



US Army Corps  
of Engineers  
Alaska District

# Public Notice For a Mitigation Bank

FAIRBANKS FIELD OFFICE  
Regulatory Division (1145)  
CEPOA-RD  
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Fairbanks, Alaska 99709-4927

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| <b>PUBLIC NOTICE DATE:</b> | <b>November 20, 2014</b> |
| <b>EXPIRATION DATE:</b>    | <b>December 22, 2014</b> |
| <b>REFERENCE NUMBER:</b>   | <b>POA-2014-028</b>      |
| <b>WATERWAY:</b>           | <b>Kuskokwim River</b>   |

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## Prospectus for the proposed Kuskokwim River Mitigation Bank

Interested parties are hereby notified that the U.S. Army Corps of Engineers, Alaska District (Corps) is soliciting comments on a prospectus submitted by the Calista Corporation (the Sponsor) to develop an umbrella mitigation bank. The prospectus describes the Sponsor's proposal to establish three preservation-based wetland mitigation bank sites totaling an area of approximately 23,000 acres to service a portion of the Kuskokwim River Watershed in Southwest Alaska. A copy of the Kuskokwim River Mitigation Bank Prospectus may be downloaded from our website at <http://www.poa.usace.army.mil/Missions/Regulatory/PublicNotices.aspx>, or you can arrange to view a hard copy form by contacting the Corps' Fairbanks Office.

Section 404 of the Clean Water Act establishes a permit requirement, administered by the Corps, for projects that involve discharging dredged or fill material into waters of the United States. The Corps requires compensatory mitigation as a permit condition for stream, wetlands, or other Waters of the U.S. losses that are determined to have greater than minimal effects. 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 banking 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 Section 404 of the Clean Water Act (33 U.S. Code 1344) and Section 10 of the Rivers and Harbors Act of 1899 (33 U.S. Code 403) 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 Kuskokwim River Mitigation Bank includes the following information:

- (1) Objectives of the proposed mitigation bank.
- (2) How the mitigation bank would 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 site.
- (6) The qualifications of the sponsor to successfully complete the type of mitigation project proposed.
- (7) The ecological suitability of the site to achieve the objectives of the proposed mitigation bank and how the site will support the planned types of aquatic resources and functions; and
- (8) Assurance of sufficient water rights to support the long-term sustainability of the proposed mitigation bank.

The Corps has convened an Interagency Review Team (IRT) comprised of Federal, State, and local 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.

Written comments on the prospectus submitted in response to this public notice must be received by the Corps Fairbanks Field Office on or before the expiration date of this public notice to become part of the record and be considered in the decision. Please contact Ms. Melissa Riordan at (907) 474-2166, by fax at (907) 474-2164, or by email at [Melissa.C.Riordan@usace.army.mil](mailto:Melissa.C.Riordan@usace.army.mil) if further information is desired concerning this notice.

District Commander  
U.S. Army Corps of Engineers