

Appendix P – Pre-Construction Notification (PCN) Form for Isolated Buffers, Wetlands and Streams

The University is submitting a Pre-Construction Notification form with the IP application. The completed forms can be found in the Appendices. The PCN form for three isolated wetlands and one stream can be found on the following pages.

The PCN form, as currently filled out, assumes the purchase of credits from an in-lieu fee program (EEP). There is the possibility that prior to submittal of the application to the regulatory agencies, a commercial mitigation bank may come on line and have credits for sale at a lower cost than EEP. Therefore, the PCN form may be changed. UNC to provide a signed copy once this determination has been made.

A Stormwater Management Plan approved by the local government has not been submitted with this PCN. UNC-CH will submit Stormwater Management Plans to the TOCH with each site development permit application for each building for Carolina North. To meet the Jordan Lake Nutrient Management Strategy regulations, UNC-CH will submit stormwater plans to DWQ for review for each project at Carolina North that will disturb one-half acre or more of land.

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Office Use Only:
 Corps action ID no. _____
 DWQ project no. _____
 Form Version 1.3 Dec 10 2008

Pre-Construction Notification (PCN) Form		
A. Applicant Information		
1. Processing		
1a. Type(s) of approval sought from the Corps:	<input type="checkbox"/> Section 404 Permit <input type="checkbox"/> Section 10 Permit	
1b. Specify Nationwide Permit (NWP) number:	or General Permit (GP) number:	
1c. Has the NWP or GP number been verified by the Corps?	<input type="checkbox"/> Yes <input type="checkbox"/> No	
1d. Type(s) of approval sought from the DWQ (check all that apply):	<input type="checkbox"/> 401 Water Quality Certification – Regular <input checked="" type="checkbox"/> Non-404 Jurisdictional General Permit <input type="checkbox"/> 401 Water Quality Certification – Express <input checked="" type="checkbox"/> Riparian Buffer Authorization	
1e. Is this notification solely for the record because written approval is not required?	For the record only for DWQ 401 Certification: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	For the record only for Corps Permit: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
1f. Is payment into a mitigation bank or in-lieu fee program proposed for mitigation of impacts? If so, attach the acceptance letter from mitigation bank or in-lieu fee program.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
1g. Is the project located in any of NC's twenty coastal counties. If yes, answer 1h below.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
1h. Is the project located within a NC DCM Area of Environmental Concern (AEC)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
2. Project Information		
2a. Name of project:	Carolina North	
2b. County:	Orange	
2c. Nearest municipality / town:	Chapel Hill	
2d. Subdivision name:	NA	
2e. NCDOT only, T.I.P. or state project no.:	NA	
3. Owner Information		
3a. Name(s) on Recorded Deed:	North Carolina State of (for Deed Book/Page: 1031/144 and 2742/257-260); University of NC for all others (from Orange County Register of Deeds)	
3b. Deed Book and Page No.	56-412;57-135;62-94;75-419,591,598;80-369;112-331,332,363,411,329;115-79;116-306;1031-144;2742-257,258,259,260;Will book L-293 (all from from Orange County Register of Deeds)	
3c. Responsible Party (for LLC if applicable):		
3d. Street address:	300 South Building, CB# 1000	
3e. City, state, zip:	Chapel Hill 27599-1000	
3f. Telephone no.:	919-962-3795	
3g. Fax no.:		
3h. Email address:	rlmann@unc.edu	

4. Applicant Information (if different from owner)		
4a. Applicant is:	<input type="checkbox"/> Agent <input checked="" type="checkbox"/> Other, specify: UNC-CH Environmental Permitting Staff	
4b. Name:	Sharon Myers	
4c. Business name (if applicable):	The University of North Carolina at Chapel Hill, Dept. of Environment, Health and Safety	
4d. Street address:	1120 Estes Drive Extension, CB# 1650	
4e. City, state, zip:	Chapel Hill, NC 27599-1650	
4f. Telephone no.:	(919) 962-9752	
4g. Fax no.:	(919) 962-0027	
4h. Email address:	smyers@ehs.unc.edu	
5. Agent/Consultant Information (if applicable)		
5a. Name:	Kevin Nunnery (Raleigh Location)	Lee Mallonee (Richmond Location)
5b. Business name (if applicable):	Biohabitats, Inc.	
5c. Street address:	8218 Creedmoor Road, Suite 201	P.O. Box 29540
5d. City, state, zip:	Raleigh, NC 27613	Richmond, VA 23242
5e. Telephone no.:	(919) 518-0311	(804)750-1082
5f. Fax no.:	(919) 518-0313	(804)750-1125
5g. Email address:	kunnery@biohabitats.com	lmallonee@biohabitats.com

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B. Project Information and Prior Project History	
1. Property Identification	
1a. Property identification no. (tax PIN or parcel ID):	9779886375 and 9789150184
1b. Site coordinates (in decimal degrees):	Latitude: 35.9377413N 079.0678194W (DD.DDDDDD) Longitude: - (-DD.DDDDDD)
1c. Property size:	947 acres
2. Surface Waters	
2a. Name of nearest body of water (stream, river, etc.) to proposed project:	Crow Branch Creek
2b. Water Quality Classification of nearest receiving water:	Class B; NSW
2c. River basin:	Cape Fear
3. Project Description	
3a. Describe the existing conditions on the site and the general land use in the vicinity of the project at the time of this application: (This PCN is being submitted as an Appendix to an Individual Permit for the Carolina North site, per NCDWQ guidance. It is for impacts to isolated wetlands and streams at Carolina North only, and therefore applies to a limited area of the project). Undisturbed portions of site are forested. There is an operating airport, University offices and maintenance buildings, former landfill and construction and maintenance storage yards. See the Individual Permit Application, Sections 1.2, 1.4 and 3, for detailed discussion of existing conditions.	
3b. List the total estimated acreage of all existing wetlands on the property: 10.7	
3c. List the total estimated linear feet of all existing streams (intermittent and perennial) on the property: 30,000	
3d. Explain the purpose of the proposed project: Construction of a new academic and research campus for UNC-CH.	
3e. Describe the overall project in detail, including the type of equipment to be used: See Individual permit application Sections 1.2, 1.3 and 1.5. It is anticipated that all conventional types of earthmoving equipment will be used in the construction of the project.	
4. Jurisdictional Determinations	
4a. Have jurisdictional wetland or stream determinations by the Corps or State been requested or obtained for this property / project (including all prior phases) in the past? Comments: Field review conducted by USACE and DWQ	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
4b. If the Corps made the jurisdictional determination, what type of determination was made?	<input type="checkbox"/> Preliminary <input checked="" type="checkbox"/> Final
4c. If yes, who delineated the jurisdictional areas? Name (if known): Kevin Nunnery and Lee Mallonee	Agency/Consultant Company: Biohabitats, Inc. Other:
4d. If yes, list the dates of the Corps jurisdictional determinations or State determinations and attach documentation. An approved jurisdictional determination for wetland and stream impacts is being processed at this time by the USACE. Documentation will be included in the Individual Permit Application upon receipt.	
5. Project History	
5a. Have permits or certifications been requested or obtained for this project (including all prior phases) in the past?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown
5b. If yes, explain in detail according to "help file" instructions.	

6. Future Project Plans

6a. Is this a phased project?

Yes

No

6b. If yes, explain.

See Individual Permit Application Section 10 for phasing information.

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C. Proposed Impacts Inventory						
1. Impacts Summary						
1a. Which sections were completed below for your project (check all that apply):						
<input checked="" type="checkbox"/> Wetlands <input checked="" type="checkbox"/> Streams - tributaries <input checked="" type="checkbox"/> Buffers <input type="checkbox"/> Open Waters <input type="checkbox"/> Pond Construction						
2. Wetland Impacts						
If there are wetland impacts proposed on the site, then complete this question for each wetland area impacted.						
2a. Wetland impact number – Permanent (P) or Temporary (T)	2b. Type of impact	2c. Type of wetland (if known)	2d. Forested	2e. Type of jurisdiction (Corps - 404, 10 DWQ – non-404, other)	2f. Area of impact (acres)	
W1 <input checked="" type="checkbox"/> P <input type="checkbox"/> T	fill	X	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Corps <input checked="" type="checkbox"/> DWQ	0.143	
W2 <input checked="" type="checkbox"/> P <input type="checkbox"/> T	fill	XA	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Corps <input checked="" type="checkbox"/> DWQ	0.025	
W3 <input checked="" type="checkbox"/> P <input type="checkbox"/> T	fill	XB	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Corps <input checked="" type="checkbox"/> DWQ	0.06	
W4 <input type="checkbox"/> P <input type="checkbox"/> T			<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Corps <input type="checkbox"/> DWQ		
W5 <input type="checkbox"/> P <input type="checkbox"/> T			<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Corps <input type="checkbox"/> DWQ		
W6 <input type="checkbox"/> P <input type="checkbox"/> T			<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Corps <input type="checkbox"/> DWQ		
2g. Total wetland impacts					0.228	
2h. Comments: Information provided in this PCN is for isolated wetlands only. See Individual Permit Application Section 8 for information on other wetland impacts.						
3. Stream Impacts						
If there are perennial or intermittent stream impacts (including temporary impacts) proposed on the site, then complete this question for all stream sites impacted.						
3a. Stream impact number - Permanent (P) or Temporary (T)	3b. Type of impact	3c. Stream name	3d. Perennial (PER) or intermittent (INT)?	3e. Type of jurisdiction (Corps - 404, 10 DWQ – non-404, other)	3f. Average stream width (feet)	3g. Impact length (linear feet)
S1 <input checked="" type="checkbox"/> P <input type="checkbox"/> T	fill	5A	<input checked="" type="checkbox"/> PER <input type="checkbox"/> INT	<input type="checkbox"/> Corps <input checked="" type="checkbox"/> DWQ	3	100
S2 <input type="checkbox"/> P <input type="checkbox"/> T			<input type="checkbox"/> PER <input type="checkbox"/> INT	<input type="checkbox"/> Corps <input type="checkbox"/> DWQ		
S3 <input type="checkbox"/> P <input type="checkbox"/> T			<input type="checkbox"/> PER <input type="checkbox"/> INT	<input type="checkbox"/> Corps <input type="checkbox"/> DWQ		
S4 <input type="checkbox"/> P <input type="checkbox"/> T			<input type="checkbox"/> PER <input type="checkbox"/> INT	<input type="checkbox"/> Corps <input type="checkbox"/> DWQ		
S5 <input type="checkbox"/> P <input type="checkbox"/> T			<input type="checkbox"/> PER <input type="checkbox"/> INT	<input type="checkbox"/> Corps <input type="checkbox"/> DWQ		
S6 <input type="checkbox"/> P <input type="checkbox"/> T			<input type="checkbox"/> PER <input type="checkbox"/> INT	<input type="checkbox"/> Corps <input type="checkbox"/> DWQ		
3h. Total stream and tributary impacts					100	
3i. Comments: Information provided in this PCN is for an isolated stream only. This stream is a low quality system formed by toe of fill for a landfill. See Individual Permit Application Section 8 for information on other stream impacts.						

4. Open Water Impacts										
If there are proposed impacts to lakes, ponds, estuaries, tributaries, sounds, the Atlantic Ocean, or any other open water of the U.S. then individually list all open water impacts below.										
4a. Open water impact number – Permanent (P) or Temporary (T)	4b. Name of waterbody (if applicable)	4c. Type of impact			4d. Waterbody type	4e. Area of impact (acres)				
O1 <input type="checkbox"/> P <input type="checkbox"/> T										
O2 <input type="checkbox"/> P <input type="checkbox"/> T										
O3 <input type="checkbox"/> P <input type="checkbox"/> T										
O4 <input type="checkbox"/> P <input type="checkbox"/> T										
4f. Total open water impacts										
4g. Comments:										
5. Pond or Lake Construction										
If pond or lake construction proposed, then complete the chart below.										
5a. Pond ID number	5b. Proposed use or purpose of pond	5c. Wetland Impacts (acres)			5d. Stream Impacts (feet)			5e. Upland (acres)		
		Flooded	Filled	Excavated	Flooded	Filled	Excavated	Flooded		
P1										
P2										
5f. Total										
5g. Comments:										
5h. Is a dam high hazard permit required?		<input type="checkbox"/> Yes		<input type="checkbox"/> No		If yes, permit ID no:				
5i. Expected pond surface area (acres):										
5j. Size of pond watershed (acres):										
5k. Method of construction:										
6. Buffer Impacts (for DWQ)										
If project will impact a protected riparian buffer, then complete the chart below. If yes, then individually list all buffer impacts below. If any impacts require mitigation, then you MUST fill out Section D of this form.										
6a. Project is in which protected basin?					<input type="checkbox"/> Neuse <input type="checkbox"/> Catawba		<input type="checkbox"/> Tar-Pamlico <input type="checkbox"/> Randleman		<input checked="" type="checkbox"/> Other: Jordan Lake	
6b. Buffer impact number – Permanent (P) or Temporary (T)	6c. Reason for impact	6d. Stream name			6e. Buffer mitigation required?	6f. Zone 1 impact (square feet)	6g. Zone 2 impact (square feet)			
B1 <input checked="" type="checkbox"/> P <input type="checkbox"/> T	fill	5A			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6,255	3,110			
B2 <input type="checkbox"/> P <input type="checkbox"/> T					<input type="checkbox"/> Yes <input type="checkbox"/> No					
B3 <input type="checkbox"/> P <input type="checkbox"/> T					<input type="checkbox"/> Yes <input type="checkbox"/> No					
6h. Total buffer impacts						6,255	3,110			
6i. Comments: The information on this PCN is for buffer impacts along an isolated stream. See Individual Permit Application										

Section 9 for information on other Jordan Lake Buffer impacts.		
D. Impact Justification and Mitigation		
1. Avoidance and Minimization		
1a. Specifically describe measures taken to avoid or minimize the proposed impacts in designing project. Athletic fields were moved to the east and south to avoid any impacts from them.		
1b. Specifically describe measures taken to avoid or minimize the proposed impacts through construction techniques. Construction limits will be precisely located in the field to avoid any additional impacts to wetland X or stream 5A.		
2. Compensatory Mitigation for Impacts to Waters of the U.S. or Waters of the State		
2a. Does the project require Compensatory Mitigation for impacts to Waters of the U.S. or Waters of the State?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
2b. If yes, mitigation is required by (check all that apply):	<input checked="" type="checkbox"/> DWQ <input type="checkbox"/> Corps	
2c. If yes, which mitigation option will be used for this project?	<input type="checkbox"/> Mitigation bank <input checked="" type="checkbox"/> Payment to in-lieu fee program <input type="checkbox"/> Permittee Responsible Mitigation	
3. Complete if Using a Mitigation Bank		
3a. Name of Mitigation Bank:		
3b. Credits Purchased (attach receipt and letter)	Type	Quantity
3c. Comments:		
4. Complete if Making a Payment to In-lieu Fee Program		
4a. Approval letter from in-lieu fee program is attached.	<input checked="" type="checkbox"/> Yes	
4b. Stream mitigation requested:	100 linear feet	
4c. If using stream mitigation, stream temperature:	<input checked="" type="checkbox"/> warm <input type="checkbox"/> cool <input type="checkbox"/> cold	
4d. Buffer mitigation requested (DWQ only):	23,430 square feet	
4e. Riparian wetland mitigation requested:	0.456 acres	
4f. Non-riparian wetland mitigation requested:	acres	
4g. Coastal (tidal) wetland mitigation requested:	acres	
4h. Comments: See the attached in-lieu fee letter from the Ecosystem Enhancement Program.		
5. Complete if Using a Permittee Responsible Mitigation Plan		
5a. If using a permittee responsible mitigation plan, provide a description of the proposed mitigation plan.		

6. Buffer Mitigation (State Regulated Riparian Buffer Rules) – required by DWQ					
6a. Will the project result in an impact within a protected riparian buffer that requires buffer mitigation?				<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
6b. If yes, then identify the square feet of impact to each zone of the riparian buffer that requires mitigation. Calculate the amount of mitigation required.					
Zone	6c. Reason for impact	6d. Total impact (square feet)	Multiplier	6e. Required mitigation (square feet)	
Zone 1	fill	6,255	3 (2 for Catawba)	18,765	
Zone 2	fill	3,110	1.5	4,665	
6f. Total buffer mitigation required:				23,430	
6g. If buffer mitigation is required, discuss what type of mitigation is proposed (e.g., payment to private mitigation bank, permittee responsible riparian buffer restoration, payment into an approved in-lieu fee fund). Approved in-lieu fee fund					
6h. Comments: See Individual Permit Application Section 9.					


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E. Stormwater Management and Diffuse Flow Plan (required by DWQ)	
1. Diffuse Flow Plan	
1a. Does the project include or is it adjacent to protected riparian buffers identified within one of the NC Riparian Buffer Protection Rules?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
1b. If yes, then is a diffuse flow plan included? If no, explain why. Comments: See Individual Permit Application Section 5.4.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. Stormwater Management Plan	
2a. What is the overall percent imperviousness of this project?	(See Individual Permit Application Section 5.4) %
2b. Does this project require a Stormwater Management Plan?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2c. If this project DOES NOT require a Stormwater Management Plan, explain why:	
2d. If this project DOES require a Stormwater Management Plan, then provide a brief, narrative description of the plan: See Individual Permit Application Section 5.4.	
2e. Who will be responsible for the review of the Stormwater Management Plan?	<input checked="" type="checkbox"/> Certified Local Government <input type="checkbox"/> DWQ Stormwater Program <input checked="" type="checkbox"/> DWQ 401 Unit
3. Certified Local Government Stormwater Review	
3a. In which local government's jurisdiction is this project?	Chapel Hill
3b. Which of the following locally-implemented stormwater management programs apply (check all that apply):	<input checked="" type="checkbox"/> Phase II <input type="checkbox"/> NSW <input type="checkbox"/> USMP <input type="checkbox"/> Water Supply Watershed <input type="checkbox"/> Other:
3c. Has the approved Stormwater Management Plan with proof of approval been attached?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
4. DWQ Stormwater Program Review	
4a. Which of the following state-implemented stormwater management programs apply (check all that apply):	<input type="checkbox"/> Coastal counties <input type="checkbox"/> HQW <input type="checkbox"/> ORW <input type="checkbox"/> Session Law 2006-246 <input checked="" type="checkbox"/> Other: Jordan Lake
4b. Has the approved Stormwater Management Plan with proof of approval been attached?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
5. DWQ 401 Unit Stormwater Review	
5a. Does the Stormwater Management Plan meet the appropriate requirements?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
5b. Have all of the 401 Unit submittal requirements been met?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

F. Supplementary Information	
1. Environmental Documentation (DWQ Requirement)	
1a. Does the project involve an expenditure of public (federal/state/local) funds or the use of public (federal/state) land?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
1b. If you answered "yes" to the above, does the project require preparation of an environmental document pursuant to the requirements of the National or State (North Carolina) Environmental Policy Act (NEPA/SEPA)?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
1c. If you answered "yes" to the above, has the document review been finalized by the State Clearing House? (If so, attach a copy of the NEPA or SEPA final approval letter.) Comments: The Environmental Documentation will be submitted separately from this application.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2. Violations (DWQ Requirement)	
2a. Is the site in violation of DWQ Wetland Rules (15A NCAC 2H .0500), Isolated Wetland Rules (15A NCAC 2H .1300), DWQ Surface Water or Wetland Standards, or Riparian Buffer Rules (15A NCAC 2B .0200)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2b. Is this an after-the-fact permit application?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2c. If you answered "yes" to one or both of the above questions, provide an explanation of the violation(s):	
3. Cumulative Impacts (DWQ Requirement)	
3a. Will this project (based on past and reasonably anticipated future impacts) result in additional development, which could impact nearby downstream water quality?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
3b. If you answered "yes" to the above, submit a qualitative or quantitative cumulative impact analysis in accordance with the most recent DWQ policy. If you answered "no," provide a short narrative description. See Individual Permit Application Appendix G for copies of letters addressing Cumulative Impacts	
4. Sewage Disposal (DWQ Requirement)	
4a. Clearly detail the ultimate treatment methods and disposition (non-discharge or discharge) of wastewater generated from the proposed project, or available capacity of the subject facility. See Individual Permit Application Section 5.3 and Appendix H for copies of letters addressing Sewage Disposal.	

5. Endangered Species and Designated Critical Habitat (Corps Requirement)		
5a. Will this project occur in or near an area with federally protected species or habitat?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
5b. Have you checked with the USFWS concerning Endangered Species Act impacts?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
5c. If yes, indicate the USFWS Field Office you have contacted.	<input checked="" type="checkbox"/> Raleigh <input type="checkbox"/> Asheville	
5d. What data sources did you use to determine whether your site would impact Endangered Species or Designated Critical Habitat? U.S. Fish and Wildlife Service and N.C. Natural Heritage Program databases were used. See Individual Permit Section 3.4 and Appendix E.		
6. Essential Fish Habitat (Corps Requirement)		
6a. Will this project occur in or near an area designated as essential fish habitat?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
6b. What data sources did you use to determine whether your site would impact Essential Fish Habitat? Biohabitats contacted Ron Sechler with the National Marine Fisheries Service (NMFS) office at 101 Pivers Island Road, in Beaufort, N.C. on September 9, 2009. Mr. Sechler stated that since there was a dam with no fish passage to the upstream reach, between the Carolina North project site and the Atlantic Ocean (B. Everett Jordan Lake Dam) then by definition, there is no essential fish habitat on the Carolina North project site. Since this is the case, Mr. Sechler indicated that no scoping letter was required, and if a request for one was submitted to NMFS, they would not respond.		
7. Historic or Prehistoric Cultural Resources (Corps Requirement)		
7a. Will this project occur in or near an area that the state, federal or tribal governments have designated as having historic or cultural preservation status (e.g., National Historic Trust designation or properties significant in North Carolina history and archaeology)?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
7b. What data sources did you use to determine whether your site would impact historic or archeological resources? This information was coordinated with the North Carolina State Historic Preservation Office. See documentation included in Section 2 and Appendix J in the Individual Permit Application.		
8. Flood Zone Designation (Corps Requirement)		
8a. Will this project occur in a FEMA-designated 100-year floodplain?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
8b. If yes, explain how project meets FEMA requirements:		
8c. What source(s) did you use to make the floodplain determination? FEMA FIRM maps		
Richard L. Mann, Vice Chancellor Finance and Administration Applicant/Agent's Printed Name	_____ Applicant/Agent's Signature (Agent's signature is valid only if an authorization letter from the applicant is provided.)	Date

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**Ecosystem
Enhancement
PROGRAM**
August 31, 2010

Sharon Myers
The University of NC at Chapel Hill
1120 Estes Drive, Ext., CB 1650
Chapel Hill, NC 27599-1650

Expiration of Acceptance: May 31, 2011

Project: Carolina North

County: Orange

The purpose of this letter is to notify you that the North Carolina Ecosystem Enhancement Program (NCEEP) is willing to accept payment for impacts associated with the above referenced project. Please note that this decision does not assure that the payment will be approved by the permit issuing agencies as mitigation for project impacts. It is the responsibility of the applicant to contact these agencies to determine if payment to the NCEEP will be approved. You must also comply with all other state, federal or local government permits, regulations or authorizations associated with the proposed activity including SL 2009-337: An Act to Promote Compensatory Mitigation by Private Mitigation Banks.

This acceptance is valid for nine months from the date of this letter and is not transferable. **If we have not received a copy of the issued 404 Permit/401 Certification/CAMA permit within this time frame, this acceptance will expire.** It is the applicant's responsibility to send copies of the permits to NCEEP. Once NCEEP receives a copy of the permit(s) an invoice will be issued based on the required mitigation in that permit and payment must be made prior to conducting the authorized work. The amount of the In Lieu Fee to be paid to NCEEP by an applicant is calculated based upon the Fee Schedule and policies listed at www.nceep.net.

Based on the information supplied by you the impacts that may require compensatory mitigation are summarized in the following table.

	River Basin	CU Location	Stream (feet)			Wetlands (acres)			Buffer I (Sq. Ft.)	Buffer II (Sq. Ft.)
			Cold	Cool	Warm	Riparian	Non-Riparian	Coastal Marsh		
Impact	Cape Fear	03030002	0	0	355	2.595	0	0	36,297	33,063
Credits	Cape Fear	03030002	0	0	Up to 710	Up to 5.2	0	0	108,891	49,595
									*Upper New Hope	

Upon receipt of payment, EEP will take responsibility for providing the compensatory mitigation. If the regulatory agencies require mitigation credits greater than indicated above, and the applicant wants NCEEP to be responsible for the additional mitigation, the applicant will need to submit a mitigation request to NCEEP for approval prior to permit issuance. The mitigation will be performed in accordance with the N.C. Department of Environment and Natural Resources' Ecosystem Enhancement Program In-Lieu Fee Instrument dated July 28, 2010.

If you have any questions or need additional information, please contact Kelly Williams at (919) 716-1921.

Sincerely,



William D. Gilmore, PE
Director

cc: Ian McMillan, NCDWQ Wetlands/401 Unit
Andy Williams, USACE-Raleigh
File

Restoring... Enhancing... Protecting Our State

