

## Checklist

### Draft Bank Enabling Instrument Requirements for Mitigation Banks

*[Revised September 2010 by the Multi-Agency Product Delivery Team]*

Please refer to the Cover Sheet, revised *September 2010*, for information and instructions related to the submission requirements for a mitigation bank proposal. The following are the submission requirements for a Draft Bank Enabling Instrument (BEI). Please provide the following information and a copy of this checklist with the submittal of a Draft BEI. Any proposed modifications to the BEI template shall be identified using tracked changes or other electronic comparison and explained in a memorandum. The Draft BEI should be submitted in a 3-ring binder containing all the information and documents listed below. The binder should contain labeled tabs (i.e., Exhibit A, Bank Location Maps). The submittal should also include an electronic, editable format of the BEI, the Conservation Easement, and other applicable template-derived documents. The Draft BEI should include the most recent banking templates and the other necessary exhibits listed below and described in Appendix 1 of the BEI Template.

- BEI
- “Exhibit A” - Bank Location Maps
  - A-1 General Vicinity Map
  - A-2 Map of [*if applicable, include:* Property and] Bank Property
  - A-3 Map of any Existing Conserved Land in Bank Property Vicinity [*if applicable*]
- “Exhibit B” - Service Area Map(s) and Description(s)
  - B-1 Map(s) of the Bank’s Service Area(s)
  - B-2 Narrative Description(s) of the Bank’s Service Area(s)
- “Exhibit C” - Development Plan
  - C-1 Development Plan
  - C-2 Construction Security Analysis and Schedule
  - C-3 Performance Security Analysis and Schedule
- “Exhibit D” - Bank Management and Operation Documents
  - D-1 Interim Management Security Analysis and Schedule

- D-2 Endowment Fund Analysis, Assumptions and Funding Schedule
- D-3 Instructions and Forms for Submission or Disbursement of Funds
- D-4 Interim Management Plan
- D-5 Long-Term Management Plan
- D-6 Bank Closure Plan
- “Exhibit E” - Real Estate Records and Assurances
  - E-1 Preliminary Title Report, Legal Description, and Parcel Map(s)
  - E-2 Property Assessment and Warranty
  - E-3 Plat Map(s)
  - E-4 Approved-as-to-form Conservation Easement Deed or Grant Deed
  - E-5 Title Insurance (valid for final BEI approval)
- “Exhibit F” - Bank Crediting and Credit Transfers
  - F-1 Credit Evaluation and Credit Table
  - F-2 Credit Purchase Agreements and Payment Receipts Templates
  - F-3 Credit Transfer Ledger Template
- “Exhibit G” - Phase I Environmental Site Assessment
- “Exhibit H” - Biological Resources Survey
- “Exhibit I” – USACE Waters of the U.S. Verification Letter
- “Exhibit J” – Cultural, Historical, Archeological, and Native American Resources (“Cultural Resources”)
  - J-1 Identification, Inventory and Evaluation
  - J-2 Compliance Documentation *[include as applicable]*
  - J-3 Historic Properties Treatment Plan *[include as applicable]*
- “Exhibit K” - Other Documentation, Permits, Amendments or Revisions