**Permittee Name: USACE Permit Tracking #:**

**Instructions to Permittee:** The Permittee must provide a copy of this notice to the Sponsor of an approved mitigation Bank or approved in-lieu fee program (ILF) when purchasing credits. The Sponsor will sign the notice to verify the transfer of the mitigation responsibility. Once the Sponsor has signed this notice, it is the Permittee’s responsibility to ensure that the U.S. Army Corps of Engineers (USACE) and State Project Manager are in receipt of a signed copy of this notice before conducting authorized impacts. In certain cases, a copy of this notice must be provided to USACE and the State prior to their permit issuance. When multiple mitigation banks will be used to provide the mitigation associated with the permit, multiple forms, one for each bank, must be used, with separate forms provided to the appropriate Sponsors.

**Instructions to Sponsor:** The Sponsor must verify that the mitigation requirements (credits) shown below are available at the identified approved Bank. By signing below, the Sponsor is accepting full responsibility for the identified mitigation, regardless of whether they have received payment from the Permittee. The Sponsor will provide a copy of the signed notice to the Permittee. Within ten (10) business days of each credit sale, the Sponsor shall upload to RIBITS copies of this completed sales notice, update the bank ledger in RIBITS, and notify the USACE and State Mitigation Bank Managers. The Sponsor must also comply with all reporting requirements established in the authorizing Bank/ILF instrument.

**Project Name: State Permit #:**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Permitted Impacts Requiring Mitigation** | | | | | | |
| 8-digit HUC Watershed of Permitted Impact: | | | | | | |
| Impact Latitude (centroid): | | | Impact Longitude (centroid): | | | |
| **Stream Impacts (linear feet and acres)** | | | **Wetland Impacts (acres)** | | | |
| Intermittent | Perennial | Stream | PFO | PSS | PEM | Coastal/Tidal |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |
| **Compensatory Mitigation Requirements** | | | | | | |
| Choose one: State and USACE required mitigation; USACE-only or State-only required mitigation; | | | | | | |
| Name of the Mitigation Bank Site Debited: | | | | | | |
| **Stream Credits Sold** | | | **Wetland Credits Sold** | | | |
| Intermittent | Perennial | Stream | PFO | PSS | PEM | Coastal/Tidal |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |

**Section to be completed by the Sponsor**

**Statement of Mitigation Liability Acceptance:** I, the undersigned, verify that I am authorized to approve mitigation transactions for the Sponsor shown below, and I certify that the Sponsor agrees to accept full responsibility for providing the mitigation identified in this document (see table above), associated with the USACE/State Permittee and Permit Tracking Number(s) shown. I also verify that released credits, as approved by the USACE and State, are currently available at the approved mitigation Bank site identified above. Within ten (10) business days of signing this notice, I shall update the official Bank ledger in RIBITS, upload a copy of this completed sales notice to RIBITS, provide a copy of the signed form to the Permittee, and notify the USACE and State Bank Manager(s). This notice does not relieve me of the requirement to comply with all reporting requirements established in the authorizing Bank instrument.

I certify that the information provided in this notice is true, accurate, and complete. I acknowledge that the USACE and State are entitled to rely on the information I have provided. I further acknowledge that, if the information I have provided proves to be false, incomplete, or inaccurate, the USACE and/or State may reevaluate its approval of this Bank, and I may be subject to legal penalties. If USACE and/or State withdraws or terminates its approval of the Bank, I acknowledge that I would remain responsible for any compensatory mitigation requirements associated with Credits I have previously debited. Further, I understand that if the Sponsor fails to provide the required compensatory mitigation, the USACE-Baltimore District and/or State may pursue measures against the Sponsor to ensure compliance associated with the mitigation requirements.

**Sponsor Name:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Name of Sponsor’s Authorized Representative:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Signature of Sponsor’s Authorized Representative** **Date of Signature**

**NAB Credit Transfer/Sales Notice Template May 1, 2024**

**Conditions for Transfer of Compensatory Mitigation Credit:**

* Once this document has been signed by the Sponsor and the USACE and State are in receipt of the signed form, the Permittee is no longer responsible for providing the mitigation identified in this form, though the Permittee remains responsible for any other mitigation requirements stated in the permit conditions.
* This form is not valid unless the use of the specific bank has been determined to be appropriate mitigation by the USACE and State Project Manager(s) requiring the mitigation.
* Construction within aquatic resources authorized by the permit identified on page one of this form can begin only after the USACE and State are in receipt of a copy of this document signed by the Sponsor, confirming that the Sponsor has accepted responsibility for providing the mitigation requirements listed herein.
* Signed copies of this document must be retained by the Permittee, Sponsor, and in the USACE administrative records for both the Permit and the Bank/ILF Instrument. It is the Permittee’s responsibility to ensure that the USACE Project Manager and USACE and State Mitigation Bank Manager are provided a signed copy of this form.
* If changes are proposed to the type, amount, or location of mitigation after this form has been signed and returned to the USACE and State, the Sponsor must obtain case-by-case approval from the USACE and State Project Manager. If approved, higher mitigation ratios may be applied, as per current District procedures, and a new version of this notice must be completed and included in the USACE administrative records for both the permit and the Bank/ILF Instrument.