

Appendix H: Example of Mitigation Bank Agreement

(Specific bank name and information removed. Should be modified to fit individual bank needs)

This agreement, entered into by the **Name of Bank/Sponsor**; **list MBRT agencies**; and the US Army Corps of Engineers (COE), is for the purpose of establishing the **Bank Name** Mitigation Bank (Bank). The Bank will be used to mitigate for unavoidable wetland and stream impacts approved through the COE, who is responsible for administering Section 404 of the Clean Water Act. The creation, operation, and use of the Bank will be in accordance with the **Bank name** Bank instrument, Appendix 1 to this agreement.

The objective of the Bank is to **list type of compensation** approximately # acres and # linear feet. The goal of the bank is to create **Name Cowardin classification and function assessment description**. Water regime modifiers are **list modifiers**.

The primary geographical service area for this bank will encompass portions of **list watershed and Hydrologic Unit(s) #**. The upper elevation limit of the primary service area will be 6,000 feet. At the discretion of the COE, credits may be approved outside of the primary geographic service area.

BY: _____
Bank Sponsor

Date Signed: _____

BY: _____
U.S. Environmental Protection Agency, Region #

Date Signed: _____

BY: _____
U.S. Fish and Wildlife Service

Date Signed: _____

BY: _____
Kurt F. Ubbelohde, Commander
U.S. Army Corps of Engineers, Omaha District

Date Signed: _____