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To: FN-CEQ-Mitigation.Guidance

Cc: Peggy Strand

Subject:NEPA draft guidance on Mitigation and Monitoring

The National Mitigation Banking Association is a membership organization of entities involved in the business of mitigation and conservation banking.

Information on the Association is available at www.mitigationbanking.com . The Association endorses efforts to assure that mitigation undertaken in compliance with federal laws meets consistent and high performance standards. As noted in the draft CEQ Guidance for NEPA Mitigation and Monitoring, the 2008 Corps and EPA Regulations covering compensatory mitigation for impacts to aquatic resources embrace that policy. Those Regulations also recognize the benefit of private mitigation banking, which encourages private investment in resource restoration subject to thorough federal oversight. The Association recommends that the final CEQ Guidance recognize these principles and be modified to:

- Specifically recognize the experience, role and potential future role for mitigation and conservation banks in providing compensatory mitigation under NEPA.
- Specifically provide for consistency in performance standards for mitigation across federal programs will improve mitigation outcomes.
- Specifically reiterate that the standards established under the 2008 Mitigation Regulations, with comprehensive attention to environmental and institutional controls, provide a useful model for other federal agency mitigation requirements.

Thank you

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