Subject: GDE Mitigation Bank Compliance with MBI
Date: May 10, 2013

#	Page # of source	Source of Info	Language from Source	CEMVN Comment	Remediation Plan	Response
1	3	MBI III. Goals & Objectives B. Site Restoration	**<u>Hard Mast (60% of total</u>**) <u>*Dominants (70% of hard mast)*</u> (60% of 70% would equate to approximately 42% of the total plantings) Willow Oak Nuttall Oak <u>*Co-dominants (30% of hard mast)*</u> (30% of 70% would equate to approximately 21% of the total plantings) Overcup Oak Sweet Pecan Bitter Pecan **<u>Soft Mast (40% of total)</u>** <u>*Dominants (60% of soft mast)*</u> (60% of 40% equates to approximately 24% of the total plantings) Sweetgum American Elm Common Persimmon	According to the monitoring report that was received on August 21, 2012 the Bank has not achieved the soft mast to hard mast ratio as stated in the MBI and does not have the specified percentages of hard mast to soft mast dominants and co-dominants that would be acceptable for the Bank.	Provide CEMVN with details as to how this will be remediated (an Adaptive Mgmt. Report). If any actions have been taken to correct this issue please provide that information with the Adaptive Mgmt report.	Off the 12 monitoring plots a total of 62 hard mast and 35 soft were reported. This equates to 64% hard mast and 36% soft mast. Monitoring plots of 1/50th acre and tree planting spacing of 9' will not allow perfect 60% hard mast and 40% soft mast trees to be in each monitoring plot. As reported in letter dated November 27, 2012, Attachment 1 and 1A confirmed 60% hard mast and 40% soft mast trees were planted in 2007 and 2009. After reviewing all 12 monitor plots it confirms the required tree hard to soft mast ratio was planted as per the MBI.

			Co-dominants (40% of a balanced assemblage of + 5 of the species below) (40% of 40% equates to approximately 16%) Sugarberry Mayhaw Red Mulberry Bald Cypress Honey Locust American Sycamore Green Ash Red Maple The above percentages were proposed for plantings (60:40 ratio of hard to soft mast) with the goal of achieving a target of 50% hard mast.			
2.	4	MBI III.B.2. Invasive /Exotic Vegetation Control	Invasive/exotic vegetation, such as Black willo (*Salix nigra),* privet (*Ligustrum spp*) or Chinese tallow (*Triadica sebifera)* in existing forested areas will be treated and monitored to prevent re-	The percentage of exotics on the site is high and needs to be addressed. An adaptive management plan should be devised and presented to CEMVN.	A detailed adaptive management plan should be developed. Information on what action if any has taken place thus far.	As stated in letter dated November 27, 2012, Item #2, The Chinese Tallow trees will be chemically treated by aerial helicopter spraying once canopy closure occurs. The proposed treatment schedule is as follows: 2007 Plant – Treat Fall 2014 2009 Plant – Treat Fall 2016 or 2017

			colonization. The planted sites will be treated, on an as-needed basis, by the use of mechanical or chemical or some combination thereof in order to control exotic/invasive species colonization or other plant competition (approximately 5% or less of the overstory vegetation on an acre-by-acre basis.			Please Approve the proposed treatment plan/schedule for reducing the invasive/exotic Chinese tallow trees to comply with the MBI?
3		8-21-12 Monitoring Report - Results	The monitoring report results section links information from both the 2007 planting and the 2009 planting in some cases.	The information as presented for these plantings should be presented separately.	Present CEMVN with revised copy. Why were the plantings separate? Was the 2009 planting a re-planting due to problems?	The tree planting was done over 2 planting seasons. One consideration was to avoid a planting failure and have to re-plant all the acres. A second consideration was to reduce the amount of money spent per year or until some mitigation income arrived. All future monitoring reports will be separate for 2007 and 2009 tree planting. The combined 1st monitoring report covered the 5 year requirement for the 2012 plant and the 3 year requirement for the 2009 plant.
4		8-21-12 Monitoring Report-Observations	This states that there are 9.78 acres of food plots within the Bank. It also	Food plots do not constitute an acceptable portion of the work plan. These	Present CEMVN with an adaptive management plan for these areas.	The Southern most food plot was planted in the 2013 planting season. Had I received this response earlier the

			states there are 9.95 acres of food plots on adjoining planted areas.	areas should be removed and planted with the species as stated in the MBI III. B. Site Restoration Plan.		balance of food plots would have been planted in the 2013 planting season. The remaining food plots will be planted in the 2014 planting season as per the MBI.
5.		8-21-12 Monitoring Report-Intro	At the time of planting, fire lines were installed along the edges of the planted areas for protection in the event of wildfire.	These areas should be removed and planted with appropriate species as stated in the MBI.	Present CEMVN with an adaptive management plan for these areas.	These lanes were planted in the 2013 planting season.
6		8-21-12 Monitoring Report - Intro	Portions of the mitigation bank falls inside a high fenced area in which the owner has food plots, feeders, and ponds for wildlife.	These ponds should be removed and planted with appropriate species as stated in the MBI.	Present CEMVN with an adaptive management plan for these areas.	This southern pond is not located in the mitigation bank acreage. The location it exist was never farmed. The northern pond will be filled and planted when the food plot is planted in 2014.
7	6	MBI V. B.2. Interim Success Criteria; Vegetation and Vegetative Plantings	For a given planting, a minimum of 300 seedlings per acre must survive through the end of the fourth year (i.e. yr. 5) **following successful attainment of the one-year survivorship criteria.**	The interim success criteria dependent on the initial success criteria. CEMVN may need additional survey plots to gain additional information that better represents conditions on the entire site.	Present CEMVN with additional plots situated in the interior of the site.	We propose moving 5 of the 12 monitoring plots to interior locations to gain better overall monitoring information of the bank. Once the additional requested acres JD has been confirmed we can choose additional monitoring sites. Please approve the moving of the 5 monitoring sites?
8	4	MBI-III B. 3	The MBI states that internal drainage swales will be re-contoured, plugs installed, and culverts removed	Were plugs installed on the bank? Were culverts removed? Do any culverts exist?	Provide CEMVN with information and maps showing the locations of any of these structures that	GDE preparation of the former rice farm land was performed the same as the Lonesome Dove Mitigation Bank. The rice levees were leveled with a dozer down to the

			as necessary. Other culverts will be maintained open and functioning as necessary.		were removed or existing.	existing field grade. No plugs were installed and no culverts existed to be removed.
9		8-21-13 Monitoring Report	Plot Statistics	Please provide the method of calculation used with all variables defined	Please provide this information to CEMVN See Sample 1. below	I suggest we discuss this further with the forester. He states all of this exist in the monitoring report. If 5 sites are moved the monitoring report will require updating. At that time we can split the 2007 and 2009 plantings into 2 monitoring reports.
10	7	MBI	Reporting Protocols			
11		Corps issued Wetland Delineation	For the existing bank For the proposed addition	Present the information as separate requests. For the proposed addition once we compare the new JD with the older JD to compare the wet vs. non-wet areas you will then be asked to provide an As-built report (monitoring report) for the proposed addition.	Please provide information as stated. Once CEMVN receives and reviews this information we will notify you of the steps that need to be taken from that point.	Once the new JD is determined we will comply with this request.
12			Who will be the POC for the information and reports to be provided?	If you are not going to be the POC then please assign someone by sending a statement stating they are your representative and provide their contact information.		Greg Elliott, land owner, will continue to be the POC for the MBI Compliance. Kip Manuel will continue to manage mitigation acreage sales.
13	7	MBI-VI.	A. Visual	Please review	Use this as a	We can discuss further

		Reporting Protocols and Monitoring Plan	Description B. Initial and Interim Success Criteria C. Continuous Monitoring Reports D. Schedule	this information again.	guideline for reports.	after all these other concerns are agreed upon.

SAMPLE 1: Plot statistics for Plot number 1

Plot Statistics

Trees per Plot	16
Total trees per acre	800
Planted trees per acre	200
Percent of Total Trees	25%
Survival Rate of Planted trees	37%
Volunteer trees per acre	600
Percent of total trees	75%
Exotics per plot	1
Exotics per acre	50
Percent Exotic	6%
# of Species per Plot	4

Example: Survival rate of trees planted = 37%. Please give a sample calculation with all variables labeled.