

**South Carolina Mitigation Association
Quarterly Membership Meeting
March 15, 2023 | 10:00 AM
Black River Cypress Preserve, Andrews, SC**

I. Opening

Ross Nelson opened the meeting at 10:09 AM.

Mr. Nelson thanked Lyles Cooper of Pee Dee Land Trust for arranging the beautiful venue.

**II. US Army Corps of Engineers, Charleston District Regulatory Update
David Wilson, Mitigation Program Manager**

Mr. Wilson reported on the staffing of the Charleston District, including two new mitigation specialists, as a result of the SCMA's consistent discussion on timeliness. Amanda Heath is the Division Chief for the next three years.

He noted the new listing of the Northern Long-Eared Bat effective April 3. The USACE is looking at the impact of habitat on these bats. IPaC has different keys for the Northern Long-Eared Bat so the project numbers should be included in the prospectus to facilitate review. IPaC should be more user friendly now; its use is encouraged.

The USACE is working on ways to fast track the decision document of the nationwide permit review. The template has been released. The Corps is working on a silviculture document that will discuss net improvement factors and potential credit activities. Vegetative performance standards are included in the fire review. They would like more interest in burning, in particular for use in long-term management.

The USACE has worked closely with the SCMA Technical Committee on legacy credits and ratios. The biggest issues are how to handle existing banks and legacy credits. They are looking for fair conversion values. One method is looking for factors outside the SQT that may be added on such as incentivizing 1st and 2nd order streams, and larger catchment areas.

The USACE is working on lateral effects of wetland hydrology and the use of wells in baseline data. He noted the well should be perpendicular to the site. Wells are there to verify the values put in for Lateral Effects model. If you use approaches outside of Lateral Effects, the USACE will ask for more data. As soon as the SQT is finalized, the USACE and the SCMA Technical Committee will focus on this.

The USACE will become more involved and vocal in site selection criteria based on the Norfolk District. They may not permit certain sites with a lot of issues in the future.

Mr. Wilson encouraged the use of story maps and drone images. The drone images are very helpful in wetland preservation areas showing a larger picture.

Mr. Wilson responded to a question, stating that an existing easement on a property often precludes preservation but does not take away the ability to do restoration, assuming that the easement was

not put in for a mitigation bank. There may be legal issues. The USACE is working on a conservation easement checklist.

In response to a question about what the mitigation community can do to help with decision documents, Mr. Wilson said they go through every comment and response and look at the resolution. He is working on a matrix to show the comments, responses and resolutions and where exactly it is found in each document.

The USACE uses the wetland resource registry from Sustain SC as a tool but it is not endorsed by them because they can not assist in selecting sites.

The USACE is working on training programs for USACE staff on the SQT May 1-3. They are still planning on a public notice in May or June. Some banks are using the SQT now.

III. *Overview of the Black River Cypress Preserve, Update on the New South Carolina Black River Water Trail Park*

Lyles Cooper, Executive Director, Pee Dee Land Trust

Pee Dee Land Trust works in the entire Pee Dee watershed including the Black River Cypress Preserve. One of the most concentrated areas of the preserved land that is not DNR or federal is made up of about 8,000 acres in a partnership of seven organizations.

Black River Cypress Preserve is owned by the Butler Family with a focus as a sanctuary for education. It consists of about 1,000 acres with 10 miles of paddling throughout the property. It will be part of the Black River Water Trail State Park, which will take 5-10 years to complete but will be 70 miles long.

III. Committee Updates

- **Technical Committee:** Tory Grayson reported that the committee has focused on supporting and giving an industry perspective on the SQT. They are gearing up for wetland hydrology and Lateral Effects parameters. They may assist with a survey on the Northern Long-Eared Bats.

A small group is attempting to work on credits. The USACE and IRT do not want to change the debit tool and are asking that everyone use this tool. They are now looking at credit generation to normalize and add factors that will not add cost. Catchment protection may be added. The DNR would like more land management around mitigation sites and the USACE is ok with this as well. The goal is to make it a fair conversation between legacy banks and new banks. He reported that the committee is working with the SCDOT on variable credit rates for primary, secondary, and tertiary service areas.

The committee has discussed The Nature Conservancy ILF. This program has been in the works for four years in some form but just went on public notice late last year. The Director of Science and Stewardship at The Nature Conservancy, Eric Krueger, would like to meet with the SCMA to discuss their proposed program.

- **Partnership Committee:** Sydni Redmond, Chair, announced the 2023 [SCMA scholarship](#) application was open. Due to the success of the Clay Shoot, the funds for scholarships increased for 2023. This may result in more scholarships or increased funding for a few scholarships.

The 2nd Annual Clay Shoot will be held in November 2023. The date will be announced soon.

The SCMA will have a booth at the National Mitigation and Environmental Markets Conference May 8-11 in Jacksonville. Members are encouraged to assist with staffing the booth.

Please follow the SCMA on LinkedIn and Instagram. Members may send announcements, photos, or other relevant content.

Mr. Nelson will reach out to Georgia and North Carolina's ecological restoration associations about partnering for a meeting.

Mr. Nelson and Bob Perry are presenting a Mitigation 101 session to the Conservation Bank in June.

- **SCMA Regulatory Update:** Mr. Nelson confirmed the state-wide solicitation will be released in April. Originally the SCMA was invited to assist with language, but this will not be possible now due to procurement restrictions at SCDOT. The SCDOT Mitigation dashboard will be updated over the summer and will now include long-range planned projects as well as the 10-year projects. The long-range projects may not be funded.

Adjourn: 11:40 AM

Attachments:

Attachment A: [David Wilson's Charleston District Regulatory PowerPoint Presentation](#)

Attachment B: [Recording of the Meeting](#)

Attachment C: Attendee List

First name	Last name	Company
Tara	Allden	Kimley-Horn
Daniel	Coggin	Coggin Asset Management, LLC
Allen	Conger	WSP USA
Seth	Cook	Pee Dee Land Trust
Lyles	Cooper	Pee Dee Land Trust
O. Kip	Dillihay	Sandy Creek Partners, LLC
McKenna	Dove	Kimley Horn
Ward	Elis	Ecosystem Planning and Restoration
Monica	Folk	Norfolk Southern Railway - Brosnan Forest
Josh	Gilman	Stantec Consulting Services Inc.
Adrienne	Graham	SCMA
Tory	Grayson	Water & Land Solutions
Daniel	Johnson	Wildlands Engineering, Inc.
Kristin	Knight-Meng	KCI Technologies, Inc.
Emory	McClary	American Mitigation Company
Chris	Muckenfuss	Weyerhaeuser
Ross	Nelson	American Mitigation Company
Hughes	Page	Pee Dee Land Trust
Claire	Paulino	Kimley-Horn & Associates, Inc.
Bob	Perry	Water & Land Solutions
Chris	Ryan	RES
Kelly	Sands	Westervelt Ecological Services
Marcus	Sizemore	Stantec Consulting Services, Inc.
Ryan	Smith	DRG
Win	Taylor	Wildlands Engineering, Inc.
Chris	Vaughn	Lord Berkeley Conservation Trust
Norton	Webster	EcoTerra/ Carolina Wetlands Association
William	Wilson	Sabine and Waters, Inc.
G Alan	Wood	American Forest Management