



STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

MICHAEL F. EASLEY  
GOVERNOR

LYNDO TIPPETT  
SECRETARY

19 November 2007

MEMORANDUM TO: Jim Stanfill, Strategic Planning Supervisor  
NC Ecosystems Enhancement Program

FROM: Bruce O. Ellis, CLM, PWS, Assistant Unit Head *BOE*  
NCDOT, Natural Environment Unit

SUBJECT: Case by Case Mitigation Request, Fayetteville Outer Loop,  
Cumberland County, TIP No.U-2519, WBS 34817.1.1

NCDOT Natural Environment Unit will be pursuing "case by case" wetland and stream mitigation options for the Fayetteville Outer Loop highway project. The proposed project is in the Cape Fear River basin, CU 03030004. NCDOT proposes to use wetland and stream mitigation credits from the Privateer Wetland and Stream Mitigation Site, which is located in the Cape Fear River basin CU 03030005.

*U 2519  
x  
x2*

NCDOT requests a transfer of mitigation credits for 25,676 feet of stream impacts and 23.86 acres of non-riparian wetland impacts to be covered by riparian wetland credits from the Privateer Site. NCDOT will request 1.5 to 1 mitigation ratio for this project.

NCDOT will request mitigation for 101.76 acres of riparian impacts from the EEP. Mitigation for the riparian impacts will be debited from an EEP mitigation site in Cape Fear 03030004.

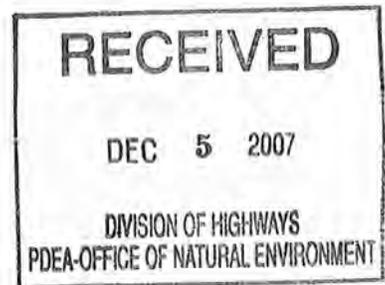
Please contact me at 919 715-1418 if you have any questions.

Cc: Bill Gilmore, P.E., Director, Ecosystem Enhancement Program  
Phil Harris, P.E., Unit Head, Natural Environment Unit  
Beth Harmon, DOT Coordinator, Ecosystem Enhancement Program  
Linda Fitzpatrick, EEP Coordinator, Natural Environment Unit  
Tyler Stanton, Environmental Supervisor, Natural Environment Unit

MAILING ADDRESS:  
NC DEPARTMENT OF TRANSPORTATION  
PROJECT DEVELOPMENT AND ENVIRONMENTAL ANALYSIS  
NATURAL ENVIRONMENT UNIT  
1598 MAIL SERVICE CENTER  
RALEIGH NC 27699-1598

TELEPHONE: 919-715-1334 or  
919-715-1335  
FAX: 919-715-5501  
WEBSITE: WWW.NCDOT.ORG

LOCATION:  
PARKER LINCOLN BUILDING  
2728 CAPITAL BLVD, SUITE 240  
RALEIGH NC 27604



December 4, 2007

Mr. Gregory J. Thorpe, Ph.D.  
Environmental Management Director  
Project Development and Environmental Analysis Branch  
North Carolina Department of Transportation  
1548 Mail Service Center  
Raleigh, North Carolina 27699-1548

*Kimberly  
Simpson*

Dear Dr. Thorpe:

Subject: Transfer of Stream and Wetland Mitigation Credits for Case by Case Mitigation Negotiations

U-2519 and X-2B and C, Fayetteville Outer Loop, Cumberland County

The purpose of this letter is to notify you that the Ecosystem Enhancement Program (EEP) has received your letter dated November 19, 2007. In response, EEP has transferred mitigation assets from the Privateer Mitigation site to NCDOT in support of your efforts to negotiate the use of these assets to meet requirements associated with the above referenced project. Based on the information provided in your request the following amount of mitigation assets and credits has been transferred to NCDOT:

Project Name	Identification Number	Mitigation Type	Quantity (Feet or Acres)	Credits
Privateer	293	Warm Stream Restoration	25,676 feet	25,676
Privateer	293	Riparian Wetland Restoration	23.86 acres	23.86

Concurrently, the stream and non-riparian wetland impacts associated with these TIP numbers will be removed from the NCDOT's Impact Projection Database (mitigation order) and EEP is no longer responsible for generating the mitigation credits to offset these stream and non-riparian impacts. EEP will maintain its responsibility of providing mitigation credits in the riparian category for the subject TIP projects. Normal acceptance procedures will apply for this mitigation need.

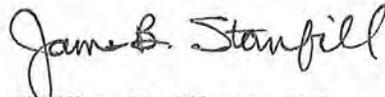
*Restoring... Enhancing... Protecting Our State*



EEP understands that if the NCDOT does not require the full amount of stream and wetland mitigation assets listed above to satisfy the mitigation requirements for these TIP projects, then the unused amount will be transferred back to the EEP for utilization on future mitigation needs within cataloging unit 03030004 in the Cape Fear River basin per the Memorandum of Agreement between the North Carolina Department of Environment and Natural Resources, the North Carolina Department of Transportation, and the U. S. Army Corps of Engineers. If the NCDOT needs additional stream and/or wetland mitigation credits from the Privateer Mitigation site in order to complete negotiations, an additional request to transfer mitigation credits will be necessary.

If you have any questions or need additional information, please contact Ms. Beth Harmon at 919-715-1929.

Sincerely,

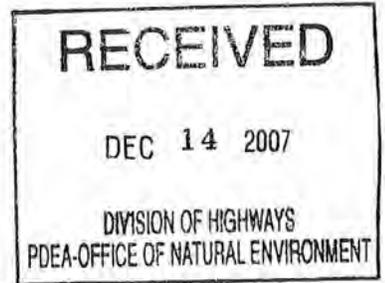


William D. Gilmore, P.E.  
EEP Director

cc: Bruce Ellis, NCDOT – PDEA-NEU  
Tyler Stanton, NCDOT – PDEA-NEU  
Linda Fitzpatrick, NCDOT – PDEA-NEU  
File: U-2519 and X-2



STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION



MICHAEL F. EASLEY  
GOVERNOR

LYNDO TIPPETT  
SECRETARY

December 13, 2007

Mr. Richard Spencer  
U.S. Army Corp of Engineers  
Post Office Box 1890  
Wilmington, North Carolina 28402-1890

Subject: Mitigation for Fayetteville Outer Loop  
TIP Nos.U-2519 and X-0002, WBS 34817.1.2

Dear Mr. Spencer:

The NCDOT proposes debiting the Privateer Farms mitigation site (Privateer site) for anticipated mitigation needs associated with the Fayetteville Outer Loop (FOL), Transportation Improvement Program (TIP) Project Nos. U-2519 and X-0002. The following supporting information presents a summary of the FOL project impacts, the Privateer site status and credits, and the functional assessment for the wetland and stream impacts and mitigation. Maps, forms, and detailed site information are provided on the NEU website: <http://www.ncdot.org/doh/preconstruct/pe/neu/Monitoring/>.

The Fayetteville Outer Loop is estimated to have the following impacts in cataloguing unit (CU) 03030004 of the Cape Fear River Basin:

- (1) 12,838 feet of stream impacts
- (2) 49.76 acres of riparian wetland impacts
- (3) 11.84 acres of non-riparian wetland impacts

These numbers include impacts from all sections of the project, including those funded on the TIP and those post-year. Currently, there is not a sufficient amount of stream or wetland mitigation credits available in CU 03030004 that have completed construction.

The Privateer site is located in CU 03030005 of the Cape Fear River Basin, on the boundary of Cumberland and Bladen counties, approximately 6 miles from the southern boundary of CU 03030004 (see attached map). The project restored 402.5 acres of riparian wetlands, enhanced 25 acres of riparian wetlands, and restored 34,005 feet of Harrison Creek, making it one of the largest ecosystem restoration projects in the Southeast. The project has completed its third year of monitoring. The monitoring reports are provided on the accompanying disc. There have been no debits from this site.

MAILING ADDRESS:  
NC DEPARTMENT OF TRANSPORTATION  
PROJECT DEVELOPMENT AND ENVIRONMENTAL ANALYSIS  
1548 MAIL SERVICE CENTER  
RALEIGH NC 27699-1548

TELEPHONE: 919-733-3141  
FAX: 919-733-9794

WEBSITE: [WWW.DOH.DOT.STATE.NC.US](http://WWW.DOH.DOT.STATE.NC.US)

LOCATION:  
TRANSPORTATION BUILDING  
1 SOUTH WILMINGTON STREET  
RALEIGH NC

Stream flows from larger storms now spread onto the floodplain, which reduces the energy of the water and results in less erosion of stream banks. Structures placed within the streambed control its grade, reduce stress on stream banks, and create a more diverse habitat for fish and other aquatic organisms. Riparian wetlands were restored by reconnecting Harrison Creek with its original floodplain.

For comparison of impact types and quality to mitigation type and quality, functional assessments were completed for a representative sample of the impact sites and the Privateer site during the month of September. A total of 31 wetland impact sites on the FOL were evaluated using the NC Wetland Functional Assessment Method (NCWAM). Of the 31 sites, 25 were classified as riverine and 6 as non-riverine, with 5 different wetland types represented. A table of site types, scores, specific site forms, and score sheets are provided on the accompanying disc. All but 3 sites received an overall score of high quality. However, 11 of the impact sites scored low or medium on the habitat function. The reduced score was mainly from low vegetation composition or physical structure scores. The low habitat scores reflect site characteristics such as altered vegetation composition, lack of vegetation strata, lack of mature trees, and low species diversity.

An NCWAM evaluation was completed on each of the three wetland types on the Privateer site. The NCWAM forms and score sheets for the Riverine Swamp forest, Bottomland Hardwood forest, and Headwater forest are provided on the accompanying disc. All three wetland types received an overall score of high quality. The Riverine Swamp and Bottomland Hardwood forests received a low score for the habitat function. Like the impact sites, these low habitat scores reflect the lack of mature trees and expected strata. However, the habitat scores on the Privateer site are expected to improve over time. As shown in the monitoring reports, the appropriate species were planted on the site and are meeting success criteria for survival and composition. Since the Privateer site is protected in perpetuity, the vegetation will continue to grow and reach the expected canopy and diversity.

Two stream impact sites on the FOL were evaluated using the preliminary version of the NC Stream Functional Assessment Method (NCSAM) for Inner Coastal Plain stream type. The forms and score sheets for these evaluations are not provided because of the preliminary nature of the NCSAM. Two sections of the UT to Carvers Creek, one in the forested section and one in the non-forested section, were evaluated during a field exercise by the NCSAM team. The forested section received an overall score of high quality. This section of stream is characterized by a stable channel, a mature vegetated buffer, and good in-stream habitats. The non-forested section received an overall score of low quality. This site is characterized by lack of mature vegetated buffer, little or no in-stream habitat, and a disturbed streamside area.

Mr. Richard Spencer

December 13, 2007

Page 3

An NCSAM evaluation was completed on three sections of restored stream, corresponding to the three wetland evaluation locations, on the Privateer site. All three stream sections received an overall score of high quality. The stream sections adjacent to the Riverine Swamp and Bottomland Hardwood forests received a low quality score for the habitat function. These scores are characteristic of a site with low richness and diversity of macro-benthics, lack of mature vegetation in the stream-side area and lack of in-stream habitat types. The drought conditions and age of the site contributed to these reduced scores. However, these factors are expected to improve over time since the site is protected in perpetuity.

The NCDOT requests debiting the Privateer site at a ratio of 1.5:1 for stream, riverine, and nonriverine impacts for the FOL. This request is based on the following factors:

- The Privateer site is constructed and has completed its third year of monitoring.
- The quality of the mitigation, as shown in the functional assessments, is as high or higher than the impact sites.
- The Privateer site is meeting success criteria, is a high quality mitigation site, and is showing trends toward a mature forested wetland and stream system.
- There is not a sufficient amount of stream or wetland mitigation credits available in CU 03030004 that have completed construction.

Thank you for review and consideration of this request. This information will also be included in the permit application for the FOL. If you have any questions, please call LeiLani Paugh at 919-715-1457.

Sincerely,



Gregory J. Thorpe, Ph.D.

Branch Manager

Project Development & Environmental Analysis

GJT/be

cc: Deborah Barbour, NCDOT, Preconstruction  
Scott McLendon, USACE, Wilmington  
Brian Wrenn, NCDWQ  
Kathy Matthews, USEPA  
Gary Jordan, USFWS  
Travis Wilson, NCWRC  
Jim Rerko, Division 6, Environmental Officer  
Beth Harmon, NCEEP



STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

MICHAEL F. EASLEY  
GOVERNOR

LYNDO TIPPETT  
SECRETARY

04 January 2008

MEMORANDUM TO: Jim Stanfill, Strategic Planning Supervisor  
NC Ecosystems Enhancement Program

FROM: Bruce O. Ellis, CLM, PWS, Assistant Unit Head  
NCDOT, Natural Environment Unit

SUBJECT: Case by Case Mitigation Request, Fayetteville Outer Loop,  
Cumberland County, TIP No.U-2519, WBS 34817.1.1 *SJE*

NCDOT Natural Environment Unit is pursuing "case by case" wetland and stream mitigation options for the Fayetteville Outer Loop highway project. The proposed project is in the Cape Fear River basin, CU 03030004. NCDOT proposes to use wetland and stream mitigation credits from the Privateer Wetland and Stream Mitigation Site, which is located in the Cape Fear River basin CU 03030005.

Previously, 19 November 2007, NCDOT requested a transfer of mitigation credits for 25,676 feet of stream impacts and 23.86 acres of non-riparian wetland impacts to be covered by riparian wetland credits from the Privateer Site. NCDOT will request 1.5 to 1 mitigation ratio for this project.

Currently, NCDOT requests an additional transfer of 101.76 acres of riparian wetland mitigation from the Privateer Wetland and Stream Mitigation Site to provide compensatory mitigation for riparian wetland impacts associated with the Fayetteville Outer Loop. With this transfer, all wetland and stream mitigation associated with the Fayetteville Outer Loop will be compensated from the Privateer Wetland and Stream Mitigation Site.

Please contact me at 919 715-1418 if you have any questions.

Cc: Bill Gilmore, P.E., Director, Ecosystem Enhancement Program  
Phil Harris, P.E., Unit Head, Natural Environment Unit  
Beth Harmon, DOT Coordinator, Ecosystem Enhancement Program  
Linda Fitzpatrick, EEP Coordinator, Natural Environment Unit  
Tyler Stanton, Environmental Supervisor, Natural Environment Unit  
Leilani Paugh, ICI and On-Site Mitigation Group Leader, Natural Environment Unit

MAILING ADDRESS:  
NC DEPARTMENT OF TRANSPORTATION  
PROJECT DEVELOPMENT AND ENVIRONMENTAL ANALYSIS  
NATURAL ENVIRONMENT UNIT  
1598 MAIL SERVICE CENTER  
RALEIGH NC 27699-1598

TELEPHONE: 919-715-1334 or  
919-715-1335

FAX: 919-715-5501

WEBSITE: WWW.NCDOT.ORG

LOCATION:  
PARKER LINCOLN BUILDING  
2728 CAPITAL BLVD, SUITE 240  
RALEIGH NC 27604



January 14, 2008

Mr. Bruce Ellis, CLM, PWS  
Assistant Unit Head, Natural Environment Unit  
Project Development and Environmental Analysis Branch  
North Carolina Department of Transportation  
1598 Mail Service Center  
Raleigh, North Carolina 27699-1598

Dear Mr. Ellis:

Subject: Transfer of Stream and Wetland Mitigation Credits for Case by Case Mitigation Negotiations

**U-2519 and X-2B and C**, Fayetteville Outer Loop, Cumberland County

The purpose of this letter is to notify you that the Ecosystem Enhancement Program (EEP) has received your request dated January 4, 2008 for additional riparian wetland assets. In response, EEP has transferred the additional mitigation assets from the Privateer Mitigation site to NCDOT in support of your efforts to negotiate the use of these assets to meet requirements associated with the above referenced project. Based on the information provided in your revised request, EEP has updated the amount of mitigation assets and credits transferred. The following amount of mitigation assets and credits has been transferred to NCDOT:

Project Name	Identification Number	Mitigation Type	Quantity (Feet or Acres)	Credits
Privateer	293	Warm Stream Restoration	25,676 feet	25,676
Privateer	293	Riparian Wetland Restoration	125.62 acres	125.62

Concurrently, the stream, riparian wetland and non-riparian wetland impacts associated with these TIP numbers will be removed from the NCDOT's Impact Projection Database (mitigation order) and EEP is no longer responsible for generating the mitigation credits to offset these stream and non-riparian impacts.

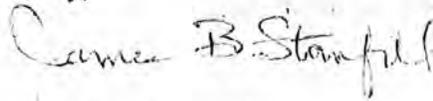
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EEP understands that if the NCDOT does not require the full amount of stream and wetland mitigation assets listed above to satisfy the mitigation requirements for these TIP projects, then the unused amount will be transferred back to the EEP for utilization on future mitigation needs within cataloging unit 03030004 in the Cape Fear River basin per the Memorandum of Agreement between the North Carolina Department of Environment and Natural Resources, the North Carolina Department of Transportation, and the U. S. Army Corps of Engineers. If the NCDOT needs additional stream and/or wetland mitigation credits from the Privateer Mitigation site in order to complete negotiations, an additional request to transfer mitigation credits will be necessary.

If you have any questions or need additional information, please contact Ms. Beth Harmon at 919-715-1929.

Sincerely,



James B. Stanfill  
Strategic Planning Supervisor

cc: Greg Thorpe, Ph.D., NCDOT – PDEA  
Phil Harris, P.E., NCDOT – PDEA – NEU  
Jim Stanfill, NCDENR – EEP  
Linda Fitzpatrick, NCDOT – PDEA - NEU  
Tyler Stanton, NCDOT – PDEA – NEU  
LeiLani Paugh, NCDOT – PDEA – NEU  
File: U-2519 and X-2



STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

MICHAEL F. EASLEY  
GOVERNOR

LYNDO TIPPETT  
SECRETARY

23 October 2008

MEMORANDUM TO: Jim Stanfill, Strategic Planning Supervisor  
NC Ecosystems Enhancement Program

FROM: Bruce O. Ellis, CLM, PWS, Assistant Unit Head  
NCDOT, Natural Environment Unit

SUBJECT: Request to Transfer Wetland Mitigation Credits to NCDOT  
for Case by Case Mitigation Negotiations.

A handwritten signature in black ink, appearing to read "BOE", is written over the name "Bruce O. Ellis" in the "FROM:" field.

Case by Case Mitigation Request, Fayetteville Outer Loop,  
Cumberland County, TIP No.U-2519, WBS 34817.1.1

The purpose of this letter is to request that the Ecosystem Enhancement Program (EEP) transfer mitigation assets and credits in order for the NCDOT to complete case by case negotiation with the regulatory agencies to satisfy the mitigation requirements associated with the above referenced project. The proposed project is located in the the Cape Fear River basin, CU 03030004. NCDOT requests that EEP transfer the following acres from the Privateer Farms Mitigation Site, located in Cape Fear River basin CU 03030005, to offset project related impacts.

Riparian Wetland 20.0 acres restoration

The NCDOT Natural Environment Unit is pursuing "case by case" wetland mitigation options for TIP U-2519 and will propose using mitigation credits generated by the Privateer Farms Mitigation Site in CU 03030005. The request is for additional acreage pursuant to Section 404 permit conditions.

**MAILING ADDRESS:**  
NC DEPARTMENT OF TRANSPORTATION  
PROJECT DEVELOPMENT AND ENVIRONMENTAL ANALYSIS  
NATURAL ENVIRONMENT UNIT  
1598 MAIL SERVICE CENTER  
RALEIGH NC 27699-1598

TELEPHONE: 919-715-1334 or  
919-715-1335

FAX: 919-715-5501

WEBSITE: [WWW.NCDOT.ORG](http://WWW.NCDOT.ORG)

**LOCATION:**  
PARKER LINCOLN BUILDING  
2728 CAPITAL BLVD. SUITE 240  
RALEIGH NC 27604

Concurrently, non riparian wetland impacts associated with this TIP should be removed from the NCDOT's Impact Projection Database (mitigation order) dated February 2, 2007. The NCDOT acknowledges that EEP is no longer responsible for generating the mitigation assets and credits to offset these wetland impacts associated with this TIP project.

Please contact me at 919 715-1418 if you have any questions.

Cc: Bill Gilmore, P.E., Director, EEP  
Phil Harris, P.E., Unit Head, NEU  
Beth Harmon, DOT Coordinator, EEP  
v Linda Fitzpatrick, EEP Coordinator, NEU  
Leilani Paugh, ICI and Onsite Mitigation Group Leader, NEU  
Tyler Stanton, Environmental Specialist, NEU



May 18, 2010

Mr. Bruce Ellis, CLM, PWS  
Assistant Unit Head, Natural Environment Unit  
Project Development and Environmental Analysis Branch  
North Carolina Department of Transportation  
1598 Mail Service Center  
Raleigh, North Carolina 27699-1598

Dear Mr. Ellis:

Subject: Transfer of Additional Wetland Mitigation Credits for Case by Case Mitigation Negotiations

U-2519, Fayetteville Outer Loop, Cumberland County

The purpose of this letter is to notify you that the Ecosystem Enhancement Program (EEP) has received your revised request dated May 17, 2010 for additional riparian wetland assets. In response, EEP has transferred the additional mitigation assets from the Privateer Mitigation site to NCDOT in support of your efforts to negotiate the use of these assets to meet requirements associated with the above referenced project. Based on the information provided in your revised request, EEP has updated the amount of mitigation assets and credits transferred. The following total amount of mitigation assets and credits has been transferred to NCDOT:

Project Name	Identification Number	Mitigation Type	Quantity (Feet or Acres)	Credits
Privateer	293	Warm Stream Restoration	25,676 feet	25,676
Privateer	293	Riparian Wetland Restoration	145.98 acres	145.98

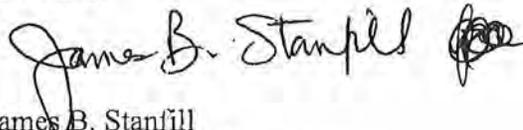
Concurrently, the stream, riparian wetland and non-riparian wetland impacts associated with these TIP numbers will be removed from the NCDOT's Impact Projection Database (mitigation order) and EEP is no longer responsible for generating the mitigation credits to offset these stream and non-riparian impacts.

Nr, Ellis  
TIP U-2519 – Case by Case  
May 18, 2010  
Page Two

EEP understands that if the NCDOT does not require the full amount of stream and wetland mitigation assets listed above to satisfy the mitigation requirements for these TIP projects, then the unused amount will be transferred back to the EEP for utilization on future mitigation needs within cataloging unit 03030005 in the Cape Fear River basin per the Memorandum of Agreement between the North Carolina Department of Environment and Natural Resources, the North Carolina Department of Transportation, and the U. S. Army Corps of Engineers. If the NCDOT needs additional stream and/or wetland mitigation credits from the Privateer Mitigation site in order to complete negotiations, an additional request to transfer mitigation credits will be necessary.

If you have any questions or need additional information, please contact Ms. Beth Harmon at 919-715-1929.

Sincerely,



James B. Stanfill  
Strategic Planning Supervisor

cc: Greg Thorpe, Ph.D., NCDOT – PDEA  
Phil Harris, P.E., NCDOT – PDEA – NEU  
Jim Stanfill, NCDENR – EEP  
Linda Fitzpatrick, NCDOT – PDEA - NEU  
Tyler Stanton, NCDOT – PDEA – NEU  
LeiLani Paugh, NCDOT – PDEA – NEU  
File: U-2519 and X-2

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## **Fitzpatrick, Linda F**

---

**From:** Harmon, Beth  
**Sent:** Tuesday, May 18, 2010 1:09 PM  
**To:** Ellis, Bruce O; Fitzpatrick, Linda F; Rivenbark, Chris  
**Cc:** Stanfill, Jim  
**Subject:** RE: FOL transfer

**Attachments:** U-2519 Revised.pdf



J-2519 Revised.pdf  
(83 KB)

*All -- Please see attached...let me know if you have any questions or need additional information...*

*Beth.*

*Beth Harmon  
NCDOT Coordinator  
NCDENR - Ecosystem Enhancement Program  
Mailing Address: 1652 Mail Service Center, Raleigh, NC 27699-1652  
Location: 2728 Capital Boulevard, Raleigh, NC 27604  
(919) 715-1929; Fax (919) 715-2001  
www.nceep.net*

*Please note that my e-mail address has changed to [Beth.Harmon@ncdenr.gov](mailto:Beth.Harmon@ncdenr.gov)*

*E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties.*

*-----Original Message-----*

*From: Ellis, Bruce O  
Sent: Tuesday, May 18, 2010 9:16 AM  
To: Harmon, Beth; Stanfill, Jim  
Subject: FOL transfer*

*Beth,*

*I will be out of the office this afternoon and maybe a portion of tomorrow. Could you e-mail the transfer to Chris Rivenbark and Linda?*

*Thank you,*

*Bruce*

*Email correspondence to and from this sender is subject to the N.C. Public Records Law and may be disclosed to third parties.*



STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

BEVERLY EAVES PERDUE  
GOVERNOR

EUGENE A. CONTI, JR.  
SECRETARY

09 September 2010

MEMORANDUM TO: Jim Stanfill, Strategic Planning Supervisor  
NC Ecosystems Enhancement Program

FROM: Bruce O. Ellis, CLM, PWS, Assistant Unit Head   
NCDOT, Natural Environment Unit

SUBJECT: Request to Transfer Wetland Mitigation Credits to NCDOT  
for Case by Case Mitigation Negotiations.

Case by Case Mitigation Request, Fayetteville Outer Loop,  
Cumberland County, TIP No.X-0002C, WBS 35196.1.1

The purpose of this letter is to request that the Ecosystem Enhancement Program (EEP) transfer mitigation assets and credits in order for the NCDOT to complete case by case negotiation with the regulatory agencies to satisfy the mitigation requirements associated with the above referenced project. The proposed project is located in the Cape Fear River basin, CU 03030004. NCDOT requests that EEP transfer the following acres from the Privateer Farms Mitigation Site, located in Cape Fear River basin CU 03030005, to offset project related impacts.

Riparian Wetland      1.0 acres restoration

The NCDOT Natural Environment Unit is pursuing "case by case" wetland mitigation options for TIP U-2519 and will propose using mitigation credits generated by the Privateer Farms Mitigation Site in CU 03030005. The request is for additional acreage pursuant to Section 404 permit conditions.

Concurrently, non riparian wetland impacts associated with this TIP should be removed from the NCDOT's Impact Projection Database (mitigation order) dated February 2, 2010. The NCDOT acknowledges that EEP is no longer responsible for generating the mitigation assets and credits to offset these wetland impacts associated with this TIP project.

Please contact me at 919 431-6754 if you have any questions.

Cc: Bill Gilmore, P.E., Director, EEP  
Phil Harris, P.E., Unit Head, NEU  
Beth Harmon, DOT Coordinator, EEP  
Linda Fitzpatrick, EEP Coordinator, NEU  
Leilani Paugh, ICI and Onsite Mitigation Group Leader, NEU  
Tyler Stanton, Environmental Specialist, NEU