



**US Army Corps  
of Engineers** ®  
Nashville District



## **Standard Operating Procedure - Assessing a Proximity Factor for Compensatory Mitigation**

### **Occurring Outside of Mitigation Bank and In-Lieu Fee Service Areas**

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## **I. Introduction**

When the US Army Corps of Engineers determines that compensatory mitigation is necessary to offset unavoidable impacts to aquatic resources, the amount of compensatory mitigation must be, to the extent practicable, sufficient to replace lost aquatic resource functions (33 C.F.R §332.3(f)(1)). The district engineer must require a mitigation ratio greater than one-to-one where necessary to account for the distance between the affected aquatic resources and the compensation site (33 C.F.R §332.3(f)(2)). This SOP does not authorize or guarantee credit from outside established service areas; rather, it only provides a procedure for calculating the amount of credit required.

## **II. Proximity Factor Applicability and Procedures**

A proximity factor will be assessed for any compensatory mitigation that occurs outside of an approved bank or in-lieu-fee (ILF) service area, provided that USACE has determined that the proposed compensatory mitigation is environmentally preferable. Additionally, a proximity factor will be assessed on a case-by-case basis for permittee-responsible mitigation. The distance from the impact site to the compensatory mitigation site will be assessed based on the number of 8-digit HUC units the sites are separated by. In all cases, the 8-digit HUCs must be in the same major river basin; For example, impacts in the Tennessee River watershed must be offset in that basin, and impacts in the Cumberland River watershed must be offset in that basin.

The following standard operating procedures will be used when evaluating the distance between the affected aquatic resource and the compensation site:

1. Compensatory Mitigation will be performed within the same 2-digit HUC unit.
2. The number of 8-digit HUCs away from the impact site will be counted following the flow path of the waterbodies from the impact site to the service area, as outlined below in 3 and 4.
3. ILF - If mitigation occurs outside of an ILF service area, the number of 8-digit HUCs away is determined by counting from the impact site to the most distant 8-digit HUC in the proposed ILF service area.
4. Mitigation Bank – If mitigation occurs outside a mitigation bank service area, the number of 8-digit HUCs away is determined by counting from the impact site to the 8-digit HUC the mitigation bank site is located in.

The multipliers for the proximity factor are as follows:

- One 8-digit HUC away from the impact HUC = 1.25:1 multiplier
- Two 8-digit HUC away from the impact HUC = 1.5:1 multiplier
- Three 8-digit HUC away from the impact HUC = 1.75:1 multiplier
- Four 8-digit HUC away from the impact HUC = 2:1 multiplier
- Five 8-digit HUC away from the impact HUC = 2.25:1 multiplier