



US Army Corps  
of Engineers  
Alaska District

# Special Public Notice

Date: December 18, 2018  
Identification No.: POA-2017-00407-SPN  
Expiration date: January 17, 2019

---

## Diamond Willow Mitigation Bank Prospectus

Interested parties are hereby notified that the U.S. Army Corps of Engineers (Corps), Alaska District is soliciting comments on a proposal submitted by Colaska, Incorporated to develop a mitigation bank. The proposed mitigation bank site is within Section 24, T 17N., R 1E., Seward Meridian, USGS Quad Map Anchorage C-6, Latitude 61.544° N., Longitude 149.20° W., approximately two miles east of the Glenn-Parks Highway intersection in the Matanuska-Susitna Borough. Colaska, Inc., as the bank sponsor, has provided a prospectus describing the proposed Diamond Willow Mitigation Bank.

You can download and view the referenced prospectus for Diamond Willow Mitigation Bank on our Regulatory In-Lieu Fee and Bank Information Tracking System (RIBITS) website at: [https://ribits.usace.army.mil/ribits\\_apex/f?p=107:2](https://ribits.usace.army.mil/ribits_apex/f?p=107:2) Select "Alaska" from the pull down menu under the Filter option (USACE District) and select "Banks & ILF Sites" under the Menu option. On the next screen that appears select "Diamond Willow Mitigation Bank" from the list. On the next screen select the "Cyber Repository" tab near the top of page. On the next screen click on the small triangle to the left of the Diamond Willow Prospectus folder to reveal the pdf of the prospectus for downloading.

Alternately you may try the following URL to access the prospectus document:

[https://ribits.usace.army.mil/ribits\\_apex/f?p=107:278:6451564619705::NO:RP,278:P278\\_BANK\\_ID:4801](https://ribits.usace.army.mil/ribits_apex/f?p=107:278:6451564619705::NO:RP,278:P278_BANK_ID:4801)

The above link will take you to RIBITS Cyber Repository then click on the small triangle to the left of the Diamond Willow Prospectus folder to reveal the pdf of the prospectus for downloading. Written comments referencing this notice must be submitted on or before January 16, 2019. Comments may be submitted via email to Mr. Bryan Herczeg at: [bryan.a.herczeg@usace.army.mil](mailto:bryan.a.herczeg@usace.army.mil); by fax at (907) 753-2728; or by mail to the address below:

Attention: Mr. Bryan Herczeg  
Regulatory Division  
Post Office Box 6898  
JBER, Alaska 99506-0898

Section 404 of the Clean Water Act (CWA) 404 establishes a permit requirement, administered by the Corps for projects that involve discharging dredged or fill material into waters of the United States (U.S.). The Corps requires compensatory mitigation as a permit condition for stream or wetland losses that are determined to have significant aquatic resource losses which are specifically identifiable, reasonably likely to occur, and of importance to the human or aquatic environment. The goal of compensatory mitigation is to replace the physical, chemical, and biological functions of these waters of the U.S.

The term “mitigation bank” refers to a site, or suite of sites, where resources (e.g., wetlands, streams, riparian areas) are restored, established, enhanced, and/or preserved for the purpose of providing compensatory mitigation for impacts authorized by Department of the Army (DA) permits. In general, a mitigation bank sells compensatory mitigation credits to permittees whose obligation to provide compensatory mitigation is then transferred to the mitigation bank sponsor. The mitigation bank concept was established to provide alternatives to applicants and ease the regulatory burden associated with permitted impacts. A mitigation bank used to offset aquatic resource impacts through the 404 program must be developed and approved pursuant to the Compensatory Mitigation for Losses of Aquatic Resources; Final Rule, 33 CFR Parts 325 and 332, April 10, 2008 (Final Rule).

In accordance with the Final Rule, the prospectus for the proposed Diamond Willow Mitigation Bank includes the following information:

- (1) Objectives of the proposed mitigation bank.
- (2) How the mitigation bank will be established and operated.
- (3) The proposed service area.
- (4) The general need for and technical feasibility of the proposed mitigation bank.
- (5) The proposed ownership arrangements and long-term management strategy for the mitigation bank.
- (6) The qualifications of the sponsor to successfully complete the mitigation bank.
- (7) The ecological suitability of the site to achieve the objectives of the proposed mitigation bank.
- (8) Assurance of sufficient water rights to support the long-term sustainability of the proposed mitigation bank.

The Corps will convene an Interagency Review Team (IRT) comprised of Federal and State agencies for the purpose of developing an instrument or legal document governing the establishment, operation, and use of the proposed mitigation bank. Comments received during the comment period will be submitted to the IRT and the bank sponsor for consideration during the Federal review and approval process.

Any questions or requests for additional information should be directed to Mr. Bryan Herczeg, who may be reached by phone at (907) 753-2772, toll free from within Alaska at (800) 478-2712, or by email at [bryan.a.herczeg@usace.army.mil](mailto:bryan.a.herczeg@usace.army.mil).

District Commander  
U.S. Army Corps of Engineers