



Greene Environmental Services, LLC
90 Ham Produce Rd.
Snow Hill, NC 28580

2012

LaGrange Bank Parcel Development Package (DRAFT)



GES Neuse River Basin Umbrella Mitigation
Bank – DWQ#: 08-0511v2
Greene Environmental Services, LLC
5/29/2012

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Conservation Easement

DWQ Stream Determination Letter

1.0 Project Location and Description

Greene Environmental Services, LLC (GES) of Snow Hill, North Carolina proposes to add the La Grange site to the Greene Environmental Services Neuse River Basin Riparian Buffer and Nutrient Offset Umbrella Bank. The La Grange site (bank parcel) is located at the southwest intersection of NC 903 and Old Jason Road (SR 1501), north of La Grange, in Lenoir County, North Carolina (Figure 1). The latitude/longitude coordinates of the site are approximately 35.34202°N and -77.79001°W. The purpose of the proposed mitigation bank is to improve water quality within the Neuse River Basin by reducing nutrient and sediment inputs to the watershed and providing off-site mitigation for development requiring nutrient offsets.

The proposed bank parcel is located within the Middle Neuse Watershed (HUC: 03020202). Stormwater runoff from this site drains into Meeting House Branch (Stream Index # 27-72-3), which drains into Bear Creek (Stream Index # 27-72-(0.1)), a major tributary to the Neuse River. According to the NC Division of Water Quality Basinwide Information Management System, Meeting House Branch is classified as C; Sw, NSW. Mr. Chris Pullinger determined that the stream as intermittent and subject to the Neuse Buffer Rule on April 4, 2011 (see Appendix B).

The bank parcel is 3.39 acres, including 0.87 acres of Neuse riparian buffer and 2.52 acres of nutrient offset buffer restoration. This bank parcel shall be established under the terms and conditions of the Greene Environmental Services Neuse River Basin Riparian Buffer and Nutrient Offset Umbrella Bank made and entered into by Mr. Bobby Ham of Greene Environmental Services, LLC, acting as the Bank Sponsor and the North Carolina Department of Environment and Natural Resources – Division of Water Quality which was signed by the Division Director on October 3, 2008.

The bank parcel was previous agricultural cropland and was planted with character species during March of 2010. During the planting process, DWQ staff visited the site and determined that it was suitable for nutrient offset mitigation.

2.0 Project Area – Existing Conditions

2.1 Geologic & Soil Characteristics

Based upon review of the United States Geological Survey (USGS) La Grange, North Carolina Quadrangle, the proposed Bank Parcel is located near the headwaters of

Meeting House Branch with elevations ranging from \pm 89-feet to \pm 92-feet. Topographic relief and surface drainage is generally southwest (Figure 2).

The property is located within the Inner Coastal Plain Physiographic Province, within the Rolling Coastal Plain Ecoregion. The region is known for being highly agriculturally productive for corn, soybeans, tobacco, sweet potatoes, wheat, and peanuts. The site was formerly planted in sweet potatoes and is surrounded by agricultural fields (Figure 3).



Photo 1. Meeting House Branch (facing downstream – planted site on left)

The Soil Survey of Lenoir County, North Carolina (Soil Conservation Service, 1977) lists the soils within the property as from the Pocalla-Wagram-Lakeland Association. These soils can be classified as “well drained to excessively drained soils that mainly have a loamy subsoil; on uplands”. As described by the online USDA NRCS Official Soil Series Descriptions (OSD), the specific soils within the project area (Figure 4) are shown below in Table 1:

Table 1. Mapped Soils within the La Grange Bank Parcel

Soil Type	Acronym	General Description
Craven	Cr – fine sandy loam, 1 to 4% slopes	Located on gently sloping sides of divides. Infiltration is moderately slow, and runoff is slow to medium. Moderate shrink-swell potential, slow permeability, and runoff are the main limitations in the use and management of this soil.
Goldsboro	Go – loamy sand, 0 to 2% slopes	Located near shallow drainageways on broad, smooth divides. Infiltration is moderate and runoff is slow. A seasonal high water table is the main limitation in the use and management of this soil.
Pantego	Pe – loam	Located on broad, smooth flats in interstream areas, with slopes of < 1%. Infiltration is moderate and runoff is ponded to very slow. Water ponding on the surface and a seasonal high water table are the main limitations in the uses and management of this soil.
Rains	Ra – sandy loam	Located in depressions and on smooth flats in broad interstream areas, with slopes of < 1%. Infiltration is moderate and runoff is slow or the surface is ponded. Water ponding on the surface and a seasonal high water table are the main limitations in the uses and management of this soil.

2.2 Vegetative Communities

The closest vegetative community is located downstream of the site along Meeting House Branch. This forested area is an early succession, consisting primarily of typical sweetgum (*Liquidambar styraciflua*) and red maple (*Acer rubrum*) that are approximately 20-40 years in age. The majority of the watershed draining to the site consists of agricultural fields that are lacking in riparian/ditch buffers. The adjacent land use consists entirely of agricultural fields, which primarily produce sweet potatoes, corn, and soybeans.

2.3 Threatened and Endangered Species

The US Fish and Wildlife Service (USFWS) and NC Natural Heritage Program (NHP) databases were searched for federally listed threatened and endangered plant and animal species for Lenoir County, NC. Two federally listed species, the red-cockaded woodpecker (*Picoides borealis*) and sensitive joint-vetch (*Aeschynomene virginica*), are currently listed in Wayne County (Table 2).

Table 2. Listed Threatened and Endangered Species in Wayne County, NC

Species	Federal Status	Habitat
Red-cockaded woodpecker	Endangered	The red-cockaded woodpecker prefers mature stands of longleaf pine (<i>Pinus palustris</i>) trees, generally over 80 years old. Habitat requirements average 125 to 200 acres in area. Although some cavities have been found in pine forests as small as 60 acres.
Sensitive joint-vetch	Threatened	The joint-vetch occurs in fresh to slightly brackish tidal river systems, within the intertidal zone where populations are flooded twice daily. It typically occurs at the outer fringe of marshes or shores; its presence in marsh interiors may be a result of nutrient deficiencies, ice scouring, or muskrat herbivory. The sensitive joint-vetch is found in localities where plant diversity is high and annual species are prevalent.

A review of the North Carolina Natural Heritage Program (NCNHP) database shows no occurrences of either species within a 2-mile radius of the site. According to the NCNHP Virtual Workroom, only one state listed species, Coachwhip (*Masticophis flagellum*), is located within a 2-mile radius of the site. This snake species is labeled as “SR” (significantly rare) and resides in dry and sandy woods, primarily in pine/oak sandhills. This site will provide no potential habitat for this species since the water table is fairly high in this area and the site soils are not “dry and sandy”.

2.4 Environmental Issues

Preliminary data was obtained from Environmental Data Resources, Inc. (EDR) regarding the potential for on-site or nearby sources of contamination. EDR maintains an updated database of current and historical sources of contamination. All storage tanks, whether above-ground or underground are identified, as well as superfund sites, landfills, hazardous waste sites, and other potential hazards. No sites were noted on their database within a one-mile radius of the Bank site.

2.5 FEMA Floodplain/Floodway Mapping

Meeting House Branch and its immediate floodplain are not located within the Federal Emergency Management Association’s (FEMA’s) designated floodway and

approximate 100-year flood boundary (Figure 6). Therefore, no floodplain impacts are anticipated.

3.0 Proposed Nutrient Offset and Riparian Buffer Restoration Plan

Actions required to develop the La Grange site for mitigation were begun in March of 2010 and supplemental plantings occurred during the winter of 2011. The entire conservation easement area is 200 feet in width along Meeting House Branch. The area was tilled using standard farming equipment prior to planting in order to aid plant growth and nutrient uptake. Planting of the former sweet potato field with character tree species (Table 3) occurred within the proposed conservation easement area (Figure 5). “Character Trees” are defined as planted or volunteer species identified from a survey of local vegetation on less degraded sections of the specified stream and from reference literature that details native species.

The trees were purchased from Claridge Nursery (NC DFR) in Goldsboro. Mowing and other vegetation management practices may be implemented during the initial years of tree establishment on the site to prevent the establishment of invasive species that will attempt to out-compete the planted native vegetation. In an effort to control grazing by rabbits and other small herbivores, two raptor perches (17 ft tall wooden posts with horizontal perch bars) will be installed on the tract.

In the summer of 2011, mowing of portions of the site occurred to limit dog fennel (*Eupatorium capillifolium*) and silverling (*Baccharis glomeruliflora*) growth. The following table lists the character tree species and quantities that were planted in 2011. All tree species are bare root seedlings.

Table 3. Character Trees Planted in 2010 and 2011.

Scientific Name	Common Name	Total Number Planted
<i>Betula nigra</i>	River birch	400
<i>Fraxinus pennsylvanica</i>	Green ash	200
<i>Nyssa sylvatica</i>	Blackgum	200
<i>Quercus pagoda</i>	Cherrybark oak	200
<i>Taxodium distichum</i>	Bald cypress	400
Total Seedlings Planted		1400
Seedlings Planted per Acre		413

Alternative trees for supplemental planting may include: Persimmon (*Diospyros virginiana*), green ash (*Fraxinus pennsylvanica*), sycamore (*Platanus occidentalis*), white oak (*Quercus alba*), turkey oak (*Quercus laevis*), longleaf pine (*Pinus palustris*), tulip poplar (*Liriodendron tulipifera*)

and live oak (*Quercus virginiana*). These trees will be bare root seedlings or containerized plants. Tree species that are best adapted to better drained site conditions (*Quercus virginiana*, *Quercus laevis*, *Quercus alba*, *Pinus palustris* and *Diospyros virginiana*) will be planted on portions of the tract shown as Craven fine sandy loam on the soil survey map. At the request of DWQ staff, 100 wax myrtle (*Morella cerifera*), will be planted on the site to assist in the establishment of a shrub layer.

Buffer vegetative success criteria are based upon the density and growth of character tree species as defined in Table 3. As per the Greene Environmental Services Neuse River Basin Riparian Buffer and Nutrient Offset Umbrella Banking Instrument, vegetative success criteria will be based upon guidelines set forth in the *Guidelines for Riparian Buffer Restoration* prepared by the North Carolina Ecosystem Enhancement Program (or subsequent updated versions of these guidelines in place at the date of acceptance of a BPDP), and shall be defined as a success rate equivalent to 320 live stems per acre at the end of the 5-year monitoring period. For the purposes of monitoring, planted species must account for a minimum of 30 percent of the tree density in the monitoring plots.

If vegetative success criteria are not achieved based on acreage density calculations from combined monitoring plots over the entire restoration area, or if an inspection of the restoration/mitigation site indicates that portions of the site do not have sufficient stem densities or are otherwise deficient, supplemental planting shall be performed with tree species approved by NCDWQ. Supplemental planting shall be performed as needed until vegetative success criteria are met. No quantitative measurements of herb assemblages will be required to meet the vegetative success criteria. The quantity of monitoring plots shall be determined in accordance with *The Carolina Vegetative Sampling Protocol* (Levels I & II).

4.0 Monitoring and Maintenance Plan

The La Grange Bank Site will be monitored annually for five years (or until DWQ's success criteria have been met). Monitoring activities have already begun on the site since the initial planting. Supplemental planting and necessary site modifications will continue to be implanted as necessary. Monitoring activities will follow the terms and conditions of the Greene Environmental Services Neuse River Basin Riparian Buffer and Nutrient Offset Umbrella Banking Instrument, signed by the Division Director and Mr. Bobby Ham (GES).

Vegetative success will be monitored within the restored Neuse riparian buffer and a monitoring report will be provided to DWQ no later than December 31st of each monitoring year. The report will include vegetative plot data, monitored in accordance with the CVS-EEP

Protocol for Recording Vegetation (CVS-EEP, v. 4.2). Plots measuring 100 m² (ten by ten meter squares) will be permanently established. The La Grange Bank Parcel will contain 2 vegetative monitoring plots, exceeding the requirement of 2% of the proposed restoration area. Since the site is a small one, two vegetative plots are considered prudent to get a realistic picture of the site's success. The plant species, survival rates, and character species density will be recorded within each plot, as well as general notes on problems encountered or unique situational developments. Photographs of each plot from the same plot corner will be included in the monitoring reports to provide DWQ with a snapshot of the site success each year. At the end of the five year monitoring period, target acreage density for the Neuse riparian buffer and nutrient offset area is a minimum of 320 character trees per acre. Monitoring will take place between August and November.

5.0 Financial Assurance Language

Greene Environmental Services, LLC will provide a performance bond or Letter of Credit to ensure completion of all mitigation work. The amount of the performance bond or Letter of Credit shall be efficient to cover all costs associated with establishing the site for its proposed mitigation. Upon approval of the subject BPDP, Greene Environmental Services, LLC will provide financial assurance in the form of a monitoring bond or letter of credit in the amount of at least \$100,000 to ensure that adequate funds are available for completion of the maintenance and monitoring outlined in the BPDP under Section 3.

6.0 Nutrient Offset and Riparian Buffer Mitigation Potential

The La Grange Bank Parcel consists of 3.39 acres, protected under a permanent conservation easement. The Parcel will generate 37,939.70 square feet (0.87 acres) of Neuse riparian buffer credit and 109,581.98 square feet (2.52 acres) of nutrient offset buffer which yields 5,728.01 (lb-N) Nitrogen credits at 2,273.02 lb-N/acre. Greene Environmental Services, LLC will maintain one credit ledger for Neuse riparian buffer credits which are generated from 0 to 50 feet from the top of bank of Meeting House Branch and one ledger for nutrient offset credits which are generated from 51-200 feet out from the Neuse buffer of the intermittent stream. Each credit ledger shall be submitted on a separate 8 ½ in X 11 in spreadsheet with legible font style and font size. At a minimum and unless otherwise requested by DWQ, credit ledgers shall contain the following information: **Bank Details listed in a header:** (1) name of the approved banking instrument as it appears on the instrument document, (2) sponsor name, (3) bank parcel name as it appears on the BPDP, (4) DWQ project number for the BPDP, (5) date the ledger was last updated, (6) total credits released to date. **Credit Details Table with the following for each credit sale:** (1) date of

credit sale, (2) purchaser name, (3) project name and corresponding HUC, (4) name of local government requiring Nutrient Offset Credits or Riparian Buffer Credits for this project, (4) credits released by DWQ to the Bank listed in pounds for Nutrient Offset Credits and in square feet for Riparian Buffer Credits, (5) credits debited/sold from bank listed in pounds for Nutrient Offset Credits and in square feet for Riparian Buffer Credits, (6) available credits listed in pounds and acres for Nutrient Offset Credits and in square feet and acres for Riparian Buffer Credits.

Riparian Buffer Credit may be achieved through mitigation of the Neuse riparian buffer, as defined in 15A NCAC 02B .0233. Nutrient Offset Credit may be achieved through restoration of the riparian area adjacent to surface water features. Surface water features do not have to be intermittent or perennial, nor do they have to be depicted on a AUSGS, NRCS, or EMC approved map. The width of the restoration area begins at the landward limit of the top of bank or the rooted herbaceous vegetation and extends landward a maximum distance of 200 feet on all sides of the surface water. The mitigation accomplished in the DWQ Neuse buffer, as defined in 15A NCAC 02B .0233 and per 15A NCAC 02B .0242 may be used for *either* Riparian Buffer Credit or Nutrient Offset Credit, but not both.

7.0 References

Griffith, G.E., Omernik, J.M., Comstock, J.A., Schafale, M.P., McNab, W.H., Lenat, D.R., MacPherson, T.F., Glover, J.B, and Shelburne, V.B., 2002. Ecoregions of North Carolina and South Carolina. Accessed from:

http://www.epa.gov/wed/pages/ecoregions/ncsc_eco.htm

Lee, M. T., Peet, Robert K., Roberts, S. D., and Wentworth, T. R., 2008. CVS-EEP Protocol for Recording Vegetation Level 1-2 Plot Sampling Only. Version 4.2

Lenoir County Online Mapping Services. Connect GIS Webhosting. Accessed from:

<http://www.co.lenoir.nc.us/docs/disclaim.htm>. December 2011.

Natural Heritage Program. Virtual Workroom. Accessed from:

http://nhpweb.enr.state.nc.us/public/virtual_workroom.phtml

Natural Resources Conservation Service. Soil Survey of Lenoir County, North Carolina. 1977.

USDA Soil Conservation Service. Accessed from:

http://soils.usda.gov/survey/printed_surveys/state.asp?state=North%20Carolina&abbr=NC

North Carolina Ecosystem Enhancement Program (NCEEP) 2004. Guidelines for Riparian Buffer Restoration. Accessed from:

<http://portal.ncdenr.org/web/wq/swp/ws/401/riparianbuffers>

United States Fish and Wildlife Service. Threatened and Endangered Species by County

Accessed from:

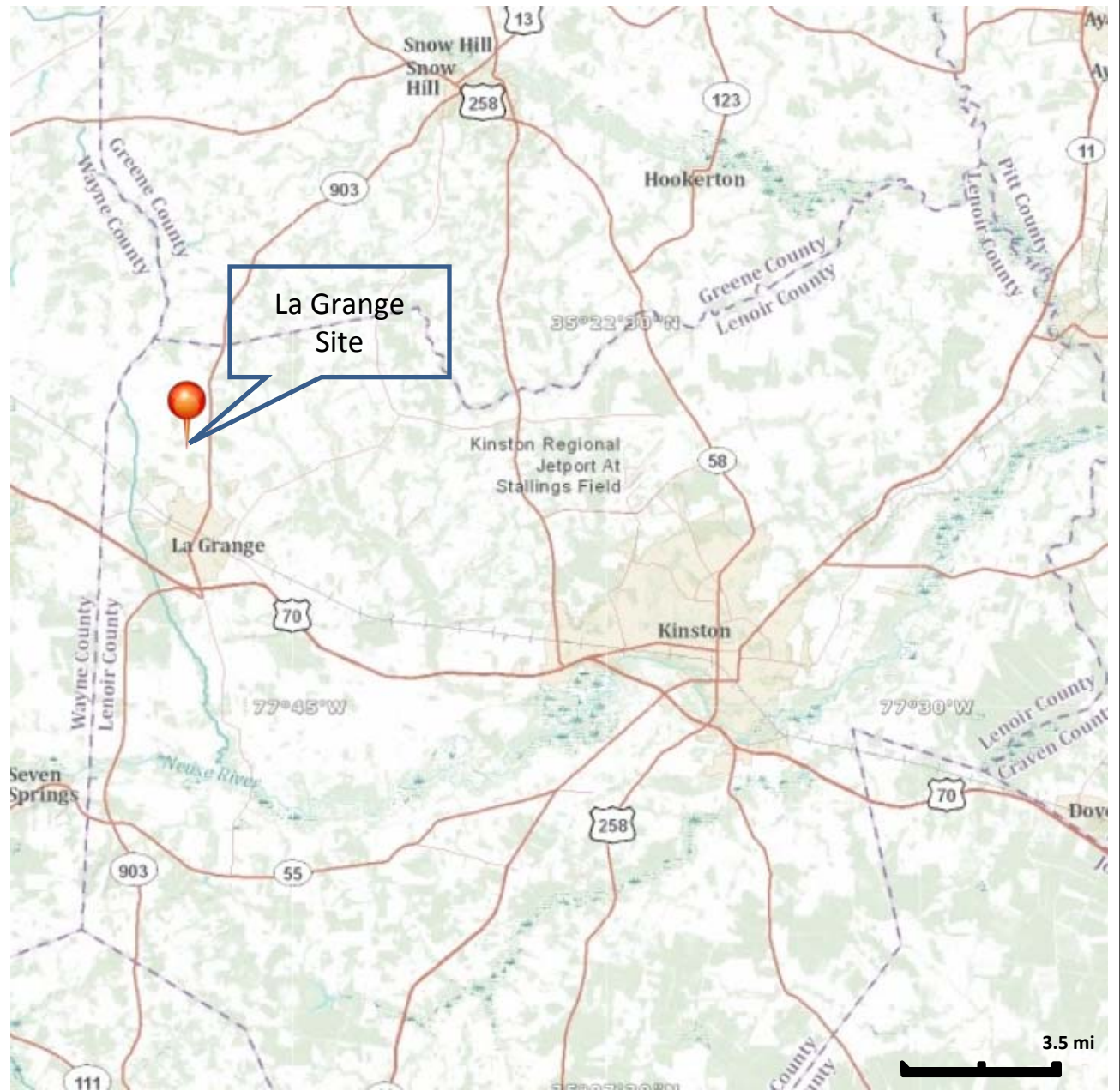
<http://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=Q24J> and

http://ecos.fws.gov/tess_public/countySearch!speciesByCountyReport.action?fips=37107

USGS. The National Map Viewer. Accessed from: <http://viewer.nationalmap.gov/viewer/>
January 2012.

APPENDIX A

Figures

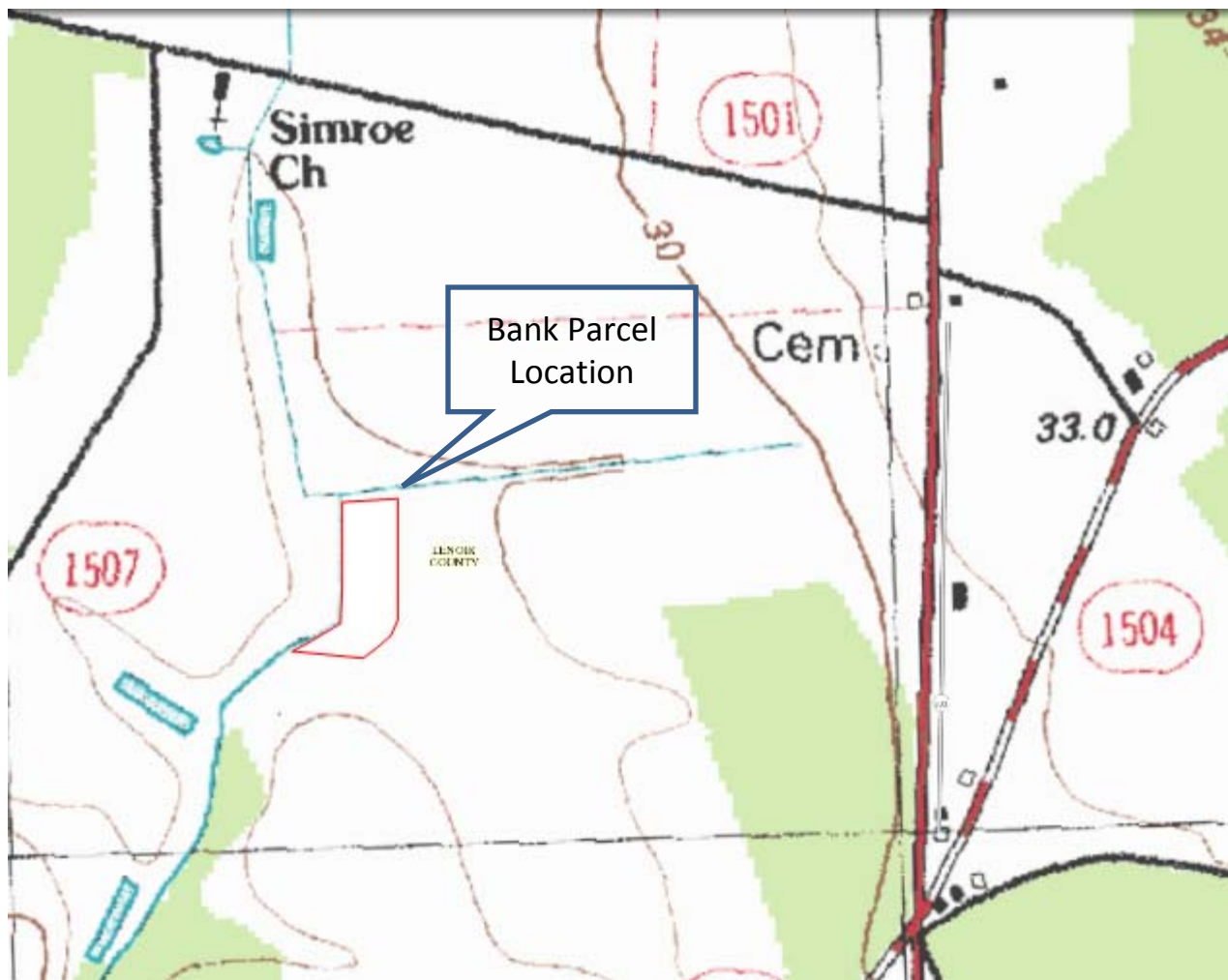


GES

Greene Environmental Services, LLC
90 Ham Produce Rd.
Snow Hill, NC 28580

Figure 1 – Vicinity Map





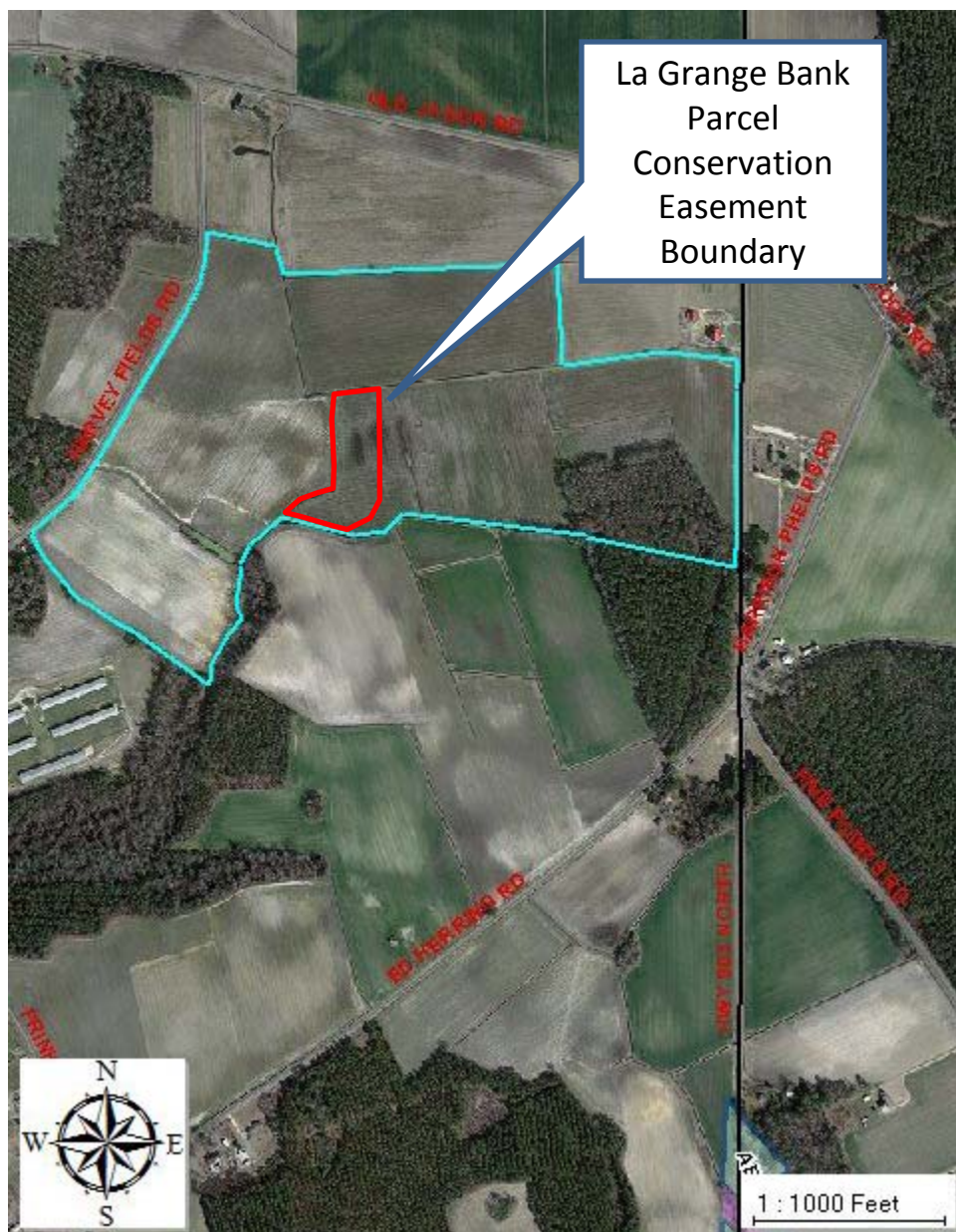
N.T.S

GES

Greene Environmental Services, LLC
90 Ham Produce Rd.
Snow Hill, NC 28580

Figure 2 – USGS Topographic Map

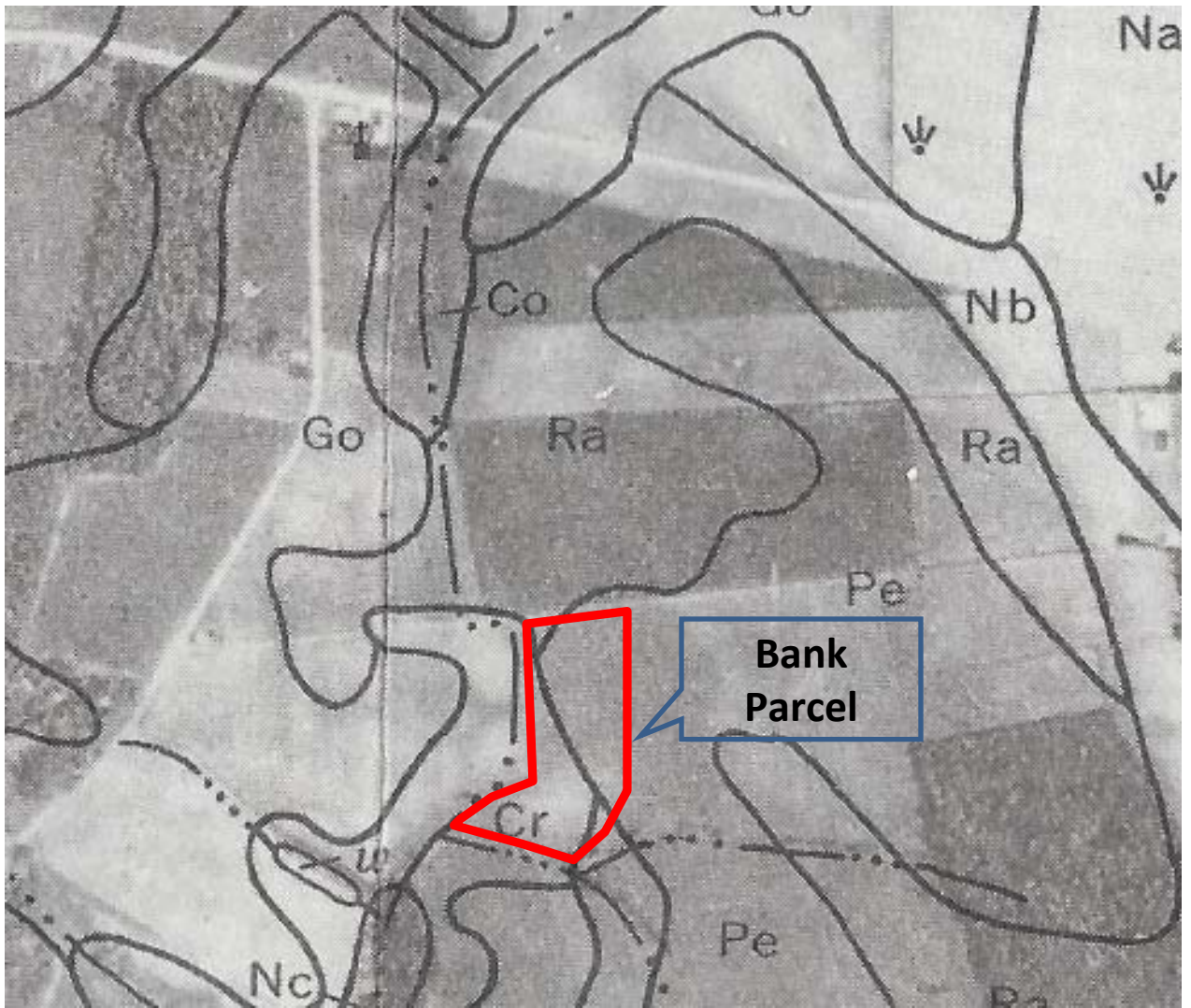




GES

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90 Ham Produce Rd.
Snow Hill, NC 28580

Figure 3 – Aerial Map



LEGEND

Cr: Craven fine sandy loam

Go: Goldsboro loamy sand

Pe: Pantego loam

Ra: Rains sandy loam

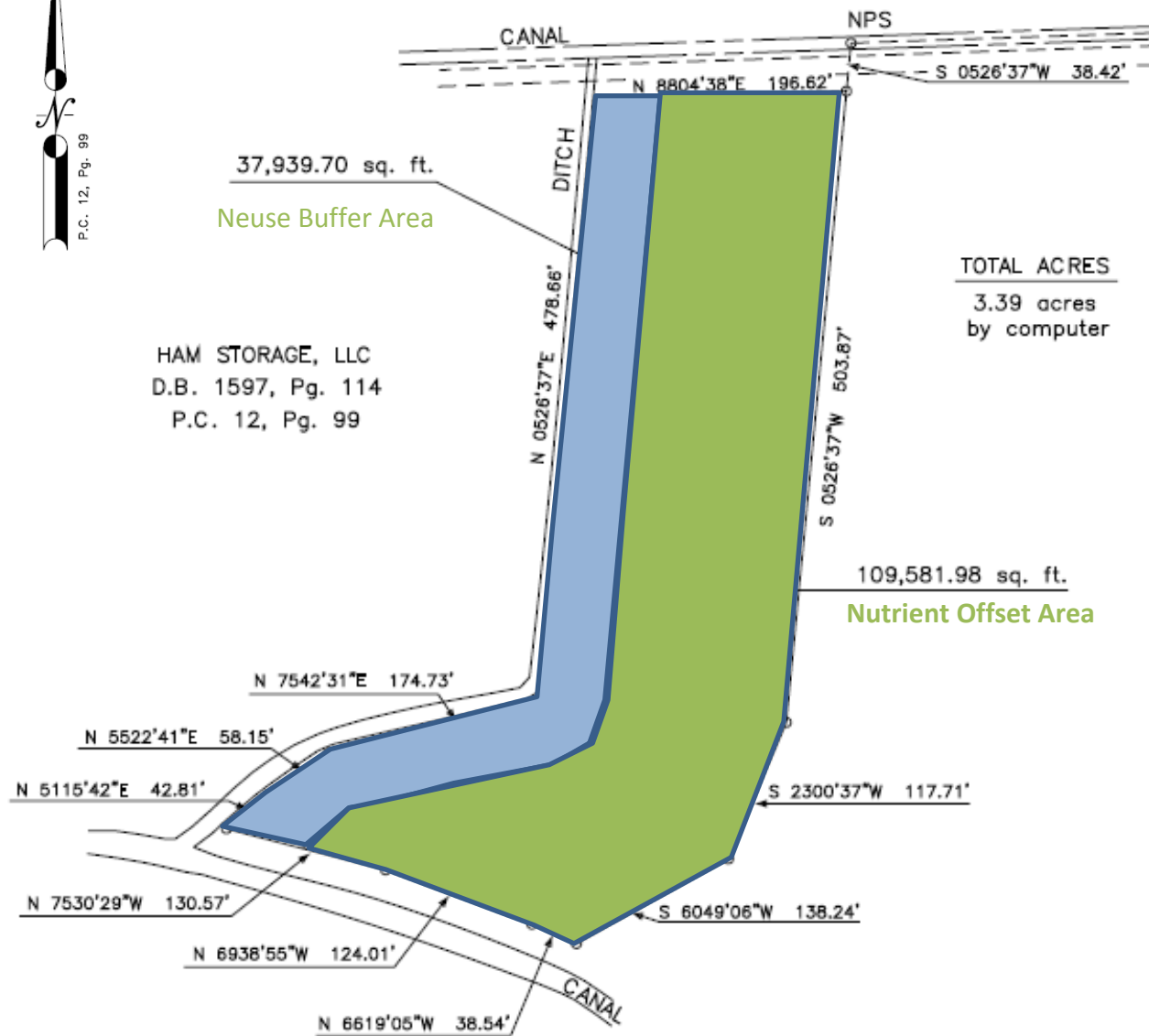
N.T.S.

GES

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90 Ham Produce Rd.
Snow Hill, NC 28580

Figure 4 – Soils Map





N.T.S.



Neuse Buffer Area: 37,939.70 sq. ft. (0.87 acres)

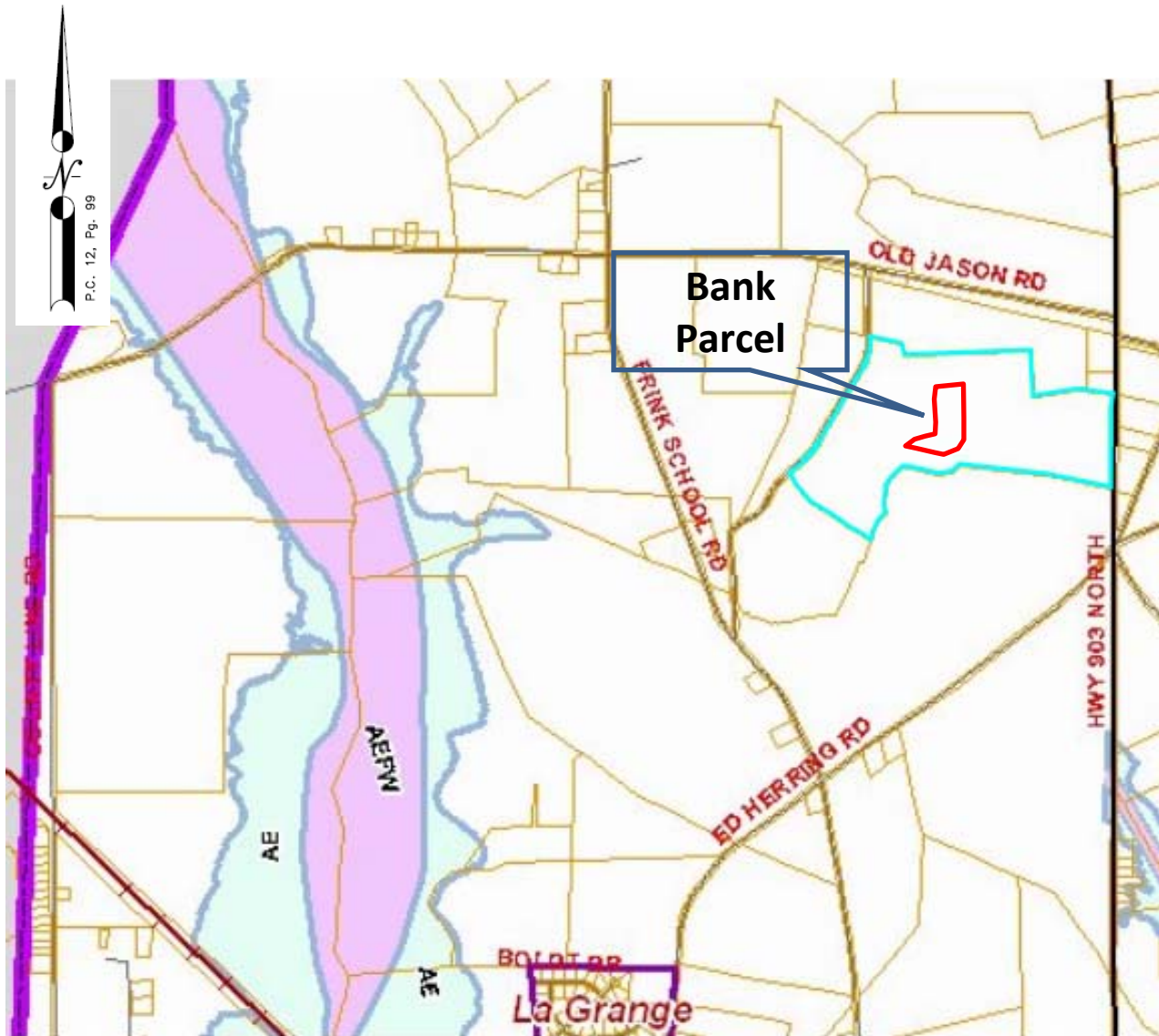


Nutrient Offset Area: 109,581.98 sq. ft. (2.52 acres)

GES

Greene Environmental Services, LLC
90 Ham Produce Rd.
Snow Hill, NC 28580

Figure 5 – Survey Excerpt



N.T.S.



Greene Environmental Services, LLC
90 Ham Produce Rd.
Snow Hill, NC 28580

Figure 6 – FEMA Floodplain/Floodway Mapping

APPENDIX B

Conservation Easement DWQ Stream Determination Letter

VICINITY MAP

EIP-----Existing Iron Pipe
EIS-----Existing Iron Stake
NIS-----New Iron Stake
PKS-----P.K.Nail Set
PKF-----P.K.Nail Found
NPS-----No Point Set
RRSF-----Rail Road Spike Found
RRSS-----Rail Road Spike Set
CMF-----Concrete Monument Found
P.P.-----Power Pole
L.P.-----Lamp Post
T.P.-----Telephone Pedestal
C-----Center Line
R/W-----Right of Way
NPS-----No Point Set
CSS-----Cotton Spindle Set
CSF-----Cotton Spindle Found
O-----5/8" NIP

LEGEND

I, James D. Grant, certify that this plot was drawn under my supervision from an actual survey made under my supervision (deed description recorded in BookSEE, page) that the boundaries not surveyed are clearly indicated as drawn from information found in books referenced; that the ratio of precision as calculated is 6.000+; that this plot was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, registration number and seal this15th day ofAPRIL, 11, 20, A.D.

CERTIFICATE OF REVIEW OFFICER

NORTH CAROLINA LENOIR COUNTY

I, REVIEW OFFICER OF LENOIR COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

James D. Grant, PLS. L-3752

REVIEW OFFICER

EXEMPTION APPROVAL STATEMENT

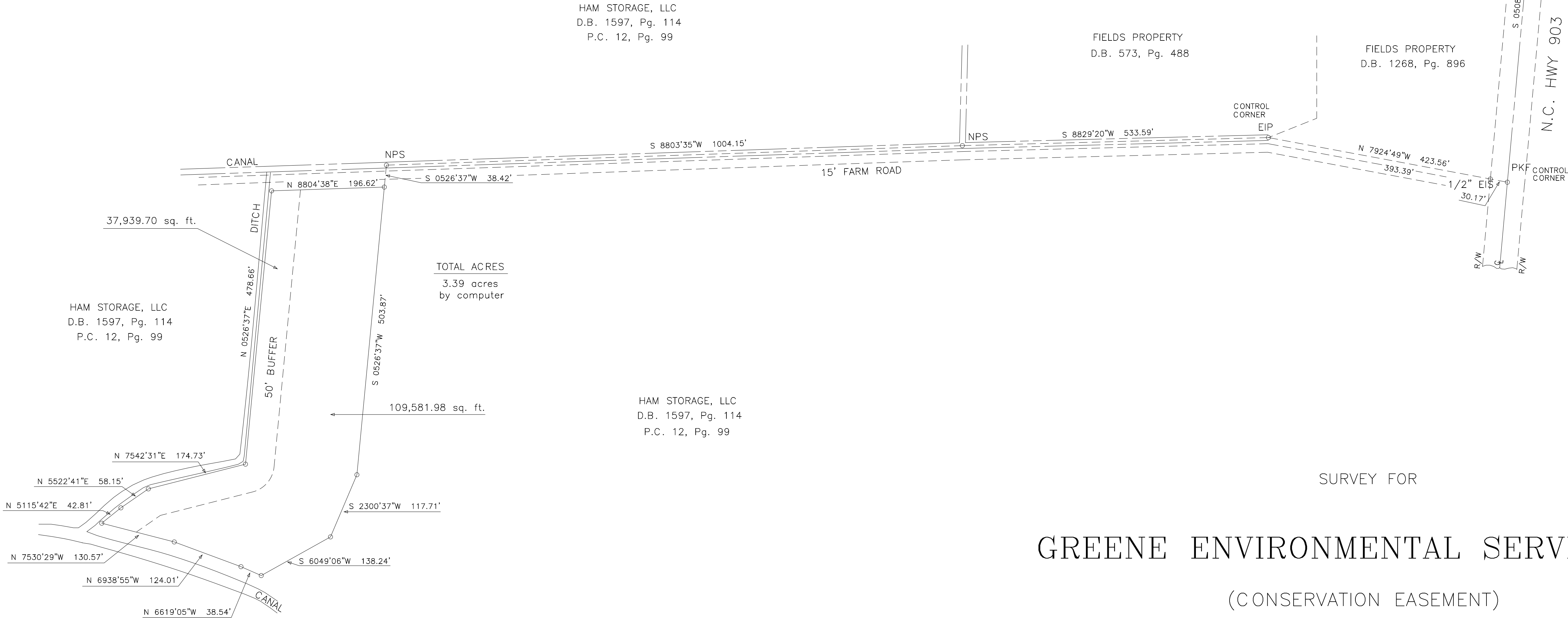
THIS PROPERTY IS EXEMPT FROM THE LENOIR COUNTY SUBDIVISION ORDINANCE PER SECTION 20-58-(5) THEREOF.

ADMINISTRATOR

DATE

- I, James D. Grant, PLS certify:
- ☐ a. That the survey creates a subdivision of land within the area of a county or municipality that has an ordinance that regulates parcels of land.
- ☐ b. That the survey is located in such a portion of a county or municipality that is unregulated as to an ordinance that regulates parcels of land.
- ☐ c. Any one of the following:
1. That the survey is of an existing parcel or parcels of land and does not create a new street or change an existing street.
 2. That the survey is of an existing building or other structure, or natural feature, such as a water course; or
 3. That the survey is a control survey.
- ☒ d. That the survey is of another category, such as the recombination of existing parcels, a court ordered survey, or other exception to the definition of subdivision.
- ☐ e. That the information available to the surveyor is such that the surveyor is unable to make a determination to the best of his or her professional ability as to the provisions in (a) through (d) above.

James D. Grant, PLS L-3752



SURVEY FOR

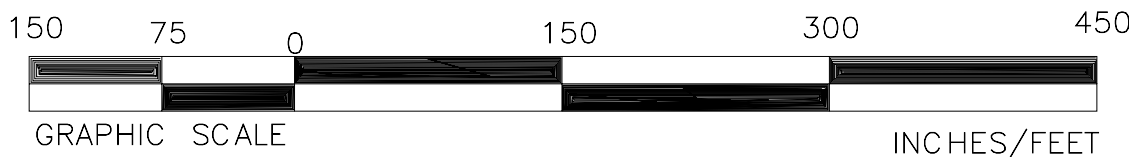
GREENE ENVIRONMENTAL SERVICES, LLC

(CONSERVATION EASEMENT)

A PORTION OF THE PROPERTY RECORDED IN D.B. 1597, Pg. 114
AND P.C. 12, Pg. 99 OF THE LENOIR COUNTY REGISTRY.

MOSELEY HALL TWSP. - LENOIR CO, N.C.

SCALE: 1' = 150' - DATE: 04/15/11



REFERENCES:D.B. 1597, Pg. 114
P.C. 12, Pg. 99

CERTIFICATE OF REGISTRATION BY REGISTER OF DEEDS

NORTH CAROLINA LENOIR COUNTY

FILED FOR REGISTRATION ON THE DAY OF , 20

AT (a.m./p.m.) AND DULY RECORDED IN PLAT CAB., Pg.

REGISTER OF DEEDS

GRANT & ASSOCIATES, P.A.
LAND SURVEYING SERVICES
P.O. BOX 517
SNOW HILL, N.C. 28580
(252) 747-7777

LIC. No. C-2168
DATE: 04/15/11 | DRAWN BY: JDG | FB/Pg N/A | FILE No.: 11030



North Carolina Department of Environment and Natural Resources

Division of Water Quality

Coleen H. Sullins

Director

Beverly Eaves Perdue
Governor

Dee Freeman
Secretary

March 25, 2010

DWQ#: 08-0511v2

Lenoir County

Mr. Bobby Ham
Greene Environmental Services, LLC
90 Ham Produce Road
Snow Hill, NC 28580

LAGRANGE

Re: LaGrange Site – NC 903 near Old Jason Road
Meeting House Branch [27-72-3, C; Sw, NSW]

On March 25, 2010, Eric Kulz and Lia Gilleski of the Division of Water Quality (DWQ) met David Knowles (representing Greene Environmental Services, LLC) at the above referenced site to assess the feasibility of the site as a nutrient offset mitigation sit for inclusion into the GES Umbrella Bank. Some planting has been completed to date, however the extent of the final planting area has yet to be determined.

Based on our observations the site appears suitable for use as a nutrient offset mitigation site. In order to include this site in your existing umbrella bank, GES must submit for approval a bank parcel development package (BPDP). The BPDP should include:

- a. Site location (county, coordinates, 8-digit HUC), size, other general info,
- b. Water conveyance features on site. For streams, a DWQ stream determination must be included except for large obvious stream/river features. All ditches should be shown as well.
- c. Proposed planting areas and limits of conservation easement.
- d. Grading plan (if needed)
- e. Proposed species, species, numbers and densities.
- f. NO calculation factors.
- g. Amount of buffer and/or NO credit to be generated.
- h. Service area (8-digit HUC in which site is located)
- i. Graphics, including USGS map; USDA soil map (paper copy); graphics clearly showing site boundaries, conveyances, easement boundaries, and shading/cross-hatching showing areas proposed for buffer and/or nutrient offset credit.
- j. Draft conservation easement
- k. Draft financial assurance document

As per the UMBI signed by the DWQ Director on October 3, 2008, the initial release (20%) of credits would occur following approval of the BPDP, recording of the conservation easement and purchase of a performance bond.

March 25, 2010

During the site visit, DWQ observed that heavy equipment had been driven through some areas that had already been planted in order to maintain site ditches. Should GES elect to proceed with addition of this site to the Umbrella Bank, the landowner must understand that these areas are to be undisturbed forest and heavy equipment will no longer be allowed within the conservation easement for any reason. Any additional ditch maintenance should be conducted from areas outside the easement and any disturbance to planted materials within the easement must be avoided.

Please feel free to contact Lia Myott Gilleski at (919) 733-9502 if you have any questions regarding this letter.

Sincerely,

Ian McMillan, Acting Supervisor
401/Express Review Oversight Unit

IJM/lmg

cc: File copy
Al Hodge, DWQ WaRO
Jeff Becker, 1004 Glencastle Way, Raleigh, NC 27606



North Carolina Department of Environment and Natural Resources
Division of Water Quality

Beverly Eaves Perdue
Governor

Coleen H. Sullins
Director

Dee Freeman
Secretary

April 4, 2011

DWQ Project # 2011-0113
Lenoir County

Bobby Ham
Greene Environmental Services, LLC
90 Ham Produce Road
Snow Hill, NC 28580

Subject Property: LaGrange/MHBP Riparian Buffer (mitigation bank)
UT to Meeting House Branch

**On-Site Determination for Applicability to the Neuse River Riparian Area
Protection Rules (15A NCAC 2B .0233)**

Dear Mr. Ham:

On March 3, 2011, at your request I conducted an on-site determination to review drainage features located on the subject property for applicability to the Neuse Buffer Rules (15A NCAC 2B .0233). The project area is labeled as "2011-0113" on the attached map initialed by me on April 4, 2011. The project is located on the east side of NC HWY 903, approximately 0.2 miles south of the intersection of NC HWY 903 and Old Jason Road (SR 1501), north of the community of La Grange, NC.

At your request, I conducted an on-site determination as stated above. During my review I evaluated the stream using the DWQ Stream Classification Form. I evaluated the stream reach at the uppermost end of the project area and calculated the score to be 19.25 points. The form states that if the score is "greater than or equal to 19 points the stream is at least intermittent".

The Division of Water Quality (DWQ) has determined that the surface water labeled as "2011-0113" on the attached map is at least intermittent and is SUBJECT to the Neuse Buffer Rule. This feature and its associated buffers should be identified on any future plans for this property. The owner (or future owners) should notify the DWQ (and other relevant agencies) of this decision in any future correspondences concerning

North Carolina Division of Water Quality
943 Washington Square Mall
Washington, NC 27889

Internet: www.ncwaterquality.org
Phone: 252-946-6481
FAX 252-946-9215

An Equal Opportunity/Affirmative Action Employer - 50% Recycled/10% Post Consumer Paper

One
North Carolina
Naturally

this property. This on-site determination shall expire five (5) years from the date of this letter.

Landowners or affected parties that dispute a determination made by the DWQ or Delegated Local Authority that a surface water exists and that it is subject to the buffer rule may request a determination by the Director. A request for a determination by the Director shall be referred to the Director in writing c/o Cyndi Karoly, DWQ, 401 Oversight/Express Review Permitting Unit, 2321 Crabtree Blvd., Suite 250, Raleigh, NC 27604-2260. Individuals that dispute a determination by the DWQ or Delegated Local Authority that "exempts" a surface water from the buffer rule may ask for an adjudicatory hearing. You must act within 60 days of the date that you receive this letter. Applicants are hereby notified that the 60-day statutory appeal time does not start until the affected party (including downstream and adjacent landowners) is notified of this decision. DWQ recommends that the applicant conduct this notification in order to be certain that third party appeals are made in a timely manner. To ask for a hearing, send a written petition, which conforms to Chapter 150B of the North Carolina General Statutes to the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, N.C. 27699-6714. This determination is final and binding unless you ask for a hearing within 60 days.

This letter only addresses the applicability to the buffer rules and does not approve any activity within the buffers. Nor does this letter approve any activity within Waters of the United States or Waters of the State. If you have any additional questions or require additional information please call me at (252) 948-3920.

Sincerely,



Chris Pullinger
Division of Water Quality
Surface Water Protection
Washington Regional Office

Enclosures: copy of 1:24,000 scale USGS topographic map, La Grange quadrangle

cc: DWQ 401 Oversight/Express Unit - Attn: Lia Gilleski
WaRO File Copy
✓ David Knowles; 2813 Jefferson Dr.; Greenville, NC 27858

Filename: 2011-0113

Shadetown

North Carolina Environmental
Management Commission
Division Of Water Quality

For NEUSE Basin Buffer

Date April 4 2011

Reviewed by Robert Christopher Phillips

2011-0113

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