

# PD-07: Habitat Restoration

1-7 points

**Goal:** Avoid, minimize, rectify, reduce, and compensate the loss and alteration of natural (stream and terrestrial) habitat caused by project construction and/or restore, preserve, and protect natural habitat beyond regulatory requirements.



Affected Triple Bottom Line Principles

## Sustainability Linkage

Minimizing or avoiding impacts to habitat and restoring habitat beyond required regulations enhances the ecosystem and therefore supports the environmental principle of the triple bottom line.

## Background and Scoring Requirements

### Background

For the purposes of this criterion, the key terms are defined as follows:

- **“Traditional Alternative”** – The traditional alternative is the alternative that would most likely be approached without consideration of impacts to habitat. For new alignments, this is typically the alignment that is most geometrically fitting given the beginning and end points. For reconstruction, this is typically the alignment option that widens the cross-section in-place without shifting alignments.

In no case should the traditional alternative be exaggerated beyond alignments that would be considered appropriate for the context in order to inflate the perceived reduction in impacts to habitats for this criterion.

- **“Mitigation”** – Per the Council on Environmental Quality (CEQ)’s *NEPA Act, Part 1508 Terminology and Definitions*<sup>1</sup>, mitigation includes:
  - Avoiding the impact altogether by not taking a certain action or parts of an action.
  - Minimizing impacts by limiting the degree or magnitude of the action and its implementation.
  - Rectifying the impact by repairing, rehabilitating, or restoring the affected environment.
  - Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action; and
  - Compensating for the impact by replacing or providing substitute resources or environments.

Credit for enhancement can be obtained for this criterion through project-specific mitigation or through the use of mitigation banking.

### Scoring Requirements

#### Requirement PD-07.1

#### **1-3 points. Avoid or Minimize Impacts to Habitats or Enhance Features**

Points shall be achieved per table PD-07.1.A on the next page. Points are **not** cumulative; rather the highest point value earned should be used.

**TABLE PD-07.1.A. POINTS AND REQUIREMENTS FOR HABITAT RESTORATION**

Requirement	Points	Method
PD-07.1a	1	<b>Minimize Impacts to Habitat.</b> Show that an effort has been made to modify the alignment and/or project cross-sections to significantly minimize impacts to habitat as compared to a traditional alternative and above and beyond what was required by regulations. To qualify, the area of impact must be reduced by 50% or more as compared to the traditional alternative.
PD-07.1b	2	<b>Avoid or Eliminate Impacts to Habitat.</b> Show that an effort has been made to modify the alignment and/or project cross-sections to significantly avoid impacts to habitat as compared to a traditional alternative and above and beyond what was required by regulations. To qualify, the area of impact must be reduced by 75% or more as compared to the traditional alternative. Alternatively, the project can eliminate the impacts to habitat as part of the project.
PD-07.1c	2	<b>Relocate Species.</b> For project required to mitigate habitat impacts through relocation, selectively relocate impacted species prior to construction where doing so has been documented in surveys, to prevent loss of species.
PD-07.1d	3	<b>Rectify or Compensate Habitat Features.</b> For projects required to mitigate habitat impacts through restorative practices, implement a restoration/preservation approach that restores and/or preserves an upland buffer area surrounding the required stream or wetland mitigation site. The amount of buffer must be an appropriate amount so it improves the habitat quality of the wetland or stream it is protecting.
PD-07.1e	3	<b>Rectify or Compensate Habitat Features.</b> For projects not required to mitigate habitat impacts, implement a habitat restoration effort that mitigates for the habitat of non-listed, Candidate species under the Federal Endangered Species Act (see the <a href="#">Federal Register's Recovery Crediting Guidance</a> <sup>2</sup> ). For example, provide nesting locations for birds or other wildlife.

**Requirement PD-07.2**

**1-2 points. Avoid or Minimize Impacts to High Quality Aquatic Resources (HQAR)**

Points shall be achieved per the table PD-07.1.A. Points are **not** cumulative; rather the highest point value earned should be used.

**TABLE PD-07.2.A. POINTS AND REQUIREMENTS FOR HABITAT RESTORATION**

Requirement	Points	Method
PD-07.2a	1	<b>Minimize Impacts to HQAR.</b> Completely avoid HQAR as defined by the US Army Corp of Engineers <u>and</u> provide a buffer less than 100-feet.
PD-07.2b	2	<b>Avoid Impacts to HQAR.</b> Completely avoid HQAR as defined by the US Army Corp of Engineers <u>and</u> provide a buffer of at least 100-feet.

### **Requirement PD-07.3**

#### **1-2 points. Avoid or Minimize Impacts to High Quality Environmental Resources**

Points shall be achieved per the table PD-07.1.A on the next page. Points are **not** cumulative; rather the highest point value earned should be used.

**TABLE PD-07.3.A. POINTS AND REQUIREMENTS FOR HABITAT RESTORATION**

<b>Requirement</b>	<b>Points</b>	<b>Method</b>
PD-07.3a	1	<b>Minimize Impacts to High Quality Environmental Resources.</b> Show that an effort has been made to modify the alignment and/or project cross-sections to significantly minimize the impacts to high quality environmental resources, such as sites with threatened or endangered species, as compared to a traditional alternative and above and beyond what was required by regulations. To qualify, the area of impact must be reduced by 50% or more as compared to the traditional alternative. Potential methods of avoidance include the use of retaining wall, berms, plantings, and reducing right of way footprint.
PD-07.3b	2	<b>Avoid Impacts to High Quality Environmental Resources.</b> Show that an effort has been made to modify the alignment and/or project cross-sections to significantly minimize the impacts to high quality environmental resources, such as sites with threatened or endangered species, as compared to a traditional alternative and above and beyond what was required by regulations. To qualify, the area of impact must be reduced by 75% or more as compared to the traditional alternative. Potential methods of avoidance include re-routing of the alignment, using retaining wall to minimize right of way takes, or bridging of the resource.

### **Resources**

The following resources are referenced in this criterion and consolidated here:

1. CEQ, *NEPA Act, Part 1508 Terminology and Definitions*, <https://www.fws.gov/r9esnepa/CEQNEPARegs/1508.pdf>
2. Federal Register, *Recovery Crediting Guidance*, 73 Fed Reg. 44761, (2008), <http://www.gpo.gov/fdsys/pkg/FR-2008-07-31/pdf/E8-17579.pdf>

### **Scoring Sources**

The project is considered to have met this criterion if the requirements above can be reasonably substantiated through the existence of one of the following documentation sources (or equal where not available):

1. Contract documents showing the baseline conditions of the site (including existing habitat quality) and improvements to be constructed and planted.
2. Technical reports or permitting documentation that describes the species which are intended to benefit from the site and the value of the habitat lift (above and beyond requirements) that is satisfying this criterion.
3. Technical report that describes minimization that occurred throughout the project development process.