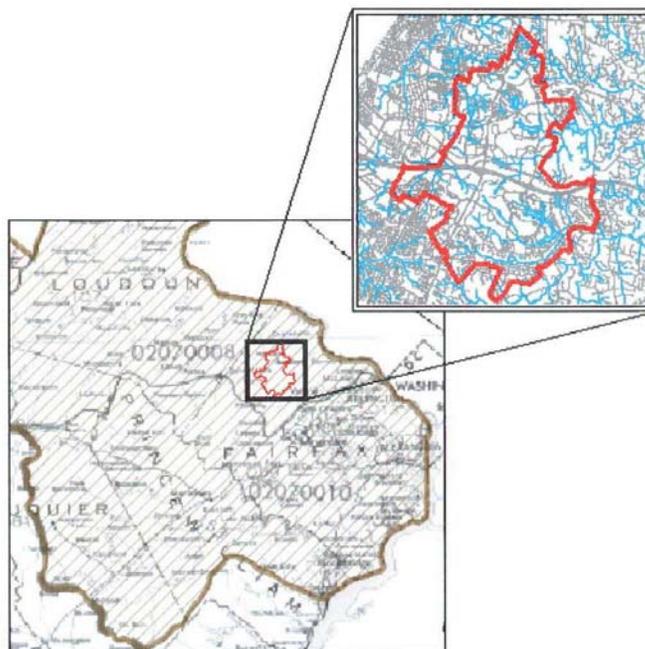




*NORTHERN VIRGINIA STREAM RESTORATION  
BANK  
Prospectus*

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**Northern Virginia Stream Restoration, L.C.  
c/o Wetland Studies and Solutions, Inc.  
14088-M Sullyfield Circle  
Chantilly, Virginia 20151**

**June 7, 2004**

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# Northern Virginia Stream Restoration Bank Prospectus

## I. Introduction

- A. Northern Virginia Stream Restoration, L.C. (NVSR) proposes to establish the Northern Virginia Stream Restoration Bank, a stream mitigation bank that will serve the majority of Northern Virginia (HUC 02070008 and 02070010). The first phase of this Bank is located in Fairfax County, Virginia, within the limits of the planned community of Reston. There are approximately 29 miles of streams located within Reston, the majority of which require restoration. A study conducted for the Reston Home Owners Association (RA) entitled “*Watershed Plan, Reston, Virginia*”, dated April 25, 2002, cited approximately 15,000 lf of stream that should be considered a priority for the first areas of restoration. The streams cited in the report will be the first areas of restoration and sold as stream mitigation credits as part of the stream mitigation bank. Other streams within the community will also be restored and included as part of the bank. Exhibit 1 provides a vicinity map that depicts the location of Reston, and the approximate location of the 29 miles of streams that will be restored.
- B. The proposed stream restoration activities are to be performed on land owned by RA (Property). NVSR has entered into a contract to purchase Stream Easements and Ingress-Egress Easements (referred to collectively as “Easement Areas”) in areas where stream restoration is proposed. The exact boundaries of the Easement Areas will be formalized in a Deed of Easement established as design plans for the individual restoration projects are developed and approved.
- C. NVSR is under contract with RA to complete (at a minimum) restoration of the approximate 15,000 lf cited in the watershed study by December 31, 2012. Upon expiration of the monitoring and maintenance period set forth in the Mitigation Banking Instrument (MBI), RA will assume full responsibility for long-term maintenance of all of the stream restoration projects performed by NVSR on the Property.
- D. The Northern Virginia Steam Restoration Bank is expected to restore and enhance the stream network within Reston, a community that was originally designed with the natural infrastructure as a centerpiece. Many of the streams, particularly those cited in the watershed study, are severely degraded and not only are incapable of supporting their important natural functions (habitat, groundwater recharge, flood control, etc.), but now also pose a risk to adjacent private properties, public and private utilities, and a significant maintenance expense for the community as a whole. In addition to the stream restorations themselves, NVSR also plans to implement other, site-specific measures within the watersheds to improve

downstream conditions, subject to approval of the Mitigation Bank Review Team. Example projects might include stormwater retrofits, bare soil stabilization, or implementation of applicable low impact design (LID) strategies. While the importance of effective watershed management on the health of receiving streams is well understood, whether or not NVSR will implement these site-specific projects will depend on the ability to sell these beneficial measures as mitigation credits.

## II. Site Description

- A. The first phase of the Northern Virginia Stream Restoration Bank is located within the planned community of Reston, VA, which is located approximately 20 miles outside Washington, D.C. The community was designed and built at a time when stormwater management consisted of building large, regional lakes and allowing areas upstream of the lakes to be developed with no stormwater controls. Development started in the early 1960's, and is now nearing completion 40 years later. The result has been the steady degradation of the stream network to a point where their natural functions and values have largely been lost. Although not unlike many urban streams, what makes the restoration of the streams within Reston such a wonderful opportunity is the commitment and importance they, as a community, place on their environmental stewardship. The natural environment is and has been since the community's original layout, an important centerpiece. Coupled with Reston's location where the headwaters of many of Northern Virginia's principle streams (Difficult Run, Sugarland Run, and Horsepen Creek) are found, restoration of the streams can prove beneficial to areas well outside the community boundaries.
- B. The following Exhibits depict the Reston community where the Northern Virginia Stream Restoration Bank will be based:
1. Exhibit 1 provides an ADC map of the area, and the approximate location of the ±29 miles of streams that comprises the entire stream network that will likely need restoration.
  2. Exhibit 2 provides a recent (December 2002) natural color aerial photo that also depicts these proposed stream restoration areas.

## III. Pre-Application Process

The Permit Applicant has conducted an initial meeting of the Mitigation Bank Review Team (MBRT) to discuss the proposed bank. The specific focus of the meeting was to discuss and provide feedback on the proposed "Stream Attributes Crediting Methodology" published by the COE on December 19, 2003. In addition, initial discussions were held regarding the potential to receive credit for implementation of other site-specific watershed improvements. Given that the development of a stream mitigation bank is new to all members of the MBRT, future discussions are planned to

further refine the crediting methodology so that the bank can be developed in an economically feasible manner.

IV. Mitigation Banking Instrument

- A. As noted above, a draft MBI will be developed, generally following the format used on three nearby banks and based upon the model MBI recently revised by a federal/state inter-agency team. However, it is recognized that this is a new process and, as such, will require a new type of MBI to cover the specific goals, requirements, and objectives of a stream bank particularly as the “Stream Attributes Crediting Methodology” evolves.
- B. The content and structure of the draft Northern Virginia Stream Restoration to be developed in accordance with both the “Federal Guidance for the Establishment, Use and Operation of Mitigation Banks” published in Volume 60, Number 228 of the Federal Register, November 28, 1995 (“Federal Banking Guidance”) and Section 62.1-44.15:5(B) of the Code of Virginia, which established guidelines for appropriate mitigation bank Service Areas.

V. Goals, Methods, Maintenance, Monitoring and Performance Criteria

- A. The goal of the Northern Virginia Stream Restoration Bank is to repair and stabilize streams within the planned community of Reston to restore ecological function, improve habitat, protect RA and private property and public infrastructure from continued streambank erosion, and to reduce maintenance costs. These improvements in the headwaters of important Northern Virginia streams will not only provide significant benefits to the community itself, but will also improve stream water quality outside the community as well.
  - B. This goal will be achieved physically by developing and implementing specific stream restoration measures tailored to each specific reach – appropriate measures in one reach may not be appropriate in another. As such, a “tool box” of anticipated measures will be included in the MBI. The economic goals will be achieved by selling the rights to use these increased habitat and water quality values as compensation for unavoidable losses of Waters of the U.S. (WOUS) in the form of ephemeral, intermittent, and/or perennial stream channel impacts within the Service Area of this project. These rights will be sold to persons or entities obtaining permits under Section 404 of the Clean Water Act from the U.S. Army Corps of Engineers (COE) and Virginia Water Protection Permits (VWPP) from the Department of Environmental Quality (DEQ). Financial surety will be provided by the use of escrow accounts that release funds from the sale of credits upon the satisfaction of various performance goals established in the MBI. Specific criteria for the use of these credits will be established by the MBI.
- A. Monitoring and maintenance will be provided by NVSR for a five (5) year period following completion of the construction and planting of each restoration site.

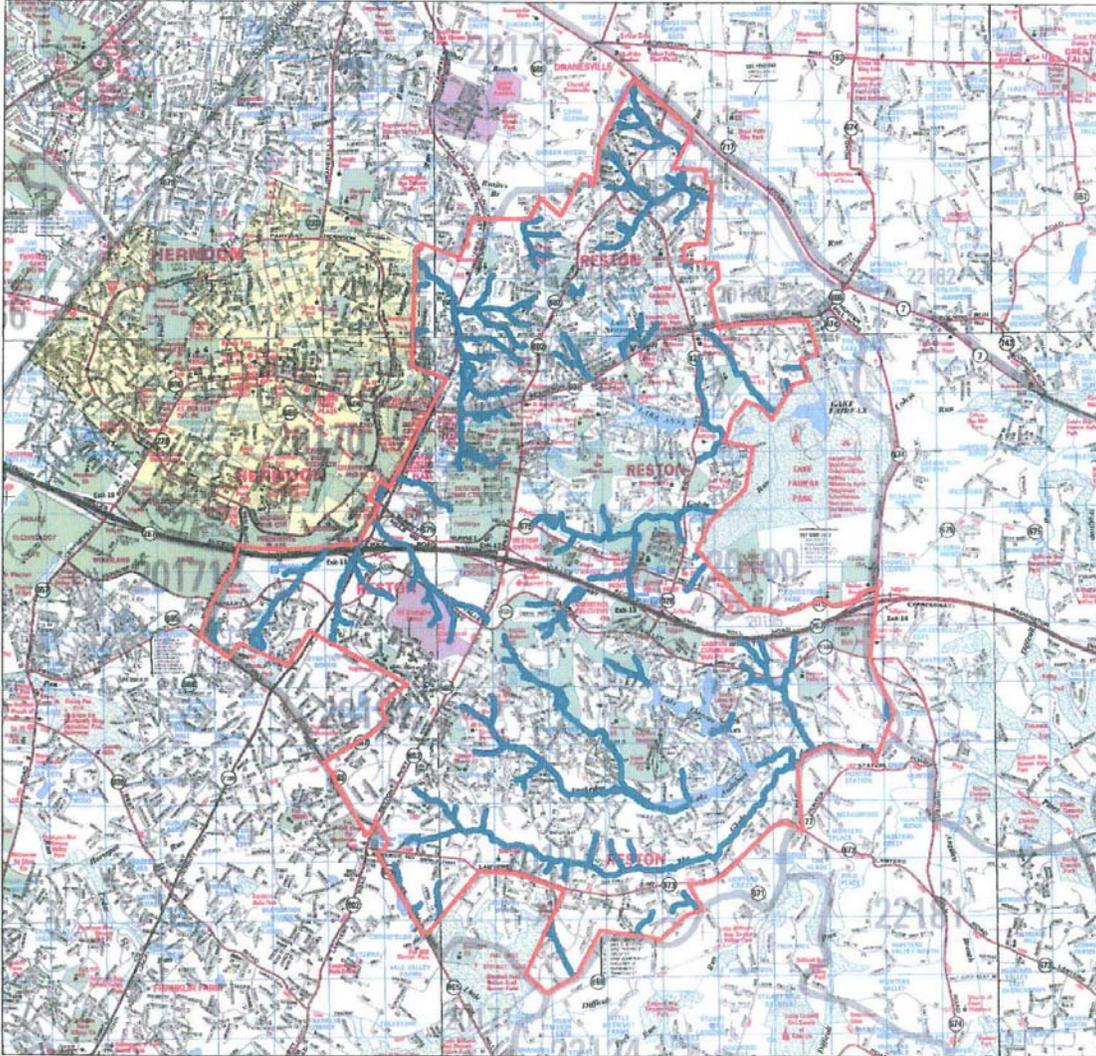
Monitoring reports shall judge conditions on the site relative to performance criteria established in the MBI.

VI. Long Term Stewardship

- A. After documentation of five (5) successful years (i.e., falling within the performance criteria ranges specified in the MBI), maintenance of all restored streams will be the sole responsibility of RA.
- B. A Restoration Easement shall be recorded, prior to any sales of mitigation credits, in and among the Fairfax County land records to assure preservation of these lands in perpetuity. A copy of said covenant will be provided in the MBI.

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**Vicinity Map**  
**Northern Virginia Stream Restoration Bank**  
**Scale: 1" = 5,000'**

 Potential Stream Restoration Areas



**Northern Virginia Stream Restoration, L.C.**

**Exhibit 1**

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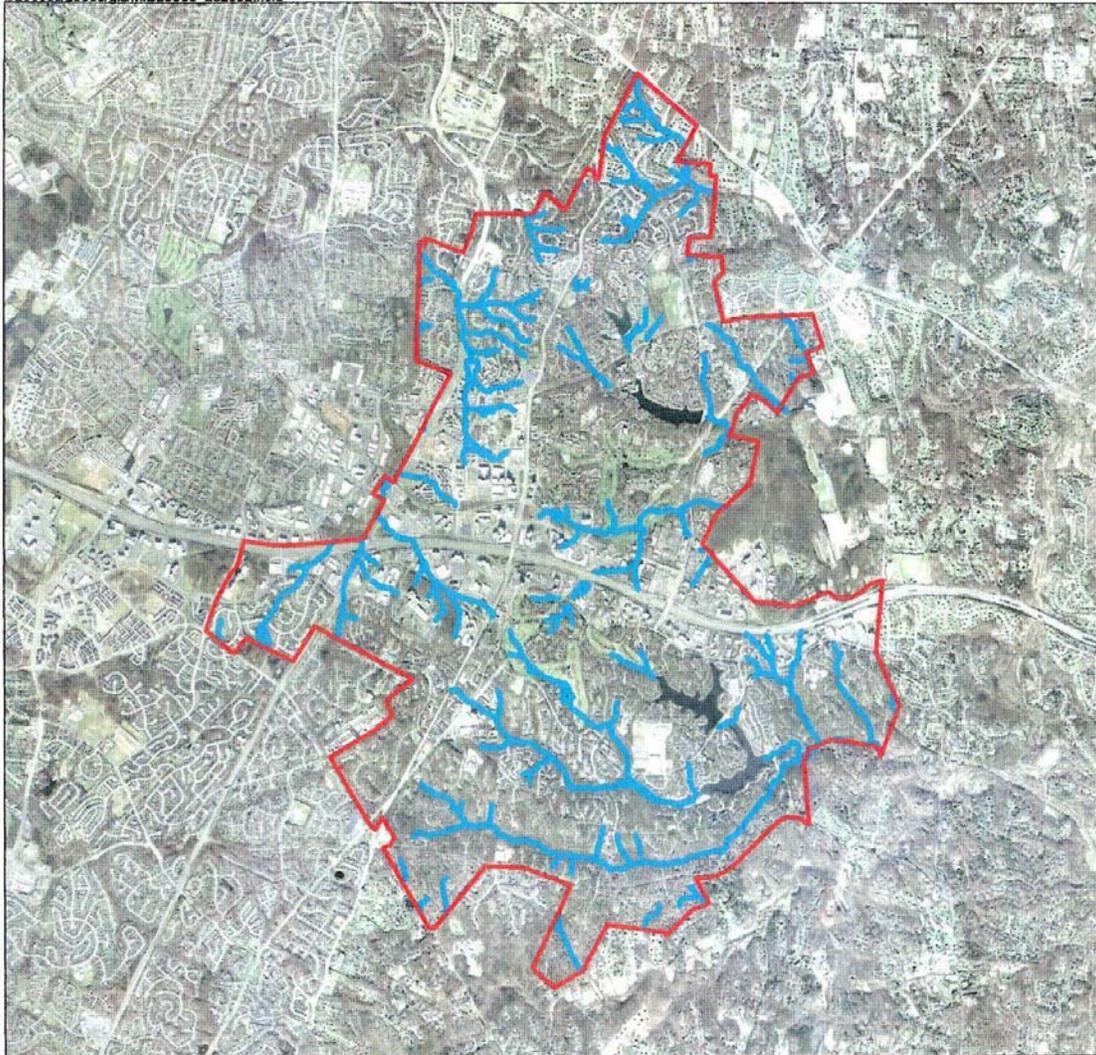


Photo Source: 2002 Aerials Express Imagery

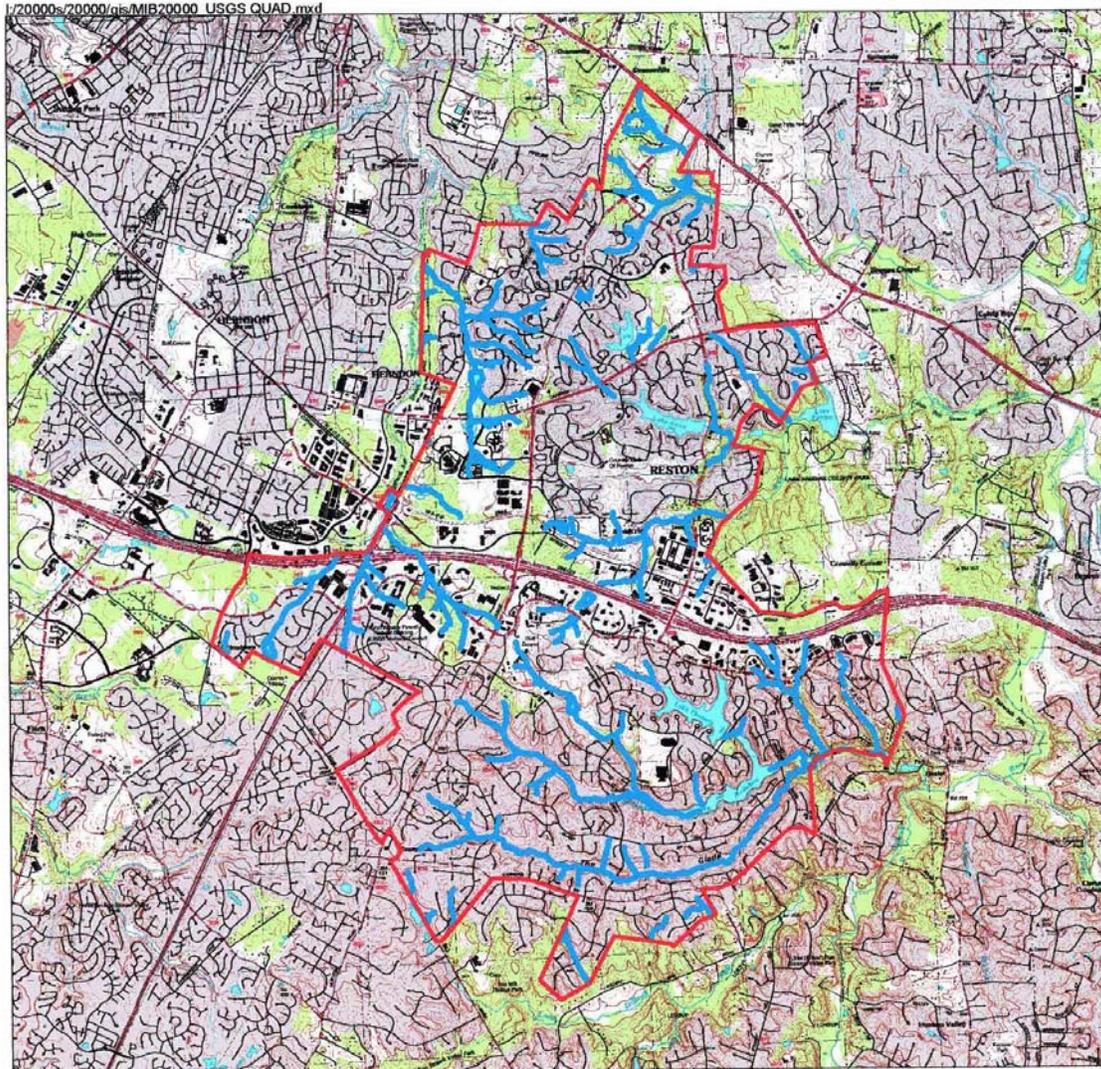
**Vicinity Photo**  
**Northern Virginia Stream Restoration Bank**  
**Scale: 1= 5,000'**



 Potential Stream Restoration Areas

**Northern Virginia Stream Restoration, L.C.**

**Exhibit 2**



**USGS Quad Map**  
**Herndon, VA and Vienna, VA 1994**  
**Northern Virginia Stream Restoration Bank**  
**Scale: 1= 5,000'**

Latitude: 38°57'15"  
Longitude: 77°21'04"  
Hydrologic Unit Code (HUC): 02070008  
Stream Class: III  
Name of Watershed:



***Northern Virginia Stream Restoration, L.C.***

***Quad Exhibit***