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June 24, 2016

TO: DENR-DWR-Wetlands-Public Listserv

FROM: Karen Higgins, 401 & Buffer Permitting Branch

RE: MBI for Riparian Buffer Mitigation & Nutrient Offset Credits in the Neuse River Basin; Proposed Riparian Buffer Mitigation and Nutrient Offset BPDP in the Neuse Basin – EBX-Neuse I, LLC; Proposed Nutrient Offset BPDP in the Jordan Lake Watershed – EBX-EM, 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. MBI for Riparian Buffer Mitigation & Nutrient Offset Credits in the Neuse River Basin

A Mitigation Banking Instrument (MBI) has been prepared by EBX-Neuse I, LLC (EBX) for review and approval by the Division of Water Resources under the Temporary Consolidated Buffer Mitigation Rule 15A NCAC 02B .0295 and the Nutrient Offset Rule 15A NCAC 02B .0240. This MBI, if approved, will allow EBX to sell riparian buffer mitigation and nutrient offset credits within the Hydrologic Unit Code (HUC) 03020201 of Neuse River Basin, excluding the Falls Lake Watershed. A site-specific Bank Parcel Development Package has been submitted for review and approval (see Item II below).

The proposed MBI can be found online at <http://edocs.deq.nc.gov/WaterResources/0/doc/374993/Page1.aspx?searchid=4af41103-db28-4b78-9b25-eb04ebf0746b>. 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 July 8, 2016 will be considered during preparation and approval of the final MBI. If you have any questions, please contact Katie Merritt at 919-807-6371.

II. Proposed Riparian Buffer Mitigation and Nutrient Offset Bank Parcel Development Package in the Neuse Basin

A Mitigation Banking Instrument (MBI) for the Selma Mill Nutrient Offset and Buffer Mitigation Bank for EBX-Neuse I, LLC (EBX) has been submitted for review and approval (see Item I above).

EBX has submitted a proposed Bank Parcel Development Package (BPDP) for the Selma Mill Nutrient Offset and Buffer Mitigation Bank Parcel, which is located in the Neuse River Basin (8-digit USGS HUC 03020201) in Selma, in Johnston County.

The proposed bank parcel will be used to generate approximately 13.54 acres of Neuse riparian buffer and/or nutrient offset mitigation. Restoration of Neuse riparian buffers will provide approximately 11.71 acres (509,953 ft²) of Neuse riparian buffer credits. Restoration of other riparian areas will generate approximately 1.83 acres of nutrient offset credits which yields 4,158 pounds of nitrogen.

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.

The proposed Selma Mill Nutrient Offset and Buffer Mitigation Bank Parcel BPDP can be found online at:

<http://edocs.deq.nc.gov/WaterResources/0/doc/374971/Page1.aspx?searchid=4af41103-db28-4b78-9b25-eb04ebf0746b>. 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 July 8, 2016 will be considered during preparation and approval of the final BPDP. If you have any questions, please contact Katie Merritt at 919-807-6371.

III. Proposed Nutrient Offset Bank Parcel Development Package in the Jordan Lake Watershed

A Jordan Lake/Cape Fear Umbrella Mitigation Banking Instrument for EBX-EM, LLC was approved on October 9, 2009 and modified on February 17, 2014.

EBX-EM, LLC has submitted a proposed BPDP for the Maple View Nutrient Offset Bank Parcel, which is located in the Upper New Hope Sub-Watershed of the Jordan Lake Watershed (14-digit USGS HUC 03030002060110) near Hillsborough, in Orange County. Stormwater runoff from this site drains into Morgan Creek.

The proposed bank parcel will be used to generate approximately 4.54 acres of nutrient offset mitigation. Restoration of riparian areas will provide approximately 4.54 acres (9,848.44 lbs of generated nitrogen and 652.90 lbs of generated phosphorous) for nutrient offset credits. The delivery factors applied to this site are 89% for nitrogen and 71% for phosphorous. Therefore, the total delivered nutrient offset credits are 8,765 lbs of delivered nitrogen and 463 lbs of delivered phosphorous.

Nutrient offset credits generated at this proposed site can be used to satisfy nutrient offset requirements for development projects located within the Upper New Hope Sub-Watershed of the Jordan Lake Watershed.

The proposed Maple View Nutrient Offset Mitigation Bank Parcel BPDP can be found online at: <http://edocs.deq.nc.gov/WaterResources/0/doc/384477/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 July 8, 2016 will be considered during preparation and approval of the final BPDP. If you have any questions, please contact Katie Merritt at 919-807-6371.