



**US Army Corps  
of Engineers**  
St Paul District

# **Special Public Notice**

**ISSUED: 21 NOV 2014**

**U.S. ARMY CORPS OF ENGINEERS, ST. PAUL DISTRICT ANNOUNCES THE  
APPROVAL OF THE WISCONSIN WETLAND CONSERVATION  
TRUST IN-LIEU FEE PROGRAM**

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Interested parties are hereby notified that the final instrument for the Wisconsin Wetland Conservation Trust (WWCT) In-lieu Fee Program (ILFP) was approved by the U.S. Army Corps of Engineers, St. Paul District (Corps) on November 19, 2014. The contents of the final instrument include guidelines, responsibilities, and standards for the establishment, use, operation, and maintenance of the in-lieu fee program in a way that complies with the regulations governing compensatory mitigation. The approval of the final instrument establishes a state-wide in-lieu fee program within the state of Wisconsin that will provide mitigation for impacts to waters of the United States (U.S.) under Section 404 of the Clean Water Act (Section 404) and/or Sections 9 and 10 of the Rivers and Harbors Act of 1899.

The purpose of the ILFP is to provide an alternative form of compensatory mitigation to meet compensatory mitigation requirements for permits issued under Section 404 of the Clean Water Act and Sections 9 and 10 of the Rivers and Harbors Act. The approval of the ILFP does not include authorization for regulated work in waters of the United States or work in navigable waters.

The review of the WWCT ILFP was coordinated with the members of the IRT, including the U.S. Environmental Protection Agency, in accordance with the federal mitigation rule. The District considered all comments received by the public and provided by the IRT members during the review and evaluation of the ILFP. The resultant final instrument is a culmination of those comments and subsequent coordination efforts between the Sponsor, the IRT and the Corps.

The WWCT ILFP divides the state of Wisconsin into 12 individual service areas (SA) for program administration. The boundaries of the 12 service areas are the same as the Bank Service Areas (BSAs) already in use under the existing mitigation banking program. Each SA is governed by a compensation planning framework (CPF) that outlines the ILFP sponsor's approach to the selection, acquisition, planning and implementation of wetland restoration, establishment, enhancement, and/or preservation activities through a watershed approach. Project level coordination will occur for each mitigation site proposal in accordance with the process outlined in the Federal Mitigation Rule (33 CFR 332), once they are identified by the Sponsor and submitted to the Corps for review and approval. The CPFs for each SA are contained in Appendix A of the final instrument.

**Operations - Regulatory (2013-00984-ERH)**

**SUBJECT: Wisconsin Department of Natural Resources In-lieu Fee Program**

Questions pertaining to the approval of the final instrument should reference the Corps project file number 2013-00984-ERH, and be directed to the attention of Eric Hanson, who can be contacted at the above address, by calling (651)-290-5386, or by email at [eric.r.hanson@usace.army.mil](mailto:eric.r.hanson@usace.army.mil).

Questions pertaining to the content or implementation of the in-lieu fee program should be directed to the attention of Matt Matrise (Sponsor Representative), who can be contacted at the following address: Wisconsin Department of Natural Resources, 101 S. Webster Street, PO Box 7921, Madison, Wisconsin 53707-7921; by calling (262)-574-2124; or by email at [matthew.matrise@wisconsin.gov](mailto:matthew.matrise@wisconsin.gov).

A complete copy of the final instrument is posted on the Regulatory In lieu fee and Bank Information Tracking System (RIBITS) website at the following link: [WI ILFP RIBITS Website](#)

Tamara E. Cameron,  
Chief, Regulatory Branch