

## **INSTRUCTIONS FOR THE BALTIMORE DISTRICT MITIGATION BANKING INSTRUMENT TEMPLATE FOR MARYLAND**

February 11, 2025

The Baltimore District Mitigation Banking Instrument (MBI) template for Maryland is to be used during the process of developing a MBI, an umbrella mitigation banking instrument (UMBI), or an instrument modification to add a new umbrella mitigation bank site to an approved UMBI within the regulatory boundaries of the USACE, Baltimore District (NAB) in Maryland. The majority of information related to specific elements of a mitigation bank is intended to be placed in the appendices. Use of this and other templates for mitigation bank documentation in Maryland can help reduce review times for proposed mitigation banks by providing standard, consistent, and predictable text. Sponsors should not deviate from templates developed by NAB, in coordination with the Maryland IRT, unless exceptional circumstances warrant changes to the template language for a particular mitigation bank.

This MBI template for Maryland and associated supporting IRT-approved mitigation document templates and procedures (e.g., IRT-approved performance standards for Maryland, site protection instruments, financial assurance instrument and cost-estimate worksheet, long-term management plan, etc.) for use with this MBI template can be found on the Baltimore District's RIBITS website:

[https://ribits.ops.usace.army.mil/ords/f?p=107:27:1883330549673::NO::P27\\_BUTTON\\_KEY:10](https://ribits.ops.usace.army.mil/ords/f?p=107:27:1883330549673::NO::P27_BUTTON_KEY:10) under "District Processes (MD IRT)" of the Baltimore District "Banks and ILF Establishment" link. If you are unable to access the web address, an electronic copy of these documents can be provided upon request to the bank manager or the Baltimore District email address: [nab-regulatory@usace.army.mil](mailto:nab-regulatory@usace.army.mil).

The Baltimore District is currently requiring draft MBI submittals in electronic format as an editable word document to allow for comments and tracked changes during the review process. Exhibits and maps should be provided in electronic format as a reduced file size PDF document. The electronic MBI documents and appendices must be uploaded to the mitigation bank's Cyber Repository in RIBITS, <https://ribits.ops.usace.army.mil>. We cannot accept thumb drives or other portable drive type storage units due to current security standards. A complete package consists of individual PDFs of the MBI and appendices, and an editable format of the MBI, the draft site protection instrument, and other applicable template-derived documents with tracked changes. The draft MBI should include the most recent banking templates and other necessary appendices. While technically considered part of the main MBI document, the appendices should be formatted to start on a separate page and as separate electronic document files when submitting for review.

If revised documents to the templates are submitted, the Sponsor shall provide a clean copy, a redline/track changes copy, and a summary of major changes with justification

for such changes, along with the current revision date. Sponsors will also submit annotated, tracked change versions of revised documents to clearly demonstrate how all comments have been addressed. All proposed changes must be shown in tracked changes format and any deletions/additions shall be noted.

The purple italicized text in this template is intended as instructions to the Sponsor. The turquoise blue text is intended to be replaced with specific bank information. Please fill in appropriate bank information in place of blue text and delete purple italicized text when submitting the draft MBI for review.

Multi-purpose compensatory mitigation banks proposing to generate mitigation credits for other federal, tribal, state, or local agencies (e.g., endangered species act) would require that the compensatory mitigation bank and associated Instrument be consistent with the terms and requirements of all proposed regulatory programs. This Instrument template would likely require multiple additions to the template language to satisfy the environmental requirements of those other programs and ensure the requirements at 33 CFR 332.3(j) are met.