

# BANKING INSTRUMENT OUTLINE

## COVER PAGE

- Purpose of the document.
- Title of document and official name of bank.
- List of signatories.
- Effective date.

## I. PREAMBLE

- Purpose of bank and its relationship to Corps (or NRCS) and state regulatory programs.
- Project description (Bank size and classes of wetlands and/or other aquatic resources).
- Location and size of bank, ownership, and identity of bank sponsor.
- Baseline conditions.
- Establishment and use of credits.
- Type of bank (e.g. single client, general use, joint-project proprietary); identity of sponsor.
- Makeup, role, and responsibility of the MBRT.
- List of exhibits (appendices), including all appropriate supporting technical plans and documents.

## II. ESTABLISHMENT OF THE BANK

- Mitigation Plan (Description of work to be done).
- Implementation timetable.
- Type of real estate interest to be secured by the sponsor.
- Financial assurances to be secured by the sponsor:
- Contingency funds\* are to be secured by a Letter of Credit
- Long-term stewardship funds\*
  - \* *Provide (1) Details on type of funding, and (2) Justification for level of proposed funding*
- As-built reports.

## III. OPERATION OF THE BANK

- Service area.
- Types of projects or activities that may use the bank.
- Assessment methodology.
- Success criteria.
- Procedures for release of financial assurance.
- Provisions for site audits by MBRT.
- Conditions on debiting.

- Adding an additional tract.

**III. OPERATION OF THE BANK (continued)**

- Schedule of credit availability. [See example below.]

|                                                                                                                                   |            |
|-----------------------------------------------------------------------------------------------------------------------------------|------------|
| <p><b>Sample Schedule of Credit Availability</b></p> <p><i>(Actual percentages to be determined on a case-by-case basis.)</i></p> |            |
| <b>Execution of conservation easement .....</b>                                                                                   | <b>20%</b> |
| <b>Completion of earth moving/<br/>Construction/hydrologic manipulation .....</b>                                                 | <b>20%</b> |
| <b>Incremental based on success criteria* .....</b>                                                                               | <b>40%</b> |
| <b>Achievement of final success criteria* .....</b>                                                                               | <b>20%</b> |
| <p><b>* as determined by the MBRT</b></p>                                                                                         |            |

**IV. PROVISIONS COVERING USE OF THE LAND**

- Incompatible activities
- Transfer of ownership of the bank lands and/or easements.
- Conservation Easement.
- Stewardship Agreement.

**V. LONG-TERM MANAGEMENT RESPONSIBILITIES**

- Long-term maintenance plan that is to include method for funding long-term maintenance of the bank.
- Long-term responsible party

