

Coastal Zone Conversion Permit Act Offsets Work Group

Refinement of Initial Scope for Discussion by Work Group

Goal: Identify specific offset items/issues which will serve as the initial focus for developing WG input for RAC consideration.

Orienting Assumptions:

- 1) The WG initially will focus on providing “offset” input to the RAC that is responsive to specific statutory language in the CZCPA. An initial draft list of input “items” derived from CZCPA language is identified in the following subsection of this document, for WG discussion.
- 2) The WG will work to provide as much substantive content on these items as it can to the RAC prior to its November meeting.
- 3) Items not ripe for RAC input prior to the November meeting will be provided to the RAC prior to its December meeting.
- 4) Interactions/requests from the RAC will guide how the WG proceeds after the October and November RAC meetings.
- 5) The Offsets WG will need to coordinate closely with the Environmental Impacts WG. Input on offsets provided to the RAC should be cognizant/reflective of input on environmental impacts.

Suggested Items for WG to Address in Upcoming Meetings:

- 1) Options for ensuring that offset proposals “more than offset” the facility’s negative environmental impacts?
- 2) Options for ensuring that offset proposals sufficiently address negative environmental impacts “on an annual basis”.
- 3) Options for ensuring that offset proposals “favor offsets that directly benefit Delaware”.
- 4) Discuss whether options for modifying current CZA offset program requirements should be offered to the RAC, in areas such as (but not limited to):

- a. Who makes the offset proposal. Applicant? DNREC, after review of permit application? Potential integration of public input in offset proposal development?
 - b. Sequencing of offset proposal development vis a vis issuance of other required permits (and determination of associated permit limits and potential mitigation).
 - c. Potential identification of offset project performance standards over time and associated monitoring responsibilities, corrective action triggers, etc.
 - d. Preference for offsets that “occur in the same environmental medium as the source of degradation”, at the same site and simultaneously with the implementation of the proposed facility changes.
- 5) Options for “combining” a variety of disparate impacts into a smaller number of more substantive, meaningful offset projects.
- 6) Other items as warranted by Environmental Impact WG output.