 11, 2015”**. 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 – Vermont
In-Lieu Fee Program
2014 Annual Report
March 30, 2015
Revised May 11, 2015**



Ducks Unlimited Vermont In-Lieu Fee Program

Annual Report – January 1, 2014-December 31, 2014

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 compensated through re-establishment, rehabilitation, enhancement or preservation 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 and Appendix B for payment distribution for all years of the program). This report outlines the DU-VT ILF program activities from January 1, 2014 to December 31, 2014.

2. IMPACTS and FEES RECEIVED

During the period of this annual report, eight (8) In-Lieu Fee (ILF) payments in two (2) service areas 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 funds disbursed in order to implement projects. Included in this table is the project name, project location, amount of funds disbursed and activity that occurred during the 2014 calendar year.
- Table 3 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 and percentage of funds available. This table is broken down by service area.
- Table 4 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 5 indicates the dates by which initial hydrological or vegetative improvements must be made to a site that will compensate for impacts for the sold advance credits. This table is broken down by service area and year.

3. Project Implementation

The DU-VT ILF Program received \$212,020.50 in payments that must be utilized in the Richelieu Service Area by October, 2015. 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 and this search is continuing into 2015. The DU-VT ILF Program has used \$22,162.57 of the funds available in the Richelieu Service Area for project site identification. Of this total, the program has disbursed \$7,993.35 to the Vermont Land Trust for identifying potential project sites.

Table 1: Payments Received in 2014 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
Richelieu	Clarendon Solar Farm, LLC.	3/7/2014	Clarendon Solar Farm	DA - 2012-0489	North Clarendon	0.34	0.34 PEM	0.17	\$22,468.00
Richelieu	NextSun Energy	9/30/2014	NextSun Energy Park Street Solar Array	DA - 2014-0398	Rutland	0.48	0.07 PEM, 0.41 PFO	0.15	\$19,643.59
Richelieu	Sideline Properties,	12/16/2014	Sideline Solar Aray	DA - 2013-2639	Williston	0.86	0.03 PEM, 0.83 PFO	0.28	\$37,080.00
Richelieu	Town of Castleton	9/9/2014	Castleton Fire Department & Rescue Squad	DA - 2014-1544	Castleton	0.037	0.037 PEM	0.04	\$4,908.00
Richelieu	Vermont Gas Systems, Inc.	6/23/2014	Addison Natural Gas Project	DA - 2012-0123	Middlebury	23.48	23.48 PFO (temporary fill, out of which 0.17 acres cut and allowed to grow back. 1.92 acres cut and not allowed to grow back)	0.6	\$79,464.35
Richelieu	VT Agency of Transportation	12/16/2014	Rutland Airport	DA - 2012-0279-M2	Clarendon	1.228	1.228 PFO	1.228	\$161,530.74
St. Francois	Barton Solar, LLC.	5/27/2014	Barton Solar Farm	DA - 2013-2247	Barton	0.4	0.2 PEM, 0.2 PFO	0.0969	\$10,848.00
St. Francois	VT Agency of Transportation	11/24/2014	Newport State Airport	DA - 2009-2555	Coventry	42.11	38.43 PFO (cleared), 3.67 PEM (fill), 0.01 PSS (fill)	7.51	\$841,858.00
Totals						68.94		10.0749	\$1,177,800.68

Table 2: 2014 Funds Disbursed

Service Area	Project Name	Project Location	Funds Disbursed	Activity
Connecticut River	N/A	N/A	\$0.00	N/A
St. Francois	N/A	N/A	\$0.00	N/A
Richelieu	Richelieu Project #1	TBD	\$22,162.57	Site Identification
Upper Hudson	N/A	N/A	\$0.00	N/A
Total			\$22,162.57	

Table 3: 2014 Financial Account Ledger

DU-VT ILF Service Area	January 1, 2014 Account Balance	Payments	Administration Fee	Interest Earned	Disbursements	Remaining Account Balance	% of Total Funds Available
Connecticut River	\$35,786.37	\$0.00	\$0.00	\$34.47	\$0.00	\$35,820.85	2.28%
St. Francois	\$0.00	\$852,706.00	\$127,905.90	\$698.18	\$0.00	\$725,498.28	46.27%
Richelieu	\$551,540.21	\$325,094.68	\$48,764.20	\$776.12	\$22,162.57	\$806,484.23	51.44%
Upper Hudson	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
Totals	\$587,326.58	\$1,177,800.68	\$176,670.10	\$1,508.77	\$22,162.57	\$1,567,803.36	100.00%

Table 4: 2014 Credit Ledger by Service Area

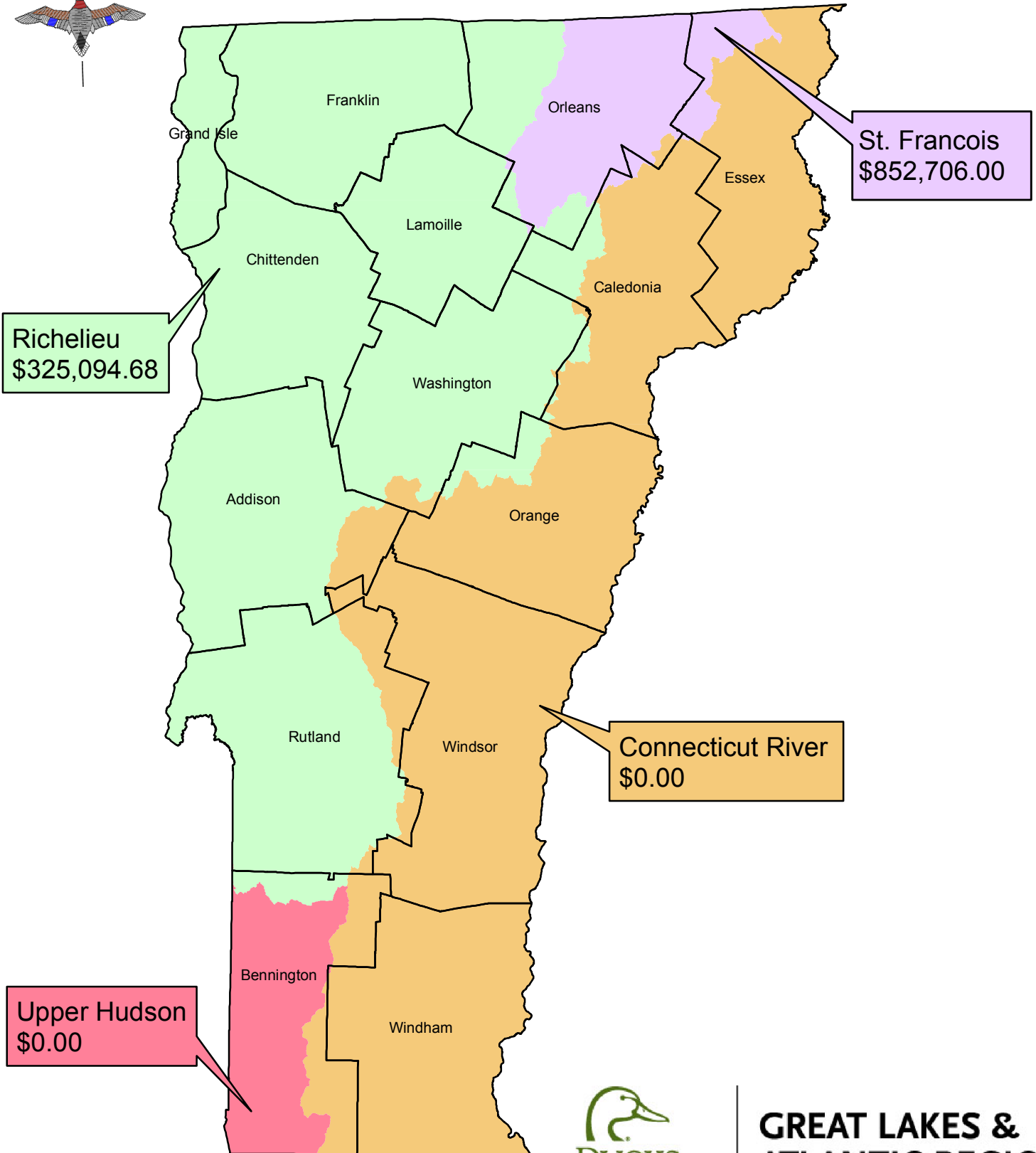
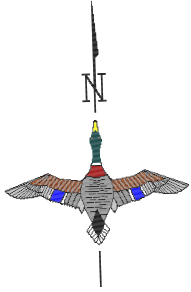
Service Area	Authorized Advance Credits	Previous Advance Credits Sold	Advance Credits Sold	Credits Released	Released Credits Sold	Credits Available
Connecticut River	25	0.38	0	0	0	24.62
St. Francois	25	0	7.6069	0	0	17.3931
Richelieu	152.94	4.93	2.468	0	0	146.632
Upper Hudson	25	0	0	0	0	25

Table 5: Dates for Initial Project Hydrologic or Vegetative Improvement based on payment dates in Each Service Area

DU-VT ILF Service Area	Advance Credits Sold	Payments received	Date to be utilized by
Connecticut River	0.38	\$42,054.61	October, 2016
Richelieu	1.61	\$212,020.50	October, 2015
Richelieu	3.49	\$458,594.68	October, 2016
Richelieu	2.468	\$302,626.68	October, 2017
St. Francois	7.6069	\$852,706.48	October, 2017

Appendix A

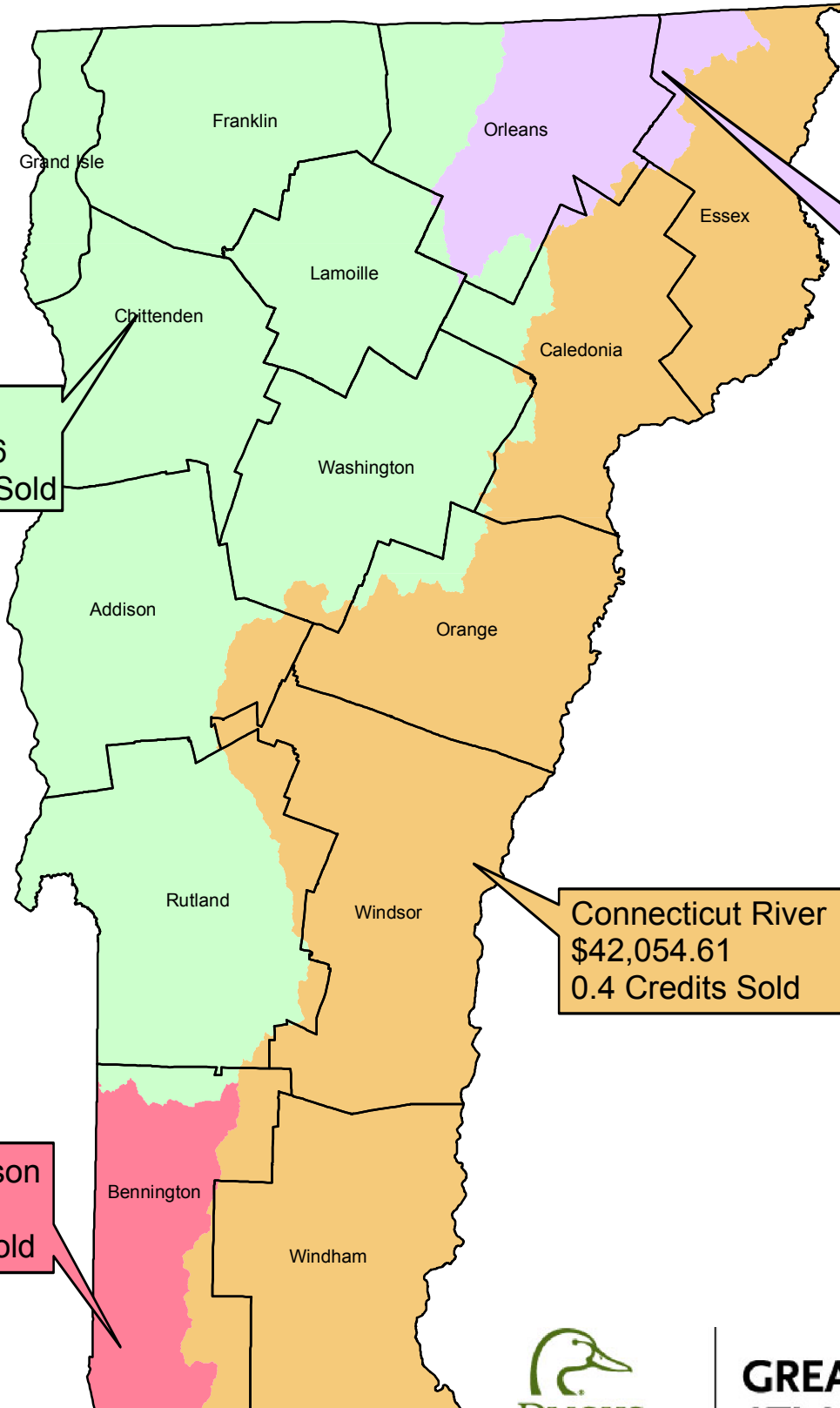
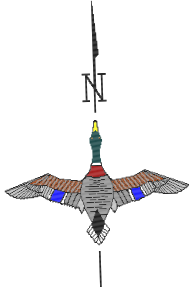
DU-VT ILF Program - 2014 Funds Collected



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Appendix B

DU-VT ILF Program - Total Funds Collected



Richelieu
\$973,241.86
7.4 Credits Sold

St. Francois
\$852,706.48
7.6 Credits Sold

Connecticut River
\$42,054.61
0.4 Credits Sold

Upper Hudson
\$0.00
0 Credits Sold



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