

Chesapeake Wetland Mitigation Bank Addendum
Mitigation Banking Instrument
Modification No. 5
September 14, 2021

Purpose

The Bank Sponsor, CHESAPEAKE WETLAND MITIGATION BANK, LLC, proposes to expand the Geographic Service Area (GSA) for the CHESAPEAKE WETLAND MITIGATION BANK to include the entirety of HUC 02080208 as the primary service area, and HUCs 02080205, 02080207, and HUC 02080203 east of US-29 as the secondary service area. The Sponsor requests approval from the Interagency Review Team (IRT) and the Co-chairs, the USACE and DEQ to modify the approved Mitigation Bank Instrument (MBI) dated April 22, 2009 as outlined in this modification request.

Modifications to the Approved MBI

The Bank Sponsor proposes to modify the following sections of the Approved MBI:

I. Preamble, J. Exhibits, 5. "Exhibit E"

Replace:

Service Area Map

With:

Updated Service Area Map – Including Primary and Secondary Service Areas

V. Operation of The Bank, A. Service Area

Replace:

The Bank is established to provide Mitigation to compensate for impacts to Waters of the United States and/or State Waters, including wetlands, within the service area depicted on the excerpt of the USGS Hydrologic Unit Map as shown in Exhibit E. This service area shall include Hydrologic Unit 02080208 and westward into Hydrologic Unit 02080206 to the western boundaries of Charles City, Prince George and New Kent Counties.

With:

The Bank is established to provide Mitigation to compensate for impacts to Waters of the United States and/or State Waters, including wetlands, within the Primary and Secondary Service Areas depicted on the excerpt of the USGS Hydrologic Unit Map as shown in Exhibit E.

The Primary Service Area is defined as Hydrologic Unit Code (HUC) 02080208 and HUC 02080206. The Secondary Service Area is defined as HUCs 02080205, 02080207, and HUC 02080203 east of US-29.

The purchase and use of credits must be consistent with sections § 62.1-44.15:23 of the Code of Virginia. Impacts that occur within the Secondary Service Area must meet the following criteria:

- 1) The impacts are to non-tidal wetlands;
- 2) The impacts would qualify for verification/authorization under a U.S. Army Corps of

- Engineers nationwide or general permit; and
3) The impacts are to less than 1.0 acre of non-tidal wetlands.

Exhibit E

Replace:

Service Area Map

With:

Updated Service Area Map – Including Primary and Secondary Service Areas

Signatures

The Sponsor and the Various IRT agencies have executed this Instrument Modification on the date herein below last written.



Signature

9/14/21

Date

Ben Eubanks

Name

Member

Chesapeake Wetland Mitigation Bank, LLC

Signatures

In witness whereof, the Sponsor and the various IRT agencies having signed the original Mitigation Banking Instrument (MBI), hereto have approved this Amendment to that MBI on the date herein below last written.

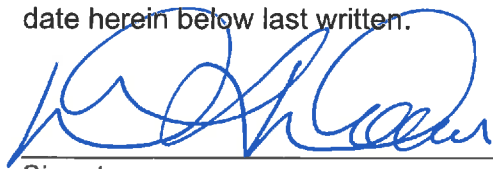
Signature

Jennifer M. Serafin
Acting Chief, Regulatory Branch
U.S. Army Corps of Engineers, Norfolk District

September 24, 2021
Date

Signatures

In witness whereof, the Sponsor and the various IRT agencies having signed the original Mitigation Banking Instrument (MBI), hereto have approved this Amendment to that MBI on the date herein below last written.



Signature

09/14/2021

Date

David L. Davis
Director, Office of Wetlands and Stream Protection
Virginia Department of Environmental Quality