



TWG: COMPENSATORY MITIGATION

Meeting: #1

Date: August 30, 2018

Time: 9:30-10:30 am

Attendees:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Robert Anderson, Fennemore Craig | <input checked="" type="checkbox"/> Dave Kimball, Gallagher & Kennedy |
| <input checked="" type="checkbox"/> Joe Bardswich, Golden Vertex Corp | <input checked="" type="checkbox"/> Keith Knutson, Arizona Game and Fish Department |
| <input checked="" type="checkbox"/> Michael Byrd, Prescott Creeks | <input checked="" type="checkbox"/> Shawn Lowery, Arizona Game and Fish Department |
| <input checked="" type="checkbox"/> Mark Edelman, Arizona State Land Department | <input type="checkbox"/> Amanda McGennis, Arizona Chapter Associated General Contractors |
| <input checked="" type="checkbox"/> Julia Fonseca, Pima County Sustainability | <input checked="" type="checkbox"/> Myron Smith, KGHM |
| <input type="checkbox"/> Angela Garcia, Salt River Pima-Maricopa Indian Community | <input checked="" type="checkbox"/> Brenna White, Department of Interior, National Park Service |
| <input checked="" type="checkbox"/> Jonathan Horst, Tucson Audubon Society | |
| <input checked="" type="checkbox"/> Bob Iannarino, Psomas | |
| <input type="checkbox"/> Spencer Kamps, Home Builders Association of Central Arizona | |

Staff Support:

- Andy Koester, ADEQ
- Theresa Gunn, GCI

Discussion

- TWG Charter discussion
 - A majority is 50% +1 of the people in attendance of the meeting
- Guidance from EPA on flexibility – what are the boundaries? What are the current requirements? Not consistent and interpretations of legal and guidance as well? Mostly defined under the 2008 rule – so pretty much defined in statute unless we have flexibility?
- EPA must approve the package
- Mitigation rule is in the 404 B1 guidelines in State Statute
- Policy
- Need to have a starting point
- Not sure other states have gotten to this extent ---

Decisions

- Group agreed to make decisions by consensus and include a minority report if necessary
- Group agreed to biweekly meetings lasting 60 to 90 minutes and prefer work products are provided in advance
- Group will meet in Phoenix and continue to have conference call and WebEx options for participation
- Meetings to be held every other Thursday at 2 p.m. at ADEQ beginning September 13

Action Items

- Theresa to send out meeting invite
- Andy to determine what NJ and Michigan are doing regarding mitigation and will have discussions with EPA on scope of mitigation guidelines
- David Kimball to contact other states and send next week
- Mark to call Corps to see if a speaker is available for next meeting
- Training materials also available – Rob Anderson if Corps not able to present ---
- Shawn will send information on other states
- Andy will discuss with 401 team to see what they are doing regarding functional assessments
- All should send links to Theresa to post on WG site

Future Discussion

- Determining what you need to do
- Assessment methodologies

Next Agenda Items

- Select Vice Chair
- Briefing on the 2008 Rule by Corps
- Information from other states