



United States Environmental Protection Agency  
Office of Water  
Washington, D.C. 20460



United States Department of the Army  
Office of the Assistant Secretary of the Army (Civil Works)  
Washington, D.C. 20310-0103

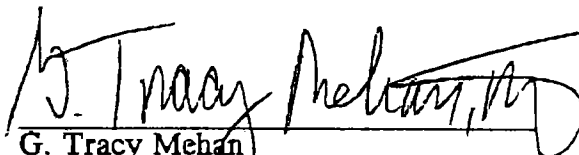
MEMORANDUM TO THE FIELD


24 DEC 2002

**SUBJECT: Guidance on Compensatory Mitigation Projects for Aquatic Resource Impacts Under the Corps Regulatory Program Pursuant to Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act.**

We are pleased to enclose Regulatory Guidance Letter (RGL) 02-2, regarding compensatory mitigation for aquatic resource impacts under the Clean Water Act Section 404 and the Rivers and Harbors Act Section 10 programs. This RGL supercedes RGL 01-1 issued last year.

The concepts embodied in this guidance are intended to fully support the national policy for "no overall net loss" of wetlands and other waters of the United States, consistent with the Section 404(b)(1) Guidelines. Under these regulations, compensatory mitigation is required to offset aquatic resource losses after all appropriate and practicable steps have been taken to first avoid and then minimize aquatic resource impacts. We are strongly committed to the protection of the overall aquatic environment, and RGL 02-2 reinforces this commitment to ensure that authorized losses of wetlands and other waters are appropriately mitigated. Feel free to call your respective Headquarters regulatory program contacts with any questions.

  
G. Tracy Mehan  
Assistant Administrator for Water  
U.S. Environmental Protection Agency

  
R. E. Brownlee  
Acting Assistant Secretary for Civil Works  
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Enclosure