

## Related Efforts

The Trust was the idea of a sister organization, the grassroots Elizabeth River Project, which recognized a need for more mitigation alternatives in order to offset impacts to the river bottom. The Elizabeth River Project helped set up the Trust and is providing contracted support, as needed, for start-up projects. The Trust is governed by its own Board of Trustees and has a long-term goal of establishing its own support services.

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Win-win  
for the environment  
and the economy

## Purpose: Offset River Bottom Impacts

The Living River Restoration Trust meets the need for developers seeking win-win approaches to offset environmental impacts to the Elizabeth River watershed -- particularly impacts to life along the river bottom ("benthic" impacts).

Use of the fund as government sanctioned "mitigation," or offsetting of impacts, should be considered only after every reasonable option has been pursued to avoid or reduce environmental harm.

Funds are used to offset impacts that cannot be avoided, by achieving as many benefits as possible to the Elizabeth River ecosystem. Currently the Fund primarily is expended for projects to clean up contaminated river bottom. This compensates off-site for harm to healthy river bottom when permittees conduct major

new dredging or filling projects for which government agencies require mitigation.

Life along the bottom represents the foundation of the food chain for the Elizabeth River. Sixteen percent of all life is found on the bottom of waterways. Striped bass, spot and blue crabs are among commercial and recreational fisheries depending on a healthy river bottom.

The Trust is the first mitigation tool of its kind in the United States to be approved by the federal government for compensation of impacts to the bottom of a waterway.

In addition, the Living River Restoration Trust accepts conservation easements to preserve urban wildlife habitat in perpetuity. Conservation easements provide Virginia landowners with some of the highest tax credits in the nation.

## History

The Trust was established in 2004 when the Norfolk District of the Corps of Engineers, the Virginia Department of Environmental Quality and the Trust's non-profit board reach agreement on operating guidelines.

APM Terminals made the first payment, \$5.3 million, in 2004, to offset 10 million cubic yards of dredging for a port terminal.



## Project Approval

Funds for mitigation are accepted only after authorization by the US Army Corps of Engineers and Virginia Dept. of Environmental Quality through the permit process.

The Trust Board may decline funds if impacts are deemed incompatible with river restoration goals. Restoration projects and expenditures are proposed by the Trust Board but require authorization by the Army Corps of Engineers and Dept. of Environmental Quality.



*The first payment to the fund, \$5.3 million from APM Terminals, cleaned up 36 million pounds of toxic contamination at this site off Money Point in the Elizabeth River. Cancer in the indicator species, the mummichog, dropped from 40% to background levels. Species of fish increased from four to more than 20.*