

Featuring Speakers From:

- Evergreen Funding Consultants
- Habitat Banc NW
- King County Council
- Parametrix, Inc.
- Port of Seattle
- Theda Braddock, Attorney-at-Law
- U.S. Army Corps of Engineers - Seattle District Regulatory Branch
- Washington State Department of Ecology
- Westervelt Ecological Services
- Windward Environmental LLC
- WSP Environment & Energy

Who Should Attend:

Attorneys, planners, real estate developers, tribal and governmental officials working on or impacted by mitigation and restoration projects

An Advanced One-Day Workshop on

Mitigation and Conservation Banking

Latest developments, new applications and practice tips

May 2, 2008

Seattle, Washington

Washington State Convention and Trade Center

Credits: WA CLE 6.5 | WA Appraiser pending | AICP/APA CM pending | CA MCLE 6.75 (call about others)
Quick when/where: 8:30 a.m., 800 Convention Place

Mitigation and Conservation Banking Workshop

May 2, 2008 | Seattle, Washington
Washington State Convention and Trade Center

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08MITWA WS



8:30 Introduction and Overview
Theda Braddock, Esq., *Program Co-Chair*
 Attorney-at-Law ~ Steilacoom, WA
Lisa Saban, *Program Co-Chair*
 Windward Environmental LLC ~ Seattle, WA

8:45 The New Mitigation Rules
 The Corp's proposal to equalize the regulatory requirements of individual mitigation projects and mitigation banks, expand the utility of mitigation banks and sunset the in-lieu fee program, among other new developments
Theda Braddock, Esq., *Program Co-Chair*

9:30 Nuts and Bolts of Implementing Mitigation Banks
 Scientific and financial aspects needed to implement a bank: Determining demand and service area, picking a site and determining what to restore, design and permitting, putting together the banking instrument, operation/maintenance
Ron Gouguet, *Estuarine Ecologist*
 Windward Environmental LLC ~ Seattle, WA
Theda Braddock, Esq., *Program Co-Chair*

10:15 Break

10:30 Regulatory Issues and Concerns in Mitigation
 State perspectives on new initiatives
Lauren Driscoll, *Manager*
 Shorelands and Environmental Assistance Program
 Washington State Department of Ecology ~ Olympia, WA
 New federal rule on mitigation; changes to, or trends occurring within, the federal realm of compensatory mitigation
Kim Harper, *Wetland Banking Specialist*
 U.S. Army Corps of Engineers - Seattle District
 Regulatory Branch ~ Seattle, WA

12:00 Lunch (on your own)

1:15 Mitigation Planning
 Legal, ecological, and biological factors: What to consider
Kevin Halsey, *Regulatory Specialist*
 Parametrix, Inc. ~ Portland, OR

Determination of limiting factors; how to make a degraded wetland a functional one
Donald B. Largen, *AICP*
 WSP Environment & Energy ~ Seattle, WA

2:30 Mitigation Banking: Strategies for Success
 Tips on initial entity formation; knowing the market; picking consultants and partners; working with regulatory agencies; marketing and sales
Victor Woodward, *Managing Partner*
 Habitat Banc NW ~ Woodinville, WA

3:00 Break

3:15 Conservation Banking
The Hon. Larry Phillips, *Moderator, Councilmember*
 King County Council ~ Seattle, WA
 Salmon recovery: The trouble with traditional approaches; types of conservation banks; examples of successful projects; evolving market models for conservation banks; update on the Puget Sound regional conservation bank
Dennis Canty, *President*
 Evergreen Funding Consultants ~ Seattle, WA

Nearshore restoration in Puget Sound: Legal framework, decision making processes; special issues for mitigation in urban estuaries; current goals, successes and areas in need of further work
George Blomberg, *Environmental Planner*
 Port of Seattle ~ Seattle, WA

4:30 Mitigation Banking Going Forward
 Species mitigation: Primary sources of demand; components for a successful conservation bank; permitting, economic, and other challenges; examples of successful projects
Craig Denisoff, *Vice President*
 Westervelt Ecological Services ~ Sacramento, CA

5:00 Evaluations and Adjourn



About the Workshop

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Mitigation banking has been a successful component of the preservation of wetland habitats in the past.

This workshop will cover the entire range of issues associated with wetland mitigation banking and conservation banking, including new mitigation rules, regulatory issues and concerns and strategies for success.

We have brought together a group of distinguished and experienced speakers from the regulatory community, the regulated community and other leading scientists and attorneys to address these issues and more.

Don't miss this unique opportunity to hear from experts in this field in an informal setting.

~Program Co-Chairs: Theda Braddock, Esq., and Lisa Saban



Theda Braddock, *Program Co-Chair*, is in private practice and focuses on natural resource damage restoration projects. She wrote the "Washington Environmental Law Handbook", "Wetlands Regulation: Case Law, Interpretation & Commentary" and "Wetlands: An Introduction to Ecology, the Law, and Permitting". She also writes the wetland law update for the California Bar Environmental Law Section and the Washington State Bar Environmental and Land Use Section law newsletters.

Lisa Saban, *Program Co-Chair*, a Partner at Windward Environmental LLC, is a project manager, lead scientist and technical advisor for environmental assessments and evaluations. She is experienced in managing complex projects related to ecological risk assessment, sediment investigations and natural resource damage assessments.

The Hon. Larry Phillips, *Moderator*, has served on King County's Council since 1991, where he continues to devote his energy to natural resource issues with a special focus on water quality and the Cedar River.

George Blomberg, Environmental Planner with the Port of Seattle, conducts environmental reviews for the Port's marine terminals and industrial projects and works with city, state, and federal agencies and Treaty tribes to obtain project approvals. He is experienced in the evaluation of aquatic area and shoreline habitat, mitigation planning and project-related compensation actions.

Dennis Canty, founder and President of Evergreen Funding Consultants, is a specialist in water-related environmental issues and strategic fundraising for regional initiatives. He has written grants and proposals in public and private funding for environmental projects.

Craig Denisoff is Vice President of Westervelt Ecological Services and President of the National Mitigation Banking Association. Previously, he worked for the U.S. Army Corps of Engineers, U.S. Environmental Protection Agency, California State Legislature and was Assistant Secretary for the California Resources Agency supervising its wetland and coastal programs.

Lauren Driscoll, Manager for the Wetland, Watershed and Flood section in the Washington State Department of Ecology's Shorelands and Environmental Assistance Program, is the policy lead for the wetland mitigation bank pilot rule project and alternative mitigation policy. She is working on the Director of Ecology's Mitigation That Works Initiative.

Ron Gouguet, Estuarine Ecologist at Windward Environmental LLC, is a senior scientist and technical advisor for environmental assessments and evaluations. He focuses on ecological risk assessment, sediment investigations and natural resource damage assessments. Previously he was Chief of the Coastal Resource Coordination Branch of NOAA's Coastal Protection and Restoration Division.

Kevin Halsey, Regulatory Specialist at Parametrix, Inc., leads Parametrix' ecosystem marketplace team and focuses on the development of policies and tools necessary to support emerging ecosystem markets. He is also an adjunct professor on identifying and managing environmental risk in business transactions at Lewis and Clark Northwestern School of Law.

Kim Harper is a Wetland Banking Specialist in the Regulatory Branch of the U.S. Army Corps of Engineers, Seattle District. She serves on the Mitigation Bank Review Team for Washington State for which she reviews bank designs, develops mitigation banking policy and provides training on bank use.

Donald B. Largen, AICP, Senior Planner and Project Manager of the Ecosystem Science and Restoration Services at WSP Environment & Energy, specializes in wetland and river science, conservation biology, design/build approaches to ecosystem restoration and regulatory assistance.

Victor Woodward, Managing Partner of Habitat Banc NW, works on researching, permitting and developing wetland mitigation banks in Washington. His Snohomish Basin Mitigation Bank was the first to be permitted through the State's pilot banking program.



Registration and Other Workshop Information

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Substitution & Cancellation: You may substitute another person at any time. We will refund tuition, less a \$50 cancellation fee, if we receive your cancellation by 5:00 p.m. on Friday, April 25, 2008. After that time, we will credit your tuition toward attendance

at another program or the purchase of a Homestudy. There is a \$25 cancellation fee for Course Materials orders and \$50 for Homestudy orders.

Seminar Location: The workshop will be held at the Washington State Convention and Trade Center at 800 Convention Place in Seattle, WA 98101, (206) 694-5000. Sleeping rooms are available at the Renaissance Seattle Hotel at 515 Madison St. in Seattle, WA 98104. A special negotiated rate of \$159 is available for on-line reservations only on a first come, first served basis. Go to <http://marriott.com/hotels/travel/seasm-renaissance-seattle-hotel> to reserve. Use Corporate Code L64. If you have any additional questions for the hotel, please contact

them directly at (206) 583-0300. Rooms are on a first come, first served basis.

Continuing Education Credits:

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Latest developments, new applications and practice tips

May 2, 2008
Seattle, Washington

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800 Convention Place
(206) 694-5000

You Will Learn About:

- New mitigation rules
- The nuts and bolts of implementing mitigation banks
- New federal rule on mitigation and state perspectives on new initiatives
- Mitigation planning
- Successful strategies in mitigation banking
- Salmon recovery and nearshore restoration in Puget Sound
- Species mitigation and components for a successful conservation bank

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