



**In Lieu Fee Program
Program Account Annual Report
July 1, 2014 – June 30, 2015**

Executive Summary

FY2015 (July 1, 2014 – June 30, 2015) saw an increased and more significant utilization of the ACT In-Lieu Fee program. Sufficient resources are now in place, and a consultant hired, so that 2016 will be an active year of project identification, selection, and implementation. 17 applications have used this form of mitigation from inception of the program through the end of FY2015. In FY2015 8 applicants utilized the ILF program and contributed a total of \$1,341,576 to respond to 4.072 acres of impact. No grants were made, nor any projects initiated in FY2015 given that the project pipeline was not sufficiently full. As noted above, we anticipate a significant increase in ILF funded work in 2016. \$1,301,965.78 is currently available for direct program support.

1. Introduction

The Audubon Connecticut In Lieu Fee Program (ACT ILF) is an option for compensatory mitigation for unavoidable impacts to waters of the United States in the State of Connecticut. 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.” and through the Rivers and Harbors Act Section 10 for structures or work in or affecting navigable water of the U.S. The Army Corps of Engineers requires that aquatic resource functions and services lost due to the effects of regulated activities be replaced through compensatory mitigation, after addressing avoidance and minimization of impacts. The ACT ILF program contains six (6) service areas that cover the entire state of Connecticut (See Appendix A for a Service Area Map). This report outlines the ACT ILF program activities from July 1, 2014 to June 30, 2015 and cumulatively since inception.

2. Impacts and Fees Received

For the period of July 1, 2014 – June 30, 2015 a total of 8 permits in 4 service areas were received by the ACT ILF Program. 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, 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 ACT 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 ACT 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.

3. Project Implementation

No funds have been expended during this reporting period.

Table 1: Payments Received by Service Area

| Service Area | Applicant | Date Payment Received | Corps Permit # | Town | Acres of Impact | Habitat Type Impacted | Amount of Payment |
|---------------------------------------|---------------------------------|-----------------------|----------------|---|-----------------|--|-----------------------|
| Housatonic | The United Illuminating Company | 9/30/2014 | NAE-2012-443 | Shelton | 0.008 | .008 PFO | \$2,578.00 |
| Housatonic | FirstLight Power Resources | 10/12/2014 | NAE-2014-1884 | Kent | 0.260 | .26 PEM | \$84,672.00 |
| Housatonic | CT DOT | 12/22/2014 | NAE-2012-01062 | Waterbury | 1.100 | 1.1 PSS/PEM/PFO | \$363,817.00 |
| Southwest Coast | Town of Ridgefield | 9/5/2015 | NAE-2013-1638 | Ridgefield | 0.030 | 03 R4SB | \$800.00 |
| Southwest Coast | Richard Wolf | 2/19/2015 | NAE-2014-729 | Greenwich | 0.130 | .13 R1RB1 | \$7,500.00 |
| Thames | Mystic Cycle | 4/2/2015 | NAE-2006-2976 | Mystic/ Stonington | 0.020 | .02 PSS | \$1,000.00 |
| Connecticut River | City of Middletown | 6/5/2015 | NAE-2012-571 | Middletown | 0.004 | .004 PFO/PSS | \$1,630.00 |
| Housatonic, Connecticut River, Thames | Algonquin Gas Transmission | 6/30/2015 | NAE-2013-01233 | Danbury, Cromwell, Rocky Hill, Lebanon | 2.520 | 0.22 PEM/PSS 1.44 PFO 0.59 PFO – Permanent 0.18 PSS/PFO | \$879,579.00 |
| | | | Total | | 4.072 | | \$1,341,576.00 |



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Table 2: Financial Account Ledger by Service Area

| Service Area | July 1, 2014 Account Balance | FY15 Payments | Administration Fee | Interest Earned* | June 30, 2015 Account Balance | Account Balance Since Inception thru 6/30/2015 |
|---------------------|------------------------------------|-----------------------|-----------------------|---------------------|-------------------------------------|--|
| Connecticut | \$0.00 | \$208,612.00 | \$41,722.40 | \$97.97 | \$166,987.57 | \$ 166,987.57 |
| Housatonic | \$29,276.76 | \$595,962.00 | \$119,192.40 | \$279.89 | \$477,049.49 | \$ 506,326.24 |
| South Central Coast | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$ - |
| Southeast Coast | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$ - |
| Southwest Coast | \$6,423.63 | \$8,300.00 | \$1,660.00 | \$3.90 | \$6,643.90 | \$ 13,067.53 |
| Thames | \$24,011.77 | \$528,702.00 | \$105,740.40 | \$248.30 | \$423,209.90 | \$ 447,221.67 |
| Total | \$59,712.16 | \$1,341,576.00 | \$268,315.20 | \$630.06 | \$1,073,890.86 | \$ 1,133,603.02 |

*Interest earned is pro-rated based on FY15 payment for each service area.

**All interest for FY15 is to be added to Direct Project Funds.

Table 3: Credit Ledger by Service Area

| Service Area | Advance Credits Available | Advance Credits Sold | Credits Released | Released Credits Sold | Credits Available |
|---------------------|---------------------------------|----------------------------|---------------------|--------------------------|----------------------|
| Connecticut | 17 | 0.74 | 0 | 0 | 16.26 |
| Housatonic | 9.89 | 1.91 | 0 | 0 | 7.98 |
| South Central Coast | 19 | 0 | 0 | 0 | 19 |
| Southeast Coast | 18 | 0 | 0 | 0 | 18 |
| Southwest Coast | 9.98 | 0.18 | 0 | 0 | 9.8 |
| Thames | 52.92 | 1.6 | 0 | 0 | 51.32 |
| Total | 126.79 | 4.43 | 0 | 0 | 122.36 |