## Compensatory Mitigation Rule
### Timeline for Bank or ILF Instrument Dispute Resolution*

<table>
<thead>
<tr>
<th># of days**</th>
<th>Final Instrument Received by DE and IRT</th>
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</thead>
<tbody>
<tr>
<td>Day 1**</td>
<td>DE must notify IRT members of intent to approve instrument within 30 days of receipt.</td>
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<tr>
<td>Day 30</td>
<td>IRT members then have 15 days to notify DE and other IRT members of their objection by letter</td>
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<tr>
<td>Day 45</td>
<td>If an objection is received, the DE must respond within 30 days</td>
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<tr>
<td>Day 75</td>
<td>If not satisfied, IRT member may forward the issue to IRT Agency HQ*** for review****</td>
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<tr>
<td>Day 90</td>
<td>Within 20 days, IRT Agency HQ may request further review by the Assistant Secretary of the Army, Civil Works</td>
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<tr>
<td>Day 110</td>
<td>ASA(CW) has 30 days to review the draft instrument and advise the DE on how to proceed with the final action</td>
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<tr>
<td>Day 140</td>
<td>Remainder of time for notification of the sponsor of the final decision</td>
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</tbody>
</table>

- **The timeline in this column uses the maximum number of days allowed for each phase.
- **The timeline also applies to amendments.
- ***IRT Agency HQ refers to the Assistant Administrator for Water, U.S. EPA, the Assistant Secretary for Fish and Wildlife and Parks, U.S. FWS, or the Undersecretary for Oceans and Atmosphere, NOAA.
- ****While this step is available only to EPA, NOAA and FWS, other IRT members who do not agree with the DE’s final decision do not have to sign the instrument or recognize the mitigation bank or in-lieu fee program for purposes of their own programs and authorities.

*Total maximum time for dispute resolution process ≤ 150 days*