The Role of Brokers and Credit Aggregators

Nutrient Trading Symposium
January 8, 2016

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About RES

Overview

✓ RES is the premier provider of ecological offset solutions in the US
✓ Operations throughout United States
✓ 110 mitigation sites permitted/in process
✓ Conservation easements protecting over 425 sites
✓ 32,000 restored wetland acres
✓ 165 miles of stream restoration
✓ Reduced over 240 tons of nutrients
✓ 8,000,000+ restorative stems installed
✓ Rehabilitated and preserved over 4,500 acres of endangered species habitats

Mission

Resource Environmental Solutions develops and supplies ecological offsets to help companies obtain required permits for unavoidable project-related impacts to wetlands, streams and habitats.

We help clients proactively manage risk from operations in environmentally sensitive areas by providing proactive project impact analyses, streamlining permitting processes, and limiting liability and regulatory exposure.
4 Types of Markets to Consider:

1. Annual Compliance for Existing WWTPs (BRF)
2. Credits for New or Expanded NPDES Discharges
   – 10 Year commitment to offset
3. Offsets for Stormwater (new growth)
   - Permanent solutions
4. MS4 (10 jurisdictions, including SHA-existing)
   – Permanent solutions/Cross-Sector trading
   – Restore an additional 20% of jurisdiction’s impervious area currently not treated
Third Party Roles in Nutrient Trading
Role of the Aggregator

- Understand policies relating to aggregators
- Understand basic market factors
- Undertake baseline analysis on market and technical viability (including baseline calculations)
- Complete certification of credits
- Complete sales transaction
- Enter into trading contracts/regulatory approval interface
- Fund and manage the Project (including landowner payments)
- Assume and manage risk
- Manage diverse portfolio of credits (annual, structural, multiple farms)
- Integrate with other environmental markets and programs
- Insure the Projects (self or otherwise)
**Market Examples - Stormwater Offsets**

**North Carolina**

**Satisfying Nitrogen and Phosphorus Control Regulations**

Over 6 bank sites developed since 2008

**Buyers**
Retail, Developers, NCDOT

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**Virginia**

**Enabling Compliance with State Water Quality Control Laws - P**

Over 3 banks developed since 2013

**Buyers**
VDOT, Retail, Municipalities, MS4 Owners

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RES is the Leading Supplier for Emerging Water Quality Trading Markets
Delivering Ag-Based Nutrient Reduction Solutions
Maryland Nutrient Trading - Policy Background

**July 1, 2005**
- Chesapeake Bay Restoration Fund (BRF) - Flush tax becomes effective - 67 WWTPs upgrade

**April 17, 2008**
- Nutrient Cap and Trade: Point-Source to Point Source-Phase 1
- Examples: Retire septic and hook up to WWTP/retire WWTP

**April, 2008**
- “Draft” Guidelines for Generation of Agricultural Nonpoint Nutrient Credits-New or Expanded Discharges-Point-Source-to-Non-Point Source-Phase II
  - Nutrient Trading Tool at farm level
  - Baseline requirement in order to trade
  - MDA certifies, MDE places in permit

**2012-2013**
- Accounting for Growth Work Group Convened - Not Finalized
- Offsets for New Growth
- Gubernatorial Election occurred (Now “Alignment for Growth”)

**October 23, 2015**
- Maryland Water Quality Nutrient Trading Policy Statement:
  - Cross-Sector Trading
  - 3 Geographic service areas
  - Private sector role
  - Develop comprehensive trading policy

**December 28, 2015**
- MDA Draft Regulations for agricultural nutrient and sediment credit certification
Eligibility: meet baseline requirements

Baseline: MNTT - NMP/SCWQP

Not result in idling of whole or substantial portions of productive farmland

Credit Generation: No cost-share unless extend beyond lifespan of practice

Types of Practices: Category 1, 2 and 3 practices

Lifespan of Credits

- When generated: at time of installation and credit recognized in January 1 of following year

Certification Process: Pre-Certification, certification and registration

Annual verification and reporting: Verifier

Trading Approval: MDE

Trading Geographies (not addressed in regulations)

Duration of Trades (not addressed in regulations/10 years for new and expanded)

Enforcement
Accounting (now Alignment) for Growth Issues (Work Group-not finalized)

- Effective Date
- Threshold Trigger
- Pollutants (N, P and S)
- Stormwater Loading Factors (Post-Development)
- Pre vs. Post-Development Loads
- Permanency
- Timing of Offsets
- On-Site Pollution Reduction Practices
- Off-Site Pollution Reduction Practices
- Credit Certification, Verification and Transparency
- Regulations of Brokers and Aggregators
- Trading Geographies
- Fee-In-Lieu
- Credit Stacking
- Cross-Sector Trading (Urban/Agriculture)
- Trading Ratios
• MDA issued their new regulations for certifying agricultural offsets on December 28, 2015

• Maryland will develop a Comprehensive Water Quality Trading Document (will address Alignment for Growth, among other issues)

• A stakeholder group will be reconvened and will identify changes in guidance documents and/or the need for regulation or laws

• A final report is slated to be issued in Spring, 2016

• A conference will be held in mid-2016