

TITLE 2: NATURAL RESOURCES
DIVISION 1: MARITIME AND COASTAL RESOURCES

§ 1665. Natural Resource Analysis.

DLNR shall, where possible, use methods that incorporate the species diversity, species abundance, species population make-up at the impact site and best available science to best predict functional loss by which the compensation described in § 1664 is calculated. Included in the effort, consideration for loss of use (extraction value, community value, environmental value and as well as replacement value) shall be incorporated in the cost determination of loss. DLNR may also recover costs to contract services to complete the determination of loss at the site including the parameters referenced and establishing equity at mitigation sites. DLNR may use existing resource recovery options to define replacement value along with any other lost value. DLNR may adopt regulations to establish a calculation method.

Source: PL 20-79 § 3 (Nov. 2, 2018).