May 1, 2018

TO: DENR-DWR-Wetlands-Public Listserv

FROM: Karen Higgins, 401 & Buffer Permitting Branch

RE: Online Pre-construction Notification Form Available; Notice of Public Hearings and Comment Period for Water Quality Permitting Rules and Water Supply Watershed Rules; Proposed Riparian Buffer & Nutrient Offset BPDP in the Neuse – EBX-Neuse I, LLC; and Notification of Modified Mitigation Banking Instrument for Wildlands Holdings II, LLC

The purpose of this Public Notice is outlined below. This notice is available electronically at https://deq.nc.gov/about/divisions/water-resources/water-resources-permits/wastewater-branch/401-wetlands-buffer-permits/401-public-notices.

I. **Online Pre-construction Notification Form Available**

The U.S. Army Corps of Engineers Wilmington District (Corps) and the N.C. Division of Water Resources (DWR) have developed an online Pre-Construction Notification (PCN) form that can be used in lieu of the paper PCN form. This online PCN form became available for use by all applicants on February 1, 2018.

The online PCN form is available online at: https://edocs.deq.nc.gov/Forms/Pre-Construction_Notification_Form. The help document is also available online: http://edocs.deq.nc.gov/WaterResources/0/edoc/624704/PCN%20Help%20File%202018-1-30.pdf.

Once the online PCN form is submitted, DWR will assign a project number and an email will be sent with directions on how to submit payment of the application fee. The 60-day statutory clock will begin on the date payment is received. If you have any questions, please contact Beverly Strickland by email at bev.strickland@ncdenr.gov or call 919-707-8789.

**When a paper application is submitted to DWR instead of using the online PCN form, DWR requires only one (1) copy of the complete application package.**
II. **Notice of Public Hearings and Comment Period for Water Quality Permitting Rules and Water Supply Watershed Rules**

This is an announcement for a comment period and upcoming public hearings for proposed actions to Water Supply Watershed Protection Rules and Water Quality Permitting Rules:

<table>
<thead>
<tr>
<th>Rules</th>
<th>Description</th>
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<tbody>
<tr>
<td>15A NCAC 02B .0400</td>
<td>Effluent Limitations</td>
</tr>
<tr>
<td>15A NCAC 02B .0500</td>
<td>Surface Water Monitoring: Reporting</td>
</tr>
<tr>
<td>15A NCAC 02B .0600</td>
<td>Water Quality Management Plans: Goose Creek, Riparian Buffers, Catawba Buffers, Water Supply</td>
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<tr>
<td>15A NCAC 02B .0700</td>
<td>Nutrient Strategies: Randleman Lake, Neuse Riparian Buffers, Tar-Pamlico Riparian Buffers</td>
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<tr>
<td>15A NCAC 02H .0100</td>
<td>Point Source Discharges To Surface Waters</td>
</tr>
<tr>
<td>15A NCAC 02H .0400</td>
<td>Coastal Waste Treatment Disposal</td>
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<tr>
<td>15A NCAC 02H .0500</td>
<td>Water Quality Certification</td>
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<tr>
<td>15A NCAC 02H .0900</td>
<td>Local Pretreatment Programs</td>
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<td>15A NCAC 02H .1200</td>
<td>Special Orders</td>
</tr>
<tr>
<td>15A NCAC 02H .1300</td>
<td>Discharges To Isolated Wetlands &amp; Waters</td>
</tr>
</tbody>
</table>

**Written comments on the proposed actions to rules and associated regulatory impact analyses are encouraged to be submitted electronically to:** publiccomments@ncdenr.gov **(please include rule number in email's subject line).** E-mail correspondence to this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties.

Or written comments can be mailed to:

Attn: Julie Ventalaro  
NCDEQ-DEMLR-Stormwater Permitting Program  
1612 Mail Service Center  
Raleigh, NC 27699-1612

Written comments addressing the proposed actions to the rules and associated regulatory impact analyses will be accepted through **Monday, July 2, 2018.**
You may also attend the public hearing(s) and present comments on the proposed actions to the rules and associated regulatory impact analyses:

**May 23, 2018 at 6:00 PM**  
*(speaker registration starts at 5:30)*  
Ground Floor Hearing Room  
Archdale Building  
512 N. Salisbury Street  
Raleigh, NC 27604

**June 7, 2018 at 6:00 PM**  
*(speaker registration starts at 5:30)*  
Piedmont Triad Regional Council  
1398 Carrollton Crossing Drive  
Kernersville, NC 27284

If you should need additional information, please contact the following:

<table>
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<tr>
<th>Rules</th>
<th>Staff Contact</th>
</tr>
</thead>
</table>
| 15A NCAC 02B .0400 | Mike Templeton  
(mike.templeton@ncdenr.gov) |
| 15A NCAC 02B .0500 | Mike Templeton  
(mike.templeton@ncdenr.gov) |
| 15A NCAC 02B .0601-.0614 | Karen Higgins  
(karen.higgins@ncdenr.gov) |
| 15A NCAC 02B .0620-.0624 | Julie Ventaloro  
(julie.ventaloro@ncdenr.gov) |
| 15A NCAC 02B .0700 | Karen Higgins  
(karen.higgins@ncdenr.gov) |
| 15A NCAC 02H .0100 | Mike Templeton  
(mike.templeton@ncdenr.gov) |
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| 15A NCAC 02H .0500 | Karen Higgins  
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| 15A NCAC 02H .0900 | Deborah Gore  
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| 15A NCAC 02H .1200 | Mike Templeton  
(mike.templeton@ncdenr.gov) |
| 15A NCAC 02H .1300 | Karen Higgins  
(karen.higgins@ncdenr.gov) |

The hearing announcements for the proposed actions to the rules are located at [https://deq.nc.gov/news/events/public-notices-hearings](https://deq.nc.gov/news/events/public-notices-hearings). Clicking on this link will take you to DWR’s Public Notices and Hearings website, where you can enter one of the above-mentioned public hearing dates under “Starts” and click on “Apply” to see more public hearing information. Copies of the draft rules, regulatory impact analyses, and other information about the rules are available online: [https://deq.nc.gov/permits-regulations/rules-regulations/proposed-rules](https://deq.nc.gov/permits-regulations/rules-regulations/proposed-rules).

**III. Proposed Buffer & Nutrient Offset Bank Parcel Development Package in the Neuse River Basin – EBX-Neuse I, LLC**

EBX-Neuse I, LLC (EBX) has submitted a proposed Bank Parcel Development Package (BPDP) for the Meadow Spring Nutrient Offset and Buffer Mitigation Bank Parcel, which is located in the Neuse River Basin (8-digit USGS HUC 03020201) near Smithfield, in Johnston County. Stormwater runoff from this Bank Parcel drains into an unnamed tributary to the Neuse River.
The proposed bank parcel will be used to generate Neuse riparian buffer mitigation and nutrient offsets. Restoration of riparian areas will generate approximately 4.35 acres (189,486 ft$^2$) of Neuse riparian buffer credits and 1.81 acres (4,114 lbs-Nitrogen) of nutrient offset credits. Enhancement of riparian areas from cattle exclusion will generate approximately 0.68 acres (29,627 ft$^2$) of Neuse riparian buffer credits.

Nutrient offset credits generated at this proposed site can be used to satisfy nutrient offset requirements for development projects pursuant to 15A NCAC 02B.0240 and located within the 8-digit USGS HUC 03020201, excluding the Falls Lake Watershed. Neuse riparian buffer credits generated at this proposed bank site can be used to satisfy buffer mitigation requirements for impacts pursuant to 15A NCAC 02B.0295 within the Neuse River Basin, primarily within the USGS HUC 03020201 and excluding the Falls Lake Watershed.

This project is being proposed under the RES Neuse Umbrella Mitigation Banking Instrument (UMBI) approved on January 31, 2018. A copy of the UMBI can be found online at http://edocs.deq.nc.gov/WaterResources/0/doc/625408/Page1.aspx.

The proposed Meadow Nutrient Offset and Buffer Mitigation Bank BPDP can be found online at: https://edocs.deq.nc.gov/WaterResources/0/doc/642527/Page1.aspx. Persons wishing to comment are invited to submit their comments in writing to Katie Merritt at (katie.merritt@ncdenr.gov or 1617 Mail Service Center, Raleigh, NC 27699-1617). All comments received by DWR by close of business (5:00 p.m.) on May 16, 2018 will be considered during preparation and approval of the final BPDP. If you have any questions, please contact Katie Merritt at 919-807-6371.

IV. **Wildlands Holdings II, LLC North Fork Little River MBI Modification for Riparian Buffer and Nutrient Offset Mitigation Credits in the Neuse River Basin**

The North Fork Little River Mitigation Banking Instrument (MBI) was signed by the Director of the Division of Water Resources (DWR) on April 19, 2016 and allows Wildlands Holdings II, LLC (WHII) to sell riparian buffer credits and nutrient offset credits within the Neuse River Basin, including the Falls Watershed. On March 21, 2018, DWR received a request from WHII to change the name of the Bank Sponsor for the subject MBI from WHII to Wildlands Holdings V, LLC.

A copy of the approved MBI modification is available online at: https://edocs.deq.nc.gov/WaterResources/0/doc/649126/Page1.aspx. If you have any questions, please contact Katie Merritt at 919-807-6371.