



National Environmental Banking Association

THE TRUSTED VOICE OF THE MITIGATION INDUSTRY







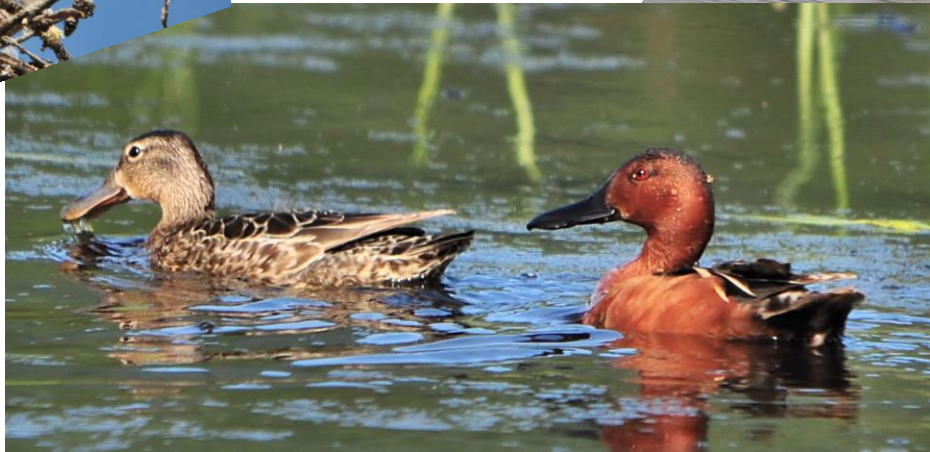
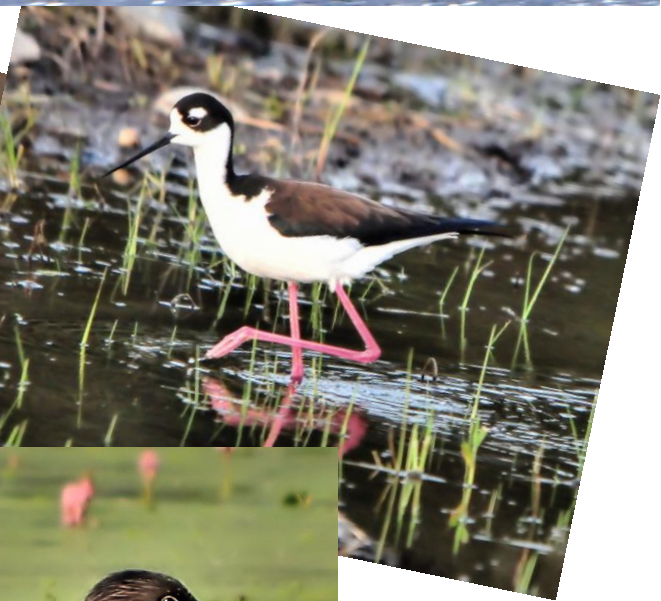














Four Features of a Mitigation Bank

1. Physical Site
2. Service Area
3. Banking Instrument
4. Inter-Agency Review Team (IRT)

12 Legal Requirements for Every Mitigation Permit – Per 2008 Rule

1. Objectives
2. Site Selection
3. Site Protection
4. Baseline Info
5. Credit Determination
6. Work Plan
7. Maintenance Plan
8. Performance Standards
9. Monitoring Requirements
10. Long –Term Management
11. Adaptive Mgmt. Plan
12. Financial Assurances

**Compensatory Mitigation Rule
Timeline for Bank or ILF Instrument Approval***

		Event	# of Days**	
Phase I		Optional Preliminary Review of Draft Prospectus	30	DE provides copies of draft prospectus to IRT and will provide comments back to the sponsor within 30 days.
	Sponsor Prepares and Submits Prospectus ~DE must notify sponsor of completeness w/in 30 days of submission~			
Day 1** Complete Prospectus Received by DE				
Phase II	Day 30	Public notice must be provided within 30 days of receipt of a complete prospectus	30	
	Day 60	30-Day Public Comment Period	30	
	Day 90	DE must provide the sponsor with an initial evaluation letter within 30 days of the end of the public comment period.	30	15 DE distributes comments to IRT members and sponsor within 15 days of the close of the public comment period.
Sponsor Considers Comments, Prepares and Submits Draft Instrument ~DE must notify sponsor of completeness w/in 30 days of submission~				
Day 1 Complete Draft Instrument Received by IRT Members				
Phase III		30-day IRT comment period begins 5 days after DE distributes draft instrument to IRT members	30	90 Within 90 days of the receipt of a complete draft instrument by IRT members, the DE must notify the sponsor of the status of the IRT review.
	Day 90	DE discusses comments with IRT and seeks to resolve issues ~ # of days variable~	60	
Sponsor Prepares Final Instrument ~Sponsor provides copies to DE and all IRT members~				
Day 1 Final Instrument Received by DE & IRT				
Phase IV	Day 30	DE must notify IRT members of intent to approve/not approve instrument within 30 days of receipt.	30	45 IRT members have 45 days from submission of final instrument to object to approval of the instrument and initiate the dispute resolution process.
		Remainder of time for initiation of dispute resolution process by IRT members	15	
Day 45 INSTRUMENT APPROVED/NOT APPROVED, or DISPUTE RESOLUTION PROCESS INITIATED				

EPA/Corps draft 4/02/08

Total Required Federal Review (Phases II-IV): ≤225 Days

*Timeline also applies to amendments

**The timeline in this column uses the maximum number of days allowed for each phase.

FINANCIAL CONSIDERATIONS - COSTS

1. Source of funding. Traditional banks are not an option.
2. Cost of land.
3. Cost of conservation easement.
4. Cost of wetland scientists and engineers.
5. Cost of construction.
6. Cost of long term maintenance.
7. Cost of annual monitoring reports.
8. Cost of financial guarantees.
9. Manager's long term compensation.

FINANCIAL CONSIDERATIONS - REVENUES

- 1. Highway Departments
- 2. Power Companies
- 3. Airports
- 4. Home Builders
- 5. Individual Homeowners
- 6. New markets for Endangered Species banks.
- 7. New markets for Superfund Sites.

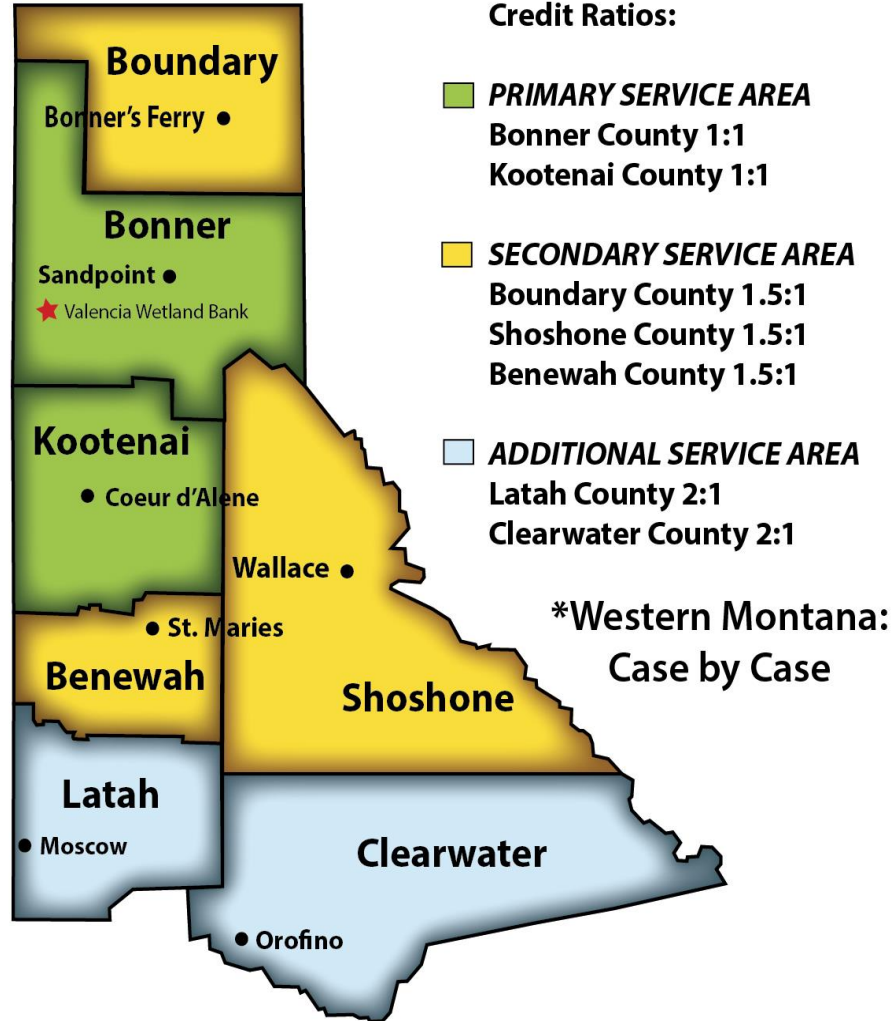
Assessment Method at Valencia

1. Habitat for federally listed or proposed threatened or endangered plants or animals
2. Habitat for plants or animals rated S1, S2, or S3 by the Montana Natural Heritage Program (or applicable State's Natural Heritage Program)
3. General wildlife habitat
4. General fish habitat
5. Flood attenuation
6. Long and short-term surface water storage
7. Sediment/nutrient/toxicant retention and/or removal
8. Sediment/shoreline stabilization
9. Uniqueness
10. Production export/terrestrial and aquatic food chain support
11. Groundwater discharge/recharge
12. Recreation/education potential

Other Benefits from Banks

- 1. Legal Liability transfers to environmental bank.
- 2. 1:1 Mitigation Ratios for all types of wetlands in Primary Service Area.
- 3. Permits acquired in record time.
- 4. Blocks of credits available at reduced cost.
- 5. Meets FHWA mandate for use of wetland banks.
- 7. Wetland credits facilitate “shovel ready” status for projects.

VALENCIA SERVICE AREA





NEBA was started by a group of past presidents and board members of the National Mitigation Banking Association. We are the largest association representing environmental banks in the U.S. NEBA is a strong voice in support of private industry mitigation across the U.S. and promotes the expansion of markets for wetland banks, species conservation banks, stream banks and Natural Resource Damage requirements. Our Founding Board members have owned and operated banks since the mid-90's and have a deep understanding of this complicated industry.

NEBA is offering free memberships for the rest of 2017 for a limited time. To sign up, go to:

Environmentalbanking.org

Then hit: **JOIN NOW**

Contact Information

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