

Prospectus Checklist for Mitigation Banks per CFR 332.8(d)(2)

The objectives of the proposed mitigation bank.

- Identify the habitat type(s) (bottomland hardwoods, swamp, fresh marsh, pine savannah, etc.) that will be provided. [Section 3.3.1 Resource Type and Amount, Page 7](#)
- Identify the amount (acres) of each habitat type that will be provided. [Section 3.3.1 Resource Type and Amount, Page 7](#)
- Identify the aquatic functions to be restored/enhanced. [Section 3.3.1 Resource Type and Amount, Page 7](#)
- Identify the methods of compensation (re-establishment, rehabilitation, enhancement, preservation) used to establish the mitigation bank [Section 3.3.3 Wetland Vegetation Re-establishment/Enhancement, Pages 7-8.](#) [Section 3.3.4 Mesic Prairie Vegetation Re-establishment/Enhancement, Page 8.](#)
- Identify the mitigation bank's plan of operation. [Section 3.3 Objectives, Pages 6-9.](#)

Describe how the bank or in-lieu fee program will be established.

- Identify the work necessary to accomplish site restoration/enhancement and describe how the proposed work will meet identified goals and objectives. [Section 3.3 Objectives, Pages 6-9.](#) [Section 4 Goals and Objectives, Page 9.](#)
- Provide a vicinity map (USGS topographic map). [Appendix A, Figure 1. Aerial map utilized due to lack of topographic features in area.](#)
- Provide a current aerial photograph identifying the area to be protected by the conservation servitude. [Appendix A, Figure 3.](#)
- Provide site-specific maps and cross sections showing proposed work. Include an elevation map, soil map, map showing the location of each method of compensation per habitat type, and a map showing the hydrologic restoration... this should include cross-sections of any earthen work where applicable. [Appendix B, Wetland Creation Area Proposed Topography.](#)
- For the prospectus public notice to serve as the public notice for any necessary Department of the Army permit, a permit application must be submitted otherwise, a separate public notice will be necessary.

Identify the proposed service area

- Provide a map identifying the proposed service area of the bank. [Appendix A, Figure 4.](#)
- Provide a rationale for determining the limits of the proposed service area. [Section 7.0 Service Area, Page 11.](#)

Identify the general need for and technical feasibility of the proposed mitigation bank or in-lieu fee program.

- Identify any watershed plans the mitigation project would accommodate. [Section 2 General Need, Page 2-3.](#)
- Identify any regional or local benefits derived from the bank. [Section 2 General Need, Pages 2-3.](#)
- Identify any potential threats to the bank site or resource type the bank

Project Title: HCFCF Katy Hockley Mitigation Bank

intends to provide and/or protect. [Section 2 General Need. Pages 2-3.](#)

- Discuss the feasibility of the proposed construction work required to develop the bank. [Section 3.3.2. Ecological Suitability. Page 7.](#)

Identify the proposed future ownership arrangements and long-term management strategy for the proposed mitigation bank or in-lieu fee program.

- Provide contact information (name, address, telephone number, e-mail address, etc.) for the Sponsor, land owner, and agent. [Section 1.1. Bank Name and Sponsorship. Page 1.](#)
- Identify the proposed long-term ownership. [Section 6 Ownership and Long-term Management. Pages 10-11.](#)
- Identify the party responsible for long-term management. [Section 6 Ownership and Long-term Management. Pages 10-11.](#)
- Identify the proposed site protection instrument that would be utilized. [Not listed in prospectus, but site will be protected via Conservation Easement.](#)
- Identify the “holder” of that instrument if a “holder” is required. [Anticipate Katy Prairie Conservancy being Conservation Easement holder.](#)

Summarize the qualifications of the sponsor to successfully complete the type of mitigation project proposed as well as any similar previous activities completed by the sponsor [Section 1.2 Sponsor Qualifications. Page 1.](#)

For mitigation banks, the prospectus must also address:

The ecological suitability of the site to achieve the objectives of the proposed mitigation bank, including the physical, chemical, and biological characteristics of the bank site and how that site will support the planned types of aquatic resources and functions

- Summarize current site conditions including land use, vegetation, hydrology, and soils. [Section 3.2 Existing Conditions. Pages 5-6.](#)
- Identify all known encumbrances including mortgages, liens, rights-of-way, servitudes, easements, etc. [Section 5.3 Easements and Encumbrances. Page 10.](#)
- Identify previous land uses of the site and adjacent properties. [Section 3.2. Existing Conditions. Pages 5-6.](#)
- Identify zoning and any existing and/or proposed development adjacent to the bank. [Prospectus does not address future land development immediately adjacent to proposed site. Katy Prairie Conservancy's Cypress Creek Preserve forms western border of site. HCFCF is interested in purchasing the property immediately north of the site. Too much speculation at this point to define “proposed” long-term adjacent land uses.](#)
- Summarize the historical hydrology of the site. [Section 3.2.3 Hydrology. Page 6.](#)
- Include a jurisdictional determination of “waters of the U.S.” from the Corps. Please note that this item is necessary to support the method of compensation statement. [Will provide copy of southern 75 acres of tract. Working on finalizing submittal of wetland delineation for northern 86 acres.](#)

Assurance of sufficient water rights and/or hydrological influences on the site to support the long-term sustainability of the mitigation bank.

Project Title: HCFC D Katy Hockley Mitigation Bank

- Describe any existing hydrologic disturbances on and adjacent to the site over which the sponsor has no control [Section 3.2.3 Hydrology. Page 6.](#)
- Identify any temporary or long-term structural management requirements (levees, weirs, culverts, etc.,) needed to assure hydrologic/vegetative restoration. [Section 3.3.2 Wetland Vegetation Re-establishment/Enhancement. Pages 7-8. Appendix B.](#)
- Describe:

water source(s) and losses(s) (precipitation, surface runoff, groundwater, stream, tidal), [Water sources will primarily be derived from precipitation and overland sheet flow. During larger precipitation events, we anticipate substantial overbank flow from the Cypress Creek Overflow where water overbank/sheet flows from Cypress Creek to Bear Creek. All wetland vegetation community establishments will be based on annual direct site precipitation/overland flow and not on receiving overbank flow from Cypress Creek.](#)

For sites with overbank flow: Hydroperiod (seasonal depth, duration, and timing of inundation and/or saturation)  
Contributing drainage area (map and size). [See above comment. Site wetland reestablishment is not dependent upon overbank flows. See Section 3.2.3 Hydrology for discussion about Cypress Overflow Zone.](#)

Reviewer: \_\_\_\_\_

Date: \_\_\_\_\_

Complete: Yes / No