

South Carolina Mitigation Banking Process

Parties interested in establishing a mitigation bank should follow the steps below when coordinating bank development.

1. Identify the bank sponsor.
2. Contact the Mitigation Bank Review Team (MBRT) via the U.S. Army Corps of Engineers or the USDA Natural Resources Conservation Service to participate in planning of the mitigation bank (i.e. site selection, development plan design, success criteria designation, monitoring and remediation plan development, etc.)
3. Identify the parties responsible for acquiring, developing, managing and monitoring the mitigation bank site, including the responsibility for accounting of bank credits.
4. Develop an individual mitigation banking instrument in coordination with the MBRT.

1998-1999 SC MITIGATION BANK REVIEW TEAM ROSTER

AGENCY	REPRESENTATIVE	ALTERNATES
SCDHEC-OCRM	Jeff Thompson, 843-744-5838	None
SCDHEC-EQC-WP [‡]	Rheta Geddings, 803-898-4229 or 898-4300	Mark Giffin, 803-898-4179 or 898-4300
SCDNR	Susan Davis, 843-762-5069	Danny Johnson, 803-734-9099
SCDAH-SHPO	Valerie Marcil, 803-896-6100	Bill Green, Nancy Brock, 803-896-6169
US ACE-SAC [†]	Steve Coker, 800-208-2054 or 843-727-4330	Chris Dowling, 843-727-4330 or 800-208-2054
US EPA	Hudson Slay, 404-562-9388	None
US FWS	Steve Gilbert, 843-727-4707	Paula Sisson, 843-727-4707
US NMFS	Prescott Brownell, 843-762-8574	David Rackley, 843-762-8500
US NRCS	Ben Stuckey, 803-253-3896	Bob Eppinette

†Chair ‡Vice Chair

SCHEDULE OF MBRT MEETINGS (subject to change as needed).

Date	Location
January 6, 1999	OCRM, Charleston
February 3, 1999	Corps, Savannah District Offices
March 3, 1999	EQC, Columbia
March 31, 1999	OCRM, Charleston
May 5, 1999	Corps, Charleston
June 2, 1999	EQC, Columbia
June 30, 1999	OCRM, Charleston
August 4, 1998	Corps, Charleston
September 1, 1998	EQC, Columbia
October 6, 1998	OCRM, Charleston
November 3, 1998	Corps, Charleston
December 1, 1998	EQC, Columbia
January 5, 2000	OCRM, Charleston

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BASIC OUTLINE OF MITIGATION BANKING INSTRUMENT

COVER PAGE

1. Purpose of the document.
2. Title of document and official name of bank.
3. List of signatories.
4. Effective date.

I. PREAMBLE

1. Purpose of bank and its relationship to Corps and other involved regulatory programs.
2. Location and size of bank, ownership, and identity of bank sponsor.
3. Makeup, role, and responsibility of the MBRT.
4. Mitigation bank goals and objectives.
5. Bank size and classes of wetlands and/or other aquatic resources proposed for inclusion.
6. Type of bank (e.g. single client, general use, joint-project proprietary) and identity of sponsor.
7. List of exhibits, including all appropriate supporting technical plans and documents.

II. ESTABLISHMENT OF THE BANK

1. Mitigation Plan
 - a. Ecosystem goals.
 - b. Description of baseline and reference conditions.
 - c. Description of work to be done.
2. Performance Criteria
3. Implementation timetable.
4. Type of real estate interest to be secured by the sponsor.
5. Financial assurances to be secured by the sponsor.
6. Provisions covering long term use of the land (incompatible activities), transfer of ownership of bank lands and/or easements.
7. Debiting Plan (crediting and debiting procedure).
8. Types and amounts of credits projected to be available at designated time intervals.

III. OPERATION OF THE BANK

1. Provisions for sale and transfer of credits (determination of credit availability, timing of credit withdrawal and factors to be considered in determining compensation ratios).
2. Types of projects or activities that may use the bank.
3. Procedures for release of financial assurance.
4. Provisions for site audits by MBRT.
5. Accounting procedures.

IV. LONG-TERM MANAGEMENT AND MAINTENANCE

1. Type and level of maintenance.
2. Record keeping and monitoring requirements (schedules and techniques, reporting requirements).
3. *Force majeure* clause (identification of catastrophic events beyond sponsor's control).
4. Long-term management responsibilities.
5. Contingency actions in event of partial or total bank failure.
6. Provisions pertaining to validity, modification, and termination of the Banking Instrument.

V. DEFINITION OF TERMS

VI. SIGNATURE PAGES