EXCel Mitigation Center
MBRT Consensus Signature Page

The undersigned representatives of the EXCel Mitigation Center Mitigation Banking Review Team (MBRT) by signatures shown below, document consensus with the following statements. This document is not binding and does not constitute a guarantee, approval, authorization, or promise of any kind. The purpose of consensus signature is to document the progress from draft mitigation banking proposal to final Mitigation Banking Instrument. Final approval and establishment of this mitigation bank shall be done by issuance of a Department of the Army permit. No agency is required to sign this instrument; however, signature denotes agency agreement with the following.

The MBRT has considered the document titled "Mitigation Plan for EXCel Mitigation Center's Deep Fork of the Canadian Mitigation Area" (Plan) dated November 2003, and the MBRT finds it to be an acceptable plan for the establishment, operation, management, and maintenance of the EXCel Mitigation Center in Lincoln County, Oklahoma.

The MBRT has considered the guidance contained in the Federal Guidance for the Establishment, Use, and Operation of Mitigation Banks (FGMB) in the review process for this mitigation center. While this mitigation center is not a traditional mitigation "bank", the MBRT finds that the establishment and operation of this center in accordance with the Plan will be consistent with the principles contained in the FGMB.

The MBRT agrees that any signatory to this consensus may terminate or withdraw their consensus and participation at any time upon written notice to the other signatories. Only if the Sponsor or the U.S. Army Corps of Engineers terminate their participation, is the Plan terminated or nullified. Notwithstanding any future termination, revocation, or modification of this Plan, the deed restrictions that direct the mitigation area to protect aquatic ecosystems are perpetual.

/s/	Stephen E. Jackson	5 Jan 04
For EXCel Mitigation Center (Sponsor)	Printed Name	Date
/s/	Walter L. Garner For: Robert L. Suthard, Jr.	19 Jan 04
For U.S. Army Corps of Engineers	Printed Name	Date
declined		
For U.S. Fish and Wildlife Service	Printed Name	Date
/s/	Jane B. Watson	12 Jan 04
For U.S. Environmental Protection Agency	Printed Name	Date
declined		
For Oklahoma Department of Wildlife Conservation	Printed Name	Date
/s/	Mark Derichsweiler	12 Jan 04
For Oklahoma Department of Environmental Quality	Printed Name	Date