

Project Title: _____

Prospectus Checklist for Mitigation Banks per CFR 332.8(d)(2)

- The objectives of the proposed mitigation bank.
 - Identify the habitat type(s) (bottomland hardwoods, swamp, fresh marsh, pine savannah, etc.) that will be provided.
 - Identify the amount (acres) of each habitat type that will be provided.
 - Identify the aquatic functions to be restored/enhanced.
 - Identify the methods of compensation (re-establishment, rehabilitation, enhancement, preservation) used to establish the mitigation bank
 - Identify the mitigation bank's plan of operation.

- Describe how the bank or in-lieu fee program will be established.
 - Identify the work necessary to accomplish site restoration/enhancement and describe how the proposed work will meet identified goals and objectives.
 - Provide a vicinity map (USGS topographic map).
 - Provide a current aerial photograph identifying the area to be protected by the conservation servitude.
 - Provide site-specific maps and cross sections showing proposed work. Include an elevation map, soil map, map showing the location of each method of compensation per habitat type, and a map showing the hydrologic restoration... this should include cross-sections of any earthen work where applicable.
 - For the prospectus public notice to serve as the public notice for any necessary Department of the Army permit, a permit application must be submitted otherwise, a separate public notice will be necessary.

- Identify the proposed service area
 - Provide a map identifying the proposed service area of the bank.
 - Provide a rationale for determining the limits of the proposed service area.

- Identify the general need for and technical feasibility of the proposed mitigation bank or in-lieu fee program.
 - Identify any watershed plans the mitigation project would accommodate.
 - Identify any regional or local benefits derived from the bank.
 - Identify any potential threats to the bank site or resource type the bank intends to provide and/or protect.
 - Discuss the feasibility of the proposed construction work required to develop the bank.

- Identify the proposed future ownership arrangements and long-term management strategy for the proposed mitigation bank or in-lieu fee program.
 - Provide contact information (name, address, telephone number, e-mail address, etc.) for the Sponsor, land owner, and agent.
 - Identify the proposed long-term ownership.
 - Identify the party responsible for long-term management.

Project Title: _____

- Identify the proposed site protection instrument that would be utilized.
- Identify the “holder” of that instrument if a “holder” is required.

- Summarize the qualifications of the sponsor to successfully complete the type of mitigation project proposed as well as any similar previous activities completed by the sponsor

For mitigation banks, the prospectus must also address:

- The ecological suitability of the site to achieve the objectives of the proposed mitigation bank, including the physical, chemical, and biological characteristics of the bank site and how that site will support the planned types of aquatic resources and functions
 - Summarize current site conditions including land use, vegetation, hydrology, and soils.
 - Identify all known encumbrances including mortgages, liens, rights-of-way, servitudes, easements, etc.
 - Identify previous land uses of the site and adjacent properties.
 - Identify zoning and any existing and/or proposed development adjacent to the bank.
 - Summarize the historical hydrology of the site.
 - Include a jurisdictional determination of “waters of the U.S.” from the Corps. Please note that this item is necessary to support the method of compensation statement.

- Assurance of sufficient water rights and/or hydrological influences on the site to support the long-term sustainability of the mitigation bank.
 - Describe any existing hydrologic disturbances on and adjacent to the site over which the sponsor has no control
 - Identify any temporary or long-term structural management requirements (levees, weirs, culverts, etc.,) needed to assure hydrologic/vegetative restoration.
 - Describe:
 - water source(s) and losses(s) (precipitation, surface runoff, groundwater, stream, tidal),
 - For sites with overbank flow: Hydroperiod (seasonal depth, duration, and timing of inundation and/or saturation)
 - Contributing drainage area (map and size).

Reviewer: _____

Date: _____

Complete: Yes / No