

**Objectives and Test Questions for the Presentation by Kristi H. on
“Mitigation Oversight and Compliance: USACE Regulatory Perspective”**

Objective #1 – Learn the basics of oversight and compliance.

Objective #2 – Understand the Corps’ process for oversight and compliance.

Objective #3 – Learn about some ways in which oversight and compliance issues may be resolved.

Five test questions

1. Which of the following are areas that regulators need to track for oversight for mitigation banks? (select all that apply)
 - A. Construction.
 - B. Credit releases.
 - C. Adaptive management.
 - D. Modifications to instrument.
 - E. Bank or In-Lieu Fee Program site closure.

Answer: *All of the above*

2. Which of the following elements of mitigation projects are subject to compliance? (select all that apply)
 - A. Funding long-term management of the project (endowment).
 - B. Furnishing short-term financial assurances.
 - C. Submittal of timely and complete monitoring reports.
 - D. Maintaining/managing the mitigation project in accordance with the management plan.
 - E. Evaluating whether the project is in conformance with its permit and/or instrument

Answer: *All of the above*

3. What is the Corps’ process for oversight and compliance?
 - A. Identify the issue, perform a site visit, notify the Office of the Chief, provide 30-days to rectify issues or lose credits.
 - B. Identify the issue, the project manager reaches out to the mitigation provider, discuss solutions, request and receive a modified “get right” plan, receive approval for new plan, and execute the plan.
 - C. Identify the issue, the project manager reaches out to the permittee, the Corps’ issues a cease and desist order, project is terminated, and credits rescinded.
 - D. Identify the issue, perform a site visit, record all deficiencies, report to headquarters.
 - E. Identify the issue, alert the IRT, create a remediation plan for the sponsor, adjust financial assurances.

Answer: *B*

4. What are some enforcement options for non-performing sites? (select all that apply)
- A. Issue a cease and desist order and turn over to the Corps' enforcement attorneys.
 - B. Adjust/remove the appropriate amount of total credit generating areas.
 - C. Look for other alternative compensation to meet the obligations in a permit or instrument.
 - D. Remediate the site.
 - E. Terminate the instrument and/or suspend the mitigation bank.

Answer: B, C, D and E

5. Which of the following best practices were shared for regulators performing oversight and compliance? (select all that apply)
- A. Don't panic.
 - B. Communicate.
 - C. Keep it simple.
 - D. Command and control.
 - E. Document your decisions.

Answer: A, B, C and E