

8th Coral Reef Task Force Meeting
October 2-3, 2002
San Juan, Puerto Rico

Resolution 8-4: Assessment of Coral Reef Mitigation Measures

Realizing that it is U.S. Government policy to avoid and minimize impacts to ecosystems, including coral reefs; (EO 13089, NEPA, etc.), and that all efforts should be made to carry out that policy;

Considering, the October 2, 2002 Compensatory Mitigation report to the Task Force suggests there are serious questions raised as to whether mitigation has been effective thus far;

The Task Force strongly encourages the applicable agencies, including FWS, EPA, NOAA, Army Corps, and local jurisdictions in the Pacific to continue to coordinate in gathering data on the effectiveness of compensatory mitigation from federally funded and permitted activities. Included should be the analysis of which mitigation actions are most successful and recommendations for improving and identifying successful mitigation by the next Task Force meeting. The model of this analysis should be applied and evaluated in the Atlantic/ Caribbean also and reported back to the Task Force next year.

Summary Findings on Compensation Mitigation for a report by the Fish and Wildlife Service

In 1998, Executive Order 13089 on Coral Reef Protection established the Coral Reef Task Force. The Task Force published the National Action Plan to Conserve Coral Reefs in 2000 (Action Plan), which lays out a science-based road map to achieve healthy coral reefs.

To specifically address Action Items in Table B.3. in the Action Plan, the U.S. Fish & Wildlife Service, with additional funding from the Environmental Protection Agency, initiated an investigation of completed Federally funded or permitted coastal construction projects in the U.S. Pacific (Clean Water Act : 404 and Rivers and Harbors Act: Section 10) where there were unavoidable impacts to coral reef ecosystems. Projects examined were those where compensatory mitigation should have been recommended and implemented, as a result of these unavoidable impacts.

The project impacts were assessed and the effectiveness of the compensatory mitigation to offset the unavoidable losses was examined. All projects were subject to FWS, EPA, National Marine Fisheries Service (NMFS) and Army Corps of Engineers (Corps) mitigation policies which aim to avoid, minimize, and where there are unavoidable impacts, provide compensatory mitigation to offset coral reef ecosystem losses. Of over 500 projects reviewed (1975-2001), files for 38 projects were useable for the analysis. These projects removed 1,651 acres of coral reef habitat and compensatory mitigation should have been recommended and implemented. The Federal resource agencies recommended compensatory mitigation for only 19 projects (50%) and some form of compensatory mitigation was implemented in 9 projects (24%). Of the cases examined, only four projects (11%) were effective in offsetting the losses to the coral reef ecosystem. These five projects compensated for the loss of 11 acres or 0.7% of the total acres (1,651) of coral reef habitat lost from all 38 projects.

Summary and Recommendations

Despite individual Federal agency's mitigation policies designed to provide compensatory mitigation for unavoidable losses to the coral reef ecosystem, the investigation documented limited implementation of these policies and poor effectiveness of the mitigation effort. The report for this investigation provides recommendations to guide improvements in compliance and effectiveness of future coral reef mitigation. Recommendations include:

1. establish a coordinated local Interagency Coral Reef Mitigation Policy;
2. closely correlate coral reef ecosystem functions and values lost to those gained through compensatory mitigation; and

3. implement a monitoring and tracking system that will increase the resource agencies effectiveness in achieving adequate compensatory mitigation.

In July 2002, the Interagency Coral Reef Mitigation Working Group was formed. This working group includes the U.S. Fish & Wildlife Service, Environmental Protection Agency, National Marine Fisheries Service, Army Corps of Engineers (Regulatory and Civil Works), and the State of Hawaii natural resource agency. The group is currently working to address the problems outlined in the above report and is meeting on a monthly basis to write an Interagency Coral Reef Mitigation Policy.