

REALITIES OF COMPENSATORY MITIGATION IN U.S.A

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1. BACKGROUND

On Environmental Impact Assessment Law, impacts to natural environmental resources by development must be mitigated, in sequence, by avoiding, minimizing or compensating (creation, restoration etc.). This is called 'Mitigation'. In U.S.A, for wetlands which are reduced, compensatory mitigation is implemented based on the concept of 'no net loss' by the system of 'mitigation banking'. Banks are designed to create, restore, and/or enhance large, ecologically important wetland tracts in advance of permitted impacts. Based upon the type, size, and function of the improvements, the bank is authorized by the regulatory/resource agencies to sell a certain number of credits. As part of a sales transaction, the number of credits necessary to satisfy the requirements are debited against the mitigation bank's assets. These days there have been conservation banks which are used for endangered and threatened species. In 2004, in Japan, Environmental Action Plan of Ministry of Land Infrastructure and Transport says 'no net loss' of forests and wetlands, which is 'green banking system'. In Japan secondary nature, for example Satoyama, may be a site for mitigation banking

2. PURPOSE

The system and concept of mitigation banking are introduced to Japan, but few case studies of mitigation and conservation banks are introduced. Discussing mitigation banking in Japan, how to calculate to credits and deal with secondary nature is the problem. So I analyze 2 banks, 1) Bryte Ranch Mitigation bank 2) Kern Water Bank, by case study analysis to introduce realities of mitigation and conservation banks to Japan.

3. METHOD

At first I collected information about 92 mitigation banks in U.S.A. Then I picked up two cases in California which has the most banks in U.S.A, in which the system of conservation banking began. An entrepreneur and a company made these banks. The number of this type has increased these days.

I interviewed the bank managers, toured the banks and collected information. If necessary, I questioned to U.S. Fish and Wildlife Service by e-mail.

4. RESULTS

Calculation is very simple, for example 1 acre = 1 credit. The environmental condition is good by monitoring activities. Bryte Ranch Mitigation Bank could be maintained for more than 450 years by credits purchased. Kern Water Bank also could be maintained for a long time by the fund. Bryte Ranch Mitigation Bank was once a land for grazing, so the bank maintains secondary nature by leasing lands for grazing.

If the calculation is simple, the habitats of endangered and threatened species could be conserved in perpetuity in U.S.A. In Japan we may be able to maintain secondary nature by leasing lands for human activities and establishing fund.