



WETLAND MITIGATION BANK PROPOSAL

CHECKLIST FOR COMPLETENESS

These are the submission requirements for an administratively complete mitigation bank proposal package. Please read each section and check each box after you have fully completed the information for each applicable requirement.

Please provide 2 hard copies and one electronic copy of the following information and plans.

- 1. A letter of interpretation covering the entire proposed mitigation bank site, issued by the Department under N.J.A.C. 7:7A-4.
- 2. A detailed wetland functional assessment of the existing site conditions and a wetland functional assessment of the proposed bank conditions.
- 3. An introductory paragraph which contains the following information:
 - a. Name and address of current and proposed owner(s) of the mitigation bank site
 - b. Block, lot, township and county the proposed bank site is located
- 4. A copy of a USGS quad map showing the location of the proposed bank site with the state plane coordinates. The accuracy of these coordinates should be within 50 feet of the actual center point of the site. For linear mitigation projects, the applicant shall provide State plane coordinates for the end-points. For linear mitigation projects 2000 feet in length and longer, the applicant must supply additional coordinates at each 1000-foot interval.
- 5. A description of the goals and objectives of the bank.
- 6. A description of the ownership of the bank site including the disclosure of any leases, easements, right-of-ways, or other encumbrances on the proposed bank site.
- 7. A description of the size of the bank site, as well as type and amount of the resources for which credits from the bank could serve a suitable compensation.
- 8. A description of the baseline conditions on the bank site, including all relevant natural features and parameters, as well as pollutants, contamination, and other factors that could affect the bank's ability to provide mitigation credits.
- 9. For a bank proposal that includes creation, restoration and/or enhancement of wetlands or waters, a projected water budget prepared in accordance with N.J.A.C. 7:7A-11.6(i). The New Jersey Department of Environmental Protection recommends that the "Regionalized Water-Budget Manual for Compensatory Wetland Mitigation Sites in New Jersey" be used to prepare a water budget for proposed mitigation sites. This publication is available as an Adobe document on the Internet at: http://www.nj.gov/dep/landuse/o2_budgetmanual_final_7_22_08.pdf. The

manual is indexed with quick links that take the user directly to the topic of interest within the manual. Additionally, the manual contains live links to Internet sites that will be used in the preparation of the water budget.

- 10. A proposed service area and the basis of the extent of the service area. Please keep in mind a banker must be able to defend the ecological basis of the extent of the service area and how wetland function and values will be replaced at the proposed bank site.
- 11. A proposed number of credits and the basis of that credit ratio.
- 12. A draft mitigation banking ledger.
- 13. Performance standards to enable the Department to determine when credits will be released under N.J.A.C. 7:7A-11.25(e). The performance standards must support the goals and objectives of the proposed mitigation bank.
- 14. Performance standards to enable the Department to determine if and when the bank is successful.
- 15. Reporting protocols and a monitoring plan.
- 16. Contingency and corrective actions that will be taken by the mitigation bank operator in case the bank fails. This should also include a preventive maintenance plan detailing how invasive or noxious vegetation will be controlled, and how predation of the mitigation plantings will be prevented. The plan shall explain the measures that will be taken if a problem with invasive or noxious plants or predation begins to present itself during the monitoring period. Listed below are several devices/structures that may be incorporated into your plan to control problems resulting from the presence of deer, geese, rodents, and rabbits on the mitigation site:
 - deer fence
 - goose fence
 - snags for raptors
 - snake hibernaculum
- 17. An actual cost estimate of carrying out the construction of the mitigation bank. The cost estimate should include the cost of land, site preparation, engineering costs, plantings and any other items incidental to the mitigation project. Once the mitigation bank proposal and plans have been approved by the Department, the banker must, in accordance with N.J.A.C. 7:7A-11.17, obtain a letter of credit, or other financial surety acceptable to the Department including an irrevocable letter of credit or money in escrow, that shall be sufficient to hire an independent contractor to complete and maintain the proposed bank should the banker default. The cost estimate of the project will be used to justify the amount of the financial assurance.
- 18. A copy of a letter or agreement from a charitable conservancy or governmental agency willing to accept the bank site, including the amount of a maintenance fund agreed to by the mitigator and the agency or conservancy in accordance with N.J.A.C. 7:7A-11.25.
- 19. Existing soil profiles with the location of soil borings on the proposed mitigation site.

□ 20. A detailed discussion of substrate proposed to be created for the mitigation site (e.g. How will the substrate of the site be prepared? How much topsoil will be added? Is the pH appropriate?). Successful mitigation typically contains a minimum six inches of topsoil or A-Horizon on the mitigation site. If the natural top soil from the site is to be used, it must have at least 8% organic carbon content (by weight) incorporated into the A-horizon for sandy soil and for all other soil types the topsoil must have 12% organic carbon content. If topsoil is imported onto the site it must consist of equal volumes of organic and mineral materials. Do not include the application of lime in your planting specifications unless absolutely necessary (liming a site may cause a more favorable environment for invasive species).

□ 21. A landscape plan showing the proposed vegetative community on the proposed mitigation site that includes the following:

- the species;
- quantity of each species;
- the spacing of all plantings;
- the stock type (bare root, potted, seed); and
- the source of the plant material.

The required transition area must also be planted. The landscape plan must identify the proper time to plant and must indicate any appropriate substitutions.

□ 22. Provide site plans for the mitigation bank which include:

- i. Project location within the region;
- ii. The lot and block number of the mitigation bank location;
- iii. Existing and proposed elevations and grades of the mitigation site and, when necessary, off-site elevations and grades (for example, when matching the onsite grade to that of a wetland on an adjacent parcel). All existing and proposed elevations and grades must be at least in one foot intervals. The slope shall be no greater than 10:1 along a created transition area as well as along any berms that are intended to function as water control structures or berms created along a stream;
- iv. The appropriate transition area (50/150 foot);
- v. A detail that shows, or a statement indicating, the soil amendments and the seed stabilization mix to be used on the mitigation site. The seed mix shall not include any fescue, deer tongue, or reed canary grass. The seed mix shall either be a mixture of native non-invasive plant species or shall include an annual rye grass;
- vi. A statement certifying that, following grading of the site, a disc will be run over the site to eliminate compaction;
- vii. An explanation of how microtopography will be created on the mitigation site. For example, a cultivator or a bedding harrow could be used to create microtopography;
- viii. Pre- and post-construction plan views and cross-sectional views of the mitigation site; and

- ix. Location of monitoring wells and/or stream gauges that will be used to monitor and record the hydrology of the mitigation site before and after construction is complete.
- 23. A construction schedule including projected dates of excavation, planting, fertilizing, etc.
 - 24. A draft conservation restriction that meets the requirements of N.J.A.C. 7:7A-12. A model conservation restriction is available at: <http://www.nj.gov/dep/landuse/forms/index.html>.
 - 25. A metes and bounds description of the proposed mitigation site. The metes and bounds description shall include the transition area required under N.J.A.C. 7:7A-11.12.
 - 26. A certification that the proposed mitigation will not adversely affect properties, which are listed or are eligible for listing on the National Register of Historic Places. If the mitigator before or during the course of mitigation work encounters a probable historic property that has not been listed or determined eligible for listing on the National Register, but which may be eligible for listing on the National Register, the permittee shall immediately notify the Department and proceed as directed by the Department.
 - 27. Documentation that public notice of the mitigation site was provided in accordance with N.J.A.C 7:7A-17.

Proposal packages shall be submitted to:
New Jersey Department of Environmental Protection
Office of Policy Implementation
Mail Code 401-07B, P.O. Box 420
Trenton, New Jersey 08625-0420
Attn: Jill Aspinwall