



## **Final Buffer Mitigation Plan Chappels Creek Mitigation Project**

**November 2022**

**DMS Project #: 100179 | Contract #: 0402-06 | RFP: 16-20200402 | DWR #: 2021-0755 v.2 | Neuse River  
Basin | HUC 03020201**

**Person County, North Carolina**

### **Prepared For:**

NC Department of Environmental Quality  
Division of Water Resources  
1652 Mail Service Center  
Raleigh, NC 27699-1652

### **Prepared By:**

Resource Environmental Solutions, LLC  
For Environmental Banc & Exchange (EBX)  
3600 Glenwood Avenue, Suite 100  
Raleigh, NC 27612  
919-209-1052

*This mitigation plan has been written in conformance with the requirements of the following:*

- *The Consolidated Buffer Mitigation Rule, 15A NCAC 02B .0295, effective November 1, 2015*
- *Nutrient Offset Credit Trading Rule, 15A NCAC 02B .0703, effective April 1, 2020*

*These documents govern NCDMS operations and procedures for the delivery of compensatory mitigation.*



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November 3, 2022

Lin Xu  
Department of Environmental Quality - Division of Mitigation Services  
1652 Mail Service Center  
Raleigh, NC 27699

Subject: Task 3 Final Mitigation Plan Comments – Chappels Creek Mitigation Project (DMS #100179)  
Neuse River 03020201; Person County  
Contract No. 0402-06

Mr. Xu:

On behalf of Environmental Banc & Exchange, LLC (EBX), a wholly owned subsidiary of Resource Environmental Solutions (RES), I am pleased to submit the Final of the Chappels Creek Buffer Mitigation Plan (DMS Project #100179) along with a response to all of your comments provided on April 27, 2022, as well as comments provided by Katie Merritt (NCDWR) provided on October 19, 2022.

Thank you for your time and consideration and we look forward to continuing to work with you all as this Project progresses. Please contact me at 919.623.9889 or [jmceachran@res.us](mailto:jmceachran@res.us) if you have any questions or require any additional information.

Thank you,

A handwritten signature in blue ink that reads "Jamey McEachran".

Jamey McEachran, Regulatory Manager  
[jmceachran@res.us](mailto:jmceachran@res.us) | 919.623.9889

ROY COOPER  
Governor

ELIZABETH S. BISER  
Secretary

RICHARD E. ROGERS, JR.  
Director



NORTH CAROLINA  
Environmental Quality

October 19, 2022

Division of Mitigation Services

Attn: Lin Xu

(via electronic mail: [lin.xu@ncdenr.gov](mailto:lin.xu@ncdenr.gov))

Please find below, comments provided by Division of Water Resources on the Chappels Creek Buffer Mitigation Plan:

Reviewed by Katie Merritt: *Kym 10/19/22*

- 1) Beavers are a large factor to consider for this project and should be noted as a "Site Constraint" considering the amount of flooding that has been witnessed on this site just in the last 2 years from Beaver Activity. The provider should include an adaptive management plan in with this Plan to provide details on how they intend to respond during monitoring if Beaver activity has induced more flooding beyond the existing conditions of the site. DWR does not promote Beaver Trapping on this site particularly, but the Provider needs to adapt to the Beaver activity being so prevalent and DWR and DMS should have an idea as to what the Provider is prepared to do in the event the beaver activity causes additional flooding and/or tree mortality.
- 2) Section 1.1, page 4: when describing DWR correspondence regarding the viability of Chappels Creek, the Plan needs to cite that the viability was for Buffer Mitigation and Nutrient Offset. Currently the Plan implies the viability assessment performed by DWR was only for Buffer Viability/Buffer mitigation; Therefore, the text needs to be edited for clarification.
- 3) Throughout the Plan, both EBX and RES are noted as responsible parties. Which one should be the responsible Party?
- 4) Section 2.2.4: It states that there is a power-line running through JM1 and Pond A. However, maps show the powerline crossing Pond B. Explain.
- 5) Figures - no comments, all looks compliant
- 6) Project Credit Table - All cells appear to be compliant except for items listed below:
  - a. Labeled as "Table 1" but there is already a Table 1 within the Mitigation Plan, which is called Project Attributes
  - b. Since Pond A is a Beaver Impoundment, add a note to the Project Credit Table that states, "Pond A is an in-line Beaver impoundment". Otherwise, it implies that it is the same as Pond B, which is man-made.
  - c. TH1 is shown as having restoration, but the coordinating figures only show Preservation off TH1



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919.707.9000

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# MEMORANDUM



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3600 Glenwood Avenue, Suite 100 Raleigh, North Carolina 27612 919.770.5573 tel. 919.829.9913 fax

**TO: Katie Merritt, Department of Water Resources**

**FROM: Jamey McEachran, RES**

**DATE: November 3, 2022**

**RE: Response to Final Draft Mitigation Plan Comments – Chappels Creek Mitigation Project (DMS #100179) Neuse River 03020201; Person County, NC; Contract No. 0402-06**

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## **Katie Merritt - NCDWR:**

1. Beavers are a large factor to consider for this project and should be noted as a "Site Constraint" considering the amount of flooding that has been witnessed on this site just in the last 2 years from Beaver Activity. The provider should include an adaptive management plan in with this Plan to provide details on how they intend to respond during monitoring if Beaver activity has induced more flooding beyond the existing conditions of the site. DWR does not promote Beaver Trapping on this site particularly, but the Provider needs to adapt to the Beaver activity being so prevalent and DWR and DMS should have an idea as to what the Provider is prepared to do in the event the beaver activity causes additional flooding and/or tree mortality.  
[An adaptive management plan pertaining to beaver activity has been added to Table 7 and Section 4.2 discussing potential measures to combat excessive flooding and/or tree mortality throughout the highly impacted areas.](#)
2. Section 1.1, page 4: when describing DWR correspondence regarding the viability of Chappels Creek, the Plan needs to cite that the viability was for Buffer Mitigation and Nutrient Offset. Currently the Plan implies the viability assessment performed by DWR was only for Buffer Viability/Buffer mitigation; Therefore, the text needs to be edited for clarification.  
[This text was edited to state: "DWR staff performed an onsite stream determination on April 29, 2021 and a site viability assessment for buffer mitigation and nutrient offset on August 12, 2021."](#)
3. Throughout the Plan, both EBX and RES are noted as responsible parties. Which one should be the responsible Party?  
[EBX is the responsible party; this has been revised throughout the Plan.](#)
4. Section 2.2.4: It states that there is a power-line running through JM1 and Pond A. However, maps show the powerline crossing Pond B. Explain.

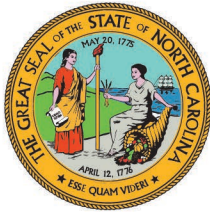
This was a typo. The powerline runs through Pond B, and runs just north of Pond A, creating the easement break along upstream JM1. This has been corrected in the text.

5. Figures – no comments, all looks compliant.  
Thank you.
6. Project Credit Table – All cells appear to be compliant except for items listed below:
  - a. Labeled as "Table 1" but there is already a Table 1 within the Mitigation Plan, which is called Project Attributes  
The Project Credit Table has now been labeled as **Table 8**.
  - b. Since Pond A is a Beaver Impoundment, add a note to the Project Credit Table that states, "Pond A is an in-line Beaver impoundment". Otherwise, it implies that it is the same as Pond B, which is man-made.  
An asterisk (\*) has been included to Pond A text that references a note at the bottom of the table stating, "Pond A is an in-line beaver impoundment, not man-made."
  - c. TH1 is shown as having restoration, but the coordinating figures only show Preservation off TH1  
TH1 has been removed from the restoration portion of the Feature Names.

ROY COOPER  
Governor

ELIZABETH S. BISER  
Secretary

MARC RECKTENWALD  
Director



NORTH CAROLINA  
Environmental Quality

April 27, 2022

Matt Butler  
Resource Environmental Solutions, LLC  
3600 Glenwood Ave., Suite 100  
Raleigh, NC 27612

Subject: Task 3 Draft Mitigation Plan Comments – Chappels Creek Mitigation Project (DMS #100179)  
Neuse River 03020201; Wayne County, NC  
Contract No. 0402-06

Dear Mr. Butler:

On April 13, 2022, DMS received the Draft Mitigation Plan for the Chappels Creek Buffer Mitigation Project from Resource Environmental Solutions, LLC (RES). DMS has completed our review of the Draft Mitigation Plan and has the following comments:

1. On the title, please list nutrient offset rule under the buffer rule, since DMS wants the nutrient offset option.
2. On page 4 of Table 1 – The table 1 and the text above the table indicated that the project would provide up to 1,009,091.298 buffer mitigation credit. Please be mindful that the project is contracted to provide 1,007,259.354 buffer mitigation credit.
3. On page 4 of Table 1 – Please change HU code to 8-digit instead of 14-digit.
4. On page 8 of Section 1.3.4b – Per DWR's recent comments of buffer mitigation plans, please add language that speaks to land use conditions that may have changed since the viability letter was issued (crop changes, fallow land, mowing, etc). If no changes have occurred, speak to that. Provide time-stamped photos that support this and are more current than those that are currently included since they predate the site viability letter.
5. On page 15 of Section 3.3 – Per DWR's recent comments of buffer mitigation plans, please add a sentence "The suite of bare root stems will be thoroughly mixed prior to planting to ensure maximum diversity throughout the planted areas." in this section.
6. On page 16 of Section 3.3 – Please add a proposed seed mix list table after Table 5.
7. As required by contract and in Section 4.7 of RFP 16-007703, RES must submit the required Performance Bond as part of the final mitigation plan. This must be approved prior to invoice submittal.



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8. This is a reminder that Task 2 has not been completed and will not be complete until the Conservation Easement is recorded for this project and all required deliverables have been submitted to the DMS Project Manager and State Property Office.

Please make the requested revisions and provide one (1) pdf copy of the revised mitigation plan, the required digital data and a response to comments letter for DMS review. Once DMS verifies all revisions have been made and the required digital files have been submitted, RES will be instructed when to submit the final copies of the Task 3 deliverable. If you have any questions, please contact me at any time. I can be reached at (919) 219-8476 or email me at [lin.xu@ncdenr.gov](mailto:lin.xu@ncdenr.gov).

Sincerely,

*Lin Xu*

Lin Xu  
Project Manager  
NCDEQ Division of Mitigation Services

Attachment

cc: file



---

# MEMORANDUM



---

3600 Glenwood Avenue, Suite 100 Raleigh, North Carolina 27612 919.770.5573 tel. 919.829.9913 fax

**TO: NCDEQ Division of Mitigation Services**

**FROM: Matt Butler – RES**

**DATE: June 3, 2022**

**RE: Response to Draft Mitigation Plan Comments – Chappels Creek Mitigation Project (DMS #100179) Neuse River 03020201; Person County, NC; Contract No. 0402-06**

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**Lin Xu - NCDMS:**

1. On the title, please list nutrient offset rule under the buffer rule, since DMS wants the nutrient offset option.  
[The nutrient offset credit trading rule has been added to the footer of the title page.](#)
2. On page 4 of Table 1 – The table 1 and the text above the table indicated that the project would provide up to 1,009,091.298 buffer mitigation credit. Please be mindful that the project is contracted to provide 1,007,259.354 buffer mitigation credit.  
[RES appreciates the reminder and is aware of the contracted buffer mitigation credits. As proposed, the project will generate surplus credits.](#)
3. On page 4 of Table 1 – Please change HU code to 8-digit instead of 14-digit.  
[This change has been made.](#)
4. On page 8 of Section 1.3.4b – Per DWR’s recent comments of buffer mitigation plans, please add language that speaks to land use conditions that may have changed since the viability letter was issued (crop changes, fallow land, mowing, etc). If no changes have occurred, speak to that. Provide time-stamped photos that support this and are more current than those that are currently included since they predate the site viability letter.  
[The existing landscape section has been updated to reflect changes to the riparian vegetation and adjacent row crops since the submittal of the Draft Buffer Mitigation Plan. RES staff took updated photos at the Chappels Creek site on June 1, 2022. These photos have been added to the document and the Digital Submission files.](#)
5. On page 15 of Section 3.3 – Per DWR’s recent comments of buffer mitigation plans, please add a sentence “The suite of bare root stems will be thoroughly mixed prior to planting to ensure maximum diversity throughout the planted areas.” in this section.  
[This sentence has been added to Section 3.3.](#)



6. On page 16 of Section 3.3 – Please add a proposed seed mix list table after Table 5.  
A proposed seed mix has been added as Table 6.
7. As required by contract and in Section 4.7 of RFP 16-007703, RES must submit the required Performance Bond as part of the final mitigation plan. This must be approved prior to invoice submittal.  
RES will submit the Performance Bond as part of the final mitigation plan.
8. This is a reminder that Task 2 has not been completed and will not be complete until the Conservation Easement is recorded for this project and all required deliverables have been submitted to the DMS Project Manager and State Property Office.  
Thank you. RES will complete the required steps to finish Task 2.



## **Final Buffer Mitigation Plan Chappels Creek Mitigation Project**

**November 2022**

**DMS Project #: 100179 | Contract #: 0402-06 | RFP: 16-20200402 | DWR #: 2021-0755 v.2 | Neuse River  
Basin | HUC 03020201  
Person County, North Carolina**

### **Prepared For:**

NC Department of Environmental Quality  
Division of Water Resources  
1652 Mail Service Center  
Raleigh, NC 27699-1652

### **Prepared By:**

Resource Environmental Solutions, LLC  
For Environmental Banc & Exchange (EBX)  
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*This mitigation plan has been written in conformance with the requirements of the following:*

- *The Consolidated Buffer Mitigation Rule, 15A NCAC 02B .0295, effective November 1, 2015*
- *Nutrient Offset Credit Trading Rule, 15A NCAC 02B .0703, effective April 1, 2020*

*These documents govern NCDMS operations and procedures for the delivery of compensatory mitigation.*

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Figure 1 – Nutrient Offset and Buffer Mitigation Service Area

Figure 2 – Existing Conditions

Figure 3a & 3b – Historic Imagery

Figure 4 – Project Vicinity

Figure 5 – Buffer Conceptual Design

Figure 6a – USGS Quadrangle

Figure 6b – USGS – The National Map

Figure 7 – NRCS Soil Survey

Figure 8 – Nutrient Offset Conceptual Design

Figure 9 – Riparian Zones

Figure 10a & 10b – Monitoring Plan

## **APPENDIX**

A – Project Buffer Mitigation Credits

B – Buffer Viability & Stream Determination

C – Site Protection Easement

D – Approved FHWA Categorical Exclusion

E – Invasive Species

# 1 MITIGATION PROJECT SUMMARY

Environmental Banc & Exchange, LLC (EBX), a wholly-owned subsidiary of Resource Environmental Solutions (RES), is pleased to provide the Chappels Creek Mitigation Project (Project), a full-delivery buffer mitigation project for the Division of Mitigation Services (DMS) (DMS Project #100179). This buffer project is designed to provide riparian buffer mitigation credits for unavoidable impacts due to development within the Neuse River Basin, United States Geological Survey (USGS) 8-digit Cataloguing Unit 03020201 (Neuse 01), within the Upper Falls Lake Watershed (**Figure 1**). This Buffer Mitigation Plan is in accordance with the Consolidated Buffer Mitigation Rule 15A NCAC 02B .0295 and Nutrient Offset Credit Trading Rule 15A NCAC 02B .0703.

## 1.1 Project Overview

The Chappels Creek Project consists of a 49.27-acre conservation easement, accompanied by a 0.75-acre access easement, which altogether are broken into seven sections. The Project includes a portion of riparian area of Chappels Creek along with five of its unnamed stream tributaries. Chappels Creek is a USGS-named stream that eventually drains to the North Flat River. Current land use within the Project is primarily crop production and disturbed riparian forest (**Figure 2**). The southern portion of the Project area has been used for agricultural purposes for at least 70 years, and the remaining Project area has been used extensively for agricultural purposes since at least 1977 (**Figure 3a** and **3b**). Currently, the Project reaches and adjacent areas are in either active crop production or forest. Water quality stressors currently affecting the Project include heavily manipulated/relocated and maintained stream channels, active crop production, lack of forested riparian buffers and presence of invasive plant species. Current buffer conditions demonstrate significant degradation with the loss of stabilizing vegetation because of continued crop production and in some areas, historic livestock use.

The goal of the Project is to restore, enhance, and preserve ecological function to the existing streams and their associated riparian buffer areas by establishing appropriate plant communities while minimizing temporal and land disturbing impacts. Buffer and surrounding riparian area improvements will filter runoff from agricultural fields, thereby reducing nutrient and sediment loads to Project channels and provide water quality benefit to the overall watershed.

The Project easement can be accessed about two miles off US 501, to the north of Antioch Church Road and to the west of Kermit Duncan Road (**Figure 4**). Chappels Creek Project is composed of two perennial streams: Chappels Creek and JM1; four intermittent stream channels: JM2, EN1, EN2, and TH1; and two impoundments: Pond A and Pond B (**Figure 2**). Most of the streams have been straightened and manipulated for agricultural purposes. Furthermore, the fifty-foot riparian buffers of all but one stream channel and one pond were determined to be subject to the Neuse buffer protection rules. EN2 and Pond B are not subject to the Neuse buffer protection rules ("Non-Subject"). Stream determinations were verified by the DWR site visit on April 29, 2021. Correspondence regarding this determination is in **Appendix B**.

Buffer and riparian area mitigation efforts along the Project streams will be accomplished through the planting, establishment, and protection of a native hardwood forest community. The result will be a riparian area that functions to mitigate nutrient and sediment inputs from the surrounding uplands. The

buffer mitigation plan proposed is being submitted for review under the Consolidated Buffer Mitigation Rule 15A NCAC 02B .0295 and Nutrient Offset Credit Trading Rule 15A NCAC 02B .0703. In addition to traditional riparian restoration and enhancement, the Project will also incorporate the alternative buffer mitigation options: Restoration on Non-Subject streams, as outlined in 15A NCAC 02B .0295 (o)(3); Preservation of Buffers on Subject Streams, as outlined in 15A NCAC 02B .0295 (o)(5); and Preservation of Buffers on Non-subject Streams, as outlined in 15A NCAC 02B .0295 (o)(4). DWR staff performed an onsite stream determination on April 29, 2021 and a site viability assessment for buffer mitigation and nutrient offset on August 12, 2021. The corresponding site viability letter was completed, settling a dispute with the viability of Pond B, and received on January 20, 2022. These correspondences are provided in **Appendix B**. The Project will provide significant functional uplift to the watershed and will assist DMS with achieving its mitigation goals in the Neuse 01 watershed, specifically the Upper Falls Lake Watershed. The Project presents the opportunity to provide up to 1,009,091.298 of riparian buffer mitigation credits. These will be derived from restoration (both subject and non-subject), enhancement, and preservation (both subject and non-subject) of the riparian buffer and surrounding riparian areas. Project attributes are summarized in **Table 1**.

**Table 1. Project Attributes**

Parameter	Attribute
Project Name	Chappels Creek
Hydrologic Unit Code	03020201 (8-digit)
River Basin	Neuse River (Upper Falls Lake Watershed)
Geographic Location (Lat, Long)	36.322, -78.945
Site Protection Instrument (DB, PG)	David White: 1050, 631-636 TFF Holdings, LLC: 1041, 169-174 EBX, LLC: 995, 364 EBX Neuse I: 952, 705
Total Credits (BMU)	1,009,091.298
Types of Credits	Riparian Buffer (with flexibility to convert to Nutrient Offset if needed)
Mitigation Plan Date	April 2022
Initial Planting Date	March 2023
Baseline Report Date	May 2023
MY1 Report Date	December 2023
MY2 Report Date	December 2024
MY3 Report Date	December 2025
MY4 Report Date	December 2026
MY5 Report Date	December 2027

The riparian buffer mitigation credits will be produced by establishing a native forested and herbaceous riparian plant community and protecting buffers in perpetuity with a conservation easement. For stream channels and their associated ponds, buffers will have a minimum width of 50 feet (preservation areas with

no less than 30-foot buffers) and a maximum of up to 200 feet from the edge of the channels or ponds. In total, these will be derived from 786,555 ft<sup>2</sup> (18.06 acres) from the top of bank to 100 feet of Restoration (both subject and non-subject); 443,962 ft<sup>2</sup> (10.19 acres) of 101 to 200 feet of Restoration (both subject and non-subject); 58,217 ft<sup>2</sup> (1.34 acres) from the top of bank to 100 feet of Enhancement; 2,599 ft<sup>2</sup> (0.06 acres) of 101 to 200 feet of Enhancement; 432,621 ft<sup>2</sup> (9.93 acres) from the top of bank to 100 feet of Preservation (both subject and non-subject); and 81,856 ft<sup>2</sup> (1.88 acres) from 101 to 200 feet of Preservation (both subject and non-subject). As outlined in 15A NCAC 0295 (o)(5) and 15A NCAC 0295 (o)(4) "the area of preservation credit within a buffer mitigation site shall comprise of no more than 25 percent (25%) of the total area of buffer mitigation;" therefore 430,444 ft<sup>2</sup> (9.88 acres) of subject and non-subject preservation from the top of bank to 100 feet will be eligible for crediting. A small area along the left bank of Chappels Creek was impacted by clearing sometime between 2013 and 2017 (**Figure 3b**), and therefore will not generate buffer mitigation credits within 50 feet from the top of bank (0.15 acres), per the Neuse Buffer Rules; however, this area of cleared field will be planted with the rest of the Project as if it were generating restoration credit (**Figure 5**). A few small, forested areas along the left bank of TH1 have a narrow buffer, less than 30 feet from the top of bank to the easement boundary, and therefore will not generate preservation credit. The new plant community will be established in conjunction with the treatment of any existing exotic or undesirable plant species. **Figure 5** shows the Conceptual Design Plan for Buffer and Credit Determination Map and **Section 2.1** provides details of the mitigation determination on the Chappels Creek Project.

### 1.1.1 Parcel Ownership

The land required for the construction, management, and stewardship of this Project includes the parcels listed in **Table 2**. EBX will obtain the properties, in fee simple and easement, and will then record a conservation easement for Project area within the properties. The easement deed and survey plat will be submitted to DMS and the State Property Office (SPO) for approval and will be held by the State of North Carolina. The easement deed will follow the DMS Full Delivery Conservation Easement Template dated May 5<sup>th</sup>, 2017, and is included in **Appendix C**. The recorded easement will allow EBX to proceed with the Project development and protect the mitigation assets in perpetuity. A finalized copy of the land protection instrument will be included in **Appendix C**.

**Table 2. Parcel and Landowner Information**

Landowner	Pin or Tax Parcel ID	Agreement Type	County
EBX LLC	0913-00-58-9674	Fee Simple	Person
David White	0913-00-67-1985	Easement	Person
EBX Neuse I LLC	0913-02-65-8429	Fee Simple	Person
TFF Holdings LLC	0913-04-54-8152	Easement	Person

## 1.2 Project Location

The Chappels Creek Project is within the Neuse River Basin within the 8-digit HUC 03020201, 14-digit HUC 03020201010010 and DWR Sub-basin Number 03-04-01.

The Project is located in Person County approximately four miles southeast of Somerset, NC (**Figure 1**). To access the Project from Raleigh, take US-70 West to US-501 North. From US-501 North, take a right onto Antioch Church Road and travel east until the intersection of Kermit Duncan Road; the parcel can be accessed via a gravel road about a half mile south from the intersection, on the right side of the road. The coordinates are 36.322, -78.945.

### **1.3 Existing Conditions**

#### *1.3.1 Surface Water Classification*

The current State water quality classifications for Chappels Creek is Class WS-III and NSW. Water Supply-III (WS-III) waters are protected for drinking, culinary, or food processing purposes where WS-I or II classification is not feasible. These waters are also protected for Class C uses. Nutrient Sensitive Waters (NSW) are intended for waters needing additional nutrient management due to being subject to excessive growth of microscopic and macroscopic vegetation (NCDWQ 2011).

#### *1.3.2 Physiography and Soils*

The Project is located within the Carolina Slate Belt Level IV ecoregion within the Piedmont Level III ecoregion. The geology of the area is comprised of “mineral rich metavolcanic and metasedimentary rocks,” which is finer grained and less metamorphosed than other ecoregions within the Piedmont. Because of this, the rocks within the region are somewhat less resistant to erosion, leading to lower elevations and wider valleys. This region is described as also having dissected irregular plains, small hills, linear ridges, and low to moderate gradient streams with mostly boulder and cobble substrates (**Figure 6a** and **6b**). Quaternary or Tertiary-age silts and clays are characteristic of this ecoregion. Soils within this region tend to have higher silt compositions due to deeply weathered volcanic slates and include fine, kaolinitic, thermic Typic Hapludults such as Georgeville and Herndon soil types. Within and surrounding the Project area are a few impoundments that seep into the stream channel. Typical land use throughout this ecoregion include pine plantations, row crop, pasture, cattle, hay, and poultry production.

The Natural Resource Conservation Service (NRCS) depicts seven soil mapping units across the Project (**Figure 7**). The Project has Chewacla and Wehadkee soils, 0 to 2 percent slopes, frequently flooded, Georgeville loam, 2 to 6 percent slopes, Georgeville loam, 6 to 10 percent slopes, Herndon loam, 2 to 6 percent slopes, Herndon loam, 6 to 10 percent slopes, Iredell gravelly loam, 2 to 6 percent slopes, and Lignum loam, 2 to 6 percent slopes. The soil characteristics of these map units are summarized in **Table 3**.



**Table 3. Project Mapped Soil Series**

Map Unit Symbol	Map Unit Name	Percent Hydric	Drainage Class	Hydrologic Soil Group	Landscape Setting
ChA	Chewacla and Wehadkee soils, 0 to 2 percent slopes, frequently flooded	40%	Poorly-somewhat poorly drained	B/D	Floodplains and depressions on floodplains
GeB	Georgeville loam, 2 to 6 percent slopes	0%	Well drained	B	Interfluves
GeC	Georgeville loam, 6 to 10 percent slopes	0%	Well drained	B	Hillslopes on ridges
HrB	Herndon loam, 2 to 6 percent slopes	0%	Well drained	B	Interfluves
HrC	Herndon loam, 6 to 10 percent slopes	0%	Well drained	B	Hillslopes on ridges
IrB	Iredell gravelly loam, 2 to 6 percent slopes	3%	Moderately well drained	C/D	Interfluves
LgB	Lignum loam, 2 to 6 percent slopes	1%	Moderately well drained	D	Interfluves

### 1.3.3 Wetlands

National Wetland Inventory (NWI) mapping depicts three, non-riverine wetlands within the Project boundaries (**Figure 2**). Two small freshwater ponds (PUBHh) are located along the northern reaches of the Project and have been unofficially named Pond A and Pond B. The wetland to the west, along JM1 (Pond A), is the result of beaver damming and feeds into the connecting channel below; to the east, along JM2 (Pond B), is a man-made impoundment, which filters into the stream below via a six-inch metal pipe. The floodplain of Chappels Creek features a stream/wetland complex toward the southeastern portion of the Project and is classified as palustrine forested broad-leaved deciduous, temporarily flooded (PFO1A). The jurisdictional boundaries are not confirmed since this Project will not require a Jurisdictional Determination.

### 1.3.4 Landscape Communities

#### A. Existing Vegetation Communities

Currently, the vegetative cover of the Project is primarily comprised of active row crop mixed with piedmont alluvial forest. Common species within the Project include river birch (*Betula nigra*), shagbark hickory/other hickory species (*Carya ovata*/sp.), sweet gum (*Liquidambar styraciflua*), red maple (*Acer rubrum*), eastern red cedar (*Juniperus virginiana*), ironwood (*Carpinus caroliniana*), American beech (*Fagus grandifolia*), black walnut (*Juglans nigra*), white oak (*Quercus alba*), willow oak (*Quercus phellos*), winged elm (*Ulmus alata*), tulip poplar (*Liriodendron tulipifera*), persimmon (*Diospyros virginiana*), box elder (*Acer negundo*), green ash (*Fraxinus pennsylvanica*), and American sycamore (*Platanus occidentalis*). Exotic invasive species such as Chinese privet (*Ligustrum sinense*), multiflora rose (*Rosa multiflora*), and tree-of-heaven (*Ailanthus altissima*) are dense in some areas.

### *B. Riparian Vegetation*

Entering the Project from the east as a forested, palustrine stream/wetland complex, Chappels Creek runs through the Project, flowing north to south, and has three tributaries branching from it (JM1, EN2, and TH1). A narrow, yet intact riparian buffer of mature hardwoods exists along the right bank at the top of Chappels Creek before meeting JM1. At this point, the riparian buffer becomes more disjointed, impacted by ongoing crop production, which has led to significant habitat and water quality degradation with a loss of stabilizing vegetation. Rye is the current primary row crop growing adjacent to this reach. The stream is sparsely forested on either bank until it reaches the bottom of the Project where it regains its riparian buffer on the left bank, while the right bank remains exposed to row crops. As stated earlier, a small portion of the left bank, upstream of its confluence with JM1, was cleared for row crop sometime between 2013 and 2017 (**Figure 3b**). The presence of invasive plant species such as Chinese privet and tree-of-heaven is evident throughout portions of the riparian area.

JM1, a headwater tributary of Chappels Creek enters the Project from the north, flowing under an overhead powerline and through a series of in-line beaver impoundments (collectively, Pond A), towards Antioch Church Road. Most of the right bank at the northern portion of JM1 is densely forested with mature hardwoods, while the left bank is exposed to row crops and lacks a riparian buffer. The southern portion of JM1 is sparsely forested and the presence of invasive species, specifically Chinese privet, multiflora rose, and tree-of-heaven, is evident. A fallow field runs along the left bank of JM1, offering little to no woody vegetation and a poorly defined riparian buffer, while the right bank is mostly exposed to row crops with little to no riparian buffer. Rye is the current primary row crop growing adjacent to this reach.

JM2 is an intermittent channel beginning at the base of the dam for Pond B where it is fed via a six-inch metal buried pipe. There is little to no riparian buffer along JM2, and the stream banks contain mostly weedy, herbaceous vegetation, lacking any woody vegetation. Further downstream, red maple and box elder create a very narrow buffer along the banks. Rye is the primary row crop growing adjacent to the channel.

Pond B is a man-made impoundment, most likely used for agricultural purposes, created sometime after 1977 (**Figure 3a**). The areas to the east and southwest of the pond are in active row crop, while the northwest portion is buffered by forest. Rye is the primary row crop surrounding the pond. The dam at the south end of the pond will be protected for use as an access easement to the riparian area surrounding the pond.

EN1 meets the Project from the west and briefly flows east intermittently before coming to a confluence with JM1. The exposed right bank runs along a field of rye, while the left bank has a more developed riparian buffer of mature hardwoods.

On the eastern side of the Project, EN2, a non-subject intermittent channel fed by a linear wetland, originates just above where Chappels Creek enters in. The stream is mostly unbuffered on both its right and left banks, sitting within a fallow field historically manipulated by row crops and livestock. Some weedy vegetation and trees are sparsely scattered along the banks, including box elder, eastern red cedar, and sweet gum.

The final stream flowing within the southernmost Project boundaries is TH1, a small intermittent channel originating from an offsite beaver pond to the east. It has a fully forested riparian buffer of mature hardwoods. The area surrounding the channel has been heavily impacted by beaver activity.

*1.3.5 Existing Conditions Photos*



*Top of Beaver Pond A  
June 1, 2022*



*Lower Beaver Pond A  
June 1, 2022*



*Looking Downstream along JM1  
June 1, 2022*



*Left Bank of JM2  
June 1, 2022*



*Pond B  
June 1, 2022*



*Buffer Condition along JM2  
June 1, 2022*



*Buffer Condition Downstream JM1  
June 1, 2022*



*Buffer Condition Downstream EN1  
June 1, 2022*



*Buffer Condition along EN2  
June 1, 2022*



*Buffer Condition along Right Bank of EN2  
June 1, 2022*



*Fallow Field Adjacent to EN2/Chappels Creek  
June 1, 2022*



*Chappels Creek Left Bank  
June 1, 2022*



*Looking Downstream Chappels Creek  
June 1, 2022*



*Looking Upstream Chappels Creek  
June 1, 2022*



*Buffer Condition along TH1  
June 1, 2022*



*Buffer Condition along TH1  
June 1, 2022*

## **2 REGULATORY CONSIDERATIONS**

### **2.1 Determination of Credits**

This Project has the potential to generate up to 1,009,091.298 riparian buffer mitigation credits within a 49.27-acre conservation easement (not including a 0.75-acre access easement) as depicted in **Figure 5**. These will be derived from buffer restoration, buffer enhancement, and buffer preservation, on subject and non-subject streams. The riparian buffer mitigation credits generated will service the Neuse 01 watershed, specifically the Upper Falls Lake Watershed. Also, some of these buffer mitigation credits, where viable, can be converted to nutrient offset credit in accordance with the Nutrient Offset Credit Trading Rule, 15A NCAC 02B .0703. The total potential buffer mitigation credits that the Chappels Creek Mitigation Project will generate are summarized in **Table 4**.

**Table 4. Chappels Creek Project (DMS #: 100179) Riparian Buffer Mitigation Summary**

Total Riparian Buffer Mitigation Credits		
Mitigation Totals	Square Feet	Credits
Restoration	1,230,517	933,062.607
Enhancement	60,815	29,537.335
Preservation*	430,444	46,491.356
Total Riparian Buffer	1,721,777	1,009,091.298

\*The area of preservation credit within a buffer mitigation site shall comprise of no more than 25 percent (25%) of the total area of buffer mitigation per 15A NCAC 0295 (o)(5) and 15A NCAC 0295 (o)(4).

The detailed Project credit breakdown utilizing the DWR “Project Credit Table Template” (Updated February 2022), including buffer credits that are convertible to nutrient offset credit, is provided in **Table 8, Appendix A**. Where viable, buffer mitigation credits can be converted to nutrient offset credit in accordance with the Nutrient Offset Credit Trading Rule, 15A NCAC 02B .0703. **Figure 8** depicts buffer restoration areas that are convertible to nutrient offset credit. This total area that is convertible to nutrient offset amounts to 1,218,812 ft<sup>2</sup> which would deliver 63,599.239 lbs of Nitrogen and 4,096.281 lbs of phosphorus offset. Furthermore, **Figure 9** depicts riparian zones of 50, 100, and 200 feet from stream top of banks to demonstrate width requirements for crediting.

## 2.2 Other regulatory considerations

### 2.2.1 Environmental Screening and Documentation

Because DMS mitigation projects are considered to be a category of activities that do not individually or cumulatively have an impact on the human environment, they do not require preparation of an environmental assessment or environmental impact statement. To ensure that a project meets the “Categorical Exclusion” criteria, the Federal Highways Administration (FHWA) and NCDMS have developed a categorical exclusion (CE) checklist that is included as part of each mitigation project’s Environmental Screening process. The CE Approval Form for the Chappels Creek Project is included in **Appendix D** and was approved by DMS and FHWA in May 2021.

### 2.2.2 Threatened and Endangered Species

Plants and animals with a federal classification of endangered or threatened are protected under provisions of Sections 7 and 9 of the Endangered Species Act of 1973, as amended. According to the United States Fish and Wildlife Service’s (USFWS) Information for Planning and Consultation (IPAC) database review tool (accessed August 6<sup>th</sup>, 2020) and the self-certification process conducted by EBX and submitted to the USFWS on March 29<sup>th</sup>, 2021, the list of proposed threatened and endangered species includes the Neuse River Waterdog (*Necturus lewisi*), Carolina Madtom (*Noturus furiosus*), and Atlantic Pigtoe (*Fusconaia masoni*). The Chappels Creek Mitigation Project does not contain any suitable habitat for the Neuse River Waterdog, the Carolina Madtom, nor the Atlantic Pigtoe. A self-certification letter sent to USFWS (on March 29<sup>th</sup>, 2021). This consultation was conducted as part of the CE process and supporting documentation and correspondence can be found in **Appendix D**.

The Fish and Wildlife Coordination Act requires consultation with state fish and wildlife agencies when “waters of any stream or other body of water are proposed or authorized, permitted or licensed to be impounded, diverted...or otherwise controlled or modified.” The North Carolina Wildlife Resources Commission (NCWRC) was consulted during the CE process and the NCWRC did not comment on any state or federally listed species; however, they did recommend the use of biodegradable and wildlife-friendly sediment and erosion control devices and to treat invasive species as part of the Project. Documentation is included in **Appendix D**.

### *2.2.3 Cultural Resources*

A review of North Carolina State Historic Preservation Office (SHPO) GIS Web Service (accessed August 6<sup>th</sup>, 2020) database did not reveal any registered occurrences within the Project area. There were also no occurrences within a half-mile radius. EBX consulted with the SHPO during the CE process and the SHPO had “conducted a review of the project and are aware of no historic resources which would be affected by the project.” Cultural Resources screening met the Categorical Exclusion Criteria for FHWA and DMS projects and documentation is included in **Appendix D**.

### *2.2.4 Project Constraints*

There are no significant constraints to the Project. The Project is not within a FEMA Zone AE or FEMA Regulatory Floodway; therefore, FEMA permitting will not be required. An overhead powerline runs through the northern portion of the Project, creating an easement break through at JM1 and Pond B. A second overhead powerline adjacent to the bottom of the northern portion of the Project runs along Antioch Church Road, outside of the easement boundaries; therefore, an easement break is not needed (**Figure 2**). Beaver activity has occurred both actively and historically throughout portions of the Project, causing significant flooding, particularly along the upstream section of JM1, creating “Pond A” beaver impoundment, along the downstream section of Chappels Creek, and along TH1. More detail regarding adaptive management toward beaver activity can be found in **Section 4.2**. The Project is located within five miles of one air transport facility, Raleigh Regional Airport at Person County (**Figure 1**). An easement break near the confluence of JM1 and JM2-B has been included for landowner access, as well as access to the western side of the Project boundary.

### 3 RIPARIAN RESTORATION, ENHANCEMENT, AND PRESERVATION IMPLEMENTATION PLAN

Riparian restoration, enhancement, and preservation areas adjacent to streams are shown in **Figure 5** and were determined viable by the DWR in the letter dated January 20, 2022 (**Appendix B**).

#### 3.1 Site Preparation

Preparation at the Project will involve spraying crops and exotic invasive species, applying soil amendments, seeding native plants, and planting trees. Soil amendments will be provided across the entire planted area based on the results of soil fertility tests. The soils fertility tests will be based on soil samples collected within proposed riparian restoration areas across the site. A seed mix will be chosen to maximize successful herbaceous growth in all riparian areas while also incorporating valuable pollinator species. All riparian planting areas will be seeded using a no-till drill prior to tree planting. Temporary and permanent riparian seeding and bare root plantings shall be planted according to the planting plan (**Section 3.3**).

The limits of the riparian restoration and enhancement areas will be surveyed post-planting and seeding, and the information will be provided in the As-Built report and plat.

#### 3.2 Methods

Riparian buffer mitigation activities will include restoration, enhancement, and preservation along streams. All restoration, enhancement, and preservation areas were determined by the mitigation determination performed during the viability assessment by DWR (**Appendix B**).

##### 3.2.1 Riparian Restoration Activities

For intermittent and perennial stream channels and in-line ponds, the Project will provide riparian buffer and surrounding area restoration in accordance with the Consolidated Buffer Mitigation Rule 15A NCAC 02B .0295 (n) and 15A NCAC 02B .0295 (o)(3). Restoration activities will include the planting of bare root plantings as described in **Section 3.3**. These restoration activities will begin from the tops of the proposed stream banks and extend a minimum of 50 feet from the stream outward to a maximum of 200 feet perpendicular to the stream channel. Restoration will occur where cropland and fallow pasture are currently present. Specifically, JM1 (including Pond A), Pond B, JM2, EN1, EN2, and Chappels Creek will include riparian buffer restoration (**Figure 5**). The cropland buffer surrounding Pond B will be viable for non-subject buffer restoration mitigation credits, to the north of the powerline right-of-way, as long as the controlled access easement on top of the dam is secured, providing connection to JM2.

##### 3.2.2 Riparian Enhancement Activities

Enhancement will occur in forested areas within the Project, found in small patches along EN1 and Chappels Creek where the riparian areas are disturbed by non-native and nuisance species, leaving the riparian areas functioning less than their highest potential. These areas will be treated for unwanted species and planted with bareroot species to enhance existing forest in accordance with the Consolidated Buffer Mitigation Rule 15A NCAC 02B .0295 (n).



### 3.2.3 Riparian Preservation Activities

Preservation will take place in limited forested areas within the Project where existing tree growth was determined adequate, and in accordance with the alternative mitigation option of Consolidated Buffer Mitigation Rules 15A NCAC 02B .0295 (o)(4) and (5) and the DWR buffer viability assessment (**Appendix B**). Specifically, portions of JM1 (including Pond A), Pond B, EN1, EN2, Chappels Creek, and TH1 contain forested areas that will be preserved (**Figure 5**). The forested buffer surrounding Pond B will be viable for non-subject buffer preservation mitigation credits, to the north of the powerline right-of-way, as long as the controlled access easement on top of the dam is secured, providing connection to JM2. In addition, preservation activities will include treating exotic invasive species, specifically Chinese privet and tree-of-heaven. Furthermore, preservation will entail the permanent protection of the riparian area from cutting, clearing, filling, grading, and similar activities that would affect the functioning of the buffer through a conservation easement that will have clearly visible easement markers and signs (see **Section 3.4** for further description of the easement boundaries).

### 3.3 Planting Plan

All riparian restoration and enhancement areas will be planted from top of bank back at least 50 feet from streams with bare root tree seedlings on a nine by six-foot spacing to achieve an initial density of approximately 800 trees per acre. In addition, these areas will be seeded with an herbaceous seed mix to provide rapid herbaceous cover and promote immediate buffer effectiveness as well as habitat for pollinators and other wildlife. The seed blend will contain both temporary and permanent seed and will include taproot species. The list of seed species to be sown and a proposed composition percentage of the mix can be found in **Table 6**. The seed will be sown utilizing a no-till drill. Planting will occur in all areas proposed for riparian buffer restoration and enhancement and will meet the performance standards outlined in the Rule 15A NCAC 02B .0295. This includes treating invasive species and planting at least four species of native hardwood bare root trees. The Project most similarly represents a dry-mesic oak-hickory forest (Schafale 2012); this natural community type helps guide the creation of a planting list for all areas throughout the Project. This community composition is highly diverse and is suitable given the Project's soil and landscape characteristics and will provide water quality and ecological benefits. The initial planting of bare root trees will occur before Spring 2023. The suite of bare root stems will be thoroughly mixed prior to planting to ensure maximum diversity throughout the planted areas. The list of bare root tree species to be planted and their percentage of total species composition can be found in **Table 5**. Wherever possible, mature vegetation will be preserved and incorporated into the buffer. Some areas adjacent to the forested areas may require maintenance due to the rapid regeneration of some species, such as red maple (*Acer rubrum*) and sweetgum (*Liquidambar styraciflua*). Additionally, the livestock plantings mentioned above in **Section 3.2.4** will consist of black willow (*Salix nigra*) and silky dogwood (*Cornus amomum*).

**Table 5. Tree Planting List**

Bare Root Planting Tree Species					
Species	Common Name	Spacing (ft)	Unit Type	Canopy or Sub-canopy	% of Total Species Composition
<i>Platanus occidentalis</i>	American sycamore	9X6	Bare Root	Canopy	15
<i>Betula nigra</i>	River birch	9X6	Bare Root	Canopy	15
<i>Quercus phellos</i>	Willow oak	9X6	Bare Root	Canopy	15
<i>Quercus rubra</i>	Northern red oak	9X6	Bare Root	Canopy	15
<i>Quercus alba</i>	White oak	9X6	Bare Root	Canopy	10
<i>Quercus lyrata</i>	Overcup oak	9X6	Bare Root	Canopy	10
<i>Liriodendron tulipifera</i>	Tulip poplar	9X6	Bare Root	Canopy	5
<i>Fraxinus pennsylvanica</i>	Green Ash	9x6	Bare Root	Canopy	5
<i>Diospyros virginiana</i>	Persimmon	9X6	Bare Root	Sub-canopy	5
<i>Cornus florida</i>	Flowering dogwood	9x6	Bare Root	Sub-canopy	5

**Table 6. Proposed Seed Mix List**

Scientific Name	Common Name	Percent Composition
<i>Elymus virginicus</i>	Virgina Wild Rye	25%
<i>Panicum virgatum</i>	Switchgrass	25%
<i>Andropogon gerardii</i>	Big Bluestem	10%
<i>Coreopsis lanceolata</i>	Lanceleaf Coreopsis	10%
<i>Schizachyrium scoparium</i>	Little Bluestem	10%
<i>Echinacea purpurea</i>	Purple Coneflower	7%
<i>Heliopsis helianthoides</i>	Oxeye Sunflower	7%
<i>Asclepias tuberosa</i>	Butterfly Milkweed	3%
<i>Helianthus angustifolius</i>	Narrowleaf Sunflower	3%

### 3.4 Easement Boundaries

Easement boundaries will be identified in the field to ensure clear distinction between the Project and adjacent properties. Boundaries may be identified by marker, bollard, post, tree-blazing, or other means as allowed by Project conditions and/or conservation easement. Boundaries will be marked with signs identifying the property as a mitigation project and will include the name of the long-term steward and a contact number. Boundary markers disturbed, damaged, or destroyed will be repaired and/or replaced on an as needed basis. The easement boundary will be checked annually as part of monitoring activities and

the conditions as well as any maintenance performed will be reported in the annual monitoring reports to DWR.

## 4 MONITORING PLAN

### 4.1 Monitoring Protocol and Success Criteria

Annual vegetation monitoring and visual assessments will be conducted. Riparian vegetation monitoring where riparian buffer mitigation credits are being generated will be based on the "Carolina Vegetation Survey-Ecosystem Enhancement Program Protocol for Recording Vegetation: Level 1-2 Plot Sampling Only Version 4.2". Annual vegetation monitoring will occur each year for a minimum of five years and will be conducted during the fall season with the first year occurring at least six months from initial planting. Monitoring plots will be installed a minimum of 100 meters squared in size and will cover at least two percent of the planted mitigation area. The planted area is 29.79 acres, and there will be 25 vegetation plots measuring riparian buffer mitigation success. These plots will be randomly placed throughout the planted riparian restoration area and will be representative of the riparian community (**Figure 10a** and **10b**). The following data will be recorded for all trees in the plots: species, height, planting date (or volunteer), and grid location. All stems in plots will be flagged with flagging tape.

The measures of vegetative success for the Project will be the survival of at least four native hardwood tree species, where no one species is greater than 50 percent of stems, at a density of at least 260 stems per acre at the end of Year 5. Native volunteer species may be included to meet the performance standards upon approval by DWR. Invasive and noxious species will be monitored and treated so that none become dominant or alter the desired community structure of the site.

Photos will be taken from all photo points each monitoring year and provided in the annual reports. Visual inspections and photos will be taken to ensure that applicable areas are being maintained and compliant.

A visual assessment of the conservation easement will also be performed each year to confirm:

- Easement markers are in good condition throughout the site;
- no encroachment has occurred;
- no invasive species occur in areas where invasive species were treated,
- diffuse flow is being maintained in the conservation easement areas; and
- there has not been any cutting, clearing, filling, grading, or similar activities that would negatively affect the functioning of the buffer.

A summary of project monitoring and maintenance activities can be found in **Table 7**.

**Table 7. Summary of Project Monitoring and Maintenance Activities**

Component/ Feature	Monitoring	Maintenance through project close-out
Vegetation	Annual vegetation monitoring	Vegetation shall be maintained to ensure the health and vigor of the targeted plant community. Routine vegetation maintenance and repair activities may include supplemental planting, pruning, mulching, and fertilizing. Exotic invasive plant species shall be treated by mechanical and/or chemical methods. Any vegetation requiring herbicide application will be performed in accordance with NC Department of Agriculture (NCDA) rules and regulations. Vegetation maintenance activities will be documented and reported in annual monitoring reports. Vegetation maintenance will continue through the monitoring period.
Invasive and Nuisance Vegetation	Visual Assessment	Invasive and noxious species will be monitored and treated so that none become dominant or alter the desired community structure of the Project. Locations of invasive and nuisance vegetation will be mapped. Also, see <b>Appendix E</b> for more details.
Project Boundary	Visual Assessment	Project boundaries shall be identified in the field to ensure clear distinction between the mitigation project and adjacent properties. Boundaries will be marked with signs identifying the property as a mitigation project and will include the name of the long-term steward and a contact number. Boundaries may be identified by fence, marker, bollard, post, tree-blazing, or other means as allowed by Project conditions and/or conservation easement. Boundary markers disturbed, damaged, or destroyed will be repaired and/or replaced on an as-needed basis. Easement monitoring and staking/ signage maintenance will continue in perpetuity as a stewardship activity.
Beaver	Visual Assessment	Routine site visits and monitoring will be used to determine if beaver management is needed. If beaver activity poses a threat to Project stability or vegetative success, EBX will remove impoundments and supplementally plant as needed. All beaver management activities will be documented and included in annual monitoring reports. Beaver monitoring and management will continue through the monitoring period.

#### **4.2 Adaptive Management Plan and Project Maintenance**

Adaptive measures will be developed, or appropriate remedial actions taken if in the event that the project, or a specific component of the project, fails to achieve the defined success criteria. DMS must approve all adaptive management plans prior to submittal to DWR.

Remedial actions will be designed to achieve the success criteria specified in this Mitigation Plan, and will include identification of the causes of failure, remedial design approach, work schedule, and monitoring criteria that will consider physical and climatic conditions.

Initial plant maintenance may include a one-time mowing, prior to initial planting to remove undesirable species. If mowing is deemed necessary by EBX during the monitoring period, EBX must first receive approval by DMS and then by DWR prior to any mowing activities to ensure that no buffer violations will be committed. Failure to receive approval to mow within the Neuse River buffer, as defined in 15A NCAC 02B .0714 by DWR, could result in Neuse River buffer violations and violations of the conservation easement. If necessary, EBX will develop a species-specific control plan.

Beaver activity has actively and historically impacted portions of Project streams, mainly along JM1, Chappels Creek, and TH1. Several beaver dams were removed from the lower portions of the Project, around the downstream end of Chappels Creek and TH1 in April 2021. The large beaver impoundment at the upstream portion of JM1 (Pond A) has been there since at least 1977 (**Figure 3a**) and is considered an existing in-line impoundment in the site viability letter. If beaver activity induces significant flooding beyond what was initially observed during baseline site evaluations, action will need to be taken. Because beavers have been established throughout portions of the Project for so long, trapping them is both unethical and likely inefficient, as it is probable this area will have continued beaver presence even after removal. Therefore, EBX is prepared to take action in order to adapt to future inundation of Project areas. Potential measures to combat excessive flooding and/or tree mortality throughout the riparian areas that are most impacted include manual or mechanical removal of dams as necessary and supplemental planting of wet-tolerant, fast-growing, container and/or livestock trees. If beaver activity persists and begins drastically changing the existing conditions within higher risk areas, implementation of vegetation enclosures to protect mature trees may be considered. Furthermore, other unique techniques to maintain desirable impoundment water levels may be considered if necessary and feasible. All documentation regarding beaver activity will be included in yearly monitoring reports.

## 5 STEWARDSHIP

The Project will be transferred to the NCDEQ Stewardship Program. NCDEQ Stewardship Program shall serve as the conservation easement holder and entity responsible for long term stewardship of the Project. This party shall serve as conservation easement holder and long-term steward for the property and will conduct periodic inspection of the Project to ensure that restrictions required in the conservation easement are upheld. The NCDEQ Stewardship Program is developing an endowment system within the non-reverting, interest-bearing Conservation Lands Conservation Fund Account. The use of funds from the Endowment Account will be governed by North Carolina General Statute GS 113A-232(d)(3). Interest gained by the endowment fund may be used for the purpose of stewardship, monitoring, stewardship administration, and land transaction costs, if applicable.

The Stewardship Program will periodically install signage to identify boundary markings as needed. Any livestock or associated fencing or permanent crossings will be the responsibility of the owner of the underlying fee to maintain.

## 6 REFERENCES

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# **Appendix A**

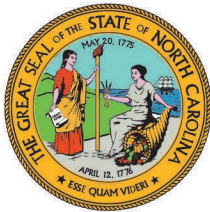
## Project Buffer Mitigation Credits





## **Appendix B**

### Buffer Viability & Stream Determination



NORTH CAROLINA  
Environmental Quality

ROY COOPER  
Governor

JOHN NICHOLSON  
Interim Secretary

S. DANIEL SMITH  
Director

June 22, 2021

Project 20210755  
Person County

Matt Butler  
EBX, LLC a Resource Environmental Solutions entity  
[mbutler@res.us](mailto:mbutler@res.us)

**Subject:** Determination for Applicability to the Neuse Buffer Rules 15A NCAC 02B .0714

**Project Name:** Chappels Creek Full Delivery Mitigation Site

**Address:** 1699 Antioch Church Road, Timberlake, Person County, NC 27574

**Location:** Lat., Long: 36.328390, -78.945578

Dear Mr. Butler:

On April 29, 2021, Shelton Sullivan of the Division of Water Resources (DWR) conducted an on-site review of features located on the Chappels Creek Full Delivery Mitigation Site at the request of EBX, LLC to determine the applicability of features on the site to the Neuse River Riparian Area Protection Rules, Title 15A North Carolina Administrative Code 02B .0714. The streams on the site include Chappels Creek, Stream Index 27-3-2-1, classified as Water Supply III; Nutrient Sensitive Waters, and unnamed tributaries to Chappels Creek.

The enclosed map(s) depict the feature(s) evaluated and this information is also summarized in the table below. Streams were evaluated for being ephemeral, at least intermittent, and for subjectivity to the Neuse River Riparian Buffer Rules. Streams that are considered "Subject" have been located on the most recently published NRCS County Soil Survey and/or the most recent copy of the USGS Topographic (at 1:24,000 scale) map(s), have been located on the ground at the site, and possess characteristics that qualify them to be at least intermittent streams. Features that are considered "Not Subject" have been determined to not be at least intermittent, not present on the property, or not depicted on the required maps.

**This determination only addresses the applicability to the buffer rules within the proposed easement and does not approve any activity within buffers or within waters of the state. There may be other streams or features located on the property that appear or do not appear on the maps referenced above. Any of the features on the site may be considered jurisdictional according to DWR, the US Army Corps of Engineers, and subject to the Clean Water Act.**



North Carolina Department of Environmental Quality | Division of Water Resources  
512 North Salisbury Street | 1617 Mail Service Center | Raleigh, North Carolina 27699-1617  
919.707.9000

The following table addresses the features observed and rated during the DWR site visit.

Feature ID	Feature Type: stream (ephemeral, intermittent, perennial), ditch, swale, wetland, other	Subject to Buffer Rules	Start @	Stop @	Depicted on Soil Survey	Depicted on USGS Topo
JM1	Stream-at least I (Easement north of Antioch Church Road)	Yes	JM1 Start, at easement boundary, north of powerline easement  Additional beaver ponds observed	Easement boundary north of Antioch Church Road, continues downstream	Yes	Yes, but not above Pond A
Pond A	Ponded feature on JM1	Yes	Within JM1	Within JM1	Yes	Yes
JM2A above Pond B	Not Present	No	Not applicable	Pond B Start, pond normal pool elevation	Yes	No
Pond B	Pond	Yes	Pond normal pool elevation	Pond B outlet, JM2A Start	Yes	Yes
JM2B	Stream-at least I	Yes	Pond B Outlet below dam	Confluence with JM1	Yes	Yes
JM1	Stream-at least I (Easement south of Antioch Church Road)	Yes	Easement boundary south of Antioch Church Road	Confluence with Chappels Creek	Yes	Yes
EN1	Stream-at least I	Yes	Easement boundary	Confluence with JM1	Yes	No
EN2	Stream-at least I	No	EN2 Start Flag	Confluence with Chappels Creek	No	No
Chappels Creek	Stream-at least I	Yes	Upstream of easement boundary at Kermit Duncan Road	Continues downstream through and beyond easement boundary	Yes	Yes
TH1	Stream-at least I	Yes	Upstream of easement boundary	Confluence with Chappels Creek	Yes	Yes

\* E: Ephemeral, I: Intermittent, P: Perennial

**This on-site determination shall expire five (5) years from the date of this letter. Landowners or affected parties that dispute this determination made by the DWR**

**may request an appeal determination by the Director of Water Resources. An appeal request must be made in writing within sixty (60) calendar days of the date of this letter to:**

<i>If sending via U.S. Postal Service:</i>  Paul Wojoski - DWR 401 & Buffer Permitting Branch Supervisor 1617 Mail Service Center Raleigh, NC 27699-1617	<i>If sending via delivery service (UPS, FedEx, etc.)</i>  Paul Wojoski - DWR 401 & Buffer Permitting Branch Supervisor 512 N Salisbury St. Raleigh, NC 27604
---	--

See <https://deq.nc.gov/about/divisions/water-resources/water-quality-permitting/401-buffer-authorization/application-forms> for more submittal information.

This determination is final and binding as detailed above unless an appeal is requested **within sixty (60) calendar days of the date of this letter.**

If you have any additional questions or require additional information, please contact Shelton Sullivan at [shelton.sullivan@ncdenr.gov](mailto:shelton.sullivan@ncdenr.gov) or 919-239-0238. This determination is subject to review as provided in G.S. 150B.

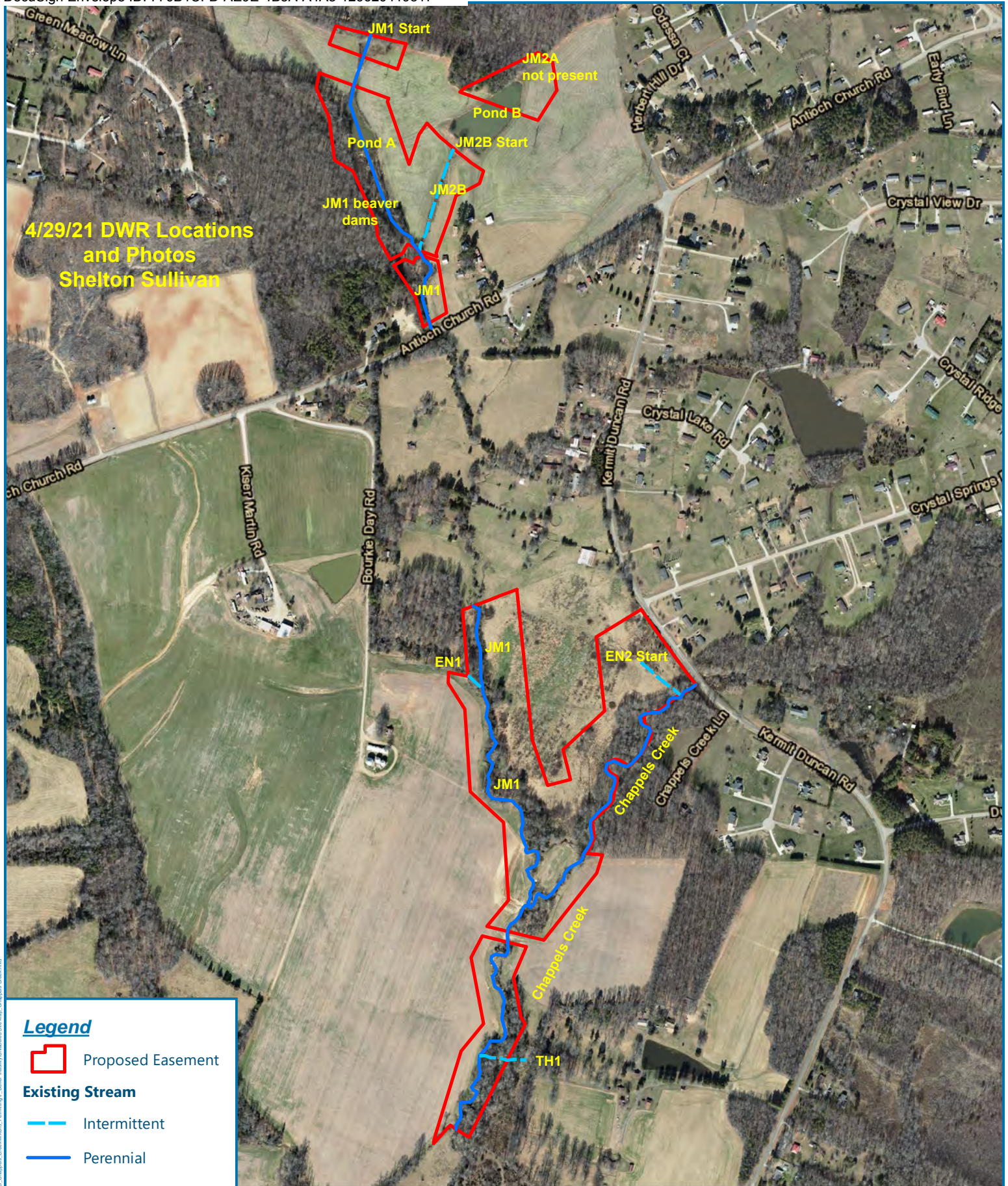
Sincerely,

DocuSigned by:  
*Paul Wojoski*  
949D91BA53EF4E0...




Paul Wojoski, Supervisor  
401 & Buffer Permitting Branch

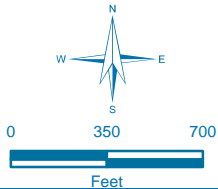
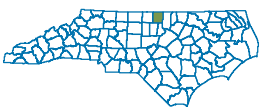
Attachments: Site Map with labels, Photos, NRCS Soil Survey, USGS Topographical Map

cc: 401 & Buffer Permitting Branch Laserfiche File  
Katie Merritt via email



**Legend**

-  Proposed Easement
- Existing Stream**
-  Intermittent
-  Perennial



**Site Map**  
**Chappels Creek Mitigation Project**  
 Person County, North Carolina

Date: 6/22/2021
Drawn by: EJU
Checked by: JRM
1 inch = 700 feet



# Chappels Creek Full Delivery Mitigation Site, DWR Photos 4/29/21

JM1 Start Approximate Easement Boundary



JM1 under power easement, looking upstream



Pond A looking downstream



JM1 beaver dams



JM2B Start, looking downstream



Pond B



JM2A, not present



EN1 at easement boundary



EN2 Start



JM1 after beaver dam removal



Chappels Creek downstream



TH1 at easement, property boundary





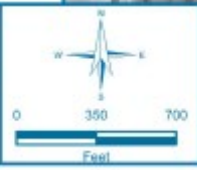
Soil Survey



**Legend**

 Proposed Easement

Map Unit	Map Unit Name
ChA	Chewacla and Wehadkee soils, 0 to 2 percent slopes, frequently flooded
GeB	Georgeville loam, 2 to 6 percent slopes
GeC	Georgeville loam, 6 to 10 percent slopes
HrB	Herndon loam, 2 to 6 percent slopes
HrC	Herndon loam, 6 to 10 percent slopes
IrB	Iredell gravelly loam, 2 to 6 percent slopes
LgB	Lignum loam, 2 to 6 percent slopes



**Figure 4 - NRCS Soil Survey (1995)**

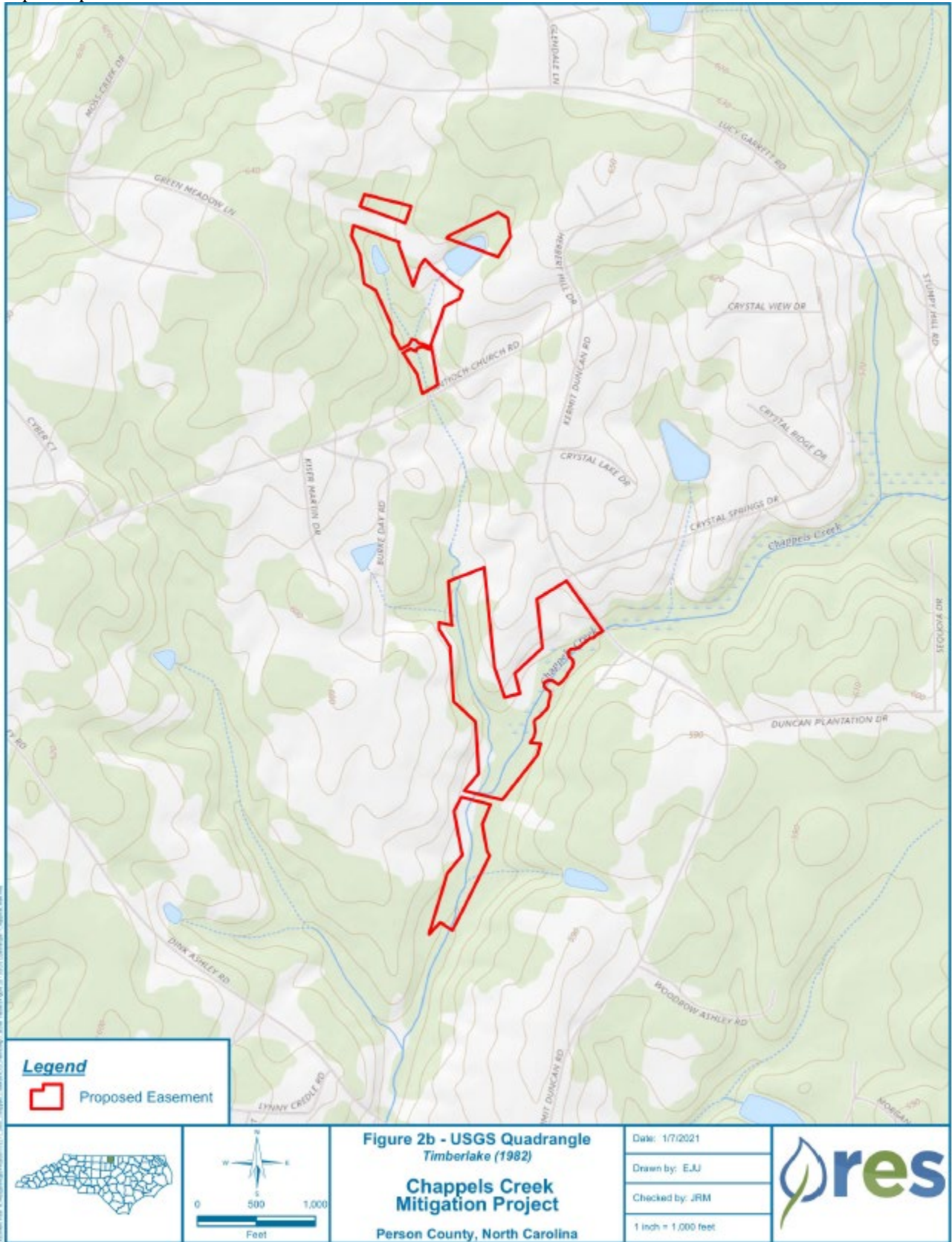
**Chappels Creek Mitigation Project**

Person County, North Carolina

Date: 1/7/2021
Drawn by: EJU
Checked by: JRM
1 inch = 700 feet



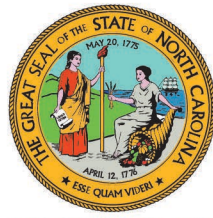
USGS Topo Map



**ROY COOPER**  
Governor

**ELIZABETH S. BISER**  
Secretary

**S. DANIEL SMITH**  
Director



**NORTH CAROLINA**  
*Environmental Quality*

January 20, 2022

Matt Butler  
Environmental Banc & Exchange, LLC  
(via electronic mail: [mbutler@res.us](mailto:mbutler@res.us))

Re: Site Viability for Buffer Mitigation & Nutrient Offset – Chappels Creek Site  
Near 36.322, -78.945 off Antioch Church Rd in Timberlake, NC  
Neuse 03020201, Upper Falls WS  
Person County

Dear Mr. Butler,

On June 29 2021, Katie Merritt, with the Division of Water Resources (DWR), received a request from you on behalf of Environmental Banc & Exchange, LLC (EBX), a RES company, for a site visit near the above-referenced site in the Upper Falls Watershed of the Neuse River Basin within the 8-digit Hydrologic Unit Code 03020201. The site visit was to determine the potential for riparian buffer mitigation and nutrient offset within a proposed conservation easement boundary, which is more accurately depicted in the attached map labeled Figure 1 and prepared by EBX. The proposed easement boundary in Figure 1, includes all riparian areas intended to be proposed as part of a mitigation site. On August 12, 2021, Ms. Merritt performed a site assessment of the subject site. Staff with Wildlands were also present.

Ms. Merritt's evaluation of the features onsite and their associated mitigation determination for the riparian areas are provided in the table below. This evaluation was made from Top of Bank (TOB) and landward 200' from each feature for buffer mitigation pursuant to 15A NCAC 02B .0295 (effective November 1, 2015) and for nutrient offset credits pursuant to 15A NCAC 02B .0703.

<u>Feature</u>	<u>Classificatio n onsite</u>	<u><sup>1</sup>Subject to Buffer Rule</u>	<u>Riparian Land uses adjacent to Feature (0-200')</u>	<u>Buffer Credit Viable</u>	<u><sup>3</sup>Nutrient Offset Viable</u>	<u><sup>4,5</sup>Mitigation Type Determination w/in riparian areas</u>
JM1 upstream (includes in-line impoundment A)	Stream	Yes	Combination of forested areas and non-forested agricultural fields  Left banks are non-forested	<sup>2</sup> Yes	Yes (non- forested fields only)	Non-forested fields- <b>Restoration Site</b> per 15A NCAC 02B .0295 (n)  Forested Areas- <b>Preservation Site</b> per 15A NCAC 02B .0295 (o)(4)



<u>Feature</u>	<u>Classification onsite</u>	<u><sup>1</sup>Subject to Buffer Rule</u>	<u>Riparian Land uses adjacent to Feature (0-200')</u>	<u>Buffer Credit Viable</u>	<u><sup>3</sup>Nutrient Offset Viable</u>	<u><sup>4,5</sup>Mitigation Type Determination w/in riparian areas</u>
JM2	Stream	Yes	Non-forested agricultural fields	Yes	Yes	<b>Restoration Site</b> per 15A NCAC 02B .0295 (n)
Pond B	In-line Pond	<i>Yes, but likely ag. Exempt and "not subject"</i>	Combination of forested areas and non-forested agricultural fields	No *see note	No *see note	<u>Note:</u> Proposed conservation easement is shown to include the entire perimeter of the pond with a controlled access easement shown along the dam and farm path which includes the pipe connected pond to JM2 stream. This pond will not be designated as an in-line pond and will not be viable for credit without the connection to feature JM2 secured.  If able to comply with requirements, then the perimeter around the pond will qualify as follows:  Non-forested fields- <b>Restoration Site</b> per 15A NCAC 02B .0295 (o)(3)  Forested Areas- <b>Preservation Site</b> per 15A NCAC 02B .0295 (o)(4)
EN1	Stream	Yes	Combination of partially forested areas, fully forested areas and non-forested agricultural fields  See Figure 1	<sup>2</sup> Yes	Yes (only in non-forested ag fields)	Non-Forested Areas - <b>Restoration site</b> per 15A NCAC 02B .0295 (n)  Partially Forested Areas – <b>Enhancement Site</b> per 15A NCAC 02B .0295 (n)  Forested Areas - <b>Preservation Site</b> per 15A NCAC 02B .0295 (o)(5)
JM1 downstream	Stream	Yes	Combination of fully forested areas and non-forested agricultural fields  See Figure 1	<sup>2</sup> Yes	Yes (only in non-forested ag fields)	Non-Forested Areas - <b>Restoration site</b> per 15A NCAC 02B .0295 (n)  Forested Areas - <b>Preservation Site</b> per 15A NCAC 02B .0295 (o)(5)
EN2	Stream	No	Combination of fully forested areas and non-forested agricultural fields  See Figure 1	<sup>2</sup> Yes	Yes (only in non-forested ag fields)	Non-Forested Areas - <b>Restoration site</b> per 15A NCAC 02B .0295 (o)(3)  Forested Areas - <b>Preservation Site</b> per 15A NCAC 02B .0295 (o)(4)
TH1	Stream	Yes	Combination of fully forested areas and non-forested agricultural fields  See Figure 1	<sup>2</sup> Yes	Yes (only in non-forested ag fields)	Non-Forested Areas - <b>Restoration site</b> per 15A NCAC 02B .0295 (n)  Forested Areas - <b>Preservation Site</b> per 15A NCAC 02B .0295 (o)(5)

<u>Feature</u>	<u>Classification onsite</u>	<u><sup>1</sup>Subject to Buffer Rule</u>	<u>Riparian Land uses adjacent to Feature (0-200')</u>	<u>Buffer Credit Viable</u>	<u><sup>3</sup>Nutrient Offset Viable</u>	<u><sup>4,5</sup>Mitigation Type Determination w/in riparian areas</u>
Chappels Creek	Stream	Yes	Combination of partially forested areas, fully forested areas and non-forested agricultural fields.  An area along the left bank within the 0-50' Neuse buffer was impacted from clearing between 2013 and 2017  See Figure 1	<sup>2</sup> Yes	Yes (only in non-forested ag fields)	Non-Forested Areas - <b>Restoration site</b> per 15A NCAC 02B .0295 (n)  Partially Forested Areas – <b>Enhancement Site</b> per 15A NCAC 02B .0295 (n)  Forested Areas - <b>Preservation Site</b> per 15A NCAC 02B .0295 (o)(5)  Cleared areas within 0-50' – not viable for credit (see Figure 1)

<sup>1</sup>Subjectivity calls for the features were determined by DWR in correspondence dated June 22, 2021 (DWR# 2021-0755) using the 1:24,000 scale quadrangle topographic map prepared by USGS and the most recent printed version of the soil survey map prepared by the NRCS .

<sup>2</sup>The area of preservation credit within a buffer mitigation site shall comprise of no more than 25 percent (25%) of the total area of buffer mitigation per 15A NCAC 0295 (o)(5) and 15A NCAC 0295 (o)(4). Site cannot be a Preservation Only site to comply with this rule.

<sup>3</sup>NC Division of Water Resources - Methodology and Calculations for determining Nutrient Reductions associated with Riparian Buffer Establishment

<sup>4</sup>Determinations made for this Site are determined based on the proposal provided in maps and figures submitted with the request and assessed according to the definitions in 15A NCAC 02B .0295 (b).

<sup>5</sup>All features proposed for buffer mitigation or nutrient offset, must have a planted conservation easement established that includes the tops of channel banks when being measured perpendicular and landward from the banks, even if no credit is viable within that riparian area.

<sup>6</sup>The area of the mitigation site on ephemeral channels shall comprise no more than 25 percent (25%) of the total area of buffer mitigation per 15A NCAC 02B .0295 (o)(7).

<sup>7</sup>The area described as an Enhancement Site was assessed and determined to comply with all 15A NCAC 02B .0295(o)(6). Cattle exclusion fencing is required to be installed around the mitigation area to get buffer credit under this part of the rule.

Determinations provided in the table above were made using a proposed easement boundary showing proposed mitigation areas shown in Figure 1. The maps representing the proposal for the site are attached to this letter and initialed by Ms. Merritt on January 20, 2022. Substantial changes to the proposed easement boundary as well as any site constraints identified in this letter, could affect the Site's potential to generate buffer mitigation and nutrient offset credits.

This letter does not constitute an approval of this Site to generate buffer and nutrient offset credits. Pursuant to 15A NCAC 02B .0295, a mitigation proposal and a mitigation plan shall be submitted to DWR for written approval **prior** to conducting any mitigation activities in riparian areas and/or surface waters for buffer mitigation credit. Pursuant to 15A NCAC 02B .0703, a proposal regarding a proposed nutrient load-reducing measure for nutrient offset credit shall be submitted to DWR for approval prior to any mitigation activities in riparian areas and/or surface waters.

All vegetative plantings, performance criteria and other mitigation requirements for riparian restoration, enhancement and preservation must follow the requirements in 15A NCAC 02B .0295 to be eligible for buffer and/or nutrient offset mitigation credits. For any areas depicted as not being viable for nutrient offset credit above, one could propose a different measure, along with supporting calculations and sufficient detail to support estimates of load reduction, for review by the DWR to determine viability for nutrient offset in accordance with 15A NCAC 02B .0703.

**This viability assessment will expire on January 20, 2024 or upon approval of a mitigation plan by the DWR, whichever comes first. This letter should be provided in any nutrient offset, buffer, stream or wetland mitigation plan for this Site.**

Please contact Katie Merritt at (919) 707-3637 if you have any questions regarding this correspondence.

Sincerely,

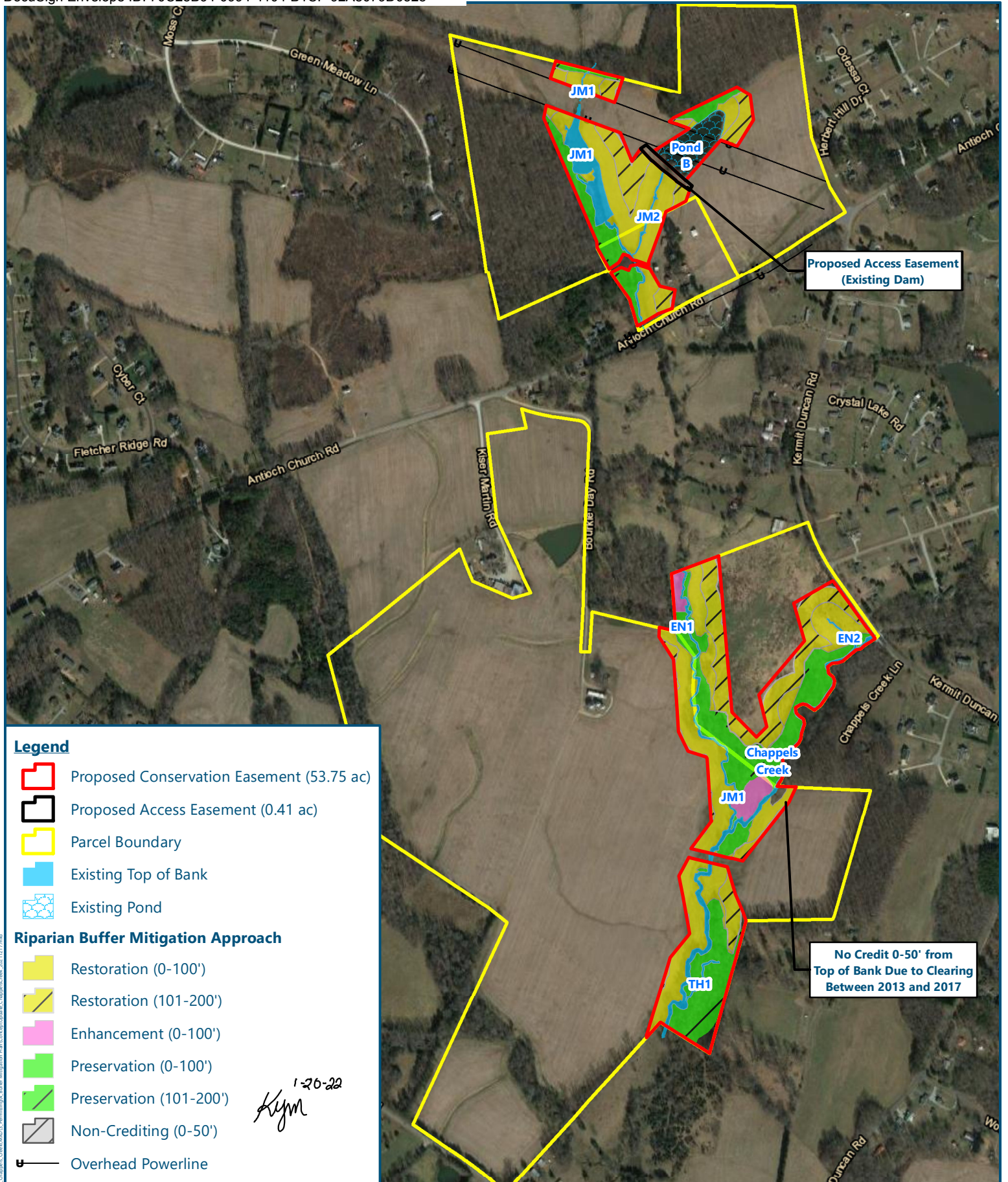
DocuSigned by:  
*Paul Wojoski*  
949D91BA53EF4E0...

Paul Wojoski, Supervisor  
401 and Buffer Permitting Branch

*PW/kym*

Attachments: Figure 1

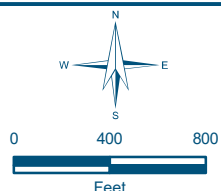
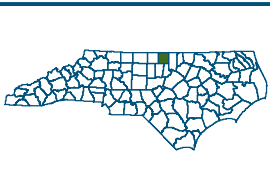
cc: File Copy (Katie Merritt)



**Legend**

- Proposed Conservation Easement (53.75 ac)
  - Proposed Access Easement (0.41 ac)
  - Parcel Boundary
  - Existing Top of Bank
  - Existing Pond
- Riparian Buffer Mitigation Approach**
- Restoration (0-100')
  - Restoration (101-200')
  - Enhancement (0-100')
  - Preservation (0-100')
  - Preservation (101-200')
  - Non-Crediting (0-50')
  - Overhead Powerline

1-26-22  
Kym



**Buffer Mitigation Conceptual Design**

**Chappels Creek Mitigation Project**

Person County, North Carolina

Date: 1/4/2022

Drawn by: EJU

Checked by: BPB

1 inch = 800 feet

**FIGURE 1**

Restoring a resilient earth for a modern world

Document Path: P:\Bioscience\Projects\102271\_DMS\_C\Chappels\_Creek\M013\_Norming\04\_Buffer\_Mitigation\_Plan\Concept\Map\_k\_ChappelsCreek\_20210217.mxd

# **Appendix C**

## Site Protection Instrument



**PERMANENT CONSERVATION EASEMENT**

Excise Tax: \$

\_\_\_\_\_  
Parcel Identifier No.:

\_\_\_\_\_  
Prepared by and return after recording to:

\_\_\_\_\_  
Brief description for the Index: \_\_\_\_\_ (+/-) acre Conservation Easement in  
\_\_\_\_\_ County, NC

THIS CONSERVATION EASEMENT ("Conservation Easement") made this  
\_\_\_\_ day of \_\_\_\_\_, 2022 by and between \_\_\_\_\_, whose  
mailing address is \_\_\_\_\_ ("Grantor") and \_\_\_\_\_,  
whose mailing address is \_\_\_\_\_ ("Grantee").

The designation Grantor and Grantee as used herein shall include said parties,  
their heirs, successors and assigns, and shall include singular, plural, masculine,  
feminine or neuter as required by context.

**RECITALS**

WHEREAS, Grantor owns in fee simple certain real property situated, lying and  
being in Wayne County, North Carolina, more particularly described in Exhibit A  
attached hereto and incorporated herein (the "Property");

WHEREAS, Grantee is a charitable, not-for-profit or educational corporation,  
association, or trust qualified under § 501 (c)(3) and § 170 (h) of the Internal Revenue  
Code, and N.C. Gen. Stat. § 121-34 et seq., the purposes or powers of which include  
one or more of the purposes (a) – (d) listed below;

- retaining or protecting natural, scenic, or open-space aspects of real property;
- (a) ensuring the availability of real property for recreational, educational, or open-space use;
  - (b) protecting natural resources;
  - (c) maintaining or enhancing air or water quality.

WHEREAS, Grantor and Grantee recognize the conservation, scenic, natural, or aesthetic value of the property in its natural state, which includes the following natural communities: **add or delete as appropriate: wetlands, streams, and riparian buffers**. The purpose of this Conservation Easement is to maintain streams, wetlands and riparian resources and other natural values of approximately \_\_\_\_\_, **more or less**, and being more particularly described in Exhibit B attached hereto and incorporated fully herein by reference (the "Conservation Easement Area"), and prevent the use or development of the Conservation Easement Area for any purpose or in any manner that would conflict with the maintenance of its natural condition.

WHEREAS, the restoration, enhancement and preservation of the Conservation Easement Area is also a condition of the approval of the \_\_\_\_\_ Riparian Buffer and Nutrient Offset Umbrella Mitigation Banking Instrument ("UMBI"), North Carolina Division of Water Resources ("NCDWR") Project ID# \_\_\_\_\_, and Bank Parcel Development Package ("BPDP") for the \_\_\_\_\_ Riparian Buffer and Nutrient Offset Mitigation Bank, NCDWR Project ID# \_\_\_\_\_, which was approved by the NCDWR, and will be made and entered into by and between \_\_\_\_\_, acting as the Bank Sponsor ("Bank Sponsor"), and the NCDWR. The \_\_\_\_\_ Riparian Buffer and Nutrient Offset Site is intended to be used to compensate for riparian buffer and nutrient impacts to surface waters.

WHEREAS, Grantor and Grantee agree that third-party rights of enforcement shall be held by the Bank Sponsor and the NCDWR ("Third-Parties") and may be exercised through the appropriate enforcement agency of the State of North Carolina, and that these rights are in addition to, and do not limit, the rights of enforcement under the NCDWR Project ID# \_\_\_\_\_ or any permit or certification issued by the Third-Parties.

NOW, THEREFORE, for and in consideration of the covenants and representations contained herein and for other good and valuable consideration, the receipt and legal sufficiency of which is hereby acknowledged, Grantor hereby unconditionally and irrevocably grants and conveys unto Grantee, its heirs, successors and assigns, forever and in perpetuity a Conservation Easement of the nature and character and to the extent hereinafter set forth, over the Conservation Easement Area described on Exhibit B, together with the right to preserve and protect the conservation values thereof, as follows:

#### ARTICLE I. DURATION OF EASEMENT

This Conservation Easement shall be perpetual. This Conservation Easement is an easement in gross, runs with the land and is enforceable by Grantee against Grantor,

Grantor's personal representatives, heirs, successors and assigns, lessees, agents and licensees.

ARTICLE II.  
PROHIBITED AND RESTRICTED ACTIVITIES

Any activity on, or use of, the Conservation Easement Area inconsistent with the purpose of this Conservation Easement is prohibited. The Conservation Easement Area shall be preserved in its natural condition and restricted from any development that would impair or interfere with the conservation values of the Conservation Easement Area.

Without limiting the generality of the foregoing, the following activities and uses are expressly prohibited, restricted or reserved as indicated hereunder:

A. Disturbance of Natural Features. Any change disturbance, alteration or impairment of the natural features of the Conservation Easement Area or any introduction of non-native plants and/or animal species is prohibited.

B. Construction. There shall be no constructing or placing of any building, mobile home, asphalt or concrete pavement, billboard or other advertising display, antenna, utility pole, tower, conduit, line, pier, landing, dock or any other temporary or permanent structure or facility on or above the Conservation Easement Area.

C. Industrial, Commercial and Residential Use. Industrial, residential and/or commercial activities, including any rights of passage for such purposes are prohibited.

D. Agricultural, Grazing and Horticultural Use. Agricultural, grazing, animal husbandry, and horticultural use of the Conservation Easement Area are prohibited.

E. Vegetation. There shall be no removal, burning, destruction, harming, cutting or mowing of trees, shrubs, or other vegetation in the Conservation Easement Area except as provided in the BPDP. Mowing of invasive and herbaceous vegetation for purposes of enhancing planted or volunteer trees and shrubs approved in the BPDP is allowable once a year for no more than five consecutive years from the date on page 1 of this Conservation Easement, except where mowing will negatively impact vegetation or disturb soils. Mowing activities shall only be performed by the Bank Sponsor and shall not violate any part of Item L of Article II.

F. Roads and Trails. There shall be no construction of roads, trails or walkways on the Conservation Easement Area; nor enlargement or modification to existing roads, trails or walkways.

G. Signage. No signs shall be permitted on or over the Conservation Easement Area, except the posting of no trespassing signs, signs identifying the conservation values of the Conservation Easement Area, signs giving directions or proscribing rules

and regulations for the use of the Conservation Easement Area and/or signs identifying the Grantor as owner of the Conservation Easement Area.

H. Dumping or Storage. Dumping or storage of soil, trash, ashes, garbage, waste, abandoned vehicles, appliances, machinery or hazardous substances, or toxic or hazardous waste, or any placement of underground or aboveground storage tanks or other materials on the Conservation Easement Area is prohibited.

I. Excavation, Dredging or Mineral Use. There shall be no grading, filling, excavation, dredging, mining or drilling; no removal of topsoil, sand, gravel, rock, peat, minerals or other materials, and no change in the topography of the land in any manner on the Conservation Easement Area, except to restore natural topography or drainage patterns.

J. Water Quality and Drainage Pattern. There shall be no diking, draining, dredging, channeling, filling, leveling, pumping, impounding or related activities, or altering or tampering with water control structures or devices, or disruption or alteration of the restored, enhanced, or created drainage patterns. In addition, diverting or causing or permitting the diversion of surface or underground water into, within or out of the easement area by any means, removal of wetlands, polluting or discharging into waters, springs, seeps, or wetlands, or use of pesticide or biocides is prohibited.

K. Development Rights. No development rights that have been encumbered or extinguished by this Conservation Easement shall be transferred pursuant to a transferable development rights scheme or cluster development arrangement or otherwise.

L. Vehicles. The operation of mechanized vehicles, including, but not limited to, motorcycles, dirt bikes, all-terrain vehicles, cars and trucks is prohibited other than for temporary or occasional access by the Grantee and the Third-Parties, and their employees and agents, successors, and assigns for purposes of constructing, maintaining, and monitoring the restoration, enhancement and preservation of riparian areas within the Conservation Easement Area.

M. Other Prohibitions. Any other use of, or activity on, the Conservation Easement Area which is or may become inconsistent with the purposes of this grant, the preservation of the Conservation Easement Area substantially in its natural condition, or the protection of its environmental systems, is prohibited.

### ARTICLE III GRANTOR'S RESEVERED RIGHTS

The Grantor expressly reserves for himself, his personal representatives, heirs, successors or assigns, the right to continue the use of the Conservation Easement Area for all purposes not inconsistent with this Conservation Easement, including, but not limited to, the right to quiet enjoyment of the Conservation Easement Area, the rights of ingress and egress, the right to hunt, fish, and hike on the Conservation Easement

Area, the right to sell, transfer, gift or otherwise convey the Conservation Easement Area, in whole or in part, provided such sale, transfer or gift conveyance is subject to the terms of, and shall specifically reference, this Conservation Easement.

Notwithstanding the foregoing Restrictions, Grantor reserves for Grantor, its successors and assigns, including [REDACTED] acting as the Bank Sponsor, the right to construct and perform activities related to the restoration, enhancement, and preservation of riparian areas within the Conservation Easement Area in accordance with the approved BPDP, and the UMBI described in the Recitals of this Conservation Easement.

#### ARTICLE IV. GRANTEE'S RIGHTS

The Grantee or its authorized representatives, successors and assigns and the Third-Parties, shall have the right to enter the Property and Conservation Easement Area at all reasonable times for the purpose of inspecting the Conservation Easement Area to determine if the Grantor, or his personal representatives, heirs, successors, or assigns, is complying with the terms, conditions, restrictions, and purposes of this Conservation Easement. The Grantee and its authorized representatives, successors and assigns and the Third-Parties shall also have the right to enter and go upon the Conservation Easement Area for purposes of making scientific or educational observations and studies, and taking samples. The easement rights granted herein do not include public access rights.

#### ARTICLE V ENFORCEMENT AND REMEDIES

A. To accomplish the purposes of this Easement, Grantee, and the Third-Parties are allowed to prevent any activity on or use of the Conservation Easement Area that is inconsistent with the purposes of this Easement and to require the restoration of such areas or features of the Conservation Easement Area that may be damaged by such activity or use. Upon any breach of the terms of this Conservation Easement by Grantor that comes to the attention of the Grantee, the Grantee shall notify the Grantor in writing of such breach. The Grantor shall have 30 days after receipt of such notice to correct the conditions constituting such breach. If the breach remains uncured after 30 days, the Grantee may enforce this Conservation Easement by appropriate legal proceedings including damages, injunctive and other relief. Notwithstanding the foregoing, the Grantee reserves the immediate right, without notice, to obtain a temporary restraining order, injunctive or other appropriate relief if the breach of the terms of this Conservation Easement is or would irreversibly or otherwise materially impair the benefits to be derived from this Conservation Easement. The Grantor and Grantee acknowledge that under such circumstances damage to the Grantee would be irreparable and remedies at law will be inadequate. The rights and remedies of the Grantee provided hereunder shall be in addition to, and not in lieu of, all other rights and remedies available to Grantee in connection with this Conservation Easement. The costs of a breach, correction or restoration, including the Grantee's expenses, court costs, and attorneys' fees, shall be paid by

Grantor, provided Grantor is determined to be responsible for the breach. The Third-Parties shall have the same rights and privileges as the said Grantee to enforce the terms and conditions of this Conservation easement.

B. No failure on the part of the Grantee to enforce any covenant or provision hereof shall discharge or invalidate such covenant or any other covenant, condition, or provision hereof or affect the right to Grantee to enforce the same in the event of a subsequent breach or default.

C. Nothing contained in this Conservation Easement shall be construed to entitle Grantee to bring any action against Grantor for any injury or change in the Conservation Easement Area resulting from causes beyond the Grantor's control, including, without limitation, fire, flood, storm, war, acts of God or third parties, except Grantor's lessees or invitees; or from any prudent action taken in good faith by Grantor under emergency conditions to prevent, abate, or mitigate significant injury to life, damage to property or harm to the Conservation Easement Area resulting from such causes.

#### ARTICLE VI MISCELLANEOUS

A. Warranty. Grantor warrants, covenants and represents that it owns the Property in fee simple, and that Grantor either owns all interests in the Property which may be impaired by the granting of this Conservation Easement or that there are no outstanding mortgages, tax liens, encumbrances, or other interests in the Property which have not been expressly subordinated to this Conservation Easement. Grantor further warrants that Grantee shall have the use of and enjoy all the benefits derived from and arising out of this Conservation Easement, and that Grantor will warrant and defend title to the Property against the claims of all persons. \_

B. Subsequent Transfers. The Grantor agrees to incorporate the terms of this Conservation Easement in any deed or other legal instrument that transfers any interest in all or a portion of the Conservation Easement Area. The Grantor agrees to provide written notice of such transfer at least sixty (60) days prior to the date of the transfer. The Grantor and Grantee agree that the terms of this Conservation Easement shall survive any merger of the fee and easement interests in the Conservation Easement Area or any portion thereof and shall not be amended, modified or terminated without the prior written consent and approval of the NCDWR.

C. Assignment. The parties recognize and agree that the benefits of this Conservation Easement are in gross and assignable provided, however that the Grantee hereby covenants and agrees, that in the event it transfers or assigns this Conservation Easement, the organization receiving the interest will be a qualified holder pursuant to 33 CFR 332.7 (a)(1), N.C. Gen. Stat. § 121-34 et seq. and § 501 (c)(3) and § 170 (h) of the Internal Revenue Code, and the Grantee further covenants and agrees that the terms of the transfer or assignment will be such that the transferee or assignee will be required to continue in perpetuity the conservation purposes described in this document.

D. Entire Agreement and Severability. The UMBI with corresponding BPDP, and this Conservation Easement sets forth the entire agreement of the parties with respect to the Conservation Easement and supersedes all prior discussions, negotiations, understandings or agreements relating to the Conservation Easement. If any provision is found to be void or unenforceable by a court of competent jurisdiction, the remainder shall continue in full force and effect.

E. Obligations of Ownership. Grantor is responsible for any real estate taxes, assessments, fees, or charges levied upon the Property. Grantor shall keep the Property free of any liens or other encumbrances for obligations incurred by Grantor. Grantee shall not be responsible for any costs or liability of any kind related to the ownership, operation, insurance, upkeep, or maintenance of the Property, except as expressly provided herein. Nothing herein shall relieve the Grantor of the obligation to comply with federal, state or local laws, regulations and permits that may apply to the exercise of the Reserved Rights.

F. Long-Term Management. If livestock operations will be maintained on the property, Grantor is responsible for all long-term management activities associated with fencing, if and where applicable, to ensure livestock do not have access to the Conservation Easement Area. These activities include the maintenance and/or replacement of fence structures, as deemed necessary by the Grantee, to ensure the aquatic resource functions within the boundaries of the Protected Property are sustained.

G. Extinguishment. In the event that changed conditions render impossible the continued use of the Conservation Easement Area for the conservation purposes, this Conservation Easement may only be extinguished, in whole or in part, by judicial proceeding.

H. Eminent Domain. Whenever all or part of the Conservation Easement Area is taken in the exercise of eminent domain so as to substantially abrogate the Restrictions imposed by this Conservation Easement, Grantor and Grantee shall join in appropriate actions at the time of such taking to recover the full value of the taking, and all incidental and direct damages due to the taking.

I. Proceeds. This Conservation Easement constitutes a real property interest immediately vested in Grantee. In the event that all or a portion of the Conservation Easement Area is sold, exchanged, or involuntarily converted following an extinguishment or the exercise of eminent domain, Grantee shall be entitled to the fair market value of this Conservation Easement as determined at the time of the extinguishment or condemnation.

J. Notification. Any notice, request for approval, or other communication required under this Conservation Easement shall be sent by registered or certified mail, postage prepaid, to the following addresses (or such address as may be hereafter specified by notice pursuant to this paragraph):

**To Grantor:**

*[Name, address, and fax number]*

**To Grantee:**

*[Name address, and fax number]*

**To Sponsor:**

*[Name address, and fax number]*

**To NCDEQ -DWR:**

NCDEQ – Division of Water Resources  
401 & Buffer Permitting Branch  
1617 Mail Service Center  
Raleigh, NC 27699-1601

K. Failure of Grantee. If at any time Grantee is unable or fails to enforce this Conservation Easement, or if Grantee ceases to be a qualified grantee, and if within a reasonable period of time after the occurrence of one of these events Grantee fails to make an assignment pursuant to this Conservation Easement, then the Grantee's interest shall become vested in another qualified grantee in accordance with an appropriate proceeding in a court of competent jurisdiction.

L. Amendment. This Conservation Easement may be amended, but only in a writing signed by all parties hereto, and provided such amendment does not affect the qualification of this Conservation Easement or the status of the Grantee under any applicable laws, and is consistent with the conservation purposes of this grant.

M. Present Condition of the Conservation Easement Area. The wetlands, scenic, resource, environmental, and other natural characteristics of the Conservation Easement Area, and its current use and state of improvement, are described in Section [redacted] of the BPDP, prepared by Bank Sponsor and acknowledged by the Grantor and Grantee to be complete and accurate as of the date hereof. Both Grantor and Grantee have copies of this report. It will be used by the parties to assure that any future changes in the use of the Conservation Easement Area will be consistent with the terms of this Conservation Easement. However, this report is not intended to preclude the use of other evidence to establish the present condition of the Conservation Easement Area if there is a controversy over its use.

TO HAVE AND TO HOLD the said rights and easements perpetually unto Grantee for the aforesaid purposes.

[SIGNATURE PAGES TO FOLLOW]



**IN TESTIMONY WHEREOF**, the Grantor has hereunto set his hand and seal, the day and year first above written.

**GRANTOR:**

\_\_\_\_\_ (SEAL)  
*Grantor name*

**NORTH CAROLINA**  
**COUNTY OF \_\_\_\_\_**

I, \_\_\_\_\_, a Notary Public in and for the County and State aforesaid, do hereby certify that \_\_\_\_\_, Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

**IN WITNESS, WHEREOF**, I have hereunto set my hand and Notary Seal this the \_\_\_ day of \_\_\_\_\_, 2022.

[SEAL]

\_\_\_\_\_  
Signature of Notary Public

\_\_\_\_\_  
Printed Name of Notary Public  
My commission expires: \_\_\_\_\_

IN TESTIMONY WHEREOF, the Grantee has hereunto set his hand and seal, the day and year first above written.

**GRANTEE:**

*Grantee name*

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

NORTH CAROLINA

COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_, a Notary Public in and for the County and State aforesaid, do hereby certify that \_\_\_\_\_ personally appeared before me this day and acknowledged that he/she is the \_\_\_\_\_ of \_\_\_\_\_, and that by authority duly given, and as the act of the Grantee, he/she signed the foregoing instrument in its name, on its behalf and as its act and deed for the purposes stated herein.

IN WITNESS WHEREOF, I have hereunto set my hand and Notary Seal this the \_\_\_ day of \_\_\_\_\_, 2022.

[SEAL]

\_\_\_\_\_  
Signature of Notary Public

\_\_\_\_\_  
Printed Name of Notary Public

My commission expires: \_\_\_\_\_

**EXHIBIT A**

**Legal Description of the Property**

**EXHIBIT B**

**Conservation Easement Area**

# **Appendix D**

## Approved FHWA Categorical Exclusion Form

Appendix A

Categorical Exclusion Form for Division of Mitigation Services Projects  
Version 2

Note: Only Appendix A should be submitted (along with any supporting documentation) as the environmental document.

Part 1: General Project Information	
<b>Project Name:</b>	Chappels Creek Mitigation Project
<b>County Name:</b>	Person County
<b>DMS Number:</b>	100179
<b>Project Sponsor:</b>	Environmental Banc & Exchange, LLC
<b>Project Contact Name:</b>	Matt Butler
<b>Project Contact Address:</b>	3600 Glenwood Avenue, Suite 100, Raleigh, NC 27612
<b>Project Contact E-mail:</b>	mbutler@res.us
<b>DMS Project Manager:</b>	Lin Xu
Project Description	
<p>The Chappels Creek Project encompasses 48.13 acres proposed conservation easement on four parcels in Person County, North Carolina. The Project will involve buffer restoration, enhancement, and preservation of a network of unnamed tributaries/ponds that drain to Chappels Creek. Riparian areas of streams that are currently used for crop production will be converted to forest by planting trees, whereas existing areas of forest will be treated for invasive species and preserved. Ultimately, the Project will protect approximately 1,888,464 square feet of riparian buffer area.</p>	
For Official Use Only	
<b>Reviewed By:</b>	
5/19/2021	<i>Lin Xu</i>
Date	DMS Project Manager
<b>Conditional Approved By:</b>	
Date	For Division Administrator FHWA
<input type="checkbox"/> Check this box if there are outstanding issues	
<b>Final Approval By:</b>	
5-20-21	<i>Donald W Brew</i>
Date	For Division Administrator FHWA

Part 2: All Projects Regulation/Question		Response
<b>Coastal Zone Management Act (CZMA)</b>		
1. Is the project located in a CAMA county?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2. Does the project involve ground-disturbing activities within a CAMA Area of Environmental Concern (AEC)?		<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
3. Has a CAMA permit been secured?		<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
4. Has NCDPCM agreed that the project is consistent with the NC Coastal Management Program?		<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
<b>Comprehensive Environmental Response, Compensation and Liability Act (CERCLA)</b>		
1. Is this a "full-delivery" project?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. Has the zoning/land use of the subject property and adjacent properties ever been designated as commercial or industrial?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A
3. As a result of a limited Phase I Site Assessment, are there known or potential hazardous waste sites within or adjacent to the project area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A
4. As a result of a Phase I Site Assessment, are there known or potential hazardous waste sites within or adjacent to the project area?		<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
5. As a result of a Phase II Site Assessment, are there known or potential hazardous waste sites within the project area?		<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
6. Is there an approved hazardous mitigation plan?		<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
<b>National Historic Preservation Act (Section 106)</b>		
1. Are there properties listed on, or eligible for listing on, the National Register of Historic Places in the project area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2. Does the project affect such properties and does the SHPO/THPO concur?		<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
3. If the effects are adverse, have they been resolved?		<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
<b>Uniform Relocation Assistance and Real Property Acquisition Policies Act (Uniform Act)</b>		
1. Is this a "full-delivery" project?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. Does the project require the acquisition of real estate?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
3. Was the property acquisition completed prior to the intent to use federal funds?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A
4. Has the owner of the property been informed: * prior to making an offer that the agency does not have condemnation authority; and * what the fair market value is believed to be?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

<b>Part 3: Ground-Disturbing Activities</b>	
<b>Regulation/Question</b>	<b>Response</b>
<b>American Indian Religious Freedom Act (AIRFA)</b>	
1. Is the project located in a county claimed as "territory" by the Eastern Band of Cherokee Indians?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2. Is the site of religious importance to American Indians?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
3. Is the project listed on, or eligible for listing on, the National Register of Historic Places?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
4. Have the effects of the project on this site been considered?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
<b>Antiquities Act (AA)</b>	
1. Is the project located on Federal lands?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2. Will there be loss or destruction of historic or prehistoric ruins, monuments or objects of antiquity?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
3. Will a permit from the appropriate Federal agency be required?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
4. Has a permit been obtained?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
<b>Archaeological Resources Protection Act (ARPA)</b>	
1. Is the project located on federal or Indian lands (reservation)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2. Will there be a loss or destruction of archaeological resources?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
3. Will a permit from the appropriate Federal agency be required?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
4. Has a permit been obtained?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
<b>Endangered Species Act (ESA)</b>	
1. Are federal Threatened and Endangered species and/or Designated Critical Habitat listed for the county?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. Is Designated Critical Habitat or suitable habitat present for listed species?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A
3. Are T&E species present or is the project being conducted in Designated Critical Habitat?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
4. Is the project "likely to adversely affect" the specie and/or "likely to adversely modify" Designated Critical Habitat?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
5. Does the USFWS/NOAA-Fisheries concur in the effects determination?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
6. Has the USFWS/NOAA-Fisheries rendered a "jeopardy" determination?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A



<b>Executive Order 13007 (Indian Sacred Sites)</b>	
1. Is the project located on Federal lands that are within a county claimed as "territory" by the EBCI?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2. Has the EBCI indicated that Indian sacred sites may be impacted by the proposed project?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
3. Have accommodations been made for access to and ceremonial use of Indian sacred sites?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
<b>Farmland Protection Policy Act (FPPA)</b>	
1. Will real estate be acquired?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. Has NRCS determined that the project contains prime, unique, statewide or locally important farmland?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
3. Has the completed Form AD-1006 been submitted to NRCS?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
<b>Fish and Wildlife Coordination Act (FWCA)</b>	
1. Will the project impound, divert, channel deepen, or otherwise control/modify any water body?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2. Have the USFWS and the NCWRC been consulted?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
<b>Land and Water Conservation Fund Act (Section 6(f))</b>	
1. Will the project require the conversion of such property to a use other than public, outdoor recreation?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2. Has the NPS approved of the conversion?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
<b>Magnuson-Stevens Fishery Conservation and Management Act (Essential Fish Habitat)</b>	
1. Is the project located in an estuarine system?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2. Is suitable habitat present for EFH-protected species?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
3. Is sufficient design information available to make a determination of the effect of the project on EFH?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
4. Will the project adversely affect EFH?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
5. Has consultation with NOAA-Fisheries occurred?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
<b>Migratory Bird Treaty Act (MBTA)</b>	
1. Does the USFWS have any recommendations with the project relative to the MBTA?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2. Have the USFWS recommendations been incorporated?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
<b>Wilderness Act</b>	
1. Is the project in a Wilderness area?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2. Has a special use permit and/or easement been obtained from the maintaining federal agency?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A

## **Categorical Exclusion CERCLA Summary** *Chappels Creek Mitigation Project*

### **Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)**

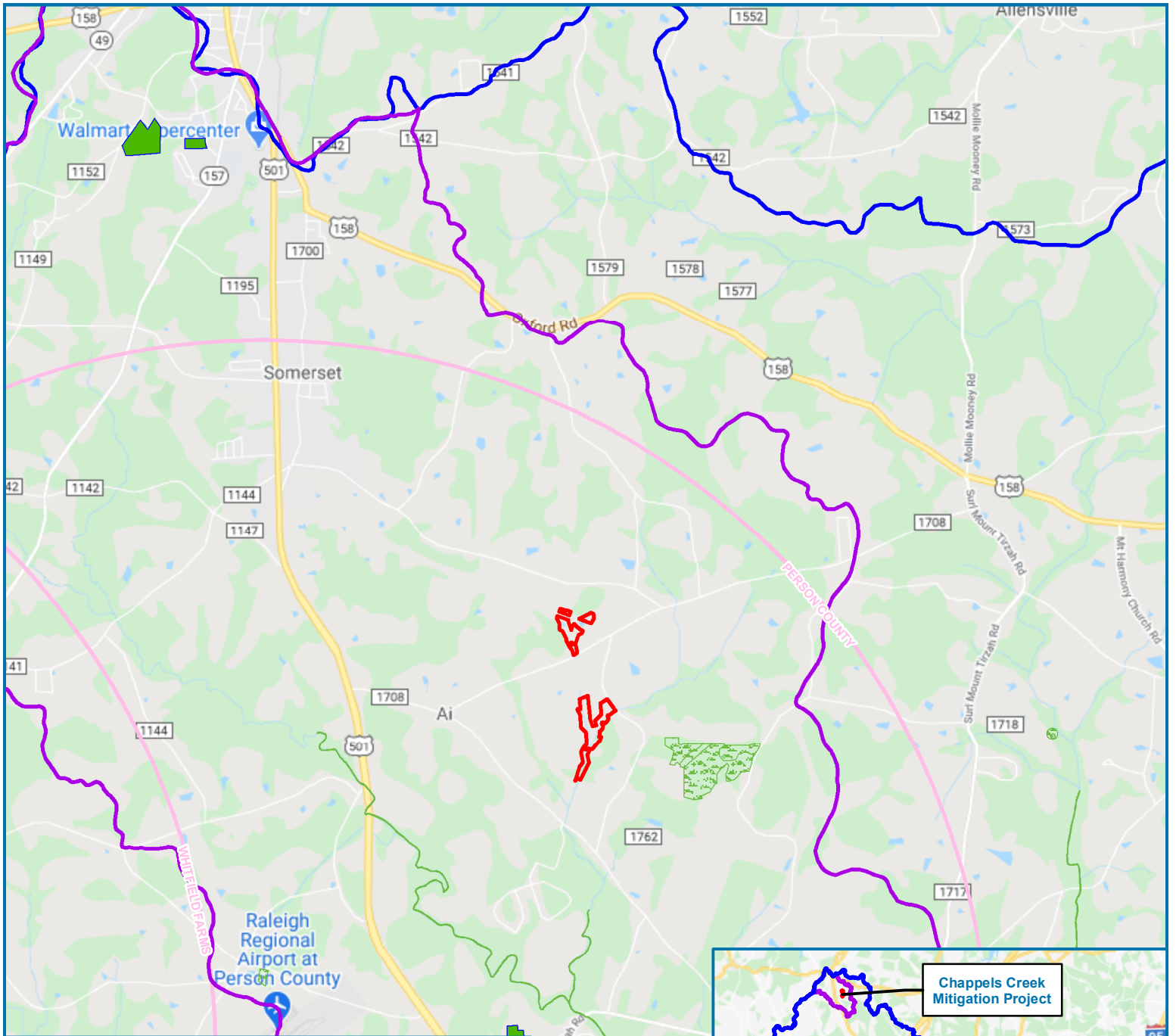
The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as Superfund, created a tax on the chemical and petroleum industries to clean up abandoned or uncontrolled hazardous waste sites.

As a part of the environmental screening and CERCLA compliance, an EDR Radius Map Report with Geocheck was ordered for the Chappels Creek Mitigation Project through Environmental Data Resources, Inc (EDR) on February 23<sup>rd</sup>, 2021. According to the EDR report, there are no reported environmental contamination incidents or hazardous waste sites within one mile of the project property. The summary of the EDR report is enclosed.

There is one environmental record mapped site found within an 1/8 mile of the project property. The finding was found within the Petroleum Underground Storage Tank (UST) permit database and are associated with several removed and current underground storage tanks to the west of the project site, maintained by L J Martin and Sons Inc. The permit accounts for two removed diesel tanks, removed in 1998, one removed gasoline/gas mix tank, removed in 1994, and two current diesel tanks with auto shutoff devices, installed in 1998. The tanks are not within the proposed project conservation easement. Furthermore, as mentioned above, the EDR report did not identify any incidents associated with any of the surrounding areas.

In addition to the EDR search, during routine site visits conducted by RES staff at the Chappels Creek Project, visual inspections were conducted to assess the potential for the occurrence of recognized environmental conditions on the property that might not have been revealed in the EDR report. The inspection was conducted to locate and identify any obvious use, storage, or generation of hazardous materials. No hazardous storage containers or substances were observed during the visual inspection.

## EXHIBITS



**Legend**

-  Proposed Easement
-  5 Mile Aviation Zone
-  14-Digit HUC - 03020201010010
-  8-Digit HUC - 03020201
-  NC NHP Element Occurrence (NC NHP July 2018)
-  Other Managed Area (NC NHP July 2019)
-  Airport

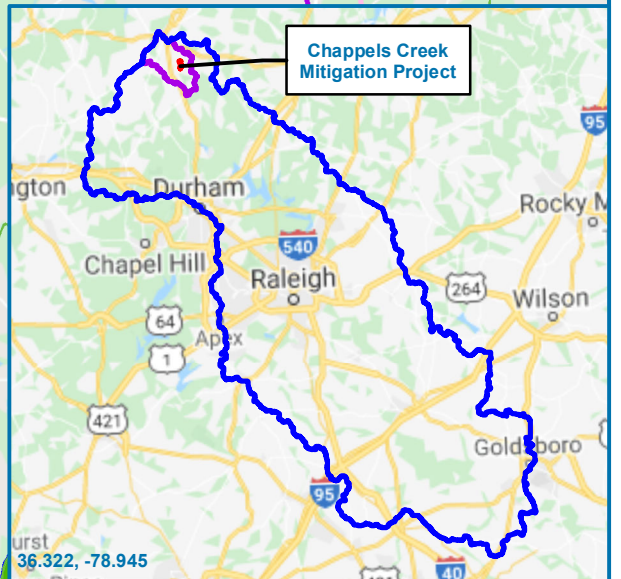


Figure 1 - Project Vicinity

**Chappels Creek Mitigation Project**

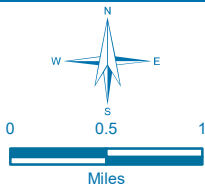
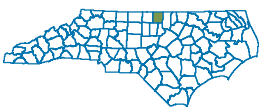
Person County, North Carolina

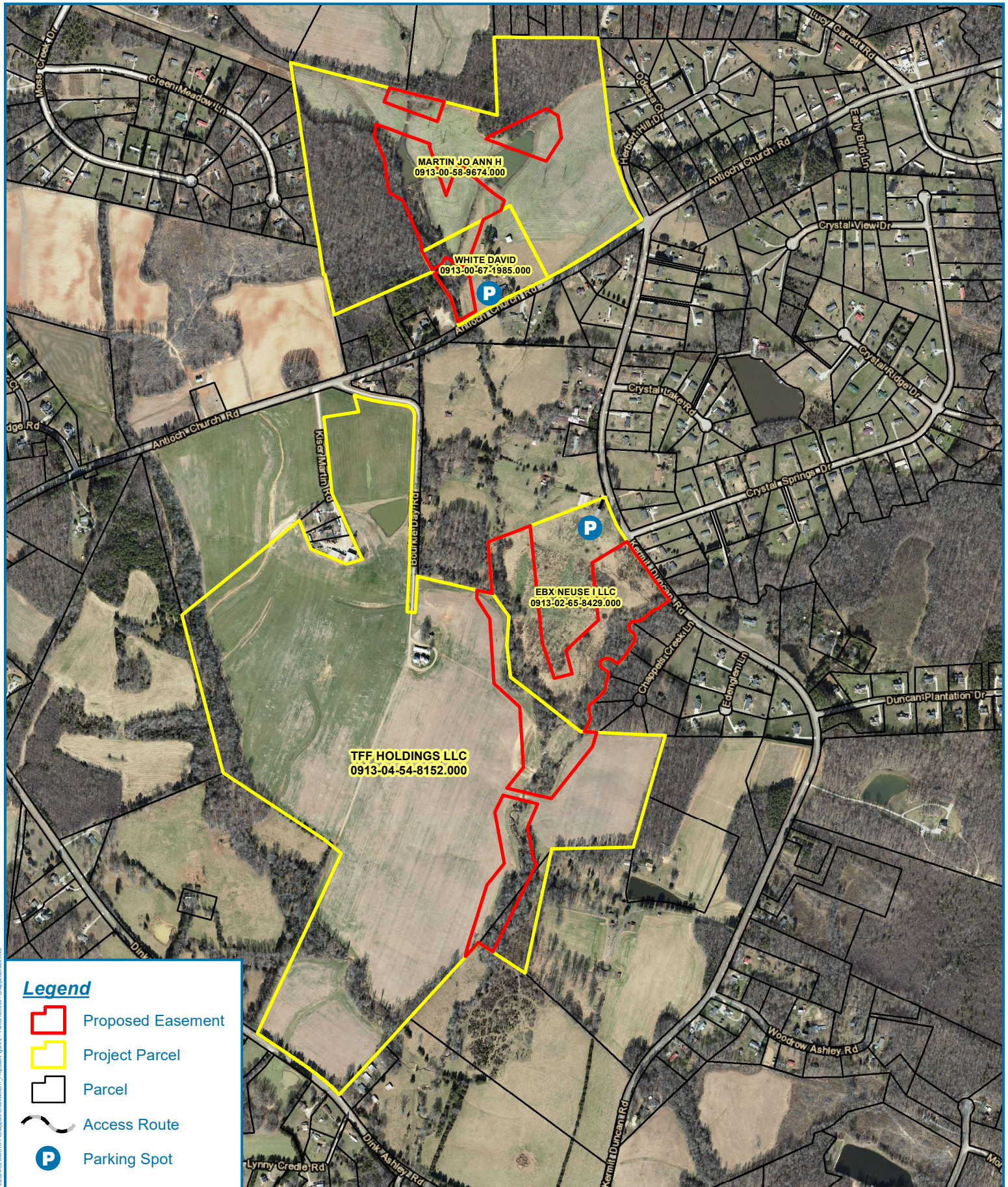
Date: 9/10/2020

Drawn by: EJU






Checked by: JLS

1 inch = 1 miles





**Legend**

-  Proposed Easement
-  Project Parcel
-  Parcel
-  Access Route
-  Parking Spot

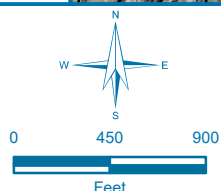
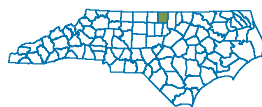


Figure 2 - Parcel Access

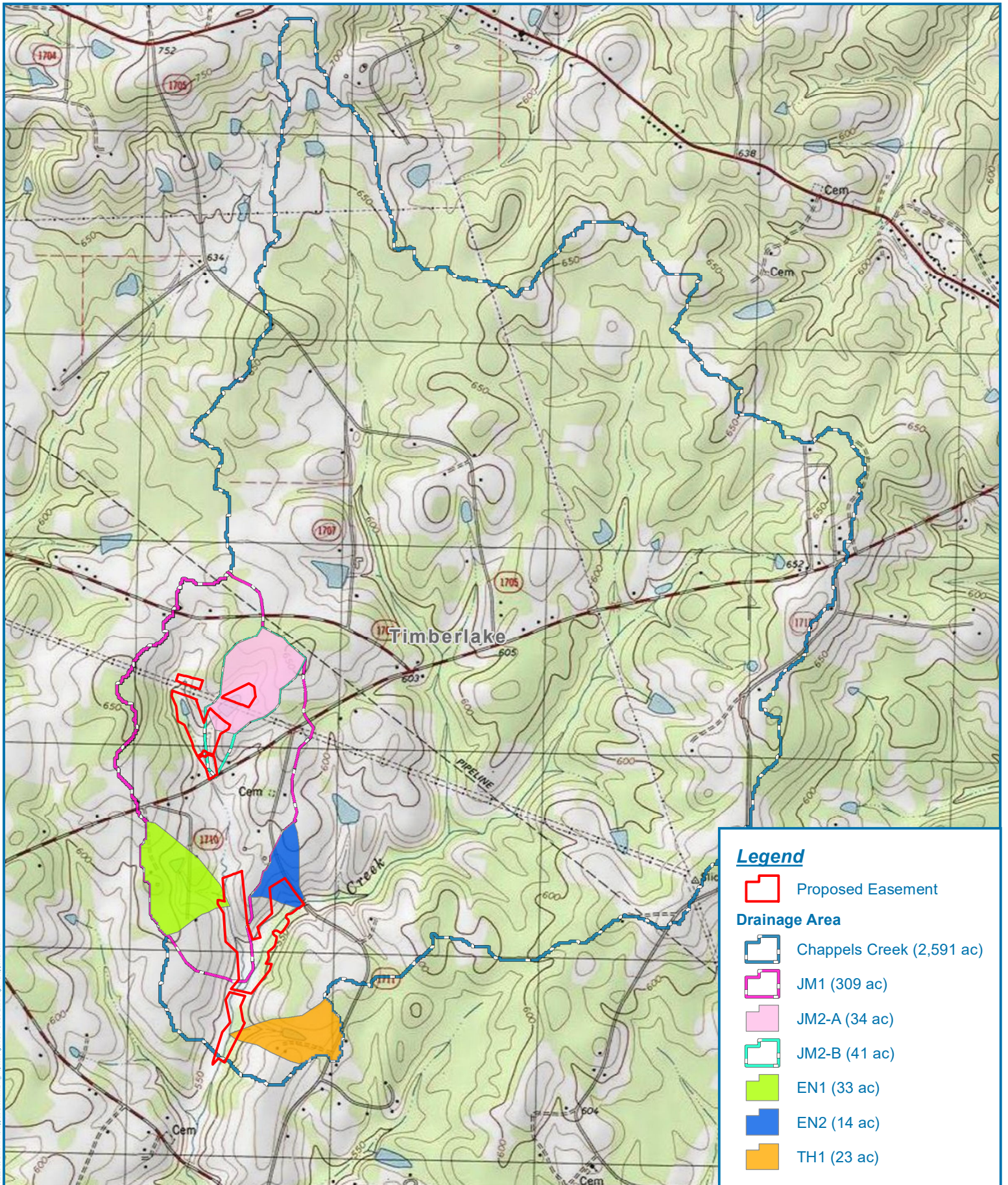
**Chappels Creek Mitigation Project**

Person County, North Carolina

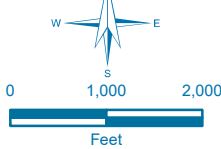
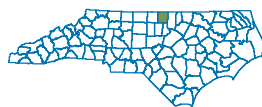
Date: 9/10/2020
Drawn by: EJU
Checked by: JLS
1 inch = 900 feet



Document Path: R:\regulatory\projects\person\nc\rfp\chappels\_creek\mxd\1\_Parcel\_Access\_-\_Chappels\_Creek.mxd



Document Path: R:\regulatory\projects\nc\rfp\2020\09\_DMS\_RFP\Chappels\_Creek\MXD\1\_Proposal\Figure 3a - USGS Quadrangle - ChappelsCreek.mxd



**Figure 3a - USGS Quadrangle  
Timberlake (1982)**

**Chappels Creek  
Mitigation Project**

**Person County, North Carolina**

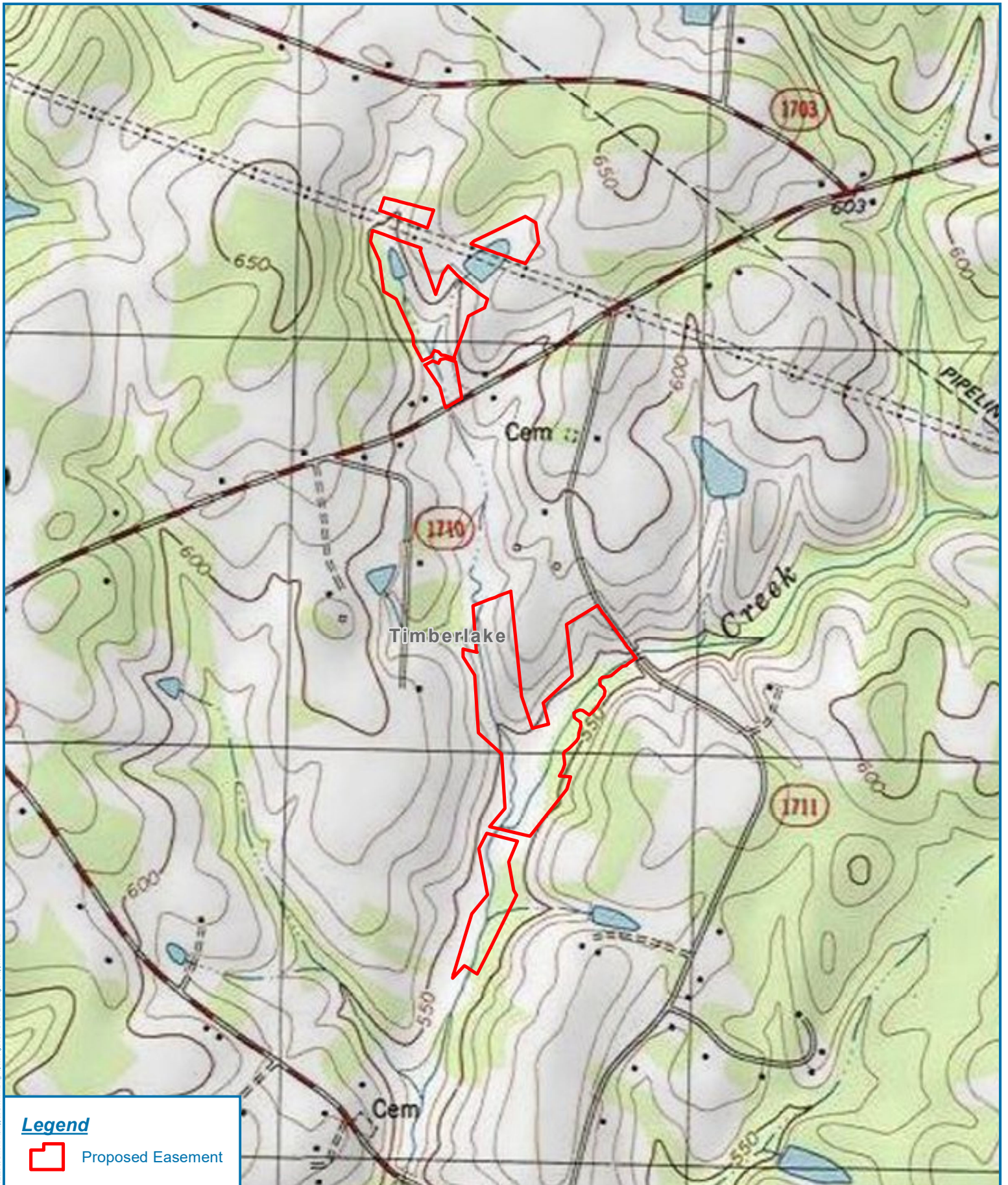
Date: 9/10/2020

Drawn by: EJU

Checked by: JLS

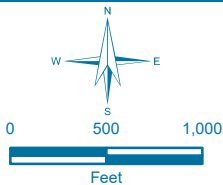
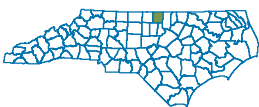
1 inch = 2,000 feet





**Legend**

 Proposed Easement



**Figure 3b - USGS Quadrangle  
Timberlake (1982)**

**Chappels Creek  
Mitigation Project**

**Person County, North Carolina**

Date: 9/10/2020

Drawn by: EJU

Checked by: JLS

1 inch = 1,000 feet



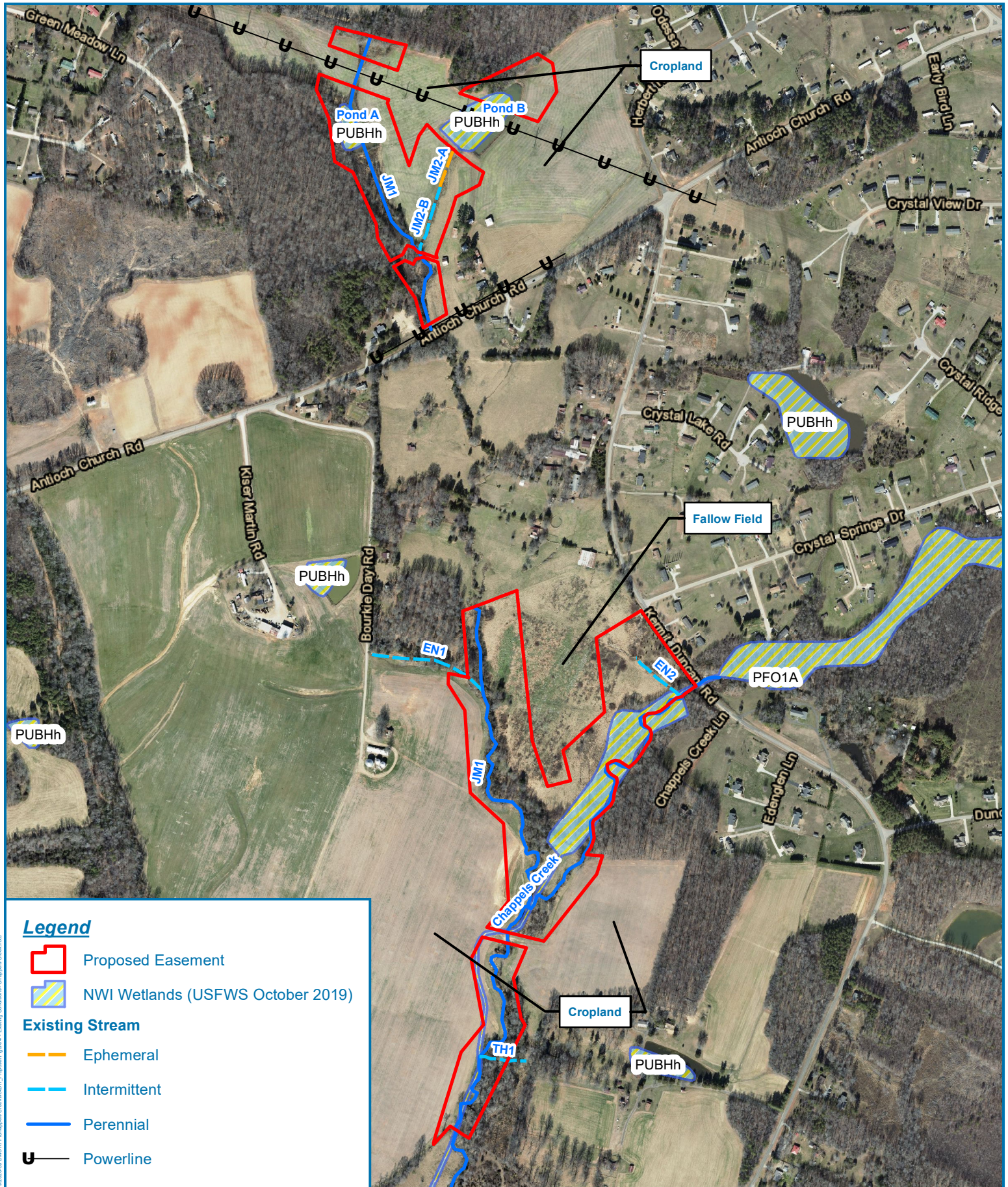


Figure 4 - Existing Conditions

## Chappels Creek Mitigation Project

Person County, North Carolina

Date: 9/10/2020

Drawn by: EJU

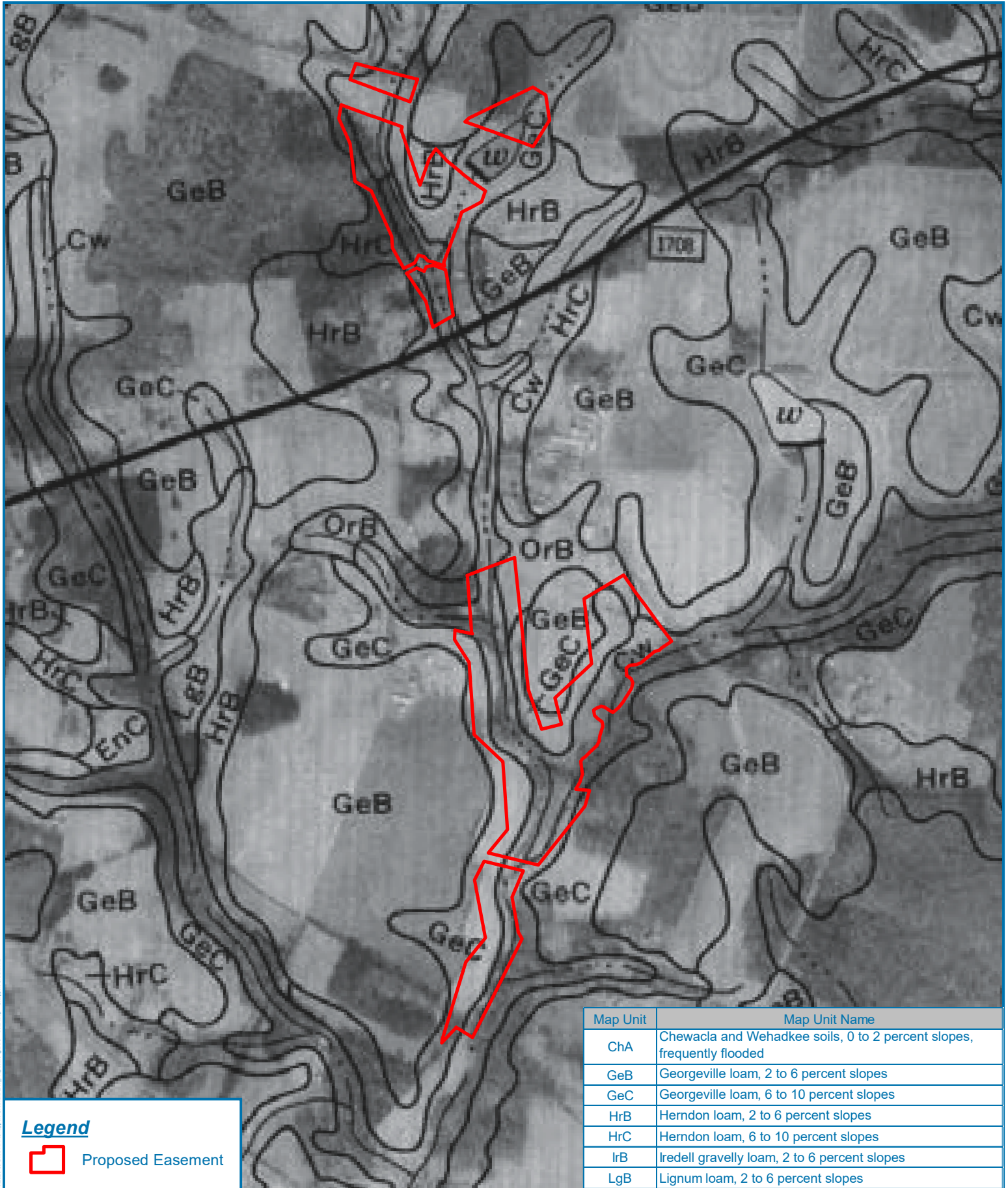
Checked by: JLS

1 inch = 700 feet



Document Path: R:\regulatory\projects\person\nc\rfp\2020\09\_DMS\_RFP\Chappels\_Creek\MOU\1\_Proposal\Figure 4 - Existing Conditions - Chappels\_Creek.mxd

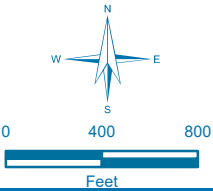




**Legend**

 Proposed Easement

Map Unit	Map Unit Name
ChA	Chewacla and Wehadkee soils, 0 to 2 percent slopes, frequently flooded
GeB	Georgeville loam, 2 to 6 percent slopes
GeC	Georgeville loam, 6 to 10 percent slopes
HrB	Herndon loam, 2 to 6 percent slopes
HrC	Herndon loam, 6 to 10 percent slopes
IrB	Iredell gravelly loam, 2 to 6 percent slopes
LgB	Lignum loam, 2 to 6 percent slopes



**Figure 5 - NRCS Soil Survey (1995)**

**Chappels Creek Mitigation Project**

Person County, North Carolina

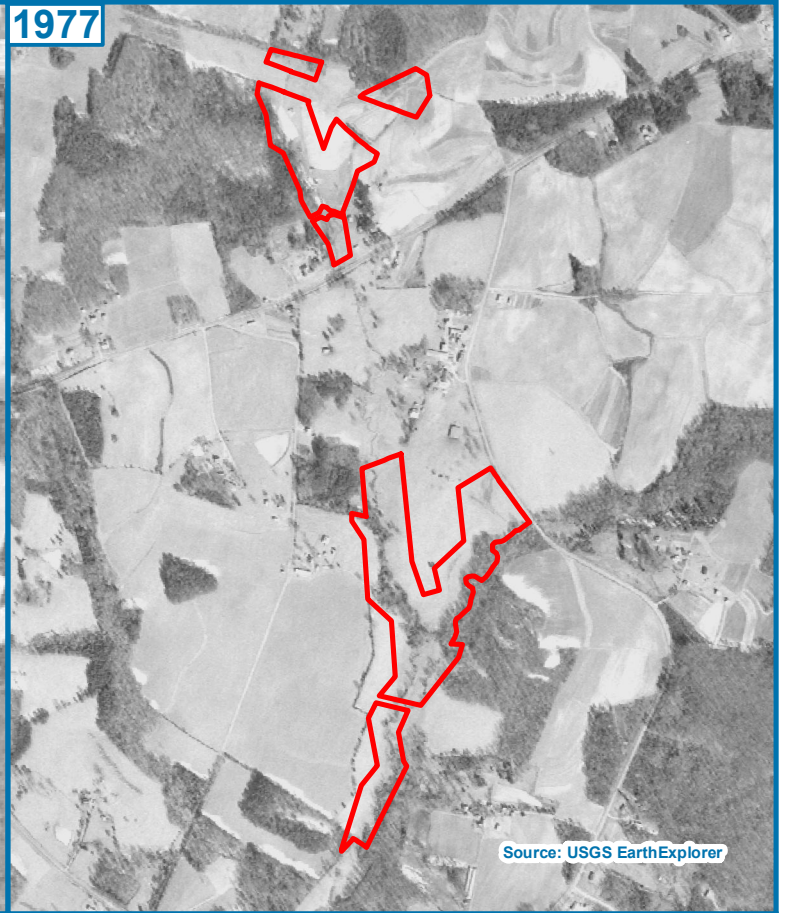
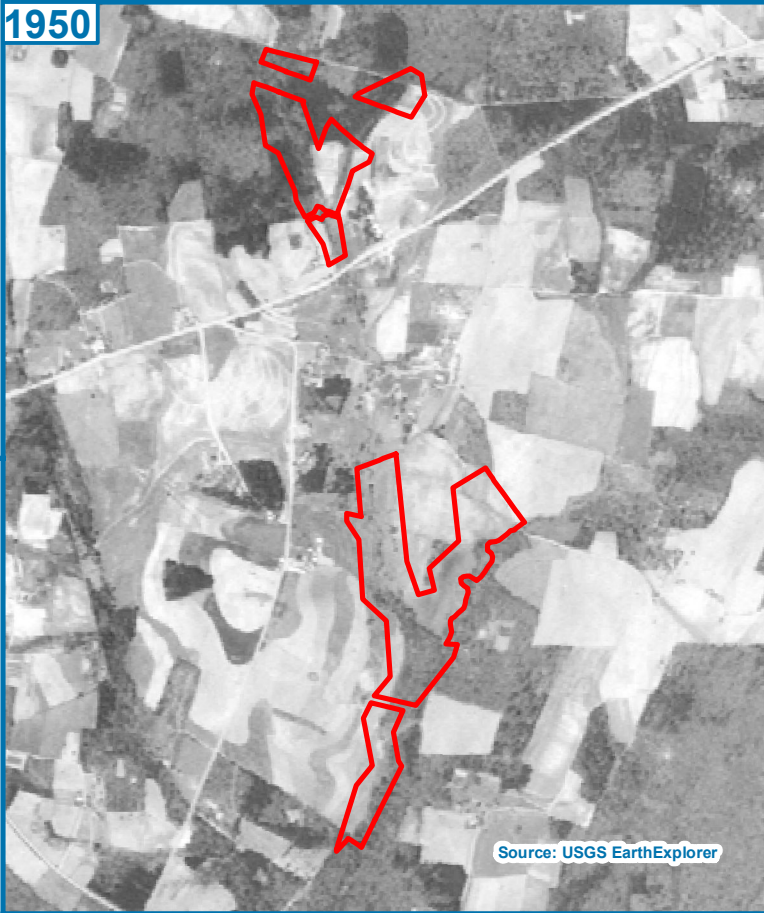
Date: 9/10/2020

Drawn by: EJU

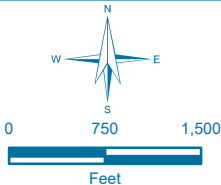
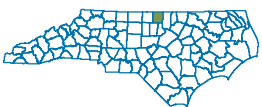
Checked by: JLS

1 inch = 800 feet





**Legend**  
 Proposed Easement



**Figure 6 - Historical Imagery**

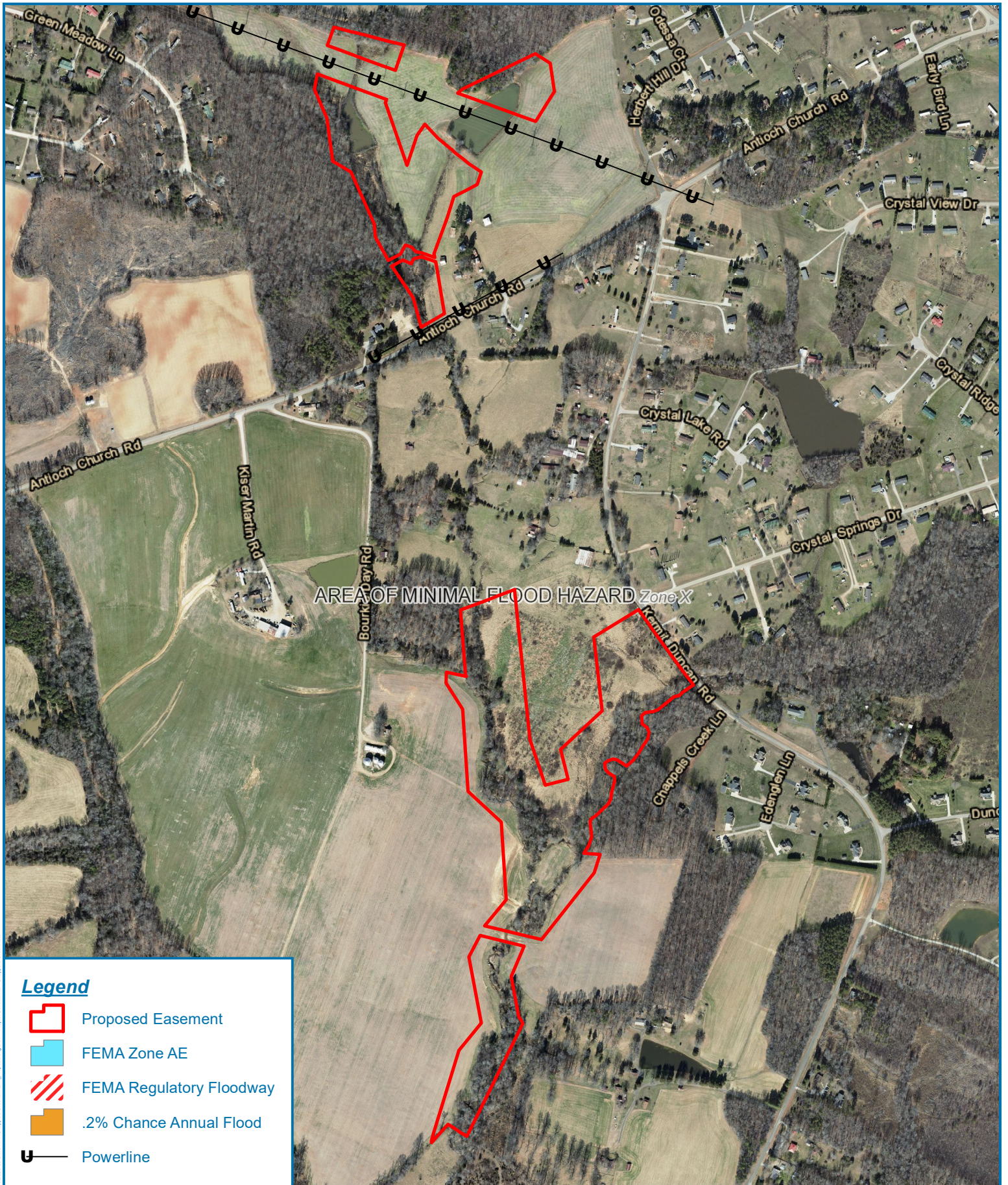
**Chappels Creek Mitigation Project**

**Person County, North Carolina**




Date: 9/10/2020
Drawn by: EJU
Checked by: JLS
1 inch = 1,500 feet

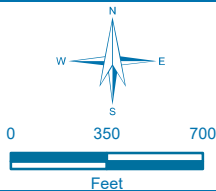
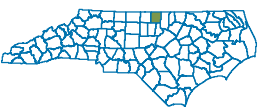


Document Path: R:\regulatory\projects\person\nc\rfp\2020\09\_DMS\_RFP\Chappels\_Creek\M001\_Historical\_Imagery\_Figure6 - Historical Imagery - Chappels Creek.mxd



**Legend**

-  Proposed Easement
-  FEMA Zone AE
-  FEMA Regulatory Floodway
-  .2% Chance Annual Flood
-  Powerline



**Figure 7 - Project Constraints**

**Chappels Creek Mitigation Project**

Person County, North Carolina

Date: 9/10/2020

Drawn by: EJU

Checked by: JLS

1 inch = 700 feet



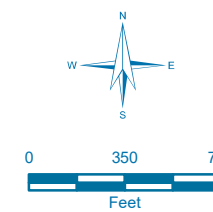


Figure 8 - Concept Design

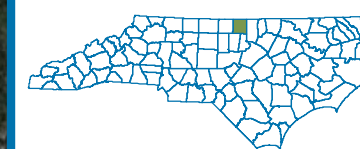
### Chappels Creek Mitigation Project

Person County, North Carolina

Date: 5/10/2021 Drawn by: EJU  
Checked by: BPB 1 inch = 700 feet

#### LEGEND

- Proposed Easement
- Project Parcel
- Buffer Mitigation**
  - Restoration (0-100')
  - Restoration (101-200')
  - Enhancement (0-100')
  - Enhancement (101-200')
  - Preservation (0-100')
  - Preservation (101-200')
- Existing Pond (Non-Crediting)
- Project Stream**
  - Intermittent
  - Perennial



Person County, NC (MapSource.com/PersonCounty, NC) - Proposed/Design - Chappels Creek, 2021/05/10.mxd

**REFERENCE**  
1.) Aerial imagery source: NC OneMap.  
2.) NAD 1983 StatePlane North Carolina  
FIPS 3200 Feet

USDA FORM AD-1006

**FARMLAND CONVERSION IMPACT RATING**

<b>PART I</b> (To be completed by Federal Agency)		Date Of Land Evaluation Request <b>3/29/2021</b>			
Name of Project <b>Chappels Creek Riparian Buffer Project</b>		Federal Agency Involved <b>Federal highway Admin (FHWA)</b>			
Proposed Land Use <b>Conservation Easement</b>		County and State <b>Person County, NC</b>			
<b>PART II</b> (To be completed by NRCS)		Date Request Received By NRCS <b>4/2/2021</b>		Person Completing Form: <b>Kristin Mav</b>	
Does the site contain Prime, Unique, Statewide or Local Important Farmland? <i>(If no, the FPPA does not apply - do not complete additional parts of this form)</i>		YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	Acres Irrigated <b>None</b>	Average Farm Size <b>209</b>
Major Crop(s) <b>Corn</b>	Farmable Land In Govt. Jurisdiction Acres: <b>85.48</b> % <b>221,115</b>		Amount of Farmland As Defined in FPPA Acres: <b>85.48</b> % <b>221,115</b>		
Name of Land Evaluation System Used <b>Person Co. LESA</b>	Name of State or Local Site Assessment System <b>NA</b>		Date Land Evaluation Returned by NRCS <b>5/5/2021</b>		
<b>PART III</b> (To be completed by Federal Agency)		Alternative Site Rating			
		Site A	Site B	Site C	Site D
A. Total Acres To Be Converted Directly		<b>48.13</b>			
B. Total Acres To Be Converted Indirectly					
C. Total Acres In Site		<b>48.13</b>			
<b>PART IV</b> (To be completed by NRCS) Land Evaluation Information					
A. Total Acres Prime And Unique Farmland		<b>2.8</b>			
B. Total Acres Statewide Important or Local Important Farmland		<b>22.2</b>			
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted					
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value		<b>44.1</b>			
<b>PART V</b> (To be completed by NRCS) Land Evaluation Criterion Relative Value of Farmland To Be Converted (Scale of 0 to 100 Points)		<b>72</b>			
<b>PART VI</b> (To be completed by Federal Agency) Site Assessment Criteria <i>(Criteria are explained in 7 CFR 658.5 b. For Corridor project use form NRCS-CPA-106)</i>		<b>Maximum Points</b>	Site A	Site B	Site C
1. Area In Non-urban Use		(15)	<b>13</b>		
2. Perimeter In Non-urban Use		(10)	<b>9</b>		
3. Percent Of Site Being Farmed		(20)	<b>20</b>		
4. Protection Provided By State and Local Government		(20)	<b>0</b>		
5. Distance From Urban Built-up Area		(15)	<b>15</b>		
6. Distance To Urban Support Services		(15)	<b>10</b>		
7. Size Of Present Farm Unit Compared To Average		(10)	<b>5</b>		
8. Creation Of Non-farmable Farmland		(10)	<b>0</b>		
9. Availability Of Farm Support Services		(5)	<b>5</b>		
10. On-Farm Investments		(20)	<b>11</b>		
11. Effects Of Conversion On Farm Support Services		(10)	<b>0</b>		
12. Compatibility With Existing Agricultural Use		(10)	<b>0</b>		
TOTAL SITE ASSESSMENT POINTS		<b>160</b>	<b>88</b>	<b>0</b>	<b>0</b>
<b>PART VII</b> (To be completed by Federal Agency)					
Relative Value Of Farmland (From Part V)		100	<b>72</b>	<b>0</b>	<b>0</b>
Total Site Assessment (From Part VI above or local site assessment)		160	<b>88</b>	<b>0</b>	<b>0</b>
<b>TOTAL POINTS (Total of above 2 lines)</b>		<b>260</b>	<b>160</b>	<b>0</b>	<b>0</b>
Site Selected:		Date Of Selection		Was A Local Site Assessment Used? YES <input type="checkbox"/> NO <input type="checkbox"/>	
Reason For Selection:					
Name of Federal agency representative completing this form:					Date:

## STEPS IN THE PROCESSING THE FARMLAND AND CONVERSION IMPACT RATING FORM

- Step 1 - Federal agencies (or Federally funded projects) involved in proposed projects that may convert farmland, as defined in the Farmland Protection Policy Act (FPPA) to nonagricultural uses, will initially complete Parts I and III of the form. For Corridor type projects, the Federal agency shall use form NRCS-CPA-106 in place of form AD-1006. The Land Evaluation and Site Assessment (LESA) process may also be accessed by visiting the FPPA website, <http://fppa.nrcs.usda.gov/lesa/>.
- Step 2 - Originator (Federal Agency) will send one original copy of the form together with appropriate scaled maps indicating location(s) of project site(s), to the Natural Resources Conservation Service (NRCS) local Field Office or USDA Service Center and retain a copy for their files. (NRCS has offices in most counties in the U.S. The USDA Office Information Locator may be found at [http://offices.usda.gov/scripts/ndISAPI.dll/oip\\_public/USA\\_map](http://offices.usda.gov/scripts/ndISAPI.dll/oip_public/USA_map), or the offices can usually be found in the Phone Book under U.S. Government, Department of Agriculture. A list of field offices is available from the NRCS State Conservationist and State Office in each State.)
- Step 3 - NRCS will, within 10 working days after receipt of the completed form, make a determination as to whether the site(s) of the proposed project contains prime, unique, statewide or local important farmland. (When a site visit or land evaluation system design is needed, NRCS will respond within 30 working days.
- Step 4 - For sites where farmland covered by the FPPA will be converted by the proposed project, NRCS will complete Parts II, IV and V of the form.
- Step 5 - NRCS will return the original copy of the form to the Federal agency involved in the project, and retain a file copy for NRCS records.
- Step 6 - The Federal agency involved in the proposed project will complete Parts VI and VII of the form and return the form with the final selected site to the servicing NRCS office.
- Step 7 - The Federal agency providing financial or technical assistance to the proposed project will make a determination as to whether the proposed conversion is consistent with the FPPA.

## INSTRUCTIONS FOR COMPLETING THE FARMLAND CONVERSION IMPACT RATING FORM

*(For Federal Agency)*

**Part I:** When completing the "County and State" questions, list all the local governments that are responsible for local land use controls where site(s) are to be evaluated.

**Part III:** When completing item B (Total Acres To Be Converted Indirectly), include the following:

1. Acres not being directly converted but that would no longer be capable of being farmed after the conversion, because the conversion would restrict access to them or other major change in the ability to use the land for agriculture.
2. Acres planned to receive services from an infrastructure project as indicated in the project justification (e.g. highways, utilities planned build out capacity) that will cause a direct conversion.

**Part VI:** Do not complete Part VI using the standard format if a State or Local site assessment is used. With local and NRCS assistance, use the local Land Evaluation and Site Assessment (LESA).

1. Assign the maximum points for each site assessment criterion as shown in § 658.5(b) of CFR. In cases of corridor-type project such as transportation, power line and flood control, criteria #5 and #6 will not apply and will, be weighted zero, however, criterion #8 will be weighed a maximum of 25 points and criterion #11 a maximum of 25 points.
2. Federal agencies may assign relative weights among the 12 site assessment criteria other than those shown on the FPPA rule after submitting individual agency FPPA policy for review and comment to NRCS. In all cases where other weights are assigned, relative adjustments must be made to maintain the maximum total points at 160. For project sites where the total points equal or exceed 160, consider alternative actions, as appropriate, that could reduce adverse impacts (e.g. Alternative Sites, Modifications or Mitigation).

**Part VII:** In computing the "Total Site Assessment Points" where a State or local site assessment is used and the total maximum number of points is other than 160, convert the site assessment points to a base of 160.

Example: if the Site Assessment maximum is 200 points, and the alternative Site "A" is rated 180 points:

$$\frac{\text{Total points assigned Site A}}{\text{Maximum points possible}} = \frac{180}{200} \times 160 = 144 \text{ points for Site A}$$

For assistance in completing this form or FPPA process, contact the local NRCS Field Office or USDA Service Center.

NRCS employees, consult the FPPA Manual and/or policy for additional instructions to complete the AD-1006 form.

# EDR REPORT



**Chappels Creek**

340-444 Kermit Duncan Road  
Timberlake, NC 27583

Inquiry Number: 6377926.2s  
February 23, 2021

**The EDR Radius Map™ Report with GeoCheck®**



6 Armstrong Road, 4th floor  
Shelton, CT 06484  
Toll Free: 800.352.0050  
[www.edrnet.com](http://www.edrnet.com)

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***Thank you for your business.***  
 Please contact EDR at 1-800-352-0050  
 with any questions or comments.

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## EXECUTIVE SUMMARY

A search of available environmental records was conducted by Environmental Data Resources, Inc (EDR). The report was designed to assist parties seeking to meet the search requirements of EPA's Standards and Practices for All Appropriate Inquiries (40 CFR Part 312), the ASTM Standard Practice for Environmental Site Assessments (E 1527-13), the ASTM Standard Practice for Environmental Site Assessments for Forestland or Rural Property (E 2247-16), the ASTM Standard Practice for Limited Environmental Due Diligence: Transaction Screen Process (E 1528-14) or custom requirements developed for the evaluation of environmental risk associated with a parcel of real estate.

### TARGET PROPERTY INFORMATION

#### ADDRESS

340-444 KERMIT DUNCAN ROAD  
TIMBERLAKE, NC 27583

#### COORDINATES

Latitude (North): 36.3234210 - 36° 19' 24.31"  
Longitude (West): 78.9447450 - 78° 56' 41.08"  
Universal Transverse Mercator: Zone 17  
UTM X (Meters): 684492.2  
UTM Y (Meters): 4021580.8  
Elevation: 567 ft. above sea level

### USGS TOPOGRAPHIC MAP ASSOCIATED WITH TARGET PROPERTY

Target Property Map: 5945057 TIMBERLAKE, NC  
Version Date: 2013

### AERIAL PHOTOGRAPHY IN THIS REPORT

Portions of Photo from: 20140619  
Source: USDA

MAPPED SITES SUMMARY

Target Property Address:  
340-444 KERMIT DUNCAN ROAD  
TIMBERLAKE, NC 27583

Click on Map ID to see full detail.

MAP ID	SITE NAME	ADDRESS	DATABASE ACRONYMS	RELATIVE ELEVATION	DIST (ft. & mi.) DIRECTION
<a href="#">1</a>	L J MARTIN & SONS IN	222 KISER MARTIN RD	UST, Financial Assurance	Higher	73, 0.014, WSW

# EXECUTIVE SUMMARY

## TARGET PROPERTY SEARCH RESULTS

The target property was not listed in any of the databases searched by EDR.

## DATABASES WITH NO MAPPED SITES

No mapped sites were found in EDR's search of available ("reasonably ascertainable ") government records either on the target property or within the search radius around the target property for the following databases:

## STANDARD ENVIRONMENTAL RECORDS

### ***Federal NPL site list***

NPL..... National Priority List  
Proposed NPL..... Proposed National Priority List Sites  
NPL LIENS..... Federal Superfund Liens

### ***Federal Delisted NPL site list***

Delisted NPL..... National Priority List Deletions

### ***Federal CERCLIS list***

FEDERAL FACILITY..... Federal Facility Site Information listing  
SEMS..... Superfund Enterprise Management System

### ***Federal CERCLIS NFRAP site list***

SEMS-ARCHIVE..... Superfund Enterprise Management System Archive

### ***Federal RCRA CORRACTS facilities list***

CORRACTS..... Corrective Action Report

### ***Federal RCRA non-CORRACTS TSD facilities list***

RCRA-TSDF..... RCRA - Treatment, Storage and Disposal

### ***Federal RCRA generators list***

RCRA-LQG..... RCRA - Large Quantity Generators  
RCRA-SQG..... RCRA - Small Quantity Generators  
RCRA-VSQG..... RCRA - Very Small Quantity Generators (Formerly Conditionally Exempt Small Quantity Generators)

### ***Federal institutional controls / engineering controls registries***

LUCIS..... Land Use Control Information System

## EXECUTIVE SUMMARY

US ENG CONTROLS..... Engineering Controls Sites List  
US INST CONTROLS..... Institutional Controls Sites List

### ***Federal ERNS list***

ERNS..... Emergency Response Notification System

### ***State- and tribal - equivalent NPL***

NC HSDS..... Hazardous Substance Disposal Site

### ***State- and tribal - equivalent CERCLIS***

SHWS..... Inactive Hazardous Sites Inventory

### ***State and tribal landfill and/or solid waste disposal site lists***

SWF/LF..... List of Solid Waste Facilities  
DEBRIS..... Solid Waste Active Disaster Debris Sites Listing  
OLI..... Old Landfill Inventory  
LCID..... Land-Clearing and Inert Debris (LCID) Landfill Notifications

### ***State and tribal leaking storage tank lists***

LAST..... Leaking Aboveground Storage Tanks  
LUST..... Regional UST Database  
INDIAN LUST..... Leaking Underground Storage Tanks on Indian Land  
LUST TRUST..... State Trust Fund Database

### ***State and tribal registered storage tank lists***

FEMA UST..... Underground Storage Tank Listing  
AST..... AST Database  
INDIAN UST..... Underground Storage Tanks on Indian Land

### ***State and tribal institutional control / engineering control registries***

INST CONTROL..... No Further Action Sites With Land Use Restrictions Monitoring

### ***State and tribal voluntary cleanup sites***

INDIAN VCP..... Voluntary Cleanup Priority Listing  
VCP..... Responsible Party Voluntary Action Sites

### ***State and tribal Brownfields sites***

BROWNFIELDS..... Brownfields Projects Inventory

### **ADDITIONAL ENVIRONMENTAL RECORDS**

#### ***Local Brownfield lists***

US BROWNFIELDS..... A Listing of Brownfields Sites

#### ***Local Lists of Landfill / Solid Waste Disposal Sites***

HIST LF..... Solid Waste Facility Listing

## EXECUTIVE SUMMARY

SWRCY.....	Recycling Center Listing
INDIAN ODI.....	Report on the Status of Open Dumps on Indian Lands
DEBRIS REGION 9.....	Torres Martinez Reservation Illegal Dump Site Locations
ODI.....	Open Dump Inventory
IHS OPEN DUMPS.....	Open Dumps on Indian Land

### **Local Lists of Hazardous waste / Contaminated Sites**

US HIST CDL.....	Delisted National Clandestine Laboratory Register
US CDL.....	National Clandestine Laboratory Register

### **Local Land Records**

LIENS 2.....	CERCLA Lien Information
--------------	-------------------------

### **Records of Emergency Release Reports**

HMIRS.....	Hazardous Materials Information Reporting System
SPILLS.....	Spills Incident Listing
IMD.....	Incident Management Database
SPILLS 90.....	SPILLS 90 data from FirstSearch
SPILLS 80.....	SPILLS 80 data from FirstSearch

### **Other Ascertainable Records**

RCRA NonGen / NLR.....	RCRA - Non Generators / No Longer Regulated
FUDS.....	Formerly Used Defense Sites
DOD.....	Department of Defense Sites
SCRD DRYCLEANERS.....	State Coalition for Remediation of Drycleaners Listing
US FIN ASSUR.....	Financial Assurance Information
EPA WATCH LIST.....	EPA WATCH LIST
2020 COR ACTION.....	2020 Corrective Action Program List
TSCA.....	Toxic Substances Control Act
TRIS.....	Toxic Chemical Release Inventory System
SSTS.....	Section 7 Tracking Systems
ROD.....	Records Of Decision
RMP.....	Risk Management Plans
RAATS.....	RCRA Administrative Action Tracking System
PRP.....	Potentially Responsible Parties
PADS.....	PCB Activity Database System
ICIS.....	Integrated Compliance Information System
FTTS.....	FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act)
MLTS.....	Material Licensing Tracking System
COAL ASH DOE.....	Steam-Electric Plant Operation Data
COAL ASH EPA.....	Coal Combustion Residues Surface Impoundments List
PCB TRANSFORMER.....	PCB Transformer Registration Database
RADINFO.....	Radiation Information Database
HIST FTTS.....	FIFRA/TSCA Tracking System Administrative Case Listing
DOT OPS.....	Incident and Accident Data
CONSENT.....	Superfund (CERCLA) Consent Decrees
INDIAN RESERV.....	Indian Reservations
FUSRAP.....	Formerly Utilized Sites Remedial Action Program
UMTRA.....	Uranium Mill Tailings Sites
LEAD SMELTERS.....	Lead Smelter Sites

## EXECUTIVE SUMMARY

US AIRS.....	Aerometric Information Retrieval System Facility Subsystem
US MINES.....	Mines Master Index File
ABANDONED MINES.....	Abandoned Mines
FINDS.....	Facility Index System/Facility Registry System
UXO.....	Unexploded Ordnance Sites
ECHO.....	Enforcement & Compliance History Information
DOCKET HWC.....	Hazardous Waste Compliance Docket Listing
FUELS PROGRAM.....	EPA Fuels Program Registered Listing
AIRS.....	Air Quality Permit Listing
ASBESTOS.....	ASBESTOS
COAL ASH.....	Coal Ash Disposal Sites
DRYCLEANERS.....	Drycleaning Sites
Financial Assurance.....	Financial Assurance Information Listing
NPDES.....	NPDES Facility Location Listing
UIC.....	Underground Injection Wells Listing
AOP.....	Animal Operation Permits Listing
SEPT HAULERS.....	Permitted Septage Haulers Listing
MINES MRDS.....	Mineral Resources Data System
CCB.....	Coal Ash Structural Fills (CCB) Listing
PCSRP.....	Petroleum-Contaminated Soil Remediation Permits

### EDR HIGH RISK HISTORICAL RECORDS

#### ***EDR Exclusive Records***

EDR MGP.....	EDR Proprietary Manufactured Gas Plants
EDR Hist Auto.....	EDR Exclusive Historical Auto Stations
EDR Hist Cleaner.....	EDR Exclusive Historical Cleaners

### EDR RECOVERED GOVERNMENT ARCHIVES

#### ***Exclusive Recovered Govt. Archives***

RGA HWS.....	Recovered Government Archive State Hazardous Waste Facilities List
RGA LF.....	Recovered Government Archive Solid Waste Facilities List
RGA LUST.....	Recovered Government Archive Leaking Underground Storage Tank

### SURROUNDING SITES: SEARCH RESULTS

Surrounding sites were identified in the following databases.

Elevations have been determined from the USGS Digital Elevation Model and should be evaluated on a relative (not an absolute) basis. Relative elevation information between sites of close proximity should be field verified. Sites with an elevation equal to or higher than the target property have been differentiated below from sites with an elevation lower than the target property. Page numbers and map identification numbers refer to the EDR Radius Map report where detailed data on individual sites can be reviewed.

Sites listed in ***bold italics*** are in multiple databases.

Unmappable (orphan) sites are not considered in the foregoing analysis.



# EXECUTIVE SUMMARY

## STANDARD ENVIRONMENTAL RECORDS

### ***State and tribal registered storage tank lists***

UST: The Underground Storage Tank database contains registered USTs. USTs are regulated under Subtitle I of the Resource Conservation and Recovery Act (RCRA). The data come from the Department of Environment & Natural Resources' Petroleum Underground Storage Tank Database.

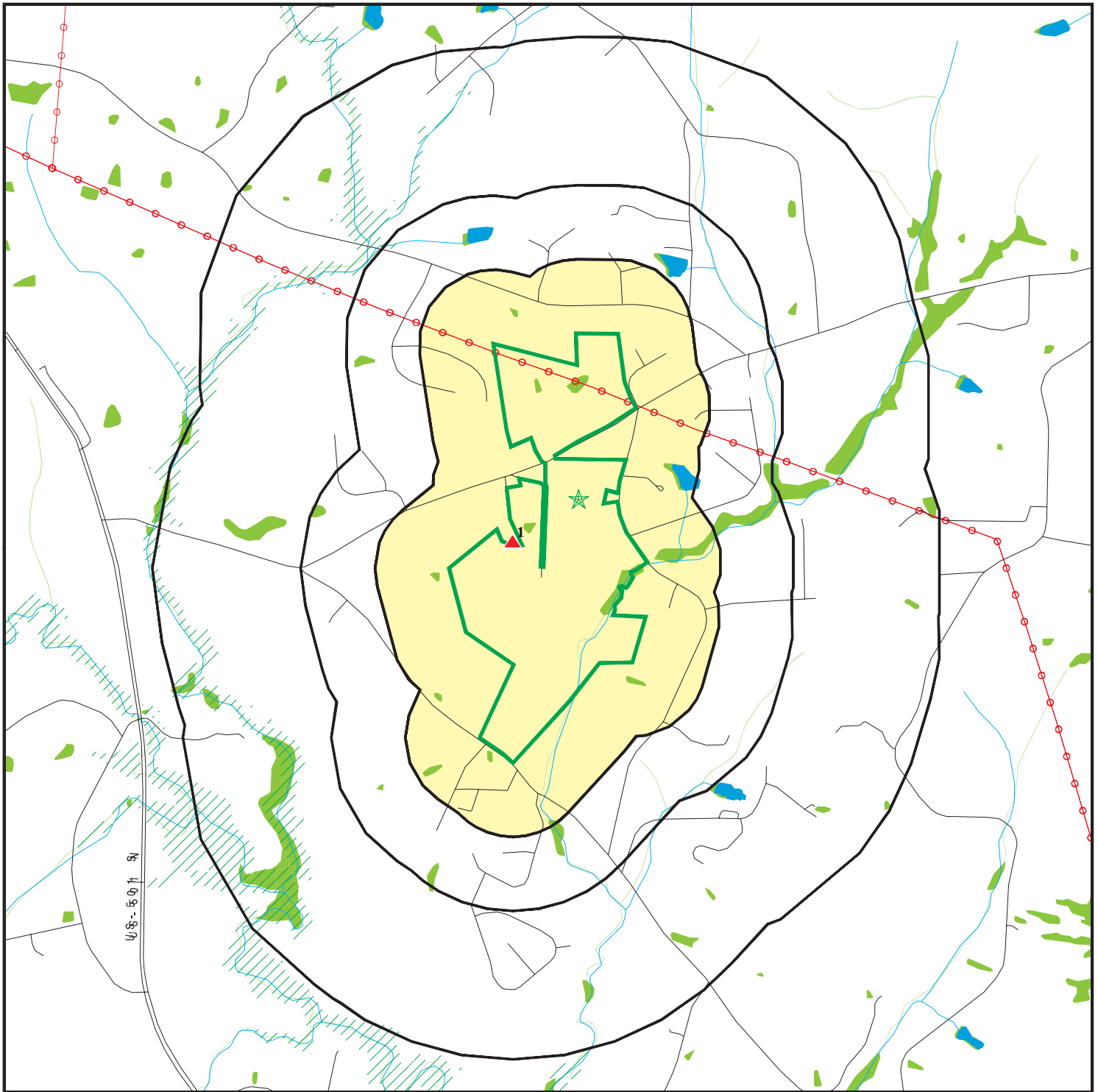
A review of the UST list, as provided by EDR, and dated 10/30/2020 has revealed that there is 1 UST site within approximately 0.25 miles of the target property.

<u>Equal/Higher Elevation</u>	<u>Address</u>	<u>Direction / Distance</u>	<u>Map ID</u>	<u>Page</u>
<b><i>L J MARTIN &amp; SONS IN</i></b> Tank Status: Removed Tank Status: Current Facility Id: 00-0-0000027763	<b><i>222 KISER MARTIN RD</i></b>	<b><i>WSW 0 - 1/8 (0.014 mi.)</i></b>	<b><i>1</i></b>	<b><i>8</i></b>

## EXECUTIVE SUMMARY

There were no unmapped sites in this report.

# OVERVIEW MAP - 6377926.2S



Target Property

Sites at elevations higher than or equal to the target property

Sites at elevations lower than the target property

Manufactured Gas Plants

National Priority List Sites

Dept. Defense Sites



Indian Reservations BIA

Power transmission lines

Special Flood Hazard Area (1%)

0.2% Annual Chance Flood Hazard

National Wetland Inventory

State Wetlands

Hazardous Substance Disposal Sites

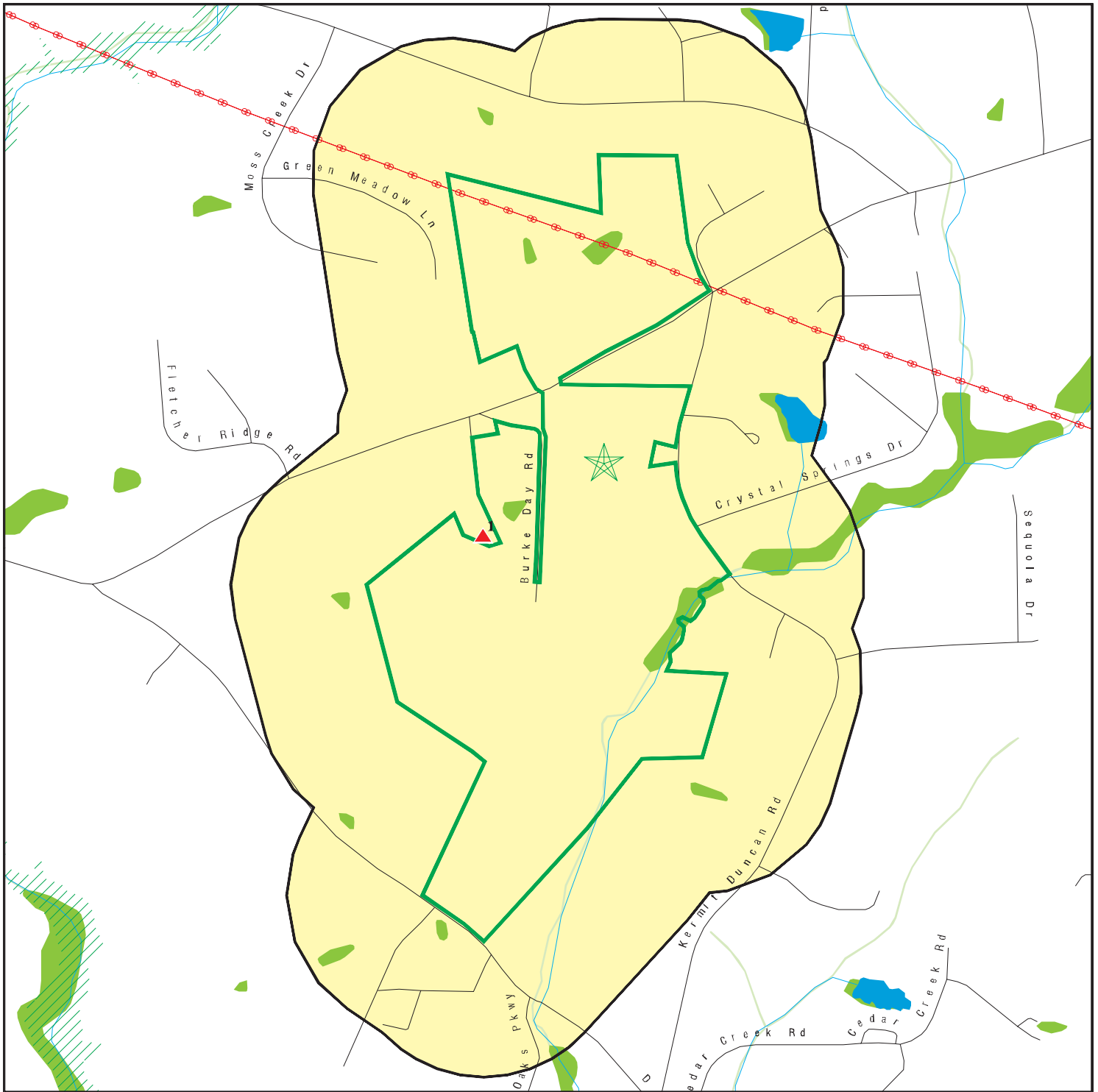
















This report includes Interactive Map Layers to display and/or hide map information. The legend includes only those icons for the default map view.

SITE NAME: Chappels Creek  
 ADDRESS: 340-444 Kermit Duncan Road  
 Timberlake NC 27583  
 LAT/LONG: 36.323421 / 78.944745

CLIENT: Resource Environmental Solutions, LLC  
 CONTACT: Grayson Sanner  
 INQUIRY #: 6377926.2s  
 DATE: February 23, 2021 11:59 am

# DETAIL MAP - 6377926.2S



- |   |   |  |
|---|---|--|
|  Target Property   |  Indian Reservations BIA         |  Hazardous Substance Disposal Sites |
|  Sites at elevations higher than or equal to the target property |  Power transmission lines        |  |
|  Sites at elevations lower than the target property              |  Special Flood Hazard Area (1%)  |  |
|  Manufactured Gas Plants   |  0.2% Annual Chance Flood Hazard |  |
|  Sensitive Receptors   |  National Wetland Inventory      |  |
|  National Priority List Sites                                    |  State Wetlands                  |  |
|  Dept. Defense Sites   |   |  |

This report includes Interactive Map Layers to display and/or hide map information. The legend includes only those icons for the default map view.

SITE NAME: Chappels Creek  
 ADDRESS: 340-444 Kermit Duncan Road  
 Timberlake NC 27583  
 LAT/LONG: 36.323421 / 78.944745

CLIENT: Resource Environmental Solutions, LLC  
 CONTACT: Grayson Sanner  
 INQUIRY #: 6377926.2s  
 DATE: February 23, 2021 12:00 pm

## MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
<b>STANDARD ENVIRONMENTAL RECORDS</b>								
<b><i>Federal NPL site list</i></b>								
NPL	1.000		0	0	0	0	NR	0
Proposed NPL	1.000		0	0	0	0	NR	0
NPL LIENS	1.000		0	0	0	0	NR	0
<b><i>Federal Delisted NPL site list</i></b>								
Delisted NPL	1.000		0	0	0	0	NR	0
<b><i>Federal CERCLIS list</i></b>								
FEDERAL FACILITY	0.500		0	0	0	NR	NR	0
SEMS	0.500		0	0	0	NR	NR	0
<b><i>Federal CERCLIS NFRAP site list</i></b>								
SEMS-ARCHIVE	0.500		0	0	0	NR	NR	0
<b><i>Federal RCRA CORRACTS facilities list</i></b>								
CORRACTS	1.000		0	0	0	0	NR	0
<b><i>Federal RCRA non-CORRACTS TSD facilities list</i></b>								
RCRA-TSDF	0.500		0	0	0	NR	NR	0
<b><i>Federal RCRA generators list</i></b>								
RCRA-LQG	0.250		0	0	NR	NR	NR	0
RCRA-SQG	0.250		0	0	NR	NR	NR	0
RCRA-VSQG	0.250		0	0	NR	NR	NR	0
<b><i>Federal institutional controls / engineering controls registries</i></b>								
LUCIS	0.500		0	0	0	NR	NR	0
US ENG CONTROLS	0.500		0	0	0	NR	NR	0
US INST CONTROLS	0.500		0	0	0	NR	NR	0
<b><i>Federal ERNS list</i></b>								
ERNS	0.001		0	NR	NR	NR	NR	0
<b><i>State- and tribal - equivalent NPL</i></b>								
NC HSDS	1.000		0	0	0	0	NR	0
<b><i>State- and tribal - equivalent CERCLIS</i></b>								
SHWS	1.000		0	0	0	0	NR	0
<b><i>State and tribal landfill and/or solid waste disposal site lists</i></b>								
SWF/LF	0.500		0	0	0	NR	NR	0
DEBRIS	0.500		0	0	0	NR	NR	0
OLI	0.500		0	0	0	NR	NR	0
LCID	0.500		0	0	0	NR	NR	0

## MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
<b><i>State and tribal leaking storage tank lists</i></b>								
LAST	0.500		0	0	0	NR	NR	0
LUST	0.500		0	0	0	NR	NR	0
INDIAN LUST	0.500		0	0	0	NR	NR	0
LUST TRUST	0.500		0	0	0	NR	NR	0
<b><i>State and tribal registered storage tank lists</i></b>								
FEMA UST	0.250		0	0	NR	NR	NR	0
UST	0.250		1	0	NR	NR	NR	1
AST	0.250		0	0	NR	NR	NR	0
INDIAN UST	0.250		0	0	NR	NR	NR	0
<b><i>State and tribal institutional control / engineering control registries</i></b>								
INST CONTROL	0.500		0	0	0	NR	NR	0
<b><i>State and tribal voluntary cleanup sites</i></b>								
INDIAN VCP	0.500		0	0	0	NR	NR	0
VCP	0.500		0	0	0	NR	NR	0
<b><i>State and tribal Brownfields sites</i></b>								
BROWNFIELDS	0.500		0	0	0	NR	NR	0
<b><u>ADDITIONAL ENVIRONMENTAL RECORDS</u></b>								
<b><i>Local Brownfield lists</i></b>								
US BROWNFIELDS	0.500		0	0	0	NR	NR	0
<b><i>Local Lists of Landfill / Solid Waste Disposal Sites</i></b>								
HIST LF	0.500		0	0	0	NR	NR	0
SWRCY	0.500		0	0	0	NR	NR	0
INDIAN ODI	0.500		0	0	0	NR	NR	0
DEBRIS REGION 9	0.500		0	0	0	NR	NR	0
ODI	0.500		0	0	0	NR	NR	0
IHS OPEN DUMPS	0.500		0	0	0	NR	NR	0
<b><i>Local Lists of Hazardous waste / Contaminated Sites</i></b>								
US HIST CDL	0.001		0	NR	NR	NR	NR	0
US CDL	0.001		0	NR	NR	NR	NR	0
<b><i>Local Land Records</i></b>								
LIENS 2	0.001		0	NR	NR	NR	NR	0
<b><i>Records of Emergency Release Reports</i></b>								
HMIRS	0.001		0	NR	NR	NR	NR	0
SPILLS	0.001		0	NR	NR	NR	NR	0
IMD	0.500		0	0	0	NR	NR	0

## MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
SPILLS 90	0.001		0	NR	NR	NR	NR	0
SPILLS 80	0.001		0	NR	NR	NR	NR	0
<b>Other Ascertainable Records</b>								
RCRA NonGen / NLR	0.250		0	0	NR	NR	NR	0
FUDS	1.000		0	0	0	0	NR	0
DOD	1.000		0	0	0	0	NR	0
SCRD DRYCLEANERS	0.500		0	0	0	NR	NR	0
US FIN ASSUR	0.001		0	NR	NR	NR	NR	0
EPA WATCH LIST	0.001		0	NR	NR	NR	NR	0
2020 COR ACTION	0.250		0	0	NR	NR	NR	0
TSCA	0.001		0	NR	NR	NR	NR	0
TRIS	0.001		0	NR	NR	NR	NR	0
SSTS	0.001		0	NR	NR	NR	NR	0
ROD	1.000		0	0	0	0	NR	0
RMP	0.001		0	NR	NR	NR	NR	0
RAATS	0.001		0	NR	NR	NR	NR	0
PRP	0.001		0	NR	NR	NR	NR	0
PADS	0.001		0	NR	NR	NR	NR	0
ICIS	0.001		0	NR	NR	NR	NR	0
FTTS	0.001		0	NR	NR	NR	NR	0
MLTS	0.001		0	NR	NR	NR	NR	0
COAL ASH DOE	0.001		0	NR	NR	NR	NR	0
COAL ASH EPA	0.500		0	0	0	NR	NR	0
PCB TRANSFORMER	0.001		0	NR	NR	NR	NR	0
RADINFO	0.001		0	NR	NR	NR	NR	0
HIST FTTS	0.001		0	NR	NR	NR	NR	0
DOT OPS	0.001		0	NR	NR	NR	NR	0
CONSENT	1.000		0	0	0	0	NR	0
INDIAN RESERV	1.000		0	0	0	0	NR	0
FUSRAP	1.000		0	0	0	0	NR	0
UMTRA	0.500		0	0	0	NR	NR	0
LEAD SMELTERS	0.001		0	NR	NR	NR	NR	0
US AIRS	0.001		0	NR	NR	NR	NR	0
US MINES	0.250		0	0	NR	NR	NR	0
ABANDONED MINES	0.250		0	0	NR	NR	NR	0
FINDS	0.001		0	NR	NR	NR	NR	0
UXO	1.000		0	0	0	0	NR	0
ECHO	0.001		0	NR	NR	NR	NR	0
DOCKET HWC	0.001		0	NR	NR	NR	NR	0
FUELS PROGRAM	0.250		0	0	NR	NR	NR	0
AIRS	0.001		0	NR	NR	NR	NR	0
ASBESTOS	0.001		0	NR	NR	NR	NR	0
COAL ASH	0.500		0	0	0	NR	NR	0
DRYCLEANERS	0.250		0	0	NR	NR	NR	0
Financial Assurance	0.001		0	NR	NR	NR	NR	0
NPDES	0.001		0	NR	NR	NR	NR	0
UIC	0.001		0	NR	NR	NR	NR	0
AOP	0.001		0	NR	NR	NR	NR	0
SEPT HAULERS	0.001		0	NR	NR	NR	NR	0
MINES MRDS	0.001		0	NR	NR	NR	NR	0

## MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
CCB	0.500		0	0	0	NR	NR	0
PCSRP	0.500		0	0	0	NR	NR	0

### EDR HIGH RISK HISTORICAL RECORDS

#### *EDR Exclusive Records*

EDR MGP	1.000		0	0	0	0	NR	0
EDR Hist Auto	0.125		0	NR	NR	NR	NR	0
EDR Hist Cleaner	0.125		0	NR	NR	NR	NR	0

### EDR RECOVERED GOVERNMENT ARCHIVES

#### *Exclusive Recovered Govt. Archives*

RGA HWS	0.001		0	NR	NR	NR	NR	0
RGA LF	0.001		0	NR	NR	NR	NR	0
RGA LUST	0.001		0	NR	NR	NR	NR	0

- Totals --		0	1	0	0	0	0	1
-------------	--	---	---	---	---	---	---	---

#### NOTES:

TP = Target Property

NR = Not Requested at this Search Distance

Sites may be listed in more than one database



Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

1  
WSW  
< 1/8  
0.014 mi.  
73 ft.

**L J MARTIN & SONS INC**  
**222 KISER MARTIN RD**  
**TIMBERLAKE, NC 27583**

**UST** **U003146446**  
**Financial Assurance** **N/A**

**Relative:**  
**Higher**  
**Actual:**  
**605 ft.**

UST:  
Name: L J MARTIN & SONS INC  
Address: 222 KISER MARTIN RD  
City,State,Zip: TIMBERLAKE, NC 27583  
Facility Id: 00-0-0000027763  
Contact: L.J. MARTIN & SONS, INC.  
Contact Address1: 222 KISER MARTIN RD  
Contact Address2: Not reported  
Contact City/State/Zip: TIMBERLAKE, NC 27583-9316  
FIPS County Desc: Person  
Latitude: 36.32163  
Longitude: -78.94856

Tank Id: 1  
Tank Status: Removed  
Installed Date: 01/01/1987  
Perm Close Date: 02/10/1998  
Product Name: Diesel  
Tank Capacity: 10000  
Root Tank Id: Not reported  
Main Tank: No  
Compartment Tank: No  
Manifold Tank: Not reported  
Commercial: Yes  
Regulated: Yes  
Other CP Tank: Not reported  
Overfill Protection Name: Ball Float Valve  
Spill Protection Name: Catchment Basin  
Leak Detection Name: Unknown  
Decode for TCONS\_KEY: Single Wall FRP  
Decode for PCONS\_KEY: Single Wall FRP  
Decode for PSYS\_KEY: Unknown

[Click here to access the North Carolina DEQ records for this facility:](#)

Tank Id: 2  
Tank Status: Removed  
Installed Date: 01/01/1987  
Perm Close Date: 02/10/1998  
Product Name: Diesel  
Tank Capacity: 10000  
Root Tank Id: Not reported  
Main Tank: No  
Compartment Tank: No  
Manifold Tank: Not reported  
Commercial: Yes  
Regulated: Yes  
Other CP Tank: Not reported  
Overfill Protection Name: Ball Float Valve  
Spill Protection Name: Catchment Basin  
Leak Detection Name: Unknown  
Decode for TCONS\_KEY: Single Wall FRP

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**L J MARTIN & SONS INC (Continued)**

**U003146446**

Decode for PCONS\_KEY: Single Wall FRP  
Decode for PSYS\_KEY: Unknown

[Click here to access the North Carolina DEQ records for this facility:](#)

Tank Id: 3  
Tank Status: Removed  
Installed Date: 01/01/1964  
Perm Close Date: 01/06/1994  
Product Name: Gasoline, Gas Mix  
Tank Capacity: 10000  
Root Tank Id: Not reported  
Main Tank: No  
Compartment Tank: No  
Manifold Tank: Not reported  
Commercial: Yes  
Regulated: Yes  
Other CP Tank: Not reported  
Overfill Protection Name: Unknown  
Spill Protection Name: Unknown  
Leak Detection Name: Unknown  
Decode for TCONS\_KEY: Single Wall Steel  
Decode for PCONS\_KEY: Single Wall Steel  
Decode for PSYS\_KEY: Unknown

[Click here to access the North Carolina DEQ records for this facility:](#)

Tank Id: A1  
Tank Status: Current  
Installed Date: 02/10/1998  
Perm Close Date: Not reported  
Product Name: Diesel  
Tank Capacity: 8000  
Root Tank Id: Not reported  
Main Tank: No  
Compartment Tank: No  
Manifold Tank: 0  
Commercial: Yes  
Regulated: Yes  
Other CP Tank: Not reported  
Overfill Protection Name: Auto Shutoff Device  
Spill Protection Name: Catchment Basin  
Leak Detection Name: Not reported  
Decode for TCONS\_KEY: Single Wall FRP  
Decode for PCONS\_KEY: Single Wall FRP  
Decode for PSYS\_KEY: Unknown

[Click here to access the North Carolina DEQ records for this facility:](#)

Tank Id: A2  
Tank Status: Current  
Installed Date: 02/10/1998  
Perm Close Date: Not reported  
Product Name: Diesel

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**L J MARTIN & SONS INC (Continued)**

**U003146446**

Tank Capacity: 8000  
Root Tank Id: Not reported  
Main Tank: No  
Compartment Tank: No  
Manifold Tank: 0  
Commercial: Yes  
Regulated: Yes  
Other CP Tank: Not reported  
Overfill Protection Name: Auto Shutoff Device  
Spill Protection Name: Catchment Basin  
Leak Detection Name: Not reported  
Decode for TCONS\_KEY: Single Wall FRP  
Decode for PCONS\_KEY: Single Wall FRP  
Decode for PSYS\_KEY: Unknown

[Click here to access the North Carolina DEQ records for this facility:](#)

**NC Financial Assurance 1:**

Name: L J MARTIN & SONS INC  
Address: 222 KISER MARTIN RD  
City,State,Zip: TIMBERLAKE, NC 27583  
Facility ID: 00-0-0000027763  
Region: 1  
Financial Responsibility Desc: Insurance & Risk Retention  
Financial Responsibility Name: Colony Insurance Company  
Started Date: Not reported  
Ended Date: Not reported

Count: 0 records.

ORPHAN SUMMARY

City	EDR ID	Site Name	Site Address	Zip	Database(s)
NO SITES FOUND					

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

To maintain currency of the following federal and state databases, EDR contacts the appropriate governmental agency on a monthly or quarterly basis, as required.

**Number of Days to Update:** Provides confirmation that EDR is reporting records that have been updated within 90 days from the date the government agency made the information available to the public.

## **STANDARD ENVIRONMENTAL RECORDS**

### ***Federal NPL site list***

#### **NPL: National Priority List**

National Priorities List (Superfund). The NPL is a subset of CERCLIS and identifies over 1,200 sites for priority cleanup under the Superfund Program. NPL sites may encompass relatively large areas. As such, EDR provides polygon coverage for over 1,000 NPL site boundaries produced by EPA's Environmental Photographic Interpretation Center (EPIC) and regional EPA offices.

Date of Government Version: 12/30/2020	Source: EPA
Date Data Arrived at EDR: 01/14/2021	Telephone: N/A
Date Made Active in Reports: 02/09/2021	Last EDR Contact: 01/14/2021
Number of Days to Update: 26	Next Scheduled EDR Contact: 04/12/2021
	Data Release Frequency: Quarterly

#### **NPL Site Boundaries**

##### **Sources:**

EPA's Environmental Photographic Interpretation Center (EPIC)  
Telephone: 202-564-7333

EPA Region 1  
Telephone 617-918-1143

EPA Region 6  
Telephone: 214-655-6659

EPA Region 3  
Telephone 215-814-5418

EPA Region 7  
Telephone: 913-551-7247

EPA Region 4  
Telephone 404-562-8033

EPA Region 8  
Telephone: 303-312-6774

EPA Region 5  
Telephone 312-886-6686

EPA Region 9  
Telephone: 415-947-4246

EPA Region 10  
Telephone 206-553-8665

#### **Proposed NPL: Proposed National Priority List Sites**

A site that has been proposed for listing on the National Priorities List through the issuance of a proposed rule in the Federal Register. EPA then accepts public comments on the site, responds to the comments, and places on the NPL those sites that continue to meet the requirements for listing.

Date of Government Version: 12/30/2020	Source: EPA
Date Data Arrived at EDR: 01/14/2021	Telephone: N/A
Date Made Active in Reports: 02/09/2021	Last EDR Contact: 01/14/2021
Number of Days to Update: 26	Next Scheduled EDR Contact: 04/12/2021
	Data Release Frequency: Quarterly

#### **NPL LIENS: Federal Superfund Liens**

Federal Superfund Liens. Under the authority granted the USEPA by CERCLA of 1980, the USEPA has the authority to file liens against real property in order to recover remedial action expenditures or when the property owner received notification of potential liability. USEPA compiles a listing of filed notices of Superfund Liens.

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Date of Government Version: 10/15/1991  
Date Data Arrived at EDR: 02/02/1994  
Date Made Active in Reports: 03/30/1994  
Number of Days to Update: 56

Source: EPA  
Telephone: 202-564-4267  
Last EDR Contact: 08/15/2011  
Next Scheduled EDR Contact: 11/28/2011  
Data Release Frequency: No Update Planned

## ***Federal Delisted NPL site list***

Delisted NPL: National Priority List Deletions

The National Oil and Hazardous Substances Pollution Contingency Plan (NCP) establishes the criteria that the EPA uses to delete sites from the NPL. In accordance with 40 CFR 300.425.(e), sites may be deleted from the NPL where no further response is appropriate.

Date of Government Version: 12/30/2020  
Date Data Arrived at EDR: 01/14/2021  
Date Made Active in Reports: 02/09/2021  
Number of Days to Update: 26

Source: EPA  
Telephone: N/A  
Last EDR Contact: 01/14/2021  
Next Scheduled EDR Contact: 04/12/2021  
Data Release Frequency: Quarterly

## ***Federal CERCLIS list***

FEDERAL FACILITY: Federal Facility Site Information listing

A listing of National Priority List (NPL) and Base Realignment and Closure (BRAC) sites found in the Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS) Database where EPA Federal Facilities Restoration and Reuse Office is involved in cleanup activities.

Date of Government Version: 04/03/2019  
Date Data Arrived at EDR: 04/05/2019  
Date Made Active in Reports: 05/14/2019  
Number of Days to Update: 39

Source: Environmental Protection Agency  
Telephone: 703-603-8704  
Last EDR Contact: 12/23/2020  
Next Scheduled EDR Contact: 04/12/2021  
Data Release Frequency: Varies

SEMS: Superfund Enterprise Management System

SEMS (Superfund Enterprise Management System) tracks hazardous waste sites, potentially hazardous waste sites, and remedial activities performed in support of EPA's Superfund Program across the United States. The list was formerly known as CERCLIS, renamed to SEMS by the EPA in 2015. The list contains data on potentially hazardous waste sites that have been reported to the USEPA by states, municipalities, private companies and private persons, pursuant to Section 103 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). This dataset also contains sites which are either proposed to or on the National Priorities List (NPL) and the sites which are in the screening and assessment phase for possible inclusion on the NPL.

Date of Government Version: 12/30/2020  
Date Data Arrived at EDR: 01/14/2021  
Date Made Active in Reports: 02/18/2021  
Number of Days to Update: 35

Source: EPA  
Telephone: 800-424-9346  
Last EDR Contact: 01/14/2021  
Next Scheduled EDR Contact: 04/26/2021  
Data Release Frequency: Quarterly

## ***Federal CERCLIS NFRAP site list***

SEMS-ARCHIVE: Superfund Enterprise Management System Archive

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

SEMS-ARCHIVE (Superfund Enterprise Management System Archive) tracks sites that have no further interest under the Federal Superfund Program based on available information. The list was formerly known as the CERCLIS-NFRAP, renamed to SEMS ARCHIVE by the EPA in 2015. EPA may perform a minimal level of assessment work at a site while it is archived if site conditions change and/or new information becomes available. Archived sites have been removed and archived from the inventory of SEMS sites. Archived status indicates that, to the best of EPA's knowledge, assessment at a site has been completed and that EPA has determined no further steps will be taken to list the site on the National Priorities List (NPL), unless information indicates this decision was not appropriate or other considerations require a recommendation for listing at a later time. The decision does not necessarily mean that there is no hazard associated with a given site; it only means that, based upon available information, the location is not judged to be potential NPL site.

Date of Government Version: 12/30/2020	Source: EPA
Date Data Arrived at EDR: 01/14/2021	Telephone: 800-424-9346
Date Made Active in Reports: 02/18/2021	Last EDR Contact: 01/14/2021
Number of Days to Update: 35	Next Scheduled EDR Contact: 04/26/2021
	Data Release Frequency: Quarterly

## ***Federal RCRA CORRACTS facilities list***

CORRACTS: Corrective Action Report

CORRACTS identifies hazardous waste handlers with RCRA corrective action activity.

Date of Government Version: 12/14/2020	Source: EPA
Date Data Arrived at EDR: 12/17/2020	Telephone: 800-424-9346
Date Made Active in Reports: 12/22/2020	Last EDR Contact: 12/17/2020
Number of Days to Update: 5	Next Scheduled EDR Contact: 04/05/2021
	Data Release Frequency: Quarterly

## ***Federal RCRA non-CORRACTS TSD facilities list***

RCRA-TSDF: RCRA - Treatment, Storage and Disposal

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Transporters are individuals or entities that move hazardous waste from the generator offsite to a facility that can recycle, treat, store, or dispose of the waste. TSDFs treat, store, or dispose of the waste.

Date of Government Version: 12/14/2020	Source: Environmental Protection Agency
Date Data Arrived at EDR: 12/17/2020	Telephone: (404) 562-8651
Date Made Active in Reports: 12/22/2020	Last EDR Contact: 12/17/2020
Number of Days to Update: 5	Next Scheduled EDR Contact: 04/05/2021
	Data Release Frequency: Quarterly

## ***Federal RCRA generators list***

RCRA-LQG: RCRA - Large Quantity Generators

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Large quantity generators (LQGs) generate over 1,000 kilograms (kg) of hazardous waste, or over 1 kg of acutely hazardous waste per month.

Date of Government Version: 12/14/2020	Source: Environmental Protection Agency
Date Data Arrived at EDR: 12/17/2020	Telephone: (404) 562-8651
Date Made Active in Reports: 12/22/2020	Last EDR Contact: 12/17/2020
Number of Days to Update: 5	Next Scheduled EDR Contact: 04/05/2021
	Data Release Frequency: Quarterly

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

## RCRA-SQG: RCRA - Small Quantity Generators

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Small quantity generators (SQGs) generate between 100 kg and 1,000 kg of hazardous waste per month.

Date of Government Version: 12/14/2020	Source: Environmental Protection Agency
Date Data Arrived at EDR: 12/17/2020	Telephone: (404) 562-8651
Date Made Active in Reports: 12/22/2020	Last EDR Contact: 12/17/2020
Number of Days to Update: 5	Next Scheduled EDR Contact: 04/05/2021
	Data Release Frequency: Quarterly

## RCRA-VSQG: RCRA - Very Small Quantity Generators (Formerly Conditionally Exempt Small Quantity Generators)

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Very small quantity generators (VSQGs) generate less than 100 kg of hazardous waste, or less than 1 kg of acutely hazardous waste per month.

Date of Government Version: 12/14/2020	Source: Environmental Protection Agency
Date Data Arrived at EDR: 12/17/2020	Telephone: (404) 562-8651
Date Made Active in Reports: 12/22/2020	Last EDR Contact: 12/17/2020
Number of Days to Update: 5	Next Scheduled EDR Contact: 04/05/2021
	Data Release Frequency: Quarterly

## ***Federal institutional controls / engineering controls registries***

### LUCIS: Land Use Control Information System

LUCIS contains records of land use control information pertaining to the former Navy Base Realignment and Closure properties.

Date of Government Version: 11/11/2020	Source: Department of the Navy
Date Data Arrived at EDR: 11/17/2020	Telephone: 843-820-7326
Date Made Active in Reports: 02/09/2021	Last EDR Contact: 02/08/2021
Number of Days to Update: 84	Next Scheduled EDR Contact: 05/24/2021
	Data Release Frequency: Varies

### US ENG CONTROLS: Engineering Controls Sites List

A listing of sites with engineering controls in place. Engineering controls include various forms of caps, building foundations, liners, and treatment methods to create pathway elimination for regulated substances to enter environmental media or effect human health.

Date of Government Version: 10/28/2020	Source: Environmental Protection Agency
Date Data Arrived at EDR: 11/05/2020	Telephone: 703-603-0695
Date Made Active in Reports: 11/18/2020	Last EDR Contact: 11/05/2020
Number of Days to Update: 13	Next Scheduled EDR Contact: 03/08/2021
	Data Release Frequency: Varies

### US INST CONTROLS: Institutional Controls Sites List

A listing of sites with institutional controls in place. Institutional controls include administrative measures, such as groundwater use restrictions, construction restrictions, property use restrictions, and post remediation care requirements intended to prevent exposure to contaminants remaining on site. Deed restrictions are generally required as part of the institutional controls.

Date of Government Version: 10/28/2020	Source: Environmental Protection Agency
Date Data Arrived at EDR: 11/05/2020	Telephone: 703-603-0695
Date Made Active in Reports: 11/18/2020	Last EDR Contact: 11/05/2020
Number of Days to Update: 13	Next Scheduled EDR Contact: 03/08/2021
	Data Release Frequency: Varies



# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

## **Federal ERNS list**

ERNS: Emergency Response Notification System

Emergency Response Notification System. ERNS records and stores information on reported releases of oil and hazardous substances.

Date of Government Version: 12/14/2020  
Date Data Arrived at EDR: 12/15/2020  
Date Made Active in Reports: 12/22/2020  
Number of Days to Update: 7

Source: National Response Center, United States Coast Guard  
Telephone: 202-267-2180  
Last EDR Contact: 12/15/2020  
Next Scheduled EDR Contact: 04/05/2021  
Data Release Frequency: Quarterly

## **State- and tribal - equivalent NPL**

HSDS: Hazardous Substance Disposal Site

Locations of uncontrolled and unregulated hazardous waste sites. The file includes sites on the National Priority List as well as those on the state priority list.

Date of Government Version: 08/09/2011  
Date Data Arrived at EDR: 11/08/2011  
Date Made Active in Reports: 12/05/2011  
Number of Days to Update: 27

Source: North Carolina Center for Geographic Information and Analysis  
Telephone: 919-754-6580  
Last EDR Contact: 01/19/2021  
Next Scheduled EDR Contact: 05/03/2021  
Data Release Frequency: No Update Planned

## **State- and tribal - equivalent CERCLIS**

SHWS: Inactive Hazardous Sites Inventory

State Hazardous Waste Sites. State hazardous waste site records are the states' equivalent to CERCLIS. These sites may or may not already be listed on the federal CERCLIS list. Priority sites planned for cleanup using state funds (state equivalent of Superfund) are identified along with sites where cleanup will be paid for by potentially responsible parties. Available information varies by state.

Date of Government Version: 09/04/2020  
Date Data Arrived at EDR: 09/09/2020  
Date Made Active in Reports: 12/03/2020  
Number of Days to Update: 85

Source: Department of Environment, Health and Natural Resources  
Telephone: 919-508-8400  
Last EDR Contact: 12/08/2020  
Next Scheduled EDR Contact: 03/22/2021  
Data Release Frequency: Quarterly

## **State and tribal landfill and/or solid waste disposal site lists**

SWF/LF: List of Solid Waste Facilities

Solid Waste Facilities/Landfill Sites. SWF/LF type records typically contain an inventory of solid waste disposal facilities or landfills in a particular state. Depending on the state, these may be active or inactive facilities or open dumps that failed to meet RCRA Subtitle D Section 4004 criteria for solid waste landfills or disposal sites.

Date of Government Version: 09/10/2020  
Date Data Arrived at EDR: 09/23/2020  
Date Made Active in Reports: 12/14/2020  
Number of Days to Update: 82

Source: Department of Environment and Natural Resources  
Telephone: 919-733-0692  
Last EDR Contact: 12/23/2020  
Next Scheduled EDR Contact: 04/05/2021  
Data Release Frequency: Varies

DEBRIS: Solid Waste Active Disaster Debris Sites Listing

NCDEQ Division of Waste Management Solid Waste Section Temporary Disaster Debris Staging Site (TDDSS) Locations which are available to be activated in a disaster or emergency.. Disaster Debris Sites can only be used for temporary disaster debris storage if the site's responsible party activates the site for use by notifying the NCDEQ DWM Solid Waste Section staff during an emergency

Date of Government Version: 09/02/2020  
Date Data Arrived at EDR: 09/16/2020  
Date Made Active in Reports: 12/08/2020  
Number of Days to Update: 83

Source: Department of Environmental Quality  
Telephone: 919-707-8247  
Last EDR Contact: 12/14/2020  
Next Scheduled EDR Contact: 03/29/2021  
Data Release Frequency: Varies

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

## OLI: Old Landfill Inventory

Old landfill inventory location information. (Does not include no further action sites and other agency lead sites).

Date of Government Version: 09/11/2020  
Date Data Arrived at EDR: 10/09/2020  
Date Made Active in Reports: 12/30/2020  
Number of Days to Update: 82

Source: Department of Environment & Natural Resources  
Telephone: 919-733-4996  
Last EDR Contact: 01/08/2021  
Next Scheduled EDR Contact: 04/19/2021  
Data Release Frequency: Varies

## LCID: Land-Clearing and Inert Debris (LCID) Landfill Notifications

A list all of the Land-Clearing and Inert Debris (LCID) Landfill Notification facilities (under 2 acres in size) in North Carolina.

Date of Government Version: 04/30/2020  
Date Data Arrived at EDR: 07/09/2020  
Date Made Active in Reports: 09/23/2020  
Number of Days to Update: 76

Source: Department of Environmental Quality  
Telephone: 919-707-8248  
Last EDR Contact: 01/08/2021  
Next Scheduled EDR Contact: 04/19/2021  
Data Release Frequency: Varies

## **State and tribal leaking storage tank lists**

### LAST: Leaking Aboveground Storage Tanks

A listing of leaking aboveground storage tank site locations.

Date of Government Version: 10/30/2020  
Date Data Arrived at EDR: 11/03/2020  
Date Made Active in Reports: 01/22/2021  
Number of Days to Update: 80

Source: Department of Environment & Natural Resources  
Telephone: 877-623-6748  
Last EDR Contact: 02/03/2021  
Next Scheduled EDR Contact: 05/17/2021  
Data Release Frequency: Quarterly

### LUST: Regional UST Database

This database contains information obtained from the Regional Offices. It provides a more detailed explanation of current and historic activity for individual sites, as well as what was previously found in the Incident Management Database. Sites in this database with Incident Numbers are considered LUSTs.

Date of Government Version: 10/30/2020  
Date Data Arrived at EDR: 11/03/2020  
Date Made Active in Reports: 11/18/2020  
Number of Days to Update: 15

Source: Department of Environment and Natural Resources  
Telephone: 919-707-8200  
Last EDR Contact: 02/03/2021  
Next Scheduled EDR Contact: 05/17/2021  
Data Release Frequency: Quarterly

### INDIAN LUST R10: Leaking Underground Storage Tanks on Indian Land

LUSTs on Indian land in Alaska, Idaho, Oregon and Washington.

Date of Government Version: 04/14/2020  
Date Data Arrived at EDR: 05/20/2020  
Date Made Active in Reports: 08/12/2020  
Number of Days to Update: 84

Source: EPA Region 10  
Telephone: 206-553-2857  
Last EDR Contact: 12/16/2020  
Next Scheduled EDR Contact: 05/03/2021  
Data Release Frequency: Varies

### INDIAN LUST R4: Leaking Underground Storage Tanks on Indian Land

LUSTs on Indian land in Florida, Mississippi and North Carolina.

Date of Government Version: 04/14/2020  
Date Data Arrived at EDR: 05/26/2020  
Date Made Active in Reports: 08/12/2020  
Number of Days to Update: 78

Source: EPA Region 4  
Telephone: 404-562-8677  
Last EDR Contact: 12/16/2020  
Next Scheduled EDR Contact: 05/03/2021  
Data Release Frequency: Varies

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

## INDIAN LUST R5: Leaking Underground Storage Tanks on Indian Land

Leaking underground storage tanks located on Indian Land in Michigan, Minnesota and Wisconsin.

Date of Government Version: 04/14/2020	Source: EPA, Region 5
Date Data Arrived at EDR: 05/20/2020	Telephone: 312-886-7439
Date Made Active in Reports: 08/12/2020	Last EDR Contact: 12/16/2020
Number of Days to Update: 84	Next Scheduled EDR Contact: 05/03/2021
	Data Release Frequency: Varies

## INDIAN LUST R7: Leaking Underground Storage Tanks on Indian Land

LUSTs on Indian land in Iowa, Kansas, and Nebraska

Date of Government Version: 04/15/2020	Source: EPA Region 7
Date Data Arrived at EDR: 05/20/2020	Telephone: 913-551-7003
Date Made Active in Reports: 08/12/2020	Last EDR Contact: 12/16/2020
Number of Days to Update: 84	Next Scheduled EDR Contact: 05/03/2021
	Data Release Frequency: Varies

## INDIAN LUST R1: Leaking Underground Storage Tanks on Indian Land

A listing of leaking underground storage tank locations on Indian Land.

Date of Government Version: 04/29/2020	Source: EPA Region 1
Date Data Arrived at EDR: 05/20/2020	Telephone: 617-918-1313
Date Made Active in Reports: 08/12/2020	Last EDR Contact: 12/16/2020
Number of Days to Update: 84	Next Scheduled EDR Contact: 05/03/2021
	Data Release Frequency: Varies

## INDIAN LUST R6: Leaking Underground Storage Tanks on Indian Land

LUSTs on Indian land in New Mexico and Oklahoma.

Date of Government Version: 04/08/2020	Source: EPA Region 6
Date Data Arrived at EDR: 05/20/2020	Telephone: 214-665-6597
Date Made Active in Reports: 08/12/2020	Last EDR Contact: 12/16/2020
Number of Days to Update: 84	Next Scheduled EDR Contact: 05/03/2021
	Data Release Frequency: Varies

## INDIAN LUST R8: Leaking Underground Storage Tanks on Indian Land

LUSTs on Indian land in Colorado, Montana, North Dakota, South Dakota, Utah and Wyoming.

Date of Government Version: 04/14/2020	Source: EPA Region 8
Date Data Arrived at EDR: 05/20/2020	Telephone: 303-312-6271
Date Made Active in Reports: 08/12/2020	Last EDR Contact: 12/16/2020
Number of Days to Update: 84	Next Scheduled EDR Contact: 05/03/2021
	Data Release Frequency: Varies

## INDIAN LUST R9: Leaking Underground Storage Tanks on Indian Land

LUSTs on Indian land in Arizona, California, New Mexico and Nevada

Date of Government Version: 04/08/2020	Source: Environmental Protection Agency
Date Data Arrived at EDR: 05/20/2020	Telephone: 415-972-3372
Date Made Active in Reports: 08/12/2020	Last EDR Contact: 12/16/2020
Number of Days to Update: 84	Next Scheduled EDR Contact: 05/03/2021
	Data Release Frequency: Varies

## LUST TRUST: State Trust Fund Database

This database contains information about claims against the State Trust Funds for reimbursements for expenses incurred while remediating Leaking USTs.

Date of Government Version: 10/02/2020	Source: Department of Environment and Natural Resources
Date Data Arrived at EDR: 10/07/2020	Telephone: 919-733-1315
Date Made Active in Reports: 12/31/2020	Last EDR Contact: 01/06/2021
Number of Days to Update: 85	Next Scheduled EDR Contact: 04/19/2021
	Data Release Frequency: Quarterly

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

## ***State and tribal registered storage tank lists***

### **FEMA UST: Underground Storage Tank Listing**

A listing of all FEMA owned underground storage tanks.

Date of Government Version: 07/21/2020	Source: FEMA
Date Data Arrived at EDR: 09/03/2020	Telephone: 202-646-5797
Date Made Active in Reports: 11/25/2020	Last EDR Contact: 01/04/2021
Number of Days to Update: 83	Next Scheduled EDR Contact: 04/19/2021
	Data Release Frequency: Varies

### **UST: Petroleum Underground Storage Tank Database**

Registered Underground Storage Tanks. UST's are regulated under Subtitle I of the Resource Conservation and Recovery Act (RCRA) and must be registered with the state department responsible for administering the UST program. Available information varies by state program.

Date of Government Version: 10/30/2020	Source: Department of Environment and Natural Resources
Date Data Arrived at EDR: 11/04/2020	Telephone: 919-733-1308
Date Made Active in Reports: 12/31/2020	Last EDR Contact: 02/03/2021
Number of Days to Update: 57	Next Scheduled EDR Contact: 05/17/2021
	Data Release Frequency: Quarterly

### **AST: AST Database**

Facilities with aboveground storage tanks that have a capacity greater than 21,000 gallons.

Date of Government Version: 08/12/2020	Source: Department of Environment and Natural Resources
Date Data Arrived at EDR: 09/15/2020	Telephone: 919-715-6183
Date Made Active in Reports: 12/07/2020	Last EDR Contact: 12/09/2020
Number of Days to Update: 83	Next Scheduled EDR Contact: 03/29/2021
	Data Release Frequency: Semi-Annually

### **INDIAN UST R10: Underground Storage Tanks on Indian Land**

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 10 (Alaska, Idaho, Oregon, Washington, and Tribal Nations).

Date of Government Version: 04/14/2020	Source: EPA Region 10
Date Data Arrived at EDR: 05/20/2020	Telephone: 206-553-2857
Date Made Active in Reports: 08/12/2020	Last EDR Contact: 12/15/2020
Number of Days to Update: 84	Next Scheduled EDR Contact: 05/03/2021
	Data Release Frequency: Varies

### **INDIAN UST R6: Underground Storage Tanks on Indian Land**

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 6 (Louisiana, Arkansas, Oklahoma, New Mexico, Texas and 65 Tribes).

Date of Government Version: 04/08/2020	Source: EPA Region 6
Date Data Arrived at EDR: 05/20/2020	Telephone: 214-665-7591
Date Made Active in Reports: 08/12/2020	Last EDR Contact: 12/16/2020
Number of Days to Update: 84	Next Scheduled EDR Contact: 05/03/2021
	Data Release Frequency: Varies

### **INDIAN UST R7: Underground Storage Tanks on Indian Land**

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 7 (Iowa, Kansas, Missouri, Nebraska, and 9 Tribal Nations).

Date of Government Version: 04/03/2020	Source: EPA Region 7
Date Data Arrived at EDR: 05/20/2020	Telephone: 913-551-7003
Date Made Active in Reports: 08/12/2020	Last EDR Contact: 12/16/2020
Number of Days to Update: 84	Next Scheduled EDR Contact: 05/03/2021
	Data Release Frequency: Varies

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

## INDIAN UST R1: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 1 (Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont and ten Tribal Nations).

Date of Government Version: 04/29/2020	Source: EPA, Region 1
Date Data Arrived at EDR: 05/20/2020	Telephone: 617-918-1313
Date Made Active in Reports: 08/12/2020	Last EDR Contact: 12/16/2020
Number of Days to Update: 84	Next Scheduled EDR Contact: 05/03/2021
	Data Release Frequency: Varies

## INDIAN UST R8: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 8 (Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming and 27 Tribal Nations).

Date of Government Version: 04/14/2020	Source: EPA Region 8
Date Data Arrived at EDR: 05/20/2020	Telephone: 303-312-6137
Date Made Active in Reports: 08/13/2020	Last EDR Contact: 12/16/2020
Number of Days to Update: 85	Next Scheduled EDR Contact: 05/03/2021
	Data Release Frequency: Varies

## INDIAN UST R9: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 9 (Arizona, California, Hawaii, Nevada, the Pacific Islands, and Tribal Nations).

Date of Government Version: 04/08/2020	Source: EPA Region 9
Date Data Arrived at EDR: 05/20/2020	Telephone: 415-972-3368
Date Made Active in Reports: 08/12/2020	Last EDR Contact: 12/16/2020
Number of Days to Update: 84	Next Scheduled EDR Contact: 05/03/2021
	Data Release Frequency: Varies

## INDIAN UST R4: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 4 (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee and Tribal Nations)

Date of Government Version: 04/14/2020	Source: EPA Region 4
Date Data Arrived at EDR: 05/26/2020	Telephone: 404-562-9424
Date Made Active in Reports: 08/12/2020	Last EDR Contact: 12/16/2020
Number of Days to Update: 78	Next Scheduled EDR Contact: 05/03/2021
	Data Release Frequency: Varies

## INDIAN UST R5: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 5 (Michigan, Minnesota and Wisconsin and Tribal Nations).

Date of Government Version: 04/14/2020	Source: EPA Region 5
Date Data Arrived at EDR: 05/20/2020	Telephone: 312-886-6136
Date Made Active in Reports: 08/12/2020	Last EDR Contact: 12/16/2020
Number of Days to Update: 84	Next Scheduled EDR Contact: 05/03/2021
	Data Release Frequency: Varies

## ***State and tribal institutional control / engineering control registries***

### INST CONTROL: No Further Action Sites With Land Use Restrictions Monitoring

A land use restricted site is a property where there are limits or requirements on future use of the property due to varying levels of cleanup possible, practical, or necessary at the site.

Date of Government Version: 09/04/2020	Source: Department of Environmental Quality
Date Data Arrived at EDR: 09/09/2020	Telephone: 919-508-8400
Date Made Active in Reports: 12/03/2020	Last EDR Contact: 12/11/2020
Number of Days to Update: 85	Next Scheduled EDR Contact: 03/22/2021
	Data Release Frequency: Quarterly

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

## ***State and tribal voluntary cleanup sites***

### **INDIAN VCP R7: Voluntary Cleanup Priority Listing**

A listing of voluntary cleanup priority sites located on Indian Land located in Region 7.

Date of Government Version: 03/20/2008	Source: EPA, Region 7
Date Data Arrived at EDR: 04/22/2008	Telephone: 913-551-7365
Date Made Active in Reports: 05/19/2008	Last EDR Contact: 04/20/2009
Number of Days to Update: 27	Next Scheduled EDR Contact: 07/20/2009
	Data Release Frequency: Varies

### **INDIAN VCP R1: Voluntary Cleanup Priority Listing**

A listing of voluntary cleanup priority sites located on Indian Land located in Region 1.

Date of Government Version: 07/27/2015	Source: EPA, Region 1
Date Data Arrived at EDR: 09/29/2015	Telephone: 617-918-1102
Date Made Active in Reports: 02/18/2016	Last EDR Contact: 12/15/2020
Number of Days to Update: 142	Next Scheduled EDR Contact: 04/05/2021
	Data Release Frequency: Varies

### **VCP: Responsible Party Voluntary Action Sites**

Responsible Party Voluntary Action site locations.

Date of Government Version: 09/04/2020	Source: Department of Environment and Natural Resources
Date Data Arrived at EDR: 09/09/2020	Telephone: 919-508-8400
Date Made Active in Reports: 12/03/2020	Last EDR Contact: 12/08/2020
Number of Days to Update: 85	Next Scheduled EDR Contact: 03/22/2021
	Data Release Frequency: Quarterly

## ***State and tribal Brownfields sites***

### **BROWNFIELDS: Brownfields Projects Inventory**

A brownfield site is an abandoned, idled, or underused property where the threat of environmental contamination has hindered its redevelopment. All of the sites in the inventory are working toward a brownfield agreement for cleanup and liability control.

Date of Government Version: 12/01/2020	Source: Department of Environment and Natural Resources
Date Data Arrived at EDR: 12/08/2020	Telephone: 919-733-4996
Date Made Active in Reports: 12/09/2020	Last EDR Contact: 12/08/2020
Number of Days to Update: 1	Next Scheduled EDR Contact: 04/12/2021
	Data Release Frequency: Quarterly

## **ADDITIONAL ENVIRONMENTAL RECORDS**

### ***Local Brownfield lists***

### **US BROWNFIELDS: A Listing of Brownfields Sites**

Brownfields are real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. Cleaning up and reinvesting in these properties takes development pressures off of undeveloped, open land, and both improves and protects the environment. Assessment, Cleanup and Redevelopment Exchange System (ACRES) stores information reported by EPA Brownfields grant recipients on brownfields properties assessed or cleaned up with grant funding as well as information on Targeted Brownfields Assessments performed by EPA Regions. A listing of ACRES Brownfield sites is obtained from Cleanups in My Community. Cleanups in My Community provides information on Brownfields properties for which information is reported back to EPA, as well as areas served by Brownfields grant programs.

Date of Government Version: 09/14/2020	Source: Environmental Protection Agency
Date Data Arrived at EDR: 09/15/2020	Telephone: 202-566-2777
Date Made Active in Reports: 12/10/2020	Last EDR Contact: 12/11/2020
Number of Days to Update: 86	Next Scheduled EDR Contact: 03/29/2021
	Data Release Frequency: Semi-Annually

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

## **Local Lists of Landfill / Solid Waste Disposal Sites**

### **HIST LF: Solid Waste Facility Listing**

A listing of solid waste facilities.

Date of Government Version: 11/06/2006  
Date Data Arrived at EDR: 02/13/2007  
Date Made Active in Reports: 03/02/2007  
Number of Days to Update: 17

Source: Department of Environment & Natural Resources  
Telephone: 919-733-0692  
Last EDR Contact: 01/19/2009  
Next Scheduled EDR Contact: N/A  
Data Release Frequency: No Update Planned

### **SWRCY: Recycling Center Listing**

A listing of recycling center locations.

Date of Government Version: 09/16/2020  
Date Data Arrived at EDR: 09/17/2020  
Date Made Active in Reports: 12/09/2020  
Number of Days to Update: 83

Source: Department of Environment & Natural Resources  
Telephone: 919-707-8137  
Last EDR Contact: 01/25/2021  
Next Scheduled EDR Contact: 05/10/2021  
Data Release Frequency: Varies

### **INDIAN ODI: Report on the Status of Open Dumps on Indian Lands**

Location of open dumps on Indian land.

Date of Government Version: 12/31/1998  
Date Data Arrived at EDR: 12/03/2007  
Date Made Active in Reports: 01/24/2008  
Number of Days to Update: 52

Source: Environmental Protection Agency  
Telephone: 703-308-8245  
Last EDR Contact: 01/25/2021  
Next Scheduled EDR Contact: 05/10/2021  
Data Release Frequency: Varies

### **DEBRIS REGION 9: Torres Martinez Reservation Illegal Dump Site Locations**

A listing of illegal dump sites location on the Torres Martinez Indian Reservation located in eastern Riverside County and northern Imperial County, California.

Date of Government Version: 01/12/2009  
Date Data Arrived at EDR: 05/07/2009  
Date Made Active in Reports: 09/21/2009  
Number of Days to Update: 137

Source: EPA, Region 9  
Telephone: 415-947-4219  
Last EDR Contact: 01/19/2021  
Next Scheduled EDR Contact: 05/03/2021  
Data Release Frequency: No Update Planned

### **ODI: Open Dump Inventory**

An open dump is defined as a disposal facility that does not comply with one or more of the Part 257 or Part 258 Subtitle D Criteria.

Date of Government Version: 06/30/1985  
Date Data Arrived at EDR: 08/09/2004  
Date Made Active in Reports: 09/17/2004  
Number of Days to Update: 39

Source: Environmental Protection Agency  
Telephone: 800-424-9346  
Last EDR Contact: 06/09/2004  
Next Scheduled EDR Contact: N/A  
Data Release Frequency: No Update Planned

### **IHS OPEN DUMPS: Open Dumps on Indian Land**

A listing of all open dumps located on Indian Land in the United States.

Date of Government Version: 04/01/2014  
Date Data Arrived at EDR: 08/06/2014  
Date Made Active in Reports: 01/29/2015  
Number of Days to Update: 176

Source: Department of Health & Human Services, Indian Health Service  
Telephone: 301-443-1452  
Last EDR Contact: 01/29/2021  
Next Scheduled EDR Contact: 05/10/2021  
Data Release Frequency: Varies

## **Local Lists of Hazardous waste / Contaminated Sites**

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

## US HIST CDL: National Clandestine Laboratory Register

A listing of clandestine drug lab locations that have been removed from the DEAs National Clandestine Laboratory Register.

Date of Government Version: 03/18/2020  
Date Data Arrived at EDR: 03/19/2020  
Date Made Active in Reports: 06/09/2020  
Number of Days to Update: 82

Source: Drug Enforcement Administration  
Telephone: 202-307-1000  
Last EDR Contact: 02/22/2021  
Next Scheduled EDR Contact: 06/06/2021  
Data Release Frequency: No Update Planned

## US CDL: Clandestine Drug Labs

A listing of clandestine drug lab locations. The U.S. Department of Justice ("the Department") provides this web site as a public service. It contains addresses of some locations where law enforcement agencies reported they found chemicals or other items that indicated the presence of either clandestine drug laboratories or dumpsites. In most cases, the source of the entries is not the Department, and the Department has not verified the entry and does not guarantee its accuracy. Members of the public must verify the accuracy of all entries by, for example, contacting local law enforcement and local health departments.

Date of Government Version: 03/18/2020  
Date Data Arrived at EDR: 03/19/2020  
Date Made Active in Reports: 06/09/2020  
Number of Days to Update: 82

Source: Drug Enforcement Administration  
Telephone: 202-307-1000  
Last EDR Contact: 02/22/2021  
Next Scheduled EDR Contact: 06/06/2021  
Data Release Frequency: Quarterly

## **Local Land Records**

### LIENS 2: CERCLA Lien Information

A Federal CERCLA ('Superfund') lien can exist by operation of law at any site or property at which EPA has spent Superfund monies. These monies are spent to investigate and address releases and threatened releases of contamination. CERCLIS provides information as to the identity of these sites and properties.

Date of Government Version: 12/30/2020  
Date Data Arrived at EDR: 01/14/2021  
Date Made Active in Reports: 02/18/2021  
Number of Days to Update: 35

Source: Environmental Protection Agency  
Telephone: 202-564-6023  
Last EDR Contact: 01/14/2021  
Next Scheduled EDR Contact: 04/12/2021  
Data Release Frequency: Semi-Annually

## **Records of Emergency Release Reports**

### HMIRS: Hazardous Materials Information Reporting System

Hazardous Materials Incident Report System. HMIRS contains hazardous material spill incidents reported to DOT.

Date of Government Version: 09/20/2020  
Date Data Arrived at EDR: 09/22/2020  
Date Made Active in Reports: 12/14/2020  
Number of Days to Update: 83

Source: U.S. Department of Transportation  
Telephone: 202-366-4555  
Last EDR Contact: 12/17/2020  
Next Scheduled EDR Contact: 04/05/2021  
Data Release Frequency: Quarterly

### SPILLS: Spills Incident Listing

A listing spills, hazardous material releases, sanitary sewer overflows, wastewater treatment plant bypasses and upsets, citizen complaints, and any other environmental emergency calls reported to the agency.

Date of Government Version: 10/09/2020  
Date Data Arrived at EDR: 10/22/2020  
Date Made Active in Reports: 01/14/2021  
Number of Days to Update: 84

Source: Department of Environment & Natural Resources  
Telephone: 919-807-6308  
Last EDR Contact: 01/11/2021  
Next Scheduled EDR Contact: 03/22/2021  
Data Release Frequency: Quarterly

### IMD: Incident Management Database

Groundwater and/or soil contamination incidents



# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Date of Government Version: 10/30/2020  
Date Data Arrived at EDR: 11/03/2020  
Date Made Active in Reports: 01/21/2021  
Number of Days to Update: 79

Source: Department of Environment and Natural Resources  
Telephone: 877-623-6748  
Last EDR Contact: 02/03/2021  
Next Scheduled EDR Contact: 05/17/2021  
Data Release Frequency: No Update Planned

## SPILLS 90: SPILLS90 data from FirstSearch

Spills 90 includes those spill and release records available exclusively from FirstSearch databases. Typically, they may include chemical, oil and/or hazardous substance spills recorded after 1990. Duplicate records that are already included in EDR incident and release records are not included in Spills 90.

Date of Government Version: 09/27/2012  
Date Data Arrived at EDR: 01/03/2013  
Date Made Active in Reports: 03/06/2013  
Number of Days to Update: 62

Source: FirstSearch  
Telephone: N/A  
Last EDR Contact: 01/03/2013  
Next Scheduled EDR Contact: N/A  
Data Release Frequency: No Update Planned

## SPILLS 80: SPILLS80 data from FirstSearch

Spills 80 includes those spill and release records available from FirstSearch databases prior to 1990. Typically, they may include chemical, oil and/or hazardous substance spills recorded before 1990. Duplicate records that are already included in EDR incident and release records are not included in Spills 80.

Date of Government Version: 06/14/2001  
Date Data Arrived at EDR: 01/03/2013  
Date Made Active in Reports: 03/06/2013  
Number of Days to Update: 62

Source: FirstSearch  
Telephone: N/A  
Last EDR Contact: 01/03/2013  
Next Scheduled EDR Contact: N/A  
Data Release Frequency: No Update Planned

## **Other Ascertainable Records**

### RCRA NonGen / NLR: RCRA - Non Generators / No Longer Regulated

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Non-Generators do not presently generate hazardous waste.

Date of Government Version: 12/14/2020  
Date Data Arrived at EDR: 12/17/2020  
Date Made Active in Reports: 12/22/2020  
Number of Days to Update: 5

Source: Environmental Protection Agency  
Telephone: (404) 562-8651  
Last EDR Contact: 12/17/2020  
Next Scheduled EDR Contact: 04/05/2021  
Data Release Frequency: Quarterly

### FUDS: Formerly Used Defense Sites

The listing includes locations of Formerly Used Defense Sites properties where the US Army Corps of Engineers is actively working or will take necessary cleanup actions.

Date of Government Version: 09/29/2020  
Date Data Arrived at EDR: 11/17/2020  
Date Made Active in Reports: 01/25/2021  
Number of Days to Update: 69

Source: U.S. Army Corps of Engineers  
Telephone: 202-528-4285  
Last EDR Contact: 02/17/2021  
Next Scheduled EDR Contact: 05/31/2021  
Data Release Frequency: Varies

### DOD: Department of Defense Sites

This data set consists of federally owned or administered lands, administered by the Department of Defense, that have any area equal to or greater than 640 acres of the United States, Puerto Rico, and the U.S. Virgin Islands.

Date of Government Version: 12/31/2005  
Date Data Arrived at EDR: 11/10/2006  
Date Made Active in Reports: 01/11/2007  
Number of Days to Update: 62

Source: USGS  
Telephone: 888-275-8747  
Last EDR Contact: 01/15/2021  
Next Scheduled EDR Contact: 04/26/2021  
Data Release Frequency: Semi-Annually

## GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

### FEDLAND: Federal and Indian Lands

Federally and Indian administrated lands of the United States. Lands included are administrated by: Army Corps of Engineers, Bureau of Reclamation, National Wild and Scenic River, National Wildlife Refuge, Public Domain Land, Wilderness, Wilderness Study Area, Wildlife Management Area, Bureau of Indian Affairs, Bureau of Land Management, Department of Justice, Forest Service, Fish and Wildlife Service, National Park Service.

Date of Government Version: 04/02/2018	Source: U.S. Geological Survey
Date Data Arrived at EDR: 04/11/2018	Telephone: 888-275-8747
Date Made Active in Reports: 11/06/2019	Last EDR Contact: 01/07/2021
Number of Days to Update: 574	Next Scheduled EDR Contact: 04/19/2021
	Data Release Frequency: N/A

### SCRD DRYCLEANERS: State Coalition for Remediation of Drycleaners Listing

The State Coalition for Remediation of Drycleaners was established in 1998, with support from the U.S. EPA Office of Superfund Remediation and Technology Innovation. It is comprised of representatives of states with established drycleaner remediation programs. Currently the member states are Alabama, Connecticut, Florida, Illinois, Kansas, Minnesota, Missouri, North Carolina, Oregon, South Carolina, Tennessee, Texas, and Wisconsin.

Date of Government Version: 01/01/2017	Source: Environmental Protection Agency
Date Data Arrived at EDR: 02/03/2017	Telephone: 615-532-8599
Date Made Active in Reports: 04/07/2017	Last EDR Contact: 02/09/2021
Number of Days to Update: 63	Next Scheduled EDR Contact: 05/24/2021
	Data Release Frequency: Varies

### US FIN ASSUR: Financial Assurance Information

All owners and operators of facilities that treat, store, or dispose of hazardous waste are required to provide proof that they will have sufficient funds to pay for the clean up, closure, and post-closure care of their facilities.

Date of Government Version: 09/21/2020	Source: Environmental Protection Agency
Date Data Arrived at EDR: 09/22/2020	Telephone: 202-566-1917
Date Made Active in Reports: 12/14/2020	Last EDR Contact: 12/17/2020
Number of Days to Update: 83	Next Scheduled EDR Contact: 04/05/2021
	Data Release Frequency: Quarterly

### EPA WATCH LIST: EPA WATCH LIST

EPA maintains a "Watch List" to facilitate dialogue between EPA, state and local environmental agencies on enforcement matters relating to facilities with alleged violations identified as either significant or high priority. Being on the Watch List does not mean that the facility has actually violated the law only that an investigation by EPA or a state or local environmental agency has led those organizations to allege that an unproven violation has in fact occurred. Being on the Watch List does not represent a higher level of concern regarding the alleged violations that were detected, but instead indicates cases requiring additional dialogue between EPA, state and local agencies - primarily because of the length of time the alleged violation has gone unaddressed or unresolved.

Date of Government Version: 08/30/2013	Source: Environmental Protection Agency
Date Data Arrived at EDR: 03/21/2014	Telephone: 617-520-3000
Date Made Active in Reports: 06/17/2014	Last EDR Contact: 02/02/2021
Number of Days to Update: 88	Next Scheduled EDR Contact: 05/17/2021
	Data Release Frequency: Quarterly

### 2020 COR ACTION: 2020 Corrective Action Program List

The EPA has set ambitious goals for the RCRA Corrective Action program by creating the 2020 Corrective Action Universe. This RCRA cleanup baseline includes facilities expected to need corrective action. The 2020 universe contains a wide variety of sites. Some properties are heavily contaminated while others were contaminated but have since been cleaned up. Still others have not been fully investigated yet, and may require little or no remediation. Inclusion in the 2020 Universe does not necessarily imply failure on the part of a facility to meet its RCRA obligations.

Date of Government Version: 09/30/2017	Source: Environmental Protection Agency
Date Data Arrived at EDR: 05/08/2018	Telephone: 703-308-4044
Date Made Active in Reports: 07/20/2018	Last EDR Contact: 02/05/2021
Number of Days to Update: 73	Next Scheduled EDR Contact: 05/17/2021
	Data Release Frequency: Varies

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

## TSCA: Toxic Substances Control Act

Toxic Substances Control Act. TSCA identifies manufacturers and importers of chemical substances included on the TSCA Chemical Substance Inventory list. It includes data on the production volume of these substances by plant site.

Date of Government Version: 12/31/2016	Source: EPA
Date Data Arrived at EDR: 06/17/2020	Telephone: 202-260-5521
Date Made Active in Reports: 09/10/2020	Last EDR Contact: 12/18/2020
Number of Days to Update: 85	Next Scheduled EDR Contact: 03/29/2021
	Data Release Frequency: Every 4 Years

## TRIS: Toxic Chemical Release Inventory System

Toxic Release Inventory System. TRIS identifies facilities which release toxic chemicals to the air, water and land in reportable quantities under SARA Title III Section 313.

Date of Government Version: 12/31/2018	Source: EPA
Date Data Arrived at EDR: 08/14/2020	Telephone: 202-566-0250
Date Made Active in Reports: 11/04/2020	Last EDR Contact: 02/02/2021
Number of Days to Update: 82	Next Scheduled EDR Contact: 05/31/2021
	Data Release Frequency: Annually

## SSTS: Section 7 Tracking Systems

Section 7 of the Federal Insecticide, Fungicide and Rodenticide Act, as amended (92 Stat. 829) requires all registered pesticide-producing establishments to submit a report to the Environmental Protection Agency by March 1st each year. Each establishment must report the types and amounts of pesticides, active ingredients and devices being produced, and those having been produced and sold or distributed in the past year.

Date of Government Version: 10/19/2020	Source: EPA
Date Data Arrived at EDR: 10/19/2020	Telephone: 202-564-4203
Date Made Active in Reports: 01/04/2021	Last EDR Contact: 01/21/2021
Number of Days to Update: 77	Next Scheduled EDR Contact: 05/03/2021
	Data Release Frequency: Annually

## ROD: Records Of Decision

Record of Decision. ROD documents mandate a permanent remedy at an NPL (Superfund) site containing technical and health information to aid in the cleanup.

Date of Government Version: 12/30/2020	Source: EPA
Date Data Arrived at EDR: 01/14/2021	Telephone: 703-416-0223
Date Made Active in Reports: 02/18/2021	Last EDR Contact: 01/14/2021
Number of Days to Update: 35	Next Scheduled EDR Contact: 03/15/2021
	Data Release Frequency: Annually

## RMP: Risk Management Plans

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

When Congress passed the Clean Air Act Amendments of 1990, it required EPA to publish regulations and guidance for chemical accident prevention at facilities using extremely hazardous substances. The Risk Management Program Rule (RMP Rule) was written to implement Section 112(r) of these amendments. The rule, which built upon existing industry codes and standards, requires companies of all sizes that use certain flammable and toxic substances to develop a Risk Management Program, which includes a(n): Hazard assessment that details the potential effects of an accidental release, an accident history of the last five years, and an evaluation of worst-case and alternative accidental releases; Prevention program that includes safety precautions and maintenance, monitoring, and employee training measures; and Emergency response program that spells out emergency health care, employee training measures and procedures for informing the public and response agencies (e.g the fire department) should an accident occur.

Date of Government Version: 11/02/2020	Source: Environmental Protection Agency
Date Data Arrived at EDR: 11/12/2020	Telephone: 202-564-8600
Date Made Active in Reports: 01/25/2021	Last EDR Contact: 01/19/2021
Number of Days to Update: 74	Next Scheduled EDR Contact: 05/03/2021
	Data Release Frequency: Varies

## RAATS: RCRA Administrative Action Tracking System

RCRA Administration Action Tracking System. RAATS contains records based on enforcement actions issued under RCRA pertaining to major violators and includes administrative and civil actions brought by the EPA. For administration actions after September 30, 1995, data entry in the RAATS database was discontinued. EPA will retain a copy of the database for historical records. It was necessary to terminate RAATS because a decrease in agency resources made it impossible to continue to update the information contained in the database.

Date of Government Version: 04/17/1995	Source: EPA
Date Data Arrived at EDR: 07/03/1995	Telephone: 202-564-4104
Date Made Active in Reports: 08/07/1995	Last EDR Contact: 06/02/2008
Number of Days to Update: 35	Next Scheduled EDR Contact: 09/01/2008
	Data Release Frequency: No Update Planned

## PRP: Potentially Responsible Parties

A listing of verified Potentially Responsible Parties

Date of Government Version: 04/27/2020	Source: EPA
Date Data Arrived at EDR: 05/06/2020	Telephone: 202-564-6023
Date Made Active in Reports: 06/09/2020	Last EDR Contact: 01/14/2021
Number of Days to Update: 34	Next Scheduled EDR Contact: 05/17/2021
	Data Release Frequency: Quarterly

## PADS: PCB Activity Database System

PCB Activity Database. PADS Identifies generators, transporters, commercial storers and/or brokers and disposers of PCB's who are required to notify the EPA of such activities.

Date of Government Version: 10/09/2019	Source: EPA
Date Data Arrived at EDR: 10/11/2019	Telephone: 202-566-0500
Date Made Active in Reports: 12/20/2019	Last EDR Contact: 01/08/2021
Number of Days to Update: 70	Next Scheduled EDR Contact: 04/19/2021
	Data Release Frequency: Annually

## ICIS: Integrated Compliance Information System

The Integrated Compliance Information System (ICIS) supports the information needs of the national enforcement and compliance program as well as the unique needs of the National Pollutant Discharge Elimination System (NPDES) program.

Date of Government Version: 11/18/2016	Source: Environmental Protection Agency
Date Data Arrived at EDR: 11/23/2016	Telephone: 202-564-2501
Date Made Active in Reports: 02/10/2017	Last EDR Contact: 12/30/2020
Number of Days to Update: 79	Next Scheduled EDR Contact: 04/19/2021
	Data Release Frequency: Quarterly

## GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

### FTTS: FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act)

FTTS tracks administrative cases and pesticide enforcement actions and compliance activities related to FIFRA, TSCA and EPCRA (Emergency Planning and Community Right-to-Know Act). To maintain currency, EDR contacts the Agency on a quarterly basis.

Date of Government Version: 04/09/2009	Source: EPA/Office of Prevention, Pesticides and Toxic Substances
Date Data Arrived at EDR: 04/16/2009	Telephone: 202-566-1667
Date Made Active in Reports: 05/11/2009	Last EDR Contact: 08/18/2017
Number of Days to Update: 25	Next Scheduled EDR Contact: 12/04/2017
	Data Release Frequency: No Update Planned

### FTTS INSP: FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act)

A listing of FIFRA/TSCA Tracking System (FTTS) inspections and enforcements.

Date of Government Version: 04/09/2009	Source: EPA
Date Data Arrived at EDR: 04/16/2009	Telephone: 202-566-1667
Date Made Active in Reports: 05/11/2009	Last EDR Contact: 08/18/2017
Number of Days to Update: 25	Next Scheduled EDR Contact: 12/04/2017
	Data Release Frequency: No Update Planned

### MLTS: Material Licensing Tracking System

MLTS is maintained by the Nuclear Regulatory Commission and contains a list of approximately 8,100 sites which possess or use radioactive materials and which are subject to NRC licensing requirements. To maintain currency, EDR contacts the Agency on a quarterly basis.

Date of Government Version: 08/05/2020	Source: Nuclear Regulatory Commission
Date Data Arrived at EDR: 08/10/2020	Telephone: 301-415-7169
Date Made Active in Reports: 10/08/2020	Last EDR Contact: 01/19/2021
Number of Days to Update: 59	Next Scheduled EDR Contact: 05/03/2021
	Data Release Frequency: Quarterly

### COAL ASH DOE: Steam-Electric Plant Operation Data

A listing of power plants that store ash in surface ponds.

Date of Government Version: 12/31/2019	Source: Department of Energy
Date Data Arrived at EDR: 12/01/2020	Telephone: 202-586-8719
Date Made Active in Reports: 02/09/2021	Last EDR Contact: 12/01/2020
Number of Days to Update: 70	Next Scheduled EDR Contact: 03/15/2021
	Data Release Frequency: Varies

### COAL ASH EPA: Coal Combustion Residues Surface Impoundments List

A listing of coal combustion residues surface impoundments with high hazard potential ratings.

Date of Government Version: 01/12/2017	Source: Environmental Protection Agency
Date Data Arrived at EDR: 03/05/2019	Telephone: N/A
Date Made Active in Reports: 11/11/2019	Last EDR Contact: 11/30/2020
Number of Days to Update: 251	Next Scheduled EDR Contact: 03/15/2021
	Data Release Frequency: Varies

### PCB TRANSFORMER: PCB Transformer Registration Database

The database of PCB transformer registrations that includes all PCB registration submittals.

Date of Government Version: 09/13/2019	Source: Environmental Protection Agency
Date Data Arrived at EDR: 11/06/2019	Telephone: 202-566-0517
Date Made Active in Reports: 02/10/2020	Last EDR Contact: 02/05/2021
Number of Days to Update: 96	Next Scheduled EDR Contact: 05/17/2021
	Data Release Frequency: Varies

### RADINFO: Radiation Information Database

The Radiation Information Database (RADINFO) contains information about facilities that are regulated by U.S. Environmental Protection Agency (EPA) regulations for radiation and radioactivity.

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Date of Government Version: 07/01/2019  
Date Data Arrived at EDR: 07/01/2019  
Date Made Active in Reports: 09/23/2019  
Number of Days to Update: 84

Source: Environmental Protection Agency  
Telephone: 202-343-9775  
Last EDR Contact: 01/08/2021  
Next Scheduled EDR Contact: 04/12/2021  
Data Release Frequency: Quarterly

## HIST FTTS: FIFRA/TSCA Tracking System Administrative Case Listing

A complete administrative case listing from the FIFRA/TSCA Tracking System (FTTS) for all ten EPA regions. The information was obtained from the National Compliance Database (NCDB). NCDB supports the implementation of FIFRA (Federal Insecticide, Fungicide, and Rodenticide Act) and TSCA (Toxic Substances Control Act). Some EPA regions are now closing out records. Because of that, and the fact that some EPA regions are not providing EPA Headquarters with updated records, it was decided to create a HIST FTTS database. It included records that may not be included in the newer FTTS database updates. This database is no longer updated.

Date of Government Version: 10/19/2006  
Date Data Arrived at EDR: 03/01/2007  
Date Made Active in Reports: 04/10/2007  
Number of Days to Update: 40

Source: Environmental Protection Agency  
Telephone: 202-564-2501  
Last EDR Contact: 12/17/2007  
Next Scheduled EDR Contact: 03/17/2008  
Data Release Frequency: No Update Planned

## HIST FTTS INSP: FIFRA/TSCA Tracking System Inspection & Enforcement Case Listing

A complete inspection and enforcement case listing from the FIFRA/TSCA Tracking System (FTTS) for all ten EPA regions. The information was obtained from the National Compliance Database (NCDB). NCDB supports the implementation of FIFRA (Federal Insecticide, Fungicide, and Rodenticide Act) and TSCA (Toxic Substances Control Act). Some EPA regions are now closing out records. Because of that, and the fact that some EPA regions are not providing EPA Headquarters with updated records, it was decided to create a HIST FTTS database. It included records that may not be included in the newer FTTS database updates. This database is no longer updated.

Date of Government Version: 10/19/2006  
Date Data Arrived at EDR: 03/01/2007  
Date Made Active in Reports: 04/10/2007  
Number of Days to Update: 40

Source: Environmental Protection Agency  
Telephone: 202-564-2501  
Last EDR Contact: 12/17/2008  
Next Scheduled EDR Contact: 03/17/2008  
Data Release Frequency: No Update Planned

## DOT OPS: Incident and Accident Data

Department of Transportation, Office of Pipeline Safety Incident and Accident data.

Date of Government Version: 01/02/2020  
Date Data Arrived at EDR: 01/28/2020  
Date Made Active in Reports: 04/17/2020  
Number of Days to Update: 80

Source: Department of Transportation, Office of Pipeline Safety  
Telephone: 202-366-4595  
Last EDR Contact: 01/27/2021  
Next Scheduled EDR Contact: 05/10/2021  
Data Release Frequency: Quarterly

## CONSENT: Superfund (CERCLA) Consent Decrees

Major legal settlements that establish responsibility and standards for cleanup at NPL (Superfund) sites. Released periodically by United States District Courts after settlement by parties to litigation matters.

Date of Government Version: 09/30/2020  
Date Data Arrived at EDR: 10/08/2020  
Date Made Active in Reports: 01/04/2021  
Number of Days to Update: 88

Source: Department of Justice, Consent Decree Library  
Telephone: Varies  
Last EDR Contact: 01/04/2021  
Next Scheduled EDR Contact: 04/19/2021  
Data Release Frequency: Varies

## BRS: Biennial Reporting System

The Biennial Reporting System is a national system administered by the EPA that collects data on the generation and management of hazardous waste. BRS captures detailed data from two groups: Large Quantity Generators (LQG) and Treatment, Storage, and Disposal Facilities.

Date of Government Version: 12/31/2017  
Date Data Arrived at EDR: 06/22/2020  
Date Made Active in Reports: 11/20/2020  
Number of Days to Update: 151

Source: EPA/NTIS  
Telephone: 800-424-9346  
Last EDR Contact: 12/23/2020  
Next Scheduled EDR Contact: 04/05/2021  
Data Release Frequency: Biennially

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

## INDIAN RESERV: Indian Reservations

This map layer portrays Indian administered lands of the United States that have any area equal to or greater than 640 acres.

Date of Government Version: 12/31/2014	Source: USGS
Date Data Arrived at EDR: 07/14/2015	Telephone: 202-208-3710
Date Made Active in Reports: 01/10/2017	Last EDR Contact: 01/08/2021
Number of Days to Update: 546	Next Scheduled EDR Contact: 04/19/2021
	Data Release Frequency: Semi-Annually

## FUSRAP: Formerly Utilized Sites Remedial Action Program

DOE established the Formerly Utilized Sites Remedial Action Program (FUSRAP) in 1974 to remediate sites where radioactive contamination remained from Manhattan Project and early U.S. Atomic Energy Commission (AEC) operations.

Date of Government Version: 08/08/2017	Source: Department of Energy
Date Data Arrived at EDR: 09/11/2018	Telephone: 202-586-3559
Date Made Active in Reports: 09/14/2018	Last EDR Contact: 02/02/2021
Number of Days to Update: 3	Next Scheduled EDR Contact: 05/17/2021
	Data Release Frequency: Varies

## UMTRA: Uranium Mill Tailings Sites

Uranium ore was mined by private companies for federal government use in national defense programs. When the mills shut down, large piles of the sand-like material (mill tailings) remain after uranium has been extracted from the ore. Levels of human exposure to radioactive materials from the piles are low; however, in some cases tailings were used as construction materials before the potential health hazards of the tailings were recognized.

Date of Government Version: 08/30/2019	Source: Department of Energy
Date Data Arrived at EDR: 11/15/2019	Telephone: 505-845-0011
Date Made Active in Reports: 01/28/2020	Last EDR Contact: 02/18/2021
Number of Days to Update: 74	Next Scheduled EDR Contact: 05/31/2021
	Data Release Frequency: Varies

## LEAD SMELTER 1: Lead Smelter Sites

A listing of former lead smelter site locations.

Date of Government Version: 12/30/2020	Source: Environmental Protection Agency
Date Data Arrived at EDR: 01/14/2021	Telephone: 703-603-8787
Date Made Active in Reports: 02/09/2021	Last EDR Contact: 01/14/2021
Number of Days to Update: 26	Next Scheduled EDR Contact: 04/12/2021
	Data Release Frequency: Varies

## LEAD SMELTER 2: Lead Smelter Sites

A list of several hundred sites in the U.S. where secondary lead smelting was done from 1931 and 1964. These sites may pose a threat to public health through ingestion or inhalation of contaminated soil or dust

Date of Government Version: 04/05/2001	Source: American Journal of Public Health
Date Data Arrived at EDR: 10/27/2010	Telephone: 703-305-6451
Date Made Active in Reports: 12/02/2010	Last EDR Contact: 12/02/2009
Number of Days to Update: 36	Next Scheduled EDR Contact: N/A
	Data Release Frequency: No Update Planned

## US AIRS (AFS): Aerometric Information Retrieval System Facility Subsystem (AFS)

The database is a sub-system of Aerometric Information Retrieval System (AIRS). AFS contains compliance data on air pollution point sources regulated by the U.S. EPA and/or state and local air regulatory agencies. This information comes from source reports by various stationary sources of air pollution, such as electric power plants, steel mills, factories, and universities, and provides information about the air pollutants they produce. Action, air program, air program pollutant, and general level plant data. It is used to track emissions and compliance data from industrial plants.

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Date of Government Version: 10/12/2016  
Date Data Arrived at EDR: 10/26/2016  
Date Made Active in Reports: 02/03/2017  
Number of Days to Update: 100

Source: EPA  
Telephone: 202-564-2496  
Last EDR Contact: 09/26/2017  
Next Scheduled EDR Contact: 01/08/2018  
Data Release Frequency: Annually

## US AIRS MINOR: Air Facility System Data A listing of minor source facilities.

Date of Government Version: 10/12/2016  
Date Data Arrived at EDR: 10/26/2016  
Date Made Active in Reports: 02/03/2017  
Number of Days to Update: 100

Source: EPA  
Telephone: 202-564-2496  
Last EDR Contact: 09/26/2017  
Next Scheduled EDR Contact: 01/08/2018  
Data Release Frequency: Annually

## MINES VIOLATIONS: MSHA Violation Assessment Data

Mines violation and assessment information. Department of Labor, Mine Safety & Health Administration.

Date of Government Version: 11/24/2020  
Date Data Arrived at EDR: 11/30/2020  
Date Made Active in Reports: 01/25/2021  
Number of Days to Update: 56

Source: DOL, Mine Safety & Health Admi  
Telephone: 202-693-9424  
Last EDR Contact: 11/24/2020  
Next Scheduled EDR Contact: 03/15/2021  
Data Release Frequency: Quarterly

## US MINES: Mines Master Index File

Contains all mine identification numbers issued for mines active or opened since 1971. The data also includes violation information.

Date of Government Version: 11/03/2020  
Date Data Arrived at EDR: 11/23/2020  
Date Made Active in Reports: 01/25/2021  
Number of Days to Update: 63

Source: Department of Labor, Mine Safety and Health Administration  
Telephone: 303-231-5959  
Last EDR Contact: 11/23/2020  
Next Scheduled EDR Contact: 03/08/2021  
Data Release Frequency: Semi-Annually

## US MINES 2: Ferrous and Nonferrous Metal Mines Database Listing

This map layer includes ferrous (ferrous metal mines are facilities that extract ferrous metals, such as iron ore or molybdenum) and nonferrous (Nonferrous metal mines are facilities that extract nonferrous metals, such as gold, silver, copper, zinc, and lead) metal mines in the United States.

Date of Government Version: 05/06/2020  
Date Data Arrived at EDR: 05/27/2020  
Date Made Active in Reports: 08/13/2020  
Number of Days to Update: 78

Source: USGS  
Telephone: 703-648-7709  
Last EDR Contact: 11/25/2020  
Next Scheduled EDR Contact: 03/08/2021  
Data Release Frequency: Varies

## US MINES 3: Active Mines & Mineral Plants Database Listing

Active Mines and Mineral Processing Plant operations for commodities monitored by the Minerals Information Team of the USGS.

Date of Government Version: 04/14/2011  
Date Data Arrived at EDR: 06/08/2011  
Date Made Active in Reports: 09/13/2011  
Number of Days to Update: 97

Source: USGS  
Telephone: 703-648-7709  
Last EDR Contact: 11/25/2020  
Next Scheduled EDR Contact: 03/08/2021  
Data Release Frequency: Varies

## ABANDONED MINES: Abandoned Mines

An inventory of land and water impacted by past mining (primarily coal mining) is maintained by OSMRE to provide information needed to implement the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The inventory contains information on the location, type, and extent of AML impacts, as well as, information on the cost associated with the reclamation of those problems. The inventory is based upon field surveys by State, Tribal, and OSMRE program officials. It is dynamic to the extent that it is modified as new problems are identified and existing problems are reclaimed.



# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Date of Government Version: 09/16/2020  
Date Data Arrived at EDR: 09/17/2020  
Date Made Active in Reports: 12/10/2020  
Number of Days to Update: 84

Source: Department of Interior  
Telephone: 202-208-2609  
Last EDR Contact: 12/10/2020  
Next Scheduled EDR Contact: 03/22/2021  
Data Release Frequency: Quarterly

## FINDS: Facility Index System/Facility Registry System

Facility Index System. FINDS contains both facility information and 'pointers' to other sources that contain more detail. EDR includes the following FINDS databases in this report: PCS (Permit Compliance System), AIRS (Aerometric Information Retrieval System), DOCKET (Enforcement Docket used to manage and track information on civil judicial enforcement cases for all environmental statutes), FURS (Federal Underground Injection Control), C-DOCKET (Criminal Docket System used to track criminal enforcement actions for all environmental statutes), FFIS (Federal Facilities Information System), STATE (State Environmental Laws and Statutes), and PADS (PCB Activity Data System).

Date of Government Version: 11/04/2020  
Date Data Arrived at EDR: 12/01/2020  
Date Made Active in Reports: 01/25/2021  
Number of Days to Update: 55

Source: EPA  
Telephone: (404) 562-9900  
Last EDR Contact: 12/01/2020  
Next Scheduled EDR Contact: 03/15/2021  
Data Release Frequency: Quarterly

## DOCKET HWC: Hazardous Waste Compliance Docket Listing

A complete list of the Federal Agency Hazardous Waste Compliance Docket Facilities.

Date of Government Version: 11/03/2020  
Date Data Arrived at EDR: 11/17/2020  
Date Made Active in Reports: 02/09/2021  
Number of Days to Update: 84

Source: Environmental Protection Agency  
Telephone: 202-564-0527  
Last EDR Contact: 11/17/2020  
Next Scheduled EDR Contact: 03/08/2021  
Data Release Frequency: Varies

## ECHO: Enforcement & Compliance History Information

ECHO provides integrated compliance and enforcement information for about 800,000 regulated facilities nationwide.

Date of Government Version: 10/03/2020  
Date Data Arrived at EDR: 10/06/2020  
Date Made Active in Reports: 01/04/2021  
Number of Days to Update: 90

Source: Environmental Protection Agency  
Telephone: 202-564-2280  
Last EDR Contact: 01/08/2021  
Next Scheduled EDR Contact: 04/19/2021  
Data Release Frequency: Quarterly

## UXO: Unexploded Ordnance Sites

A listing of unexploded ordnance site locations

Date of Government Version: 12/31/2018  
Date Data Arrived at EDR: 07/02/2020  
Date Made Active in Reports: 09/17/2020  
Number of Days to Update: 77

Source: Department of Defense  
Telephone: 703-704-1564  
Last EDR Contact: 01/15/2021  
Next Scheduled EDR Contact: 04/26/2021  
Data Release Frequency: Varies

## FUELS PROGRAM: EPA Fuels Program Registered Listing

This listing includes facilities that are registered under the Part 80 (Code of Federal Regulations) EPA Fuels Programs. All companies now are required to submit new and updated registrations.

Date of Government Version: 11/13/2020  
Date Data Arrived at EDR: 11/13/2020  
Date Made Active in Reports: 01/25/2021  
Number of Days to Update: 73

Source: EPA  
Telephone: 800-385-6164  
Last EDR Contact: 02/17/2021  
Next Scheduled EDR Contact: 05/31/2021  
Data Release Frequency: Quarterly

## AIRS: Air Quality Permit Listing

A listing of facilities with air quality permits.

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Date of Government Version: 09/08/2020  
Date Data Arrived at EDR: 09/09/2020  
Date Made Active in Reports: 12/03/2020  
Number of Days to Update: 85

Source: Department of Environmental Quality  
Telephone: 919-707-8726  
Last EDR Contact: 12/08/2020  
Next Scheduled EDR Contact: 03/22/2021  
Data Release Frequency: Varies

## ASBESTOS: ASBESTOS

Asbestos notification sites

Date of Government Version: 10/30/2020  
Date Data Arrived at EDR: 11/23/2020  
Date Made Active in Reports: 02/08/2021  
Number of Days to Update: 77

Source: Department of Health & Human Services  
Telephone: 919-707-5973  
Last EDR Contact: 01/19/2021  
Next Scheduled EDR Contact: 05/03/2021  
Data Release Frequency: Varies

## COAL ASH: Coal Ash Disposal Sites

A listing of coal combustion products distribution permits issued by the Division for the treatment, storage, transportation, use and disposal of coal combustion products.

Date of Government Version: 09/10/2020  
Date Data Arrived at EDR: 09/23/2020  
Date Made Active in Reports: 12/14/2020  
Number of Days to Update: 82

Source: Department of Environment & Natural Resources  
Telephone: 919-807-6359  
Last EDR Contact: 12/23/2020  
Next Scheduled EDR Contact: 04/05/2021  
Data Release Frequency: Varies

## DRYCLEANERS: Drycleaning Sites

Potential and known drycleaning sites, active and abandoned, that the Drycleaning Solvent Cleanup Program has knowledge of and entered into this database.

Date of Government Version: 09/08/2020  
Date Data Arrived at EDR: 09/16/2020  
Date Made Active in Reports: 12/08/2020  
Number of Days to Update: 83

Source: Department of Environment & Natural Resources  
Telephone: 919-508-8400  
Last EDR Contact: 12/18/2020  
Next Scheduled EDR Contact: 03/29/2021  
Data Release Frequency: Varies

## Financial Assurance 1: Financial Assurance Information Listing

A listing of financial assurance information for underground storage tank facilities. Financial assurance is intended to ensure that resources are available to pay for the cost of closure, post-closure care, and corrective measures if the owner or operator of a regulated facility is unable or unwilling to pay.

Date of Government Version: 10/30/2020  
Date Data Arrived at EDR: 11/04/2020  
Date Made Active in Reports: 12/31/2020  
Number of Days to Update: 57

Source: Department of Environment & Natural Resources  
Telephone: 919-733-1322  
Last EDR Contact: 02/03/2021  
Next Scheduled EDR Contact: 05/17/2021  
Data Release Frequency: Quarterly

## Financial Assurance 2: Financial Assurance Information Listing

Information for solid waste facilities. Financial assurance is intended to ensure that resources are available to pay for the cost of closure, post-closure care, and corrective measures if the owner or operator of a regulated facility is unable or unwilling to pay.

Date of Government Version: 10/02/2012  
Date Data Arrived at EDR: 10/03/2012  
Date Made Active in Reports: 10/26/2012  
Number of Days to Update: 23

Source: Department of Environment & Natural Resources  
Telephone: 919-508-8496  
Last EDR Contact: 12/16/2020  
Next Scheduled EDR Contact: 04/05/2021  
Data Release Frequency: Varies

## Financial Assurance 3: Financial Assurance Information

Hazardous waste financial assurance information.

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Date of Government Version: 12/02/2020  
Date Data Arrived at EDR: 12/03/2020  
Date Made Active in Reports: 02/18/2021  
Number of Days to Update: 77

Source: Department of Environment & Natural Resources  
Telephone: 919-707-8222  
Last EDR Contact: 12/02/2020  
Next Scheduled EDR Contact: 03/22/2021  
Data Release Frequency: Varies

## NPDES: NPDES Facility Location Listing

General information regarding NPDES(National Pollutant Discharge Elimination System) permits.

Date of Government Version: 10/01/2020  
Date Data Arrived at EDR: 10/27/2020  
Date Made Active in Reports: 01/15/2021  
Number of Days to Update: 80

Source: Department of Environment & Natural Resources  
Telephone: 919-733-7015  
Last EDR Contact: 01/27/2021  
Next Scheduled EDR Contact: 05/10/2021  
Data Release Frequency: Varies

## UIC: Underground Injection Wells Listing

A listing of uncerground injection wells locations.

Date of Government Version: 10/26/2020  
Date Data Arrived at EDR: 11/30/2020  
Date Made Active in Reports: 12/07/2020  
Number of Days to Update: 7

Source: Department of Environment & Natural Resources  
Telephone: 919-807-6412  
Last EDR Contact: 11/25/2020  
Next Scheduled EDR Contact: 03/15/2021  
Data Release Frequency: Quarterly

## AOP: Animal Operation Permits Listing

This listing includes animal operations that are required to be permitted by the state.

Date of Government Version: 04/01/2020  
Date Data Arrived at EDR: 05/26/2020  
Date Made Active in Reports: 05/27/2020  
Number of Days to Update: 1

Source: Department of Environmental Quality  
Telephone: 919-707-9129  
Last EDR Contact: 12/11/2020  
Next Scheduled EDR Contact: 03/22/2021  
Data Release Frequency: Varies

## CCB: Coal Ash Structural Fills (CCB) Listing

These are not permitted Coal Ash landfills A list all of the now closed Coal Ash Structural Fills (CCB) in North Carolina, in point data form. The purpose is to provide the public and other government entities a visual overview of coal ash structural fills throughout the state and increase public awareness of their current locations.

Date of Government Version: 02/27/2020  
Date Data Arrived at EDR: 07/07/2020  
Date Made Active in Reports: 09/23/2020  
Number of Days to Update: 78

Source: Department of Environmental Quality  
Telephone: 919-707-8248  
Last EDR Contact: 01/08/2021  
Next Scheduled EDR Contact: 04/19/2021  
Data Release Frequency: Varies

## MINES MRDS: Mineral Resources Data System

Mineral Resources Data System

Date of Government Version: 04/06/2018  
Date Data Arrived at EDR: 10/21/2019  
Date Made Active in Reports: 10/24/2019  
Number of Days to Update: 3

Source: USGS  
Telephone: 703-648-6533  
Last EDR Contact: 11/25/2020  
Next Scheduled EDR Contact: 03/08/2021  
Data Release Frequency: Varies

## SEPT HAULERS: Permitted Septage Haulers Listing

This list of all active and permitted Septage Land Application Site (SLAS) and Septage Detention and Treatment Facility (SDTF) sites in North Carolina. The purpose of this map is to provide the public and government entities a visual overview of the businesses that manage septage and septage facilities throughout the state.

Date of Government Version: 05/13/2020  
Date Data Arrived at EDR: 07/07/2020  
Date Made Active in Reports: 09/23/2020  
Number of Days to Update: 78

Source: Department of Environmental Quality  
Telephone: 919-707-8248  
Last EDR Contact: 01/08/2021  
Next Scheduled EDR Contact: 04/19/2021  
Data Release Frequency: Varies

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

## PCSRP: Petroleum-Contaminated Soil Remediation Permits

To treat petroleum-contaminated soil in order to protect North Carolina's environment and the health of the citizens of North Carolina.

Date of Government Version: 07/06/2020  
Date Data Arrived at EDR: 07/07/2020  
Date Made Active in Reports: 09/23/2020  
Number of Days to Update: 78

Source: Department of Environmental Quality  
Telephone: 919-707-8248  
Last EDR Contact: 12/30/2020  
Next Scheduled EDR Contact: 04/18/2021  
Data Release Frequency: Varies

## PCS: Permit Compliance System

PCS is a computerized management information system that contains data on National Pollutant Discharge Elimination System (NPDES) permit holding facilities. PCS tracks the permit, compliance, and enforcement status of NPDES facilities.

Date of Government Version: 07/14/2011  
Date Data Arrived at EDR: 08/05/2011  
Date Made Active in Reports: 09/29/2011  
Number of Days to Update: 55

Source: EPA, Office of Water  
Telephone: 202-564-2496  
Last EDR Contact: 01/04/2021  
Next Scheduled EDR Contact: 04/19/2021  
Data Release Frequency: Semi-Annually

## PCS INACTIVE: Listing of Inactive PCS Permits

An inactive permit is a facility that has shut down or is no longer discharging.

Date of Government Version: 11/05/2014  
Date Data Arrived at EDR: 01/06/2015  
Date Made Active in Reports: 05/06/2015  
Number of Days to Update: 120

Source: EPA  
Telephone: 202-564-2496  
Last EDR Contact: 01/04/2021  
Next Scheduled EDR Contact: 04/19/2021  
Data Release Frequency: Semi-Annually

## PCS ENF: Enforcement data

No description is available for this data

Date of Government Version: 12/31/2014  
Date Data Arrived at EDR: 02/05/2015  
Date Made Active in Reports: 03/06/2015  
Number of Days to Update: 29

Source: EPA  
Telephone: 202-564-2497  
Last EDR Contact: 12/30/2020  
Next Scheduled EDR Contact: 04/19/2021  
Data Release Frequency: Varies

## EDR HIGH RISK HISTORICAL RECORDS

### ***EDR Exclusive Records***

#### EDR MGP: EDR Proprietary Manufactured Gas Plants

The EDR Proprietary Manufactured Gas Plant Database includes records of coal gas plants (manufactured gas plants) compiled by EDR's researchers. Manufactured gas sites were used in the United States from the 1800's to 1950's to produce a gas that could be distributed and used as fuel. These plants used whale oil, rosin, coal, or a mixture of coal, oil, and water that also produced a significant amount of waste. Many of the byproducts of the gas production, such as coal tar (oily waste containing volatile and non-volatile chemicals), sludges, oils and other compounds are potentially hazardous to human health and the environment. The byproduct from this process was frequently disposed of directly at the plant site and can remain or spread slowly, serving as a continuous source of soil and groundwater contamination.

Date of Government Version: N/A  
Date Data Arrived at EDR: N/A  
Date Made Active in Reports: N/A  
Number of Days to Update: N/A

Source: EDR, Inc.  
Telephone: N/A  
Last EDR Contact: N/A  
Next Scheduled EDR Contact: N/A  
Data Release Frequency: No Update Planned

#### EDR Hist Auto: EDR Exclusive Historical Auto Stations

EDR has searched selected national collections of business directories and has collected listings of potential gas station/filling station/service station sites that were available to EDR researchers. EDR's review was limited to those categories of sources that might, in EDR's opinion, include gas station/filling station/service station establishments. The categories reviewed included, but were not limited to gas, gas station, gasoline station, filling station, auto, automobile repair, auto service station, service station, etc. This database falls within a category of information EDR classifies as "High Risk Historical Records", or HRHR. EDR's HRHR effort presents unique and sometimes proprietary data about past sites and operations that typically create environmental concerns, but may not show up in current government records searches.

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Date of Government Version: N/A  
Date Data Arrived at EDR: N/A  
Date Made Active in Reports: N/A  
Number of Days to Update: N/A

Source: EDR, Inc.  
Telephone: N/A  
Last EDR Contact: N/A  
Next Scheduled EDR Contact: N/A  
Data Release Frequency: Varies

## EDR Hist Cleaner: EDR Exclusive Historical Cleaners

EDR has searched selected national collections of business directories and has collected listings of potential dry cleaner sites that were available to EDR researchers. EDR's review was limited to those categories of sources that might, in EDR's opinion, include dry cleaning establishments. The categories reviewed included, but were not limited to dry cleaners, cleaners, laundry, laundromat, cleaning/laundry, wash & dry etc. This database falls within a category of information EDR classifies as "High Risk Historical Records", or HRHR. EDR's HRHR effort presents unique and sometimes proprietary data about past sites and operations that typically create environmental concerns, but may not show up in current government records searches.

Date of Government Version: N/A  
Date Data Arrived at EDR: N/A  
Date Made Active in Reports: N/A  
Number of Days to Update: N/A

Source: EDR, Inc.  
Telephone: N/A  
Last EDR Contact: N/A  
Next Scheduled EDR Contact: N/A  
Data Release Frequency: Varies

## EDR RECOVERED GOVERNMENT ARCHIVES

### *Exclusive Recovered Govt. Archives*

#### RGA HWS: Recovered Government Archive State Hazardous Waste Facilities List

The EDR Recovered Government Archive State Hazardous Waste database provides a list of SHWS incidents derived from historical databases and includes many records that no longer appear in current government lists. Compiled from Records formerly available from the Department of Environment, Health and Natural Resources in North Carolina.

Date of Government Version: N/A  
Date Data Arrived at EDR: 07/01/2013  
Date Made Active in Reports: 12/24/2013  
Number of Days to Update: 176

Source: Department of Environment, Health and Natural Resources  
Telephone: N/A  
Last EDR Contact: 06/01/2012  
Next Scheduled EDR Contact: N/A  
Data Release Frequency: Varies

#### RGA LF: Recovered Government Archive Solid Waste Facilities List

The EDR Recovered Government Archive Landfill database provides a list of landfills derived from historical databases and includes many records that no longer appear in current government lists. Compiled from Records formerly available from the Department of Environment, Health and Natural Resources in North Carolina.

Date of Government Version: N/A  
Date Data Arrived at EDR: 07/01/2013  
Date Made Active in Reports: 01/13/2014  
Number of Days to Update: 196

Source: Department of Environment, Health and Natural Resources  
Telephone: N/A  
Last EDR Contact: 06/01/2012  
Next Scheduled EDR Contact: N/A  
Data Release Frequency: Varies

#### RGA LUST: Recovered Government Archive Leaking Underground Storage Tank

The EDR Recovered Government Archive Leaking Underground Storage Tank database provides a list of LUST incidents derived from historical databases and includes many records that no longer appear in current government lists. Compiled from Records formerly available from the Department of Environment, Health and Natural Resources in North Carolina.

Date of Government Version: N/A  
Date Data Arrived at EDR: 07/01/2013  
Date Made Active in Reports: 12/20/2013  
Number of Days to Update: 172

Source: Department of Environment, Health and Natural Resources  
Telephone: N/A  
Last EDR Contact: 06/01/2012  
Next Scheduled EDR Contact: N/A  
Data Release Frequency: Varies

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

## OTHER DATABASE(S)

Depending on the geographic area covered by this report, the data provided in these specialty databases may or may not be complete. For example, the existence of wetlands information data in a specific report does not mean that all wetlands in the area covered by the report are included. Moreover, the absence of any reported wetlands information does not necessarily mean that wetlands do not exist in the area covered by the report.

### CT MANIFEST: Hazardous Waste Manifest Data

Facility and manifest data. Manifest is a document that lists and tracks hazardous waste from the generator through transporters to a tsd facility.

Date of Government Version: 08/10/2020	Source: Department of Energy & Environmental Protection
Date Data Arrived at EDR: 10/20/2020	Telephone: 860-424-3375
Date Made Active in Reports: 11/02/2020	Last EDR Contact: 02/12/2021
Number of Days to Update: 13	Next Scheduled EDR Contact: 05/24/2021
	Data Release Frequency: No Update Planned

### NJ MANIFEST: Manifest Information

Hazardous waste manifest information.

Date of Government Version: 12/31/2018	Source: Department of Environmental Protection
Date Data Arrived at EDR: 04/10/2019	Telephone: N/A
Date Made Active in Reports: 05/16/2019	Last EDR Contact: 01/08/2021
Number of Days to Update: 36	Next Scheduled EDR Contact: 04/19/2021
	Data Release Frequency: Annually

### NY MANIFEST: Facility and Manifest Data

Manifest is a document that lists and tracks hazardous waste from the generator through transporters to a TSD facility.

Date of Government Version: 01/01/2019	Source: Department of Environmental Conservation
Date Data Arrived at EDR: 04/29/2020	Telephone: 518-402-8651
Date Made Active in Reports: 07/10/2020	Last EDR Contact: 01/29/2021
Number of Days to Update: 72	Next Scheduled EDR Contact: 05/10/2021
	Data Release Frequency: Quarterly

### PA MANIFEST: Manifest Information

Hazardous waste manifest information.

Date of Government Version: 06/30/2018	Source: Department of Environmental Protection
Date Data Arrived at EDR: 07/19/2019	Telephone: 717-783-8990
Date Made Active in Reports: 09/10/2019	Last EDR Contact: 01/11/2021
Number of Days to Update: 53	Next Scheduled EDR Contact: 04/26/2021
	Data Release Frequency: Annually

### RI MANIFEST: Manifest information

Hazardous waste manifest information

Date of Government Version: 12/31/2018	Source: Department of Environmental Management
Date Data Arrived at EDR: 10/02/2019	Telephone: 401-222-2797
Date Made Active in Reports: 12/10/2019	Last EDR Contact: 02/09/2021
Number of Days to Update: 69	Next Scheduled EDR Contact: 05/31/2021
	Data Release Frequency: Annually

### WI MANIFEST: Manifest Information

Hazardous waste manifest information.

Date of Government Version: 05/31/2018	Source: Department of Natural Resources
Date Data Arrived at EDR: 06/19/2019	Telephone: N/A
Date Made Active in Reports: 09/03/2019	Last EDR Contact: 12/03/2020
Number of Days to Update: 76	Next Scheduled EDR Contact: 03/22/2021
	Data Release Frequency: Annually

## GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

### Oil/Gas Pipelines

Source: Endeavor Business Media

Petroleum Bundle (Crude Oil, Refined Products, Petrochemicals, Gas Liquids (LPG/NGL), and Specialty Gases (Miscellaneous)) N = Natural Gas Bundle (Natural Gas, Gas Liquids (LPG/NGL), and Specialty Gases (Miscellaneous)). This map includes information copyrighted by Endeavor Business Media. This information is provided on a best effort basis and Endeavor Business Media does not guarantee its accuracy nor warrant its fitness for any particular purpose. Such information has been reprinted with the permission of Endeavor Business Media.

### Electric Power Transmission Line Data

Source: Endeavor Business Media

This map includes information copyrighted by Endeavor Business Media. This information is provided on a best effort basis and Endeavor Business Media does not guarantee its accuracy nor warrant its fitness for any particular purpose. Such information has been reprinted with the permission of Endeavor Business Media.

**Sensitive Receptors:** There are individuals deemed sensitive receptors due to their fragile immune systems and special sensitivity to environmental discharges. These sensitive receptors typically include the elderly, the sick, and children. While the location of all sensitive receptors cannot be determined, EDR indicates those buildings and facilities - schools, daycares, hospitals, medical centers, and nursing homes - where individuals who are sensitive receptors are likely to be located.

### AHA Hospitals:

Source: American Hospital Association, Inc.

Telephone: 312-280-5991

The database includes a listing of hospitals based on the American Hospital Association's annual survey of hospitals.

### Medical Centers: Provider of Services Listing

Source: Centers for Medicare & Medicaid Services

Telephone: 410-786-3000

A listing of hospitals with Medicare provider number, produced by Centers of Medicare & Medicaid Services, a federal agency within the U.S. Department of Health and Human Services.

### Nursing Homes

Source: National Institutes of Health

Telephone: 301-594-6248

Information on Medicare and Medicaid certified nursing homes in the United States.

### Public Schools

Source: National Center for Education Statistics

Telephone: 202-502-7300

The National Center for Education Statistics' primary database on elementary and secondary public education in the United States. It is a comprehensive, annual, national statistical database of all public elementary and secondary schools and school districts, which contains data that are comparable across all states.

### Private Schools

Source: National Center for Education Statistics

Telephone: 202-502-7300

The National Center for Education Statistics' primary database on private school locations in the United States.

### Daycare Centers: Child Care Facility List

Source: Department of Health & Human Services

Telephone: 919-662-4499

**Flood Zone Data:** This data was obtained from the Federal Emergency Management Agency (FEMA). It depicts 100-year and 500-year flood zones as defined by FEMA. It includes the National Flood Hazard Layer (NFHL) which incorporates Flood Insurance Rate Map (FIRM) data and Q3 data from FEMA in areas not covered by NFHL.

Source: FEMA

Telephone: 877-336-2627

Date of Government Version: 2003, 2015

**NWI:** National Wetlands Inventory. This data, available in select counties across the country, was obtained by EDR in 2002, 2005 and 2010 from the U.S. Fish and Wildlife Service.

### State Wetlands Data: Wetland Inventory

Source: US Fish & Wildlife Service

Telephone: 703-358-2171

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Current USGS 7.5 Minute Topographic Map  
Source: U.S. Geological Survey

## STREET AND ADDRESS INFORMATION

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## **GEOCHECK<sup>®</sup> - PHYSICAL SETTING SOURCE ADDENDUM**

### **TARGET PROPERTY ADDRESS**

CHAPPELS CREEK  
340-444 KERMIT DUNCAN ROAD  
TIMBERLAKE, NC 27583

### **TARGET PROPERTY COORDINATES**

Latitude (North):	36.323421 - 36° 19' 24.32"
Longitude (West):	78.944745 - 78° 56' 41.08"
Universal Tranverse Mercator:	Zone 17
UTM X (Meters):	684492.2
UTM Y (Meters):	4021580.8
Elevation:	567 ft. above sea level

### **USGS TOPOGRAPHIC MAP**

Target Property Map:	5945057 TIMBERLAKE, NC
Version Date:	2013

EDR's GeoCheck Physical Setting Source Addendum is provided to assist the environmental professional in forming an opinion about the impact of potential contaminant migration.

Assessment of the impact of contaminant migration generally has two principle investigative components:

1. Groundwater flow direction, and
2. Groundwater flow velocity.

Groundwater flow direction may be impacted by surface topography, hydrology, hydrogeology, characteristics of the soil, and nearby wells. Groundwater flow velocity is generally impacted by the nature of the geologic strata.

# GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

## GROUNDWATER FLOW DIRECTION INFORMATION

Groundwater flow direction for a particular site is best determined by a qualified environmental professional using site-specific well data. If such data is not reasonably ascertainable, it may be necessary to rely on other sources of information, such as surface topographic information, hydrologic information, hydrogeologic data collected on nearby properties, and regional groundwater flow information (from deep aquifers).

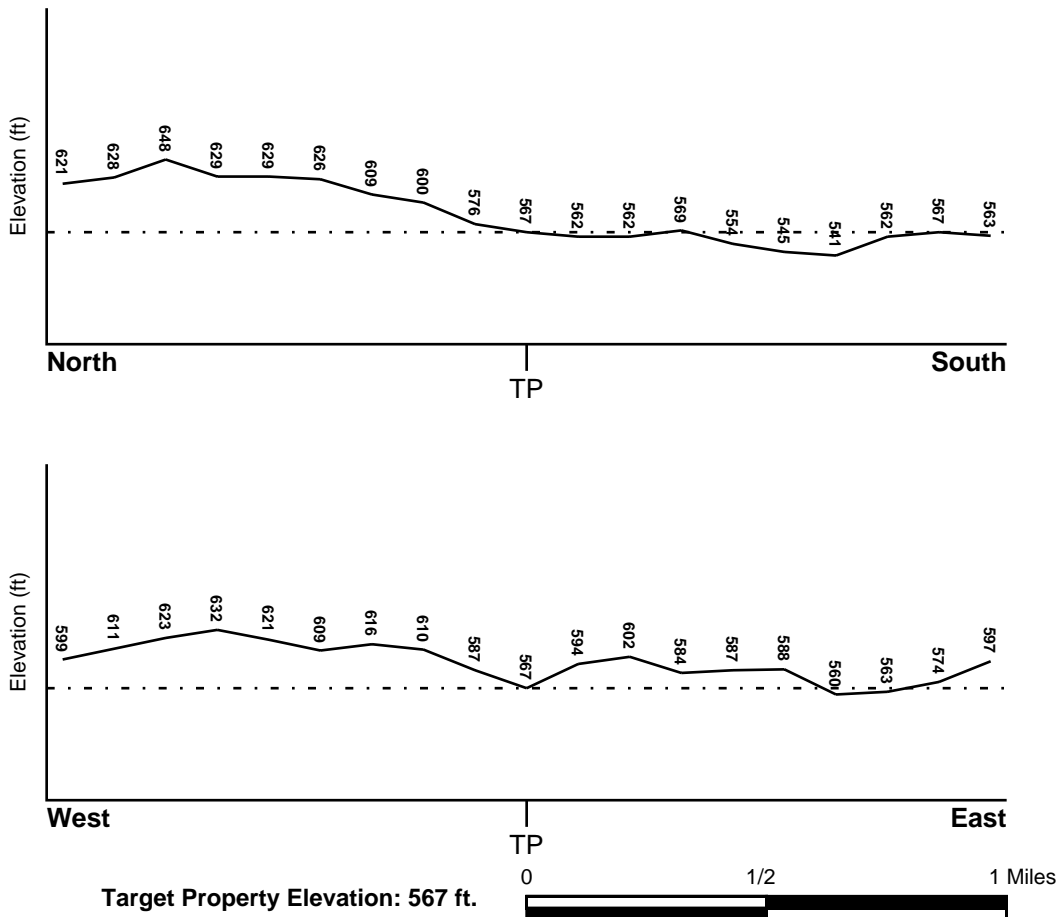
## TOPOGRAPHIC INFORMATION

Surface topography may be indicative of the direction of surficial groundwater flow. This information can be used to assist the environmental professional in forming an opinion about the impact of nearby contaminated properties or, should contamination exist on the target property, what downgradient sites might be impacted.

## TARGET PROPERTY TOPOGRAPHY

General Topographic Gradient: General SSE

## SURROUNDING TOPOGRAPHY: ELEVATION PROFILES



Source: Topography has been determined from the USGS 7.5' Digital Elevation Model and should be evaluated on a relative (not an absolute) basis. Relative elevation information between sites of close proximity should be field verified.

# GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

## HYDROLOGIC INFORMATION

Surface water can act as a hydrologic barrier to groundwater flow. Such hydrologic information can be used to assist the environmental professional in forming an opinion about the impact of nearby contaminated properties or, should contamination exist on the target property, what downgradient sites might be impacted.

Refer to the Physical Setting Source Map following this summary for hydrologic information (major waterways and bodies of water).

## **FEMA FLOOD ZONE**

<u>Flood Plain Panel at Target Property</u>	<u>FEMA Source Type</u>
3720091300J	FEMA FIRM Flood data
<u>Additional Panels in search area:</u>	<u>FEMA Source Type</u>
3720092400J	FEMA FIRM Flood data
3720091400J	FEMA FIRM Flood data
37145C0100B	FEMA Q3 Flood data
37145C0150B	FEMA Q3 Flood data

## **NATIONAL WETLAND INVENTORY**

<u>NWI Quad at Target Property</u>	<u>NWI Electronic Data Coverage</u>
TIMBERLAKE	YES - refer to the Overview Map and Detail Map

## HYDROGEOLOGIC INFORMATION

Hydrogeologic information obtained by installation of wells on a specific site can often be an indicator of groundwater flow direction in the immediate area. Such hydrogeologic information can be used to assist the environmental professional in forming an opinion about the impact of nearby contaminated properties or, should contamination exist on the target property, what downgradient sites might be impacted.

## **AQUIFLOW®**

Search Radius: 1.000 Mile.

EDR has developed the AQUIFLOW Information System to provide data on the general direction of groundwater flow at specific points. EDR has reviewed reports submitted by environmental professionals to regulatory authorities at select sites and has extracted the date of the report, groundwater flow direction as determined hydrogeologically, and the depth to water table.

<u>MAP ID</u>	<u>LOCATION FROM TP</u>	<u>GENERAL DIRECTION GROUNDWATER FLOW</u>
Not Reported		

# GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

## GROUNDWATER FLOW VELOCITY INFORMATION

Groundwater flow velocity information for a particular site is best determined by a qualified environmental professional using site specific geologic and soil strata data. If such data are not reasonably ascertainable, it may be necessary to rely on other sources of information, including geologic age identification, rock stratigraphic unit and soil characteristics data collected on nearby properties and regional soil information. In general, contaminant plumes move more quickly through sandy-gravelly types of soils than silty-clayey types of soils.

## GEOLOGIC INFORMATION IN GENERAL AREA OF TARGET PROPERTY

Geologic information can be used by the environmental professional in forming an opinion about the relative speed at which contaminant migration may be occurring.

### **ROCK STRATIGRAPHIC UNIT**

Era: Paleozoic  
System: Cambrian  
Series: Cambrian  
Code: Ce *(decoded above as Era, System & Series)*

### **GEOLOGIC AGE IDENTIFICATION**

Category: Eugeosynclinal Deposits

Geologic Age and Rock Stratigraphic Unit Source: P.G. Schruben, R.E. Arndt and W.J. Bawiec, Geology of the Conterminous U.S. at 1:2,500,000 Scale - a digital representation of the 1974 P.B. King and H.M. Beikman Map, USGS Digital Data Series DDS - 11 (1994).

## DOMINANT SOIL COMPOSITION IN GENERAL AREA OF TARGET PROPERTY

The U.S. Department of Agriculture's (USDA) Soil Conservation Service (SCS) leads the National Cooperative Soil Survey (NCSS) and is responsible for collecting, storing, maintaining and distributing soil survey information for privately owned lands in the United States. A soil map in a soil survey is a representation of soil patterns in a landscape. Soil maps for STATSGO are compiled by generalizing more detailed (SSURGO) soil survey maps. The following information is based on Soil Conservation Service STATSGO data.

Soil Component Name: HERNDON

Soil Surface Texture: silt loam

Hydrologic Group: Class B - Moderate infiltration rates. Deep and moderately deep, moderately well and well drained soils with moderately coarse textures.

Soil Drainage Class: Well drained. Soils have intermediate water holding capacity. Depth to water table is more than 6 feet.

Hydric Status: Soil does not meet the requirements for a hydric soil.

Corrosion Potential - Uncoated Steel: HIGH

Depth to Bedrock Min: > 60 inches

Depth to Bedrock Max: > 60 inches

## GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

Soil Layer Information							
Layer	Boundary		Soil Texture Class	Classification		Permeability Rate (in/hr)	Soil Reaction (pH)
	Upper	Lower		AASHTO Group	Unified Soil		
1	0 inches	9 inches	silt loam	Silt-Clay Materials (more than 35 pct. passing No. 200), Silty Soils.	FINE-GRAINED SOILS, Silts and Clays (liquid limit less than 50%), silt.	Max: 2.00 Min: 0.60	Max: 6.50 Min: 4.50
2	9 inches	48 inches	silty clay loam	Silt-Clay Materials (more than 35 pct. passing No. 200), Clayey Soils.	FINE-GRAINED SOILS, Silts and Clays (liquid limit 50% or more), Elastic silt.	Max: 2.00 Min: 0.60	Max: 5.50 Min: 3.60
3	48 inches	68 inches	silt loam	Silt-Clay Materials (more than 35 pct. passing No. 200), Clayey Soils.	FINE-GRAINED SOILS, Silts and Clays (liquid limit 50% or more), Elastic silt.	Max: 2.00 Min: 0.60	Max: 5.50 Min: 3.60

### OTHER SOIL TYPES IN AREA

Based on Soil Conservation Service STATSGO data, the following additional subordinant soil types may appear within the general area of target property.

Soil Surface Textures: sandy loam  
gravelly - silt loam  
stony - silt loam  
clay loam  
channery - silt loam  
loam

Surficial Soil Types: sandy loam  
gravelly - silt loam  
stony - silt loam  
clay loam  
channery - silt loam  
loam

Shallow Soil Types: silty clay loam  
sandy clay  
silt loam  
loam  
clay loam  
very channery - silt loam

Deeper Soil Types: silty clay loam  
weathered bedrock  
unweathered bedrock  
sandy clay loam  
clay

# GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

## LOCAL / REGIONAL WATER AGENCY RECORDS

EDR Local/Regional Water Agency records provide water well information to assist the environmental professional in assessing sources that may impact ground water flow direction, and in forming an opinion about the impact of contaminant migration on nearby drinking water wells.

## WELL SEARCH DISTANCE INFORMATION

<u>DATABASE</u>	<u>SEARCH DISTANCE (miles)</u>
Federal USGS	1.000
Federal FRDS PWS	Nearest PWS within 1 mile
State Database	1.000

## FEDERAL USGS WELL INFORMATION

<u>MAP ID</u>	<u>WELL ID</u>	<u>LOCATION FROM TP</u>
1	USGS40000896596	1/2 - 1 Mile ENE

## FEDERAL FRDS PUBLIC WATER SUPPLY SYSTEM INFORMATION

<u>MAP ID</u>	<u>WELL ID</u>	<u>LOCATION FROM TP</u>
No PWS System Found		

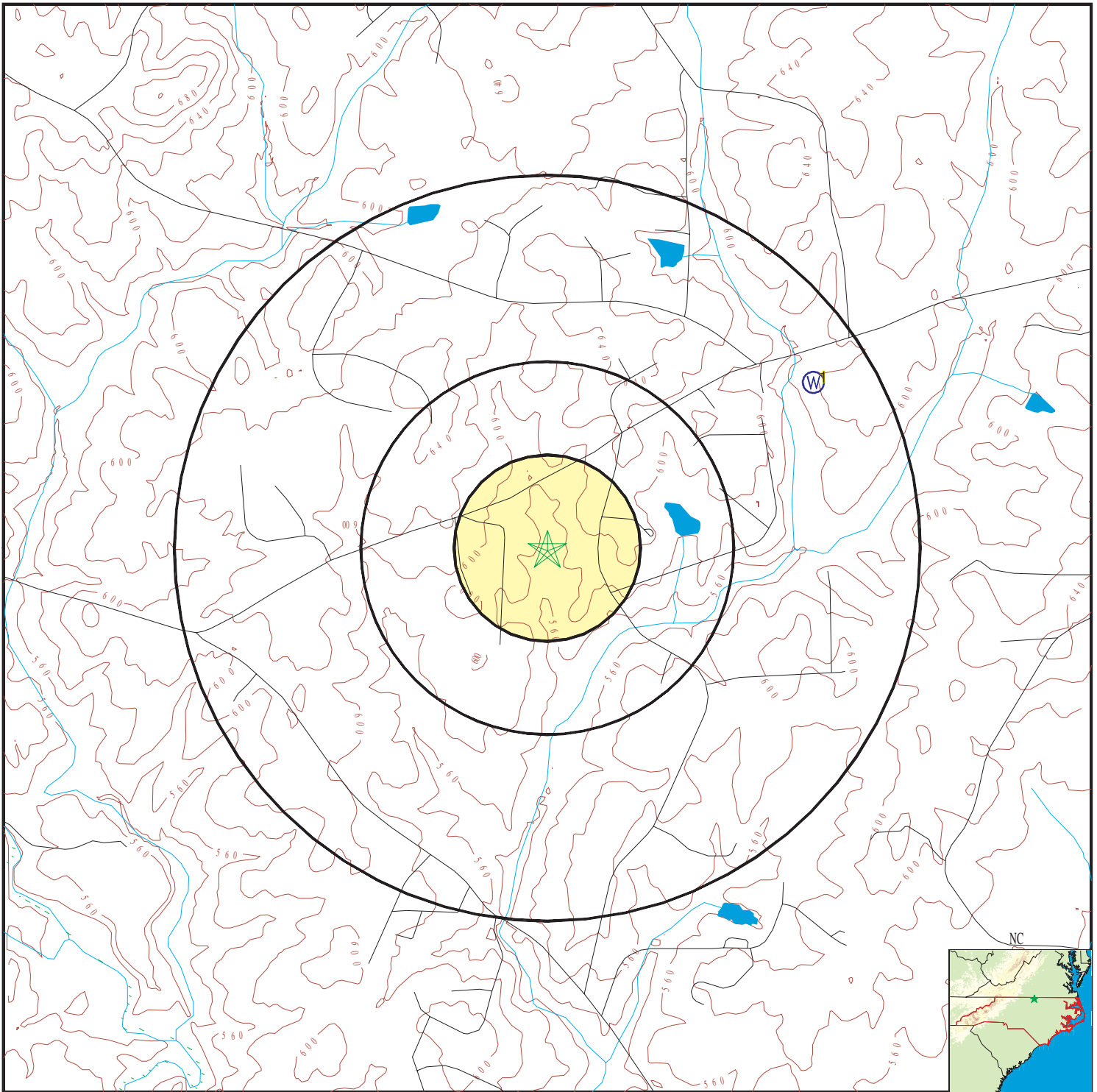
Note: PWS System location is not always the same as well location.

## STATE DATABASE WELL INFORMATION

<u>MAP ID</u>	<u>WELL ID</u>	<u>LOCATION FROM TP</u>
No Wells Found		

## OTHER STATE DATABASE INFORMATION

# PHYSICAL SETTING SOURCE MAP - 6377926.2s



- |  |  |                           |
|--|--|---------------------------|
| County Boundary                            | Groundwater Flow Direction                 | Wildlife Areas            |
| Major Roads                                | Indeterminate Groundwater Flow at Location | Natural Areas             |
| Contour Lines                              | Groundwater Flow Varies at Location        | Rare & Endangered Species |
| Earthquake epicenter, Richter 5 or greater |  |                           |
| Water Wells                                |  |                           |
| Public Water Supply Wells                  |  |                           |
| Cluster of Multiple Icons                  |  |                           |

SITE NAME: Chappels Creek  
 ADDRESS: 340-444 Kermit Duncan Road  
 Timberlake NC 27583  
 LAT/LONG: 36.323421 / 78.944745

CLIENT: Resource Environmental Solutions, LLC  
 CONTACT: Grayson Sanner  
 INQUIRY #: 6377926.2s  
 DATE: February 23, 2021 12:00 pm

## GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID  
 Direction  
 Distance  
 Elevation

Database      EDR ID Number

<b>1</b>			
<b>ENE</b>		<b>FED USGS</b>	<b>USGS40000896596</b>
<b>1/2 - 1 Mile</b>			
<b>Higher</b>			

Organization ID:	USGS-NC		
Organization Name:	USGS North Carolina Water Science Center		
Monitor Location:	PS-062	Type:	Well
Description:	Not Reported	HUC:	Not Reported
Drainage Area:	Not Reported	Drainage Area Units:	Not Reported
Contrib Drainage Area:	Not Reported	Contrib Drainage Area Units:	Not Reported
Aquifer:	Piedmont and Blue Ridge crystalline-rock aquifers		
Formation Type:	Epiclastic Metavolcanic Rock		
Aquifer Type:	Not Reported	Construction Date:	Not Reported
Well Depth:	100	Well Depth Units:	ft
Well Hole Depth:	Not Reported	Well Hole Depth Units:	Not Reported

Ground water levels, Number of Measurements:	1	Level reading date:	1966
Feet below surface:	15	Feet to sea level:	Not Reported
Note:	Not Reported		



# GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID  
Direction  
Distance

Database EDR ID Number

---

Acres: 192.54  
Quality type: Not Reported  
Site id: 3407

Sitename:  
Sig:  
Edr id:

**NC\_SNHA NC10003407**  
FLAT RIVER AQUATIC HABITAT  
A  
NC10003407

# GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS RADON

## AREA RADON INFORMATION

Federal EPA Radon Zone for PERSON County: 3

- Note: Zone 1 indoor average level > 4 pCi/L.
- : Zone 2 indoor average level  $\geq$  2 pCi/L and  $\leq$  4 pCi/L.
- : Zone 3 indoor average level < 2 pCi/L.

---

Federal Area Radon Information for PERSON COUNTY, NC

Number of sites tested: 1

<u>Area</u>	<u>Average Activity</u>	<u>% &lt;4 pCi/L</u>	<u>% 4-20 pCi/L</u>	<u>% &gt;20 pCi/L</u>
Living Area - 1st Floor	1.200 pCi/L	100%	0%	0%
Living Area - 2nd Floor	Not Reported	Not Reported	Not Reported	Not Reported
Basement	Not Reported	Not Reported	Not Reported	Not Reported

# PHYSICAL SETTING SOURCE RECORDS SEARCHED

## TOPOGRAPHIC INFORMATION

### USGS 7.5' Digital Elevation Model (DEM)

Source: United States Geologic Survey

EDR acquired the USGS 7.5' Digital Elevation Model in 2002 and updated it in 2006. The 7.5 minute DEM corresponds to the USGS 1:24,000- and 1:25,000-scale topographic quadrangle maps. The DEM provides elevation data with consistent elevation units and projection.

### Current USGS 7.5 Minute Topographic Map

Source: U.S. Geological Survey

## HYDROLOGIC INFORMATION

Flood Zone Data: This data was obtained from the Federal Emergency Management Agency (FEMA). It depicts 100-year and 500-year flood zones as defined by FEMA. It includes the National Flood Hazard Layer (NFHL) which incorporates Flood Insurance Rate Map (FIRM) data and Q3 data from FEMA in areas not covered by NFHL.

Source: FEMA

Telephone: 877-336-2627

Date of Government Version: 2003, 2015

NWI: National Wetlands Inventory. This data, available in select counties across the country, was obtained by EDR in 2002, 2005 and 2010 from the U.S. Fish and Wildlife Service.

### State Wetlands Data: Wetland Inventory

Source: US Fish & Wildlife Service

Telephone: 703-358-2171

## HYDROGEOLOGIC INFORMATION

### AQUIFLOW<sup>R</sup> Information System

Source: EDR proprietary database of groundwater flow information

EDR has developed the AQUIFLOW Information System (AIS) to provide data on the general direction of groundwater flow at specific points. EDR has reviewed reports submitted to regulatory authorities at select sites and has extracted the date of the report, hydrogeologically determined groundwater flow direction and depth to water table information.

## GEOLOGIC INFORMATION

### Geologic Age and Rock Stratigraphic Unit

Source: P.G. Schruben, R.E. Arndt and W.J. Bawiec, Geology of the Conterminous U.S. at 1:2,500,000 Scale - A digital representation of the 1974 P.B. King and H.M. Beikman Map, USGS Digital Data Series DDS - 11 (1994).

### STATSGO: State Soil Geographic Database

Source: Department of Agriculture, Natural Resources Conservation Service (NRCS)

The U.S. Department of Agriculture's (USDA) Natural Resources Conservation Service (NRCS) leads the national Conservation Soil Survey (NCSS) and is responsible for collecting, storing, maintaining and distributing soil survey information for privately owned lands in the United States. A soil map in a soil survey is a representation of soil patterns in a landscape. Soil maps for STATSGO are compiled by generalizing more detailed (SSURGO) soil survey maps.

### SSURGO: Soil Survey Geographic Database

Source: Department of Agriculture, Natural Resources Conservation Service (NRCS)

Telephone: 800-672-5559

SSURGO is the most detailed level of mapping done by the Natural Resources Conservation Service, mapping scales generally range from 1:12,000 to 1:63,360. Field mapping methods using national standards are used to construct the soil maps in the Soil Survey Geographic (SSURGO) database. SSURGO digitizing duplicates the original soil survey maps. This level of mapping is designed for use by landowners, townships and county natural resource planning and management.

# PHYSICAL SETTING SOURCE RECORDS SEARCHED

## LOCAL / REGIONAL WATER AGENCY RECORDS

### FEDERAL WATER WELLS

#### PWS: Public Water Systems

Source: EPA/Office of Drinking Water

Telephone: 202-564-3750

Public Water System data from the Federal Reporting Data System. A PWS is any water system which provides water to at least 25 people for at least 60 days annually. PWSs provide water from wells, rivers and other sources.

#### PWS ENF: Public Water Systems Violation and Enforcement Data

Source: EPA/Office of Drinking Water

Telephone: 202-564-3750

Violation and Enforcement data for Public Water Systems from the Safe Drinking Water Information System (SDWIS) after August 1995. Prior to August 1995, the data came from the Federal Reporting Data System (FRDS).

#### USGS Water Wells: USGS National Water Inventory System (NWIS)

This database contains descriptive information on sites where the USGS collects or has collected data on surface water and/or groundwater. The groundwater data includes information on wells, springs, and other sources of groundwater.

### STATE RECORDS

#### North Carolina Public Water Supply Wells

Source: Department of Environmental Health

Telephone: 919-715-3243

## OTHER STATE DATABASE INFORMATION

#### North Carolina Wildlife Resources/Game Lands

Source: Center for Geographic Information and Analysis

Telephone: 919-733-2090

All publicly owned game lands managed by the North Carolina Wildlife Resources Commission and as listed in Hunting and Fishing Maps.

#### NC Natural Heritage Sites: Natural Heritage Element Occurrence Sites

Source: Natural Heritage Occurrence Sites Center for Geographic Information and Analysis

Telephone: 919-733-2090

A point coverage identifying locations of rare and endangered species, occurrences of exemplary or unique natural ecosystems (terrestrial or aquatic), and special animal habitats (e.g., colonial waterbird nesting sites).

#### NC Natural Areas: Significant Natural Heritage Areas

Source: Center for Geographic Information and Analysis

Telephone: 919-733-2090

A polygon coverage identifying sites (terrestrial or aquatic) that have particular biodiversity significance.

A site's significance may be due to the presence of rare species, rare or high quality natural communities, or other important ecological features.

### RADON

#### State Database: NC Radon

Source: Department of Environment & Natural Resources

Telephone: 919-733-4984

Radon Statistical and Non Statistical Data

#### Area Radon Information

Source: USGS

Telephone: 703-356-4020

The National Radon Database has been developed by the U.S. Environmental Protection Agency (USEPA) and is a compilation of the EPA/State Residential Radon Survey and the National Residential Radon Survey. The study covers the years 1986 - 1992. Where necessary data has been supplemented by information collected at private sources such as universities and research institutions.

## PHYSICAL SETTING SOURCE RECORDS SEARCHED

### EPA Radon Zones

Source: EPA

Telephone: 703-356-4020

Sections 307 & 309 of IRAA directed EPA to list and identify areas of U.S. with the potential for elevated indoor radon levels.

### OTHER

Airport Landing Facilities: Private and public use landing facilities

Source: Federal Aviation Administration, 800-457-6656

Epicenters: World earthquake epicenters, Richter 5 or greater

Source: Department of Commerce, National Oceanic and Atmospheric Administration

Earthquake Fault Lines: The fault lines displayed on EDR's Topographic map are digitized quaternary faultlines, prepared in 1975 by the United State Geological Survey

### STREET AND ADDRESS INFORMATION

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## CORRESPONDENCE



3600 Glenwood Avenue, Suite 100  
Raleigh, NC 27612

**Corporate Headquarters**  
6575 West Loop South, Suite 300  
Bellaire, TX 77401  
Main: 713.520.5400

March 29, 2021

Kristin May  
Natural Resources Conservation Service  
4407 Bland Rd., Suite 117  
Raleigh, NC 27609

Subject: AD-1006 Request for the Chappels Creek Mitigation Project in Person County

Dear Kristin May,

Resource Environmental Solutions (RES) requests review and comment from the Natural Resources Conservation Service on any possible concerns that may emerge with respect to farmland resources including prime, unique, statewide or local important farmland associated with the Chappels Creek riparian buffer mitigation project. This project is a NC Division of Mitigation Services (NCDMS) full-delivery project as depicted in the attached figures. Please note that this request is in support of the development of the Categorical Exclusion (CE) and an Environmental Screening document for the NCDMS portion of the Chappels Creek Mitigation Project (Project).

The Project is in the Neuse River Basin within 14-digit Hydrologic Unit (HU) 03020201010010 and NC Division of Water Resources (DWR) Sub-Basin 03-04-01. The proposed project presents the opportunity to restore, enhance, and protect in perpetuity, up to 48.13 acres of riparian buffer in the Neuse River Basin. Coordinates for the site are as follows: 36.322, -78.945.

An inventory of soils data was completed by RES utilizing Web Soil Survey to determine prime farmland classifications for the proposed 48.13 acre conservation easement. Two soil map units in the project area are classified as prime farmland, making up 5.9% of the site (Georgeville loam, 2 to 6 percent slopes and Herndon loam, 2 to 6 percent slopes). One soil map unit is classified as prime farmland if drained and either protected from flooding or not frequently flooded during the growing season, making up 46.9% of the site (Chewacla and Wehadkee soils, 0 to 2 percent slopes, frequently flooded). Currently, there is open water within the Project, accounting for 1.1% of the site and therefore cannot be used as farmland. Four soil map units in the project area are classified as farmland of statewide importance, making up 46.1% of the site (Georgeville loam, 6 to 10 percent slopes, Herndon loam, 6 to 10 percent slopes, Iredell gravelly loam, 2 to 6 percent slopes, and Lignum loam, 2 to 6 percent slopes).

Enclosed is Form AD-1006 with Parts I and III completed and maps of the Chappels Creek Mitigation Project. We ask that you review the site information and complete Parts II, IV, and V as required by NRCS. Please email (via [eulman@res.us](mailto:eulman@res.us)), or mail your reply to the our office on 3600 Glenwood Avenue, Suite 100, Raleigh, NC 27612.

We thank you in advance for your timely response and cooperation. Please feel free to contact me with any questions that you may have concerning the extent of site disturbance associated with this project.

Sincerely,

Emily Ulman | Ecologist

Attachments: US Department of Agriculture Farmland Conversion Impact Rating Form (AD-1006), Web Soil Survey Report, Vicinity Map (Figure 1), USGS Topographic Map (Figure 2a & 2b), Aerial Map (Figure 3), Conceptual Plan Map (Figure 4)



Natural Resources  
Conservation Service

May 5, 2021

North Carolina  
State Office

Emily Ulman  
Ecologist  
Resource Environmental Solutions  
3600 Glenwood Avenue, Suite 100  
Raleigh, NC 27612

4407 Bland Rd.  
Suite 117  
Raleigh  
North Carolina 27609  
Voice (704) 680-3541  
Fax (844) 325-2156

Dear Emily Ulman;

The following information is in response to your request soliciting comments regarding the Chappels Creek Mitigation Project Site in Person County, NC.

Projects are subject to Farmland Protection Policy Act (FPPA) requirements if they may irreversibly convert farmland (directly or indirectly) to nonagricultural use and are completed by a Federal agency or with assistance from a Federal agency.

For the purpose of FPPA, farmland includes prime farmland, unique farmland, and land of statewide or local importance. Farmland subject to FPPA requirements does not have to be currently used for cropland. It can be forest land, pastureland, cropland, or other land, but not water or urban built-up land. Farmland means prime or unique farmlands as defined in section 1540(c)(1) of the Act or farmland that is determined by the appropriate state or unit of local government agency or agencies with concurrence of the Secretary to be farmland of statewide or local importance.

"Farmland" does not include land already in or committed to urban development or water storage. Farmland "already in" urban development or water storage includes all such land with a density of 30 structures per 40-acre area. Farmland already in urban development also includes lands identified as "urbanized area" (UA) on the Census Bureau Map, or as urban area mapped with a "tint overprint" on the USGS topographical maps, or as "urban-built-up" on the USDA Important Farmland Maps. See over for more information.

The area in question includes land classified as Prime Farmland. In accordance with the Code of Federal Regulations 7CFR 658, Farmland Protection Policy Act, the CPA-106 was initiated. NRCS Completed Parts II, IV, V of the form and returned for completion by the requesting agency.

If you have any questions, please feel free to call me at (704) 680-3541 office or (704) 754-6734 cell.

Sincerely,

Kristin L May  
Acting State Soil Scientist

cc:

Brandon King, supervisory soil conservationist, NRCS, Burlington, NC





3600 Glenwood Avenue, Suite 100  
Raleigh, NC 27612

**Corporate Headquarters**  
6575 West Loop South, Suite 300  
Bellaire, TX 77401  
Main: 713.520.5400

March 29, 2021

Renee Gledhill-Earley  
North Carolina State Historic Preservation Office  
4617 Mail Service Center  
Raleigh NC 27699-4617

Subject: Project Scoping for Chappels Creek Mitigation Project in Person County

Dear Renee Gledhill-Earley,

Resource Environmental Solutions, LLC (RES) requests review and comment on any possible issues that might emerge with respect to archaeological or cultural resources associated with a potential riparian buffer mitigation project named the Chappels Creek Mitigation Project. The Chappels Creek Project is comprised of an NC Division of Mitigation Services full-delivery project, as depicted in the attached figures. The project has been identified by RES to provide compensatory mitigation for unavoidable riparian buffer impacts. The proposed project presents the opportunity to restore, enhance, and protect in perpetuity, up to 48.13 acres of riparian buffer in the Neuse River Basin. Coordinates for the site are as follows: 36.322, -78.945.

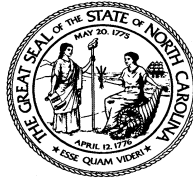
A review of the N.C. State Historic Preservation Office (SHPO) HPOWEB GIS Service database (<http://gis.ncdcr.gov/hpweb/>; accessed August 6, 2020) was performed as part of the site due diligence evaluation to reveal any listed or potential eligible historic or archeological resources. This search did not reveal any registered occurrences within the Project area. There were also no occurrences within a half-mile radius. Land use around the project is row crop fields, residential land, and scattered riparian forest.

We ask that you review this site based on the attached information to determine the presence of any historic properties and provide a comment response of your findings. We thank you in advance for your timely response and cooperation. You may return the comment to my attention at the address in the letterhead, or via email at [eulman@res.us](mailto:eulman@res.us). Please feel free to contact me with any questions that you may have concerning the extent of site disturbance associated with this project.

Sincerely,

Emily Ulman | Ecologist

Attachments: Project Description, Vicinity Map (Figure 1), USGS Topographic Map (Figure 2a & 2b), Aerial Map (Figure 3), Conceptual Plan Map (Figure 4) and a KMZ of the project boundaries.



**North Carolina Department of Natural and Cultural Resources  
State Historic Preservation Office**

Ramona M. Bartos, Administrator

Governor Roy Cooper

Secretary D. Reid Wilson

May 6, 2021

Emily Ulman  
Resource Environmental Solutions, LLC  
3600 Glenwood Avenue, Suite 100  
Raleigh, NC 27612

[eulman@res.us](mailto:eulman@res.us)

Re: Chappels Creek Mitigation project, 36.322, -78.945, Person County, ER 21-0923

Dear Ms. Ulman:

Thank you for your email of April 2, 2021, regarding the above-referenced undertaking. We have reviewed the submittal and offer the following comments.

We have conducted a review of the project and are aware of no historic resources which would be affected by the project. Therefore, we have no comment on the project as proposed.

The above comments are made pursuant to Section 106 of the National Historic Preservation Act and the Advisory Council on Historic Preservation's Regulations for Compliance with Section 106 codified at 36 CFR Part 800.

Thank you for your cooperation and consideration. If you have questions concerning the above comment, contact Renee Gledhill-Earley, environmental review coordinator, at 919-814-6579 or [environmental.review@ncdcr.gov](mailto:environmental.review@ncdcr.gov). In all future communication concerning this project, please cite the above referenced tracking number.

Sincerely,

A handwritten signature in blue ink that reads "Renee Gledhill-Earley".

for Ramona Bartos, Deputy  
State Historic Preservation Officer



3600 Glenwood Avenue, Suite 100  
Raleigh, NC 27612

**Corporate Headquarters**  
6575 West Loop South, Suite 300  
Bellaire, TX 77401  
Main: 713.520.5400

March 29, 2021

Gabriela Garrison  
Eastern Piedmont Coordinator  
North Carolina Wildlife Resources Commission  
Sandhills Depot  
PO Box 149  
Hoffman, NC 28347

Subject: Project Scoping for Chappels Creek Mitigation Project in Person County

Dear Ms. Garrison,

The purpose of this letter is to request your review and comment on any possible issues that might emerge with respect to your office's purview for fish and wildlife associated with a potential buffer restoration project on the attached site (figures with approximate property lines and areas of potential ground disturbance are enclosed). The Chappels Creek Project is an NC Division of Mitigation Services full-delivery project, as depicted in the attached figures. The project has been identified by Resource Environmental Solutions, LLC (RES) to provide compensatory mitigation for unavoidable riparian buffer impacts. The proposed project presents the opportunity to restore, enhance, and protect in perpetuity, up to 48.13 acres of riparian buffer in the Neuse River Basin. Coordinates for the site are as follows: 36.322, -78.945. The Project watershed is primarily managed agricultural land, sparse disturbed forested areas, and residential development.

We thank you in advance for your timely response and cooperation. You may return the comment to my attention at the address in the letterhead, or via email to [eulman@res.us](mailto:eulman@res.us). Please feel free to contact me with any questions that you may have concerning the extent of site disturbance associated with this project.

Sincerely,

Emily Ulman | Ecologist

Attachments: Project Description, .KMZ of proposed project boundaries, Vicinity Map (Figure 1), USGS Topographic Map (Figure 2a & 2b), Aerial Map (Figure 3), Conceptual Plan Map (Figure 4)



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☒ NORTH CAROLINA WILDLIFE RESOURCES COMMISSION ☒

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Cameron Ingram, Executive Director

May 3, 2021

Ms. Emily Ulman  
Resource Environmental Solutions  
3600 Glenwood Avenue, Suite 100  
Raleigh, NC 27612

**Subject:** Request for Environmental Information for Chappels Creek Mitigation Project, Person County, North Carolina.

Dear Ms. Ulman,

Biologists with the North Carolina Wildlife Resources Commission (NCWRC) have reviewed the proposed project description. Comments are provided in accordance with certain provisions of the Clean Water Act of 1977 (as amended), Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661-667e) and North Carolina General Statutes (G.S. 113-131 et seq.).

Contracted by the NC Division of Mitigation Resources, Resource Environmental Solutions has developed the Chappels Creek Mitigation Project. The 48.13-acre site will restore, enhance and protect riparian buffer. Land use in the watershed is primarily agricultural, forested and residential. The project area is located north and south of Antioch Church Road, west of its intersection with Kermit Duncan Road, south of Roxboro.

The project area drains to Chappels Creek in the Neuse River basin. Stream restoration projects often improve water quality and aquatic habitat. Establishing native, forested buffers in riparian areas will improve both aquatic and terrestrial habitats and provide a travel corridor for wildlife species.

In addition to stringent best management practices for erosion and sediment control during construction, the NCWRC recommends the use of biodegradable and wildlife-friendly sediment and erosion control devices. Silt fencing, fiber rolls and/or other products should have loose-weave netting that is made of natural fiber materials with movable joints between the vertical and horizontal twines. Silt fencing and similar products that have been reinforced with plastic or metal mesh should be avoided as they impede the movement of terrestrial wildlife species. Excessive silt and sediment loads can have detrimental effects on aquatic resources including destruction of spawning habitat, suffocation of eggs and clogging of gills. Any invasive plant species found onsite should be removed and destroyed.

Page 2

May 3, 2021

Scoping – Chappels Creek Mitigation Project

Thank you for the opportunity to review and comment on this project. If I can be of further assistance, please contact me at (910) 409-7350 or [gabriela.garrison@ncwildlife.org](mailto:gabriela.garrison@ncwildlife.org).

Sincerely,

A handwritten signature in blue ink that reads "Gabriela Garrison". The signature is written in a cursive, flowing style.

Gabriela Garrison  
Eastern Piedmont Habitat Conservation Coordinator  
Habitat Conservation Program



# United States Department of the Interior



## FISH AND WILDLIFE SERVICE

Raleigh Field Office  
P.O. Box 33726  
Raleigh, NC 27636-3726

Date: 03/29/2021

### Self-Certification Letter

Project Name Chappels Creek Riparian Buffer Mitigation Project

Dear Applicant:

Thank you for using the U.S. Fish and Wildlife Service (Service) Raleigh Ecological Services online project review process. By printing this letter in conjunction with your project review package, you are certifying that you have completed the online project review process for the project named above in accordance with all instructions provided, using the best available information to reach your conclusions. This letter, and the enclosed project review package, completes the review of your project in accordance with the Endangered Species Act of 1973 (16 U.S.C. 1531-1544, 87 Stat. 884), as amended (ESA), and the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668c, 54 Stat. 250), as amended (Eagle Act). This letter also provides information for your project review under the National Environmental Policy Act of 1969 (P.L. 91-190, 42 U.S.C. 4321-4347, 83 Stat. 852), as amended. A copy of this letter and the project review package must be submitted to this office for this certification to be valid. This letter and the project review package will be maintained in our records.

The species conclusions table in the enclosed project review package summarizes your ESA and Eagle Act conclusions. Based on your analysis, mark all the determinations that apply:

- “no effect” determinations for proposed/listed species and/or proposed/designated critical habitat; and/or
- “may affect, not likely to adversely affect” determinations for proposed/listed species and/or proposed/designated critical habitat; and/or
- “may affect, likely to adversely affect” determination for the Northern long-eared bat (*Myotis septentrionalis*) and relying on the findings of the January 5, 2016, Programmatic Biological Opinion for the Final 4(d) Rule on the Northern long-eared bat;
- “no Eagle Act permit required” determinations for eagles.

We certify that use of the online project review process in strict accordance with the instructions provided as documented in the enclosed project review package results in reaching the appropriate determinations. Therefore, we concur with the “no effect” or “not likely to adversely affect” determinations for proposed and listed species and proposed and designated critical habitat; the “may affect” determination for Northern long-eared bat; and/or the “no Eagle Act permit required” determinations for eagles. Additional coordination with this office is not needed. Candidate species are not legally protected pursuant to the ESA. However, the Service encourages consideration of these species by avoiding adverse impacts to them. Please contact this office for additional coordination if your project action area contains candidate species. Should project plans change or if additional information on the distribution of proposed or listed species, proposed or designated critical habitat, or bald eagles becomes available, this determination may be reconsidered. This certification letter is valid for 1 year. Information about the online project review process including instructions, species information, and other information regarding project reviews within North Carolina is available at our website <http://www.fws.gov/raleigh/pp.html>. If you have any questions, you can write to us at [Raleigh@fws.gov](mailto:Raleigh@fws.gov) or please contact Leigh Mann of this office at 919-856-4520, ext. 10.

Sincerely,

/s/Pete Benjamin

Pete Benjamin  
Field Supervisor  
Raleigh Ecological Services

Enclosures - project review package

## Species Conclusions Table

Project Name: Chappels Creek Riparian Buffer Mitigation Project

Date: 03-29-2021

Species / Resource Name	Conclusion	ESA Section 7 / Eagle Act Determination	Notes / Documentation
Neuse River Waterdog ( <i>Necturus lewisi</i> )	No suitable habitat present	No effect	After surveying the site and consulting the USFWS species profile, habitat is not present because the streams throughout the site are narrow, with somewhat slowly moving water that would not support that preferred habitat of the Neuse River Waterdog.
Carolina Madtom ( <i>Noturus furiosus</i> )	No suitable habitat present	No effect	After surveying the site and consulting the USFWS species profile, habitat is not present because the streams throughout the site are narrow, and some are not guaranteed to be flowing year-round, which is characteristic of the preferred Carolina Madtom habitat. Some channels throughout the site have variably sized gradient, some with a silt substrate, inappropriate for the species' nesting habitat.
Atlantic Pigtoe ( <i>Fusconaia masoni</i> )	No suitable habitat present	No effect	After surveying the site and consulting the USFWS species profile, habitat is not present because all streams throughout the site are not guaranteed to be flowing year-round and able to maintain a silt-free substrate, which is an imperative trait of Atlantic Pigtoe habitat.
Critical Habitat	No critical habitat present	No effect	N/A
Bald Eagle ( <i>Haliaeetus leucocephalus</i> )	Unlikely to disturb nesting bald eagles	No Eagle Act Permit required	Impacts to this species are not considered, as there will be no impact to existing vegetation
Northern Long-Eared Bat ( <i>Myotis septentrionalis</i> )	NA	No effect	Impacts to this species are not considered, as there will be no impact to existing vegetation

Acknowledgement: I agree that the above information about my proposed project is true. I used all of the provided resources to make an informed decision about impacts in the immediate and surrounding areas.

Emily Ulman, Ecologist

Signature /Title

03/29/2021

Date





## United States Department of the Interior



FISH AND WILDLIFE SERVICE  
Raleigh Ecological Services Field Office  
Post Office Box 33726  
Raleigh, NC 27636-3726  
Phone: (919) 856-4520 Fax: (919) 856-4556

In Reply Refer To:  
Consultation Code: 04EN2000-2021-SLI-0778  
Event Code: 04EN2000-2021-E-01701  
Project Name: Chappels Creek

March 03, 2021

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

### To Whom It May Concern:

The species list generated pursuant to the information you provided identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

Section 7 of the Act requires that all federal agencies (or their designated non-federal representative), in consultation with the Service, insure that any action federally authorized, funded, or carried out by such agencies is not likely to jeopardize the continued existence of any federally-listed endangered or threatened species. A biological assessment or evaluation may be prepared to fulfill that requirement and in determining whether additional consultation with the Service is necessary. In addition to the federally-protected species list, information on the species' life histories and habitats and information on completing a biological assessment or

evaluation and can be found on our web page at <http://www.fws.gov/raleigh>. Please check the web site often for updated information or changes

If your project contains suitable habitat for any of the federally-listed species known to be present within the county where your project occurs, the proposed action has the potential to adversely affect those species. As such, we recommend that surveys be conducted to determine the species' presence or absence within the project area. The use of North Carolina Natural Heritage program data should not be substituted for actual field surveys.

If you determine that the proposed action may affect (i.e., likely to adversely affect or not likely to adversely affect) a federally-protected species, you should notify this office with your determination, the results of your surveys, survey methodologies, and an analysis of the effects of the action on listed species, including consideration of direct, indirect, and cumulative effects, before conducting any activities that might affect the species. If you determine that the proposed action will have no effect (i.e., no beneficial or adverse, direct or indirect effect) on federally listed species, then you are not required to contact our office for concurrence (unless an Environmental Impact Statement is prepared). However, you should maintain a complete record of the assessment, including steps leading to your determination of effect, the qualified personnel conducting the assessment, habitat conditions, site photographs, and any other related articles.

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan ([http://www.fws.gov/windenergy/eagle\\_guidance.html](http://www.fws.gov/windenergy/eagle_guidance.html)). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

Not all Threatened and Endangered Species that occur in North Carolina are subject to section 7 consultation with the U.S Fish and Wildlife Service. Atlantic and shortnose sturgeon, sea turtles, when in the water, and certain marine mammals are under purview of the National Marine Fisheries Service. If your project occurs in marine, estuarine, or coastal river systems you should also contact the National Marine Fisheries Service, <http://www.nmfs.noaa.gov/>

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office. If you have any questions or comments, please contact John Ellis of this office at [john\\_ellis@fws.gov](mailto:john_ellis@fws.gov).

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Attachment(s):

- Official Species List

## Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

**Raleigh Ecological Services Field Office**

Post Office Box 33726

Raleigh, NC 27636-3726

(919) 856-4520

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## Project Summary

Consultation Code: 04EN2000-2021-SLI-0778

Event Code: 04EN2000-2021-E-01701

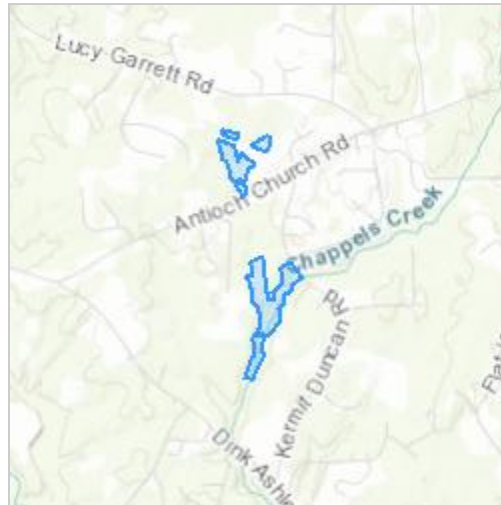
Project Name: Chappels Creek

Project Type: LAND - RESTORATION / ENHANCEMENT

Project Description: 48.13, Person County

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@36.3284095,-78.94604209708822,14z>



Counties: Person County, North Carolina

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## Endangered Species Act Species

There is a total of 3 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

### Amphibians

NAME	STATUS
Neuse River Waterdog <i>Necturus lewisi</i> There is <b>proposed</b> critical habitat for this species. The location of the critical habitat is not available. Species profile: <a href="https://ecos.fws.gov/ecp/species/6772">https://ecos.fws.gov/ecp/species/6772</a>	Proposed Threatened

### Fishes

NAME	STATUS
Carolina Madtom <i>Noturus furiosus</i> There is <b>proposed</b> critical habitat for this species. The location of the critical habitat is not available. Species profile: <a href="https://ecos.fws.gov/ecp/species/528">https://ecos.fws.gov/ecp/species/528</a>	Proposed Endangered

### Clams

NAME	STATUS
Atlantic Pigtoe <i>Fusconaia masoni</i> There is <b>proposed</b> critical habitat for this species. The location of the critical habitat is not available. Species profile: <a href="https://ecos.fws.gov/ecp/species/5164">https://ecos.fws.gov/ecp/species/5164</a>	Proposed Threatened

### Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.



Roy Cooper, Governor

D. Reid Wilson, Secretary

Walter Clark

Director, Division of Land and Water Stewardship

NCNHDE-14116

March 3, 2021

Matthew DeAngelo  
Resource Environmental Solutions, LLC  
302 Jefferson Street  
Raleigh, NC 27607  
RE: Chappels Creek (New)

Dear Matthew DeAngelo:

The North Carolina Natural Heritage Program (NCNHP) appreciates the opportunity to provide information about natural heritage resources for the project referenced above.

Based on the project area mapped with your request, a query of the NCNHP database indicates that there are no records for rare species, important natural communities, natural areas, and/or conservation/managed areas within the proposed project boundary. Please note that although there may be no documentation of natural heritage elements within the project boundary, it does not imply or confirm their absence; the area may not have been surveyed. The results of this query should not be substituted for field surveys where suitable habitat exists. In the event that rare species are found within the project area, please contact the NCNHP so that we may update our records.

The attached 'Potential Occurrences' table summarizes rare species and natural communities that have been documented within a one-mile radius of the property boundary. The proximity of these records suggests that these natural heritage elements may potentially be present in the project area if suitable habitat exists. Tables of natural areas and conservation/managed areas within a one-mile radius of the project area, if any, are also included in this report.

If a Federally-listed species is found within the project area or is indicated within a one-mile radius of the project area, the NCNHP recommends contacting the US Fish and Wildlife Service (USFWS) for guidance. Contact information for USFWS offices in North Carolina is found here: <https://www.fws.gov/offices/Directories/ListOffices.cfm?statecode=37>.

Please note that natural heritage element data are maintained for the purposes of conservation planning, project review, and scientific research, and are not intended for use as the primary criteria for regulatory decisions. Information provided by the NCNHP database may not be published without prior written notification to the NCNHP, and the NCNHP must be credited as an information source in these publications. Maps of NCNHP data may not be redistributed without permission.

The NC Natural Heritage Program may follow this letter with additional correspondence if a Dedicated Nature Preserve, Registered Heritage Area, Land and Water Fund easement, or Federally-listed species are documented near the project area.

If you have questions regarding the information provided in this letter or need additional assistance, please contact Rodney A. Butler at [rodney.butler@ncdcr.gov](mailto:rodney.butler@ncdcr.gov) or 919-707-8603.

Sincerely,  
NC Natural Heritage Program

Natural Heritage Element Occurrences, Natural Areas, and Managed Areas Within a One-mile Radius of the Project Area  
 Chappels Creek (New)  
 March 3, 2021  
 NCNHDE-14116

Element Occurrences Documented Within a One-mile Radius of the Project Area

Taxonomic Group	EO ID	Scientific Name	Common Name	Last Observation Date	Element Occurrence Rank	Accuracy	Federal Status	State Status	Global Rank	State Rank
Freshwater Bivalve	5236	<i>Strophitus undulatus</i>	Creeper	2012-05-29	E	3-Medium	---	Threatened	G5	S3
Natural Community	37732	Dry-Mesic Oak--Hickory Forest (Piedmont Subtype)	---	2017	B	2-High	---	---	G4G5	S4
Natural Community	25564	Dry Oak--Hickory Forest (Piedmont Subtype)	---	2016	C	2-High	---	---	G4G5	S4
Natural Community	37733	Piedmont Headwater Stream Forest (Hardpan Subtype)	---	2016	B	2-High	---	---	G2	S2

Natural Areas Documented Within a One-mile Radius of the Project Area

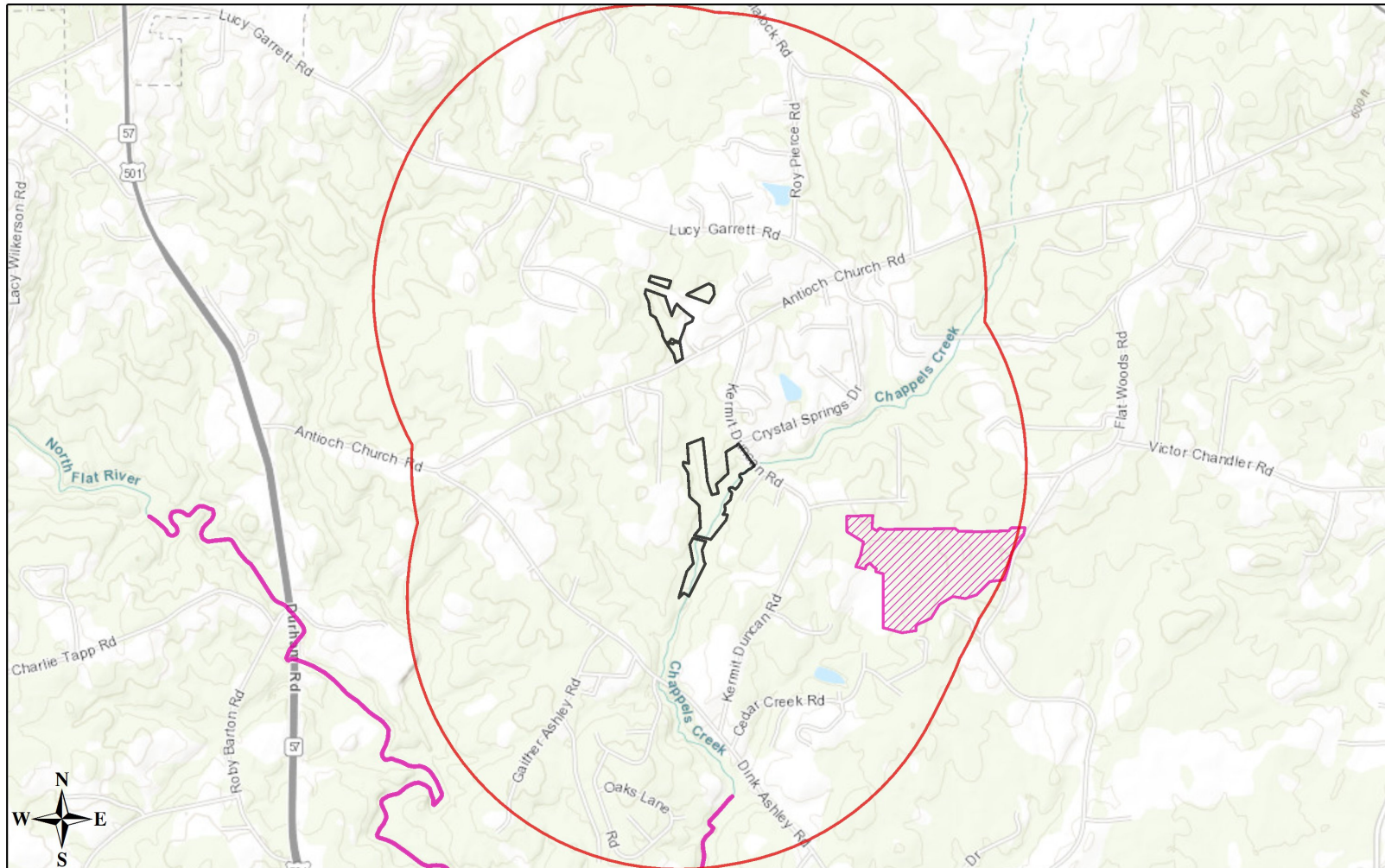
Site Name	Representational Rating	Collective Rating
Chappels Creek Flats	R3 (High)	C5 (General)
NEU/Flat River Aquatic Habitat	R1 (Exceptional)	C3 (High)

No Managed Areas are Documented Within a One-mile Radius of the Project Area

Definitions and an explanation of status designations and codes can be found at <https://ncnhde.natureserve.org/help>. Data query generated on March 3, 2021; source: NCNHP, Q4 January 2021. Please resubmit your information request if more than one year elapses before project initiation as new information is continually added to the NCNHP database.

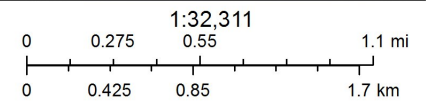


# NCNHDE-14116: Chappels Creek (New)



March 3, 2021

- Project Boundary
- Buffered Project Boundary
- NHP Natural Area (NHNA)



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

## Uniform Act Compliance Letter



3600 Glenwood Avenue, Suite 100  
Raleigh, NC 27612

**Corporate Headquarters**  
**6575 West Loop South, Suite 300**  
**Bellaire, TX 77401**  
**Main: 713.520.5400**

April 28, 2021

TFF Holdings, LLC  
8251 Oxford Road  
Timberlake, NC 27583

Re: Chappels Creek Mitigation Project

To Whom It May Concern:

As part of the environmental documentation process in preparation for the stream mitigation project on your property, this letter is to inform you of provisions in the Federal Highway Administration Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, referred to as the Uniform Act.

The Uniform Act requires that we inform you in writing that this conservation easement transaction is voluntary and that the project is being developed by Environmental Banc & Exchange, LLC for the North Carolina Division of Mitigation Services (NCDMS). Neither EBX nor NCDMS have the authority to acquire the property by eminent domain. In addition, EBX believes that the agreed purchase price for the conservation easement area represents the fair market value.

This letter is for your information, and you do not need to respond. As always, please feel free to call me at 919-302-2324 with any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Kenton Beal'.

Kenton Beal  
Land Representative



3600 Glenwood Avenue, Suite 100  
Raleigh, NC 27612

**Corporate Headquarters**  
**6575 West Loop South, Suite 300**  
**Bellaire, TX 77401**  
**Main: 713.520.5400**

April 28, 2021

David White  
1719 Antioch Church Road  
Timberlake, NC 27583

Re: Chappels Creek Mitigation Project

Mr. White:

As part of the environmental documentation process in preparation for the stream mitigation project on your property, this letter is to inform you of provisions in the Federal Highway Administration Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, referred to as the Uniform Act.

The Uniform Act requires that we inform you in writing that this conservation easement transaction is voluntary and that the project is being developed by Environmental Banc & Exchange, LLC for the North Carolina Division of Mitigation Services (NCDMS). Neither EBX nor NCDMS have the authority to acquire the property by eminent domain. In addition, EBX believes that the agreed purchase price for the conservation easement area represents the fair market value.

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Sincerely,

A handwritten signature in blue ink, appearing to read 'Kenton Beal'.

Kenton Beal  
Land Representative



3600 Glenwood Avenue, Suite 100  
Raleigh, NC 27612

**Corporate Headquarters**  
**6575 West Loop South, Suite 300**  
**Bellaire, TX 77401**  
**Main: 713.520.5400**

April 28, 2021

Jo Ann Martin  
97 Annie Bell Lane  
Roxboro, NC 27574

Re: Chappels Creek Mitigation Project

Ms. Martin:

As part of the environmental documentation process in preparation for the stream mitigation project on your property, this letter is to inform you of provisions in the Federal Highway Administration Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, referred to as the Uniform Act.

The Uniform Act requires that we inform you in writing that this conservation easement transaction is voluntary and that the project is being developed by Environmental Banc & Exchange, LLC for the North Carolina Division of Mitigation Services (NCDMS). Neither EBX nor NCDMS have the authority to acquire the property by eminent domain. In addition, EBX believes that the agreed purchase price for the conservation easement area represents the fair market value.

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Sincerely,

A handwritten signature in blue ink, appearing to read 'Kenton Beal'.

Kenton Beal  
Land Representative



3600 Glenwood Avenue, Suite 100  
Raleigh, NC 27612

**Corporate Headquarters**  
**6575 West Loop South, Suite 300**  
**Bellaire, TX 77401**  
**Main: 713.520.5400**

April 28, 2021

EBX Neuse I, LLC  
c/o Ely J. Perry III  
P.O. Box 1475  
Kinston, NC 28501

Re: Chappels Creek Mitigation Project

Mr. Perry III:

As part of the environmental documentation process in preparation for the stream mitigation project on your property, this letter is to inform you of provisions in the Federal Highway Administration Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, referred to as the Uniform Act.

The Uniform Act requires that we inform you in writing that this conservation easement transaction is voluntary and that the project is being developed by Environmental Banc & Exchange, LLC for the North Carolina Division of Mitigation Services (NCDMS). Neither EBX nor NCDMS have the authority to acquire the property by eminent domain. In addition, EBX believes that the agreed purchase price for the conservation easement area represents the fair market value.

This letter is for your information, and you do not need to respond. As always, please feel free to call me at 919-302-2324 with any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Kenton Beal'.

Kenton Beal  
Land Representative

# **Appendix E**

## Invasive Species Plan

## **INVASIVE SPECIES PLAN**

Annual monitoring and semi-annual site visits will be conducted to assess the condition of the finished project. These site inspections may identify the presence of invasive vegetation. RES will treat invasive species vegetation within the project area and provide remedial action on a case by case basis. Common invasive species vegetation found onsite, such as Chinese privet (*Ligustrum sinense*) and tree-of-heaven (*Ailanthus altissima*) will be treated to allow native plants to become established within the conservation easement. Invasive species vegetation will be treated by approved mechanical and/or chemical methods such that the percent composition of exotic/invasive species is less than 5% of the total riparian buffer area. Any control methods requiring herbicide application will be performed in accordance with NC Department of Agriculture (NCDA) rules and regulations. Additionally, some stream reaches contain dense thickets of box elder (*Acer negundo*) and sweet gum (*Liquidambar styraciflua*) that have the potential to become a nuisance; therefore, some of these areas may be thinned and/or removed mechanically if there is a threat to planted vegetation. If areas of invasive species exist within the easement, they will be monitored yearly as part of the monitoring protocol and treated if necessary. If required, problem areas will continue to be treated until the project easement shows overall trending towards meeting all monitoring requirements.