

Tier II Mitigation Report Template

Purpose:

All information detailed in this report template must be provided to MDE prior to receiving approval for the social and economic justification (SEJ) for public notice and review. The Tier II Mitigation Report provides the Department and the public with a summary of project impacts, functions lost or affected by proposed activities, alternatives considered to reduce or avoid impacts, mitigation offered, draft protection measures, and the non-binding agreements in place between the applicant and the landowner or bank. It is in an applicant's best interest to secure the services of a competent environmental consultant to help formulate their mitigation analysis report. Please review all the information provided to ensure that a sufficient and acceptable Tier II mitigation is completed.

Section 1: Executive Summary

A. Narrative Summary of Impacts: The narrative shall include a summary of impacts and why impacts are considered unavoidable. Identify values specifically associated with stream buffers, forest cover, and impervious cover. Tabular totals shall be broken down according to resource type and Tier II watershed impacted. Create additional tables if the project impacts multiple Tier II watersheds.

B. Impact Summary Table: Watershed 1 (name)

Impact	Total
Stream (Linear Feet)	
Stream Buffer (Acres)	
Forest Cover Loss (Acres)	
Impervious Surface (No ESD treatment) (Acres)	

- C. **Narrative Summary of Mitigation Proposed:** The narrative shall include a summary of the proposed mitigation. Identify values specifically associated with streams, stream buffers, and forest cover.

D. Mitigation Summary Table: Watershed 1

Mitigation	Total	Conversion (where necessary)
Stream [Linear Feet]		Lft
Stream Buffer [Square Feet]		Creation: sqft
		Improvement: sqft
Forest Cover [Acres]		Reforestation: ac
		Conservation: ac

Section 2: Buffer Mitigation

A. Buffer Mitigation (On-Site Opportunities)

a. **Availability of On-Site Opportunities:** Evaluation of areas for improvement, planting, and expansion.

b. **Site Map of Available On-Site Opportunities**

c. **Total Revegetated, in square feet:**

- d. Protection Mechanism (draft):** For proposals to purchase credit from a mitigation bank, the applicant still needs to provide this information and demonstrate that credits/banks are located within the affected Tier II watershed before MDE can grant approval for use.

B. Buffer Mitigation (Off-site, in Tier II Watershed)

a. Property search criteria

b. Description of site selection process, including how the applicant determined site feasibility

c. Aerial overview map of the 3 potential properties within the Tier II watershed. MDE may require additional sites beyond 3.

d. Table: Site Summary Results

Sites	Area in Acres	Map/Parcel #	Cost to acquire	Acquisition Feasible – Yes or No
Site 1				
Site 2				
Site 3				

C. Buffer Exhibit Containing the Following Elements

- a. A tabular summary of mitigation
- b. An overview, labeling each segment (a, b, c...)
- c. A tabular summary of average buffer width
- d. 100- foot riparian buffer. (Symbolize with a line)
- e. On-site areas where buffers were expanded to maintain an average 100' buffer (symbolize with shading, hatches, or dots, etc.)

Section 3: In-kind 1:1 Reforestation/Afforestation

A. Reforestation Mitigation (On-Site Opportunities)

- a. Availability of On-Site Opportunities
- b. Site Map of Available On-Site Opportunities
- c. Total Reforested, in acres:
- d. Protection Mechanism

B. Reforestation Mitigation (Off-site, in Tier II Watershed)

a. Property search criteria

b. Aerial overview map of the 3 potential properties within the Tier II watershed.

Note, if impacts are greater than 25 acres then increase the number of potential sites to at least 10. MDE may require additional sites beyond 10.

c. Table: Site Summary Results

Sites	Area in Acres	Map/Parcel #	Cost to acquire	Acquisition Feasible – Yes or No
Site 1				
Site 2				
Site 3				

d. Site 1:

- i. Site 1 Summary Information
- ii. Site Feasibility
- iii. Individual aerial photo of site 1. Include natural resources (i.e. existing forest cover, streams, wetlands, etc.), roads, railways, and any other important identifying features.

e. Site 2:

- i. Site 2 Summary Information
- ii. Site Feasibility
- iii. Individual aerial photo of site 2. Include natural resources (i.e. existing forest cover, streams, wetlands, etc.), roads, railways, and any other important identifying features.

f. Site 3:

- i. Site 3 Summary Information
- ii. Site Feasibility
- iii. Individual aerial photo of site 3. Include natural resources (i.e. existing forest cover, streams, wetlands, etc.), roads, railways, and any other important identifying features.

C. Mitigation Implementation:

a. Table: Feasible Reforestation Sites – expand as an appendix

Site Info	Property Owner Contact information	Date(s) of contact /attempted contact (i.e. mailing or phone call)	Outcome of negotiations
Site 1			
Site 2			
Site 3			

b. Total Acres Reforested, in acres:

c. Protection mechanism:

D. Forest Cover Exhibit

- a. A tabular summary of mitigation**
- b. An overview, labeling each area (a, b, c...)**
- c. Include area in acres of each mitigation location**

E. Out-of-Kind Offsets (Off-site, in Tier II Watershed)

a. Conservation

i. Property search criteria

ii. Table: Feasible Conservation Sites

iii. Property Selected

iv. Total Conserved, in acres:

v. Protection Mechanism

b. Others (Example: stormwater retrofit)

Section 4: Appendices

- a. Completed Tier II Mitigation Analysis Form**
- b. Mitigation Site Search Report Documentation**
 - i. State Department of Assessment and Taxation (SDAT) Real Property Data Search (w2) information for Sites 1-3**
 - ii. Mitigation Buffer Exhibit**
 - iii. Mitigation Forest Cover Exhibit**
- c. Draft Protection Mechanism for Restoration and Conservation**