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CONSERVING LAND FOR PEOPLE



**Supplemental Environmental Projects**

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## Supplemental Environmental Projects (SEPs)

- Voluntary projects undertaken as part of an environmental enforcement settlement, in potential mitigation of penalties
- Must have significant environmental or public health benefits that the violator is not otherwise legally required to perform
- They can result from federal or state enforcement actions

## Federal SEP Program

- In use by EPA since 1990s
- \$188 million devoted to SEPs between 2006 and 2009
- Nexus between violation and project
- Encourage community input
- [www.epa.gov/echo](http://www.epa.gov/echo)

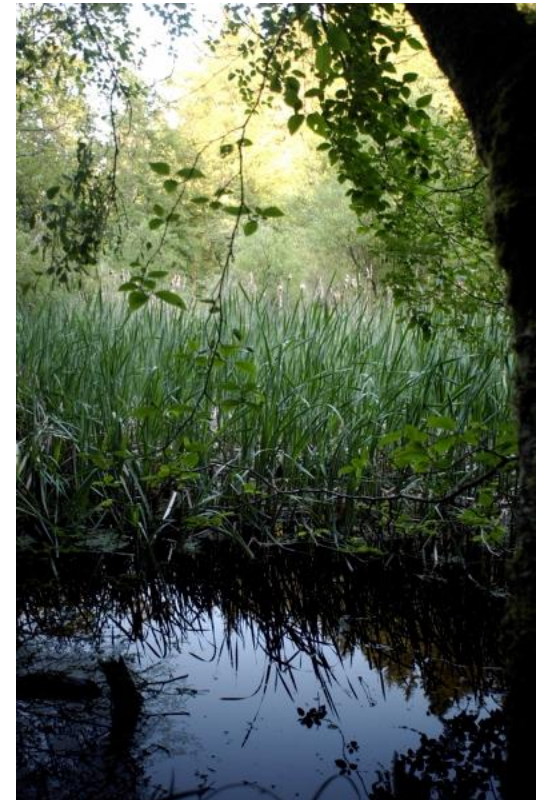


Photo credit: Kurt Thorson,  
San Juan Preservation Trust



## Opportunities for Source Water Protection

- *“Projects may be used to restore or protect natural environments”*
- *Examples include the “purchase and management of a watershed area by the defendant / respondent to protect a drinking water supply”*

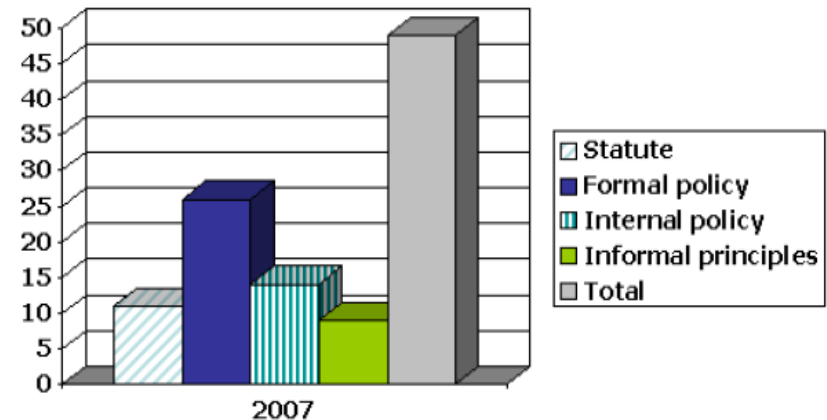


Photo credit: TPL

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## State SEP Programs

- SEP programs vary by state
- Many state programs mimic federal policy
- 28 states have formal SEP policies, others rely on informal practices



The Public Law Research Institute at UC Hastings, 2007: *Supplemental Environmental Projects: A Fifty State Survey with Model Practices*

## Missouri Recommendations

- Establish a Project Library
- Design a Special Project Fund
- Create structures for community involvement





## What is the SEP program like in your state?

- Does your state have a formal policy in place?
- If so, where does SEP funding go?
- States without formal guidelines can look to other states for ideas



# Thanks!

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