



STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

JAMES B. HUNT JR.  
GOVERNOR

P.O. BOX 25201, RALEIGH, N.C. 27611-5201

DAVID MCCOY  
SECRETARY

March 15, 2000

Mr. Keith Hall  
Starmount Forest Country Club  
1 Sam Snead Drive  
Greensboro, North Carolina 27410

Subject: Conservation Easement

Dear Sir:

As you are aware, the Starmount Forest Country Club (SFCC) and the North Carolina Department of Transportation (NCDOT) entered into a conservation easement agreement in February 1999. The stream mitigation work performed by the NCDOT At SFCC was completed in May 1999.

In a letter dated July 27, 1999, the NCDOT expressed its concern that SFCC was not adhering to conditions of the conservation easement such as mowing in the unmowed buffer area, particularly that associated with Hole #3. The NCDOT believed that the area had been mowed outside of the prescribed mowing time period (from April 15 through April 30 and/or August 15 through August 31) and that grass was therefore under 6" in height as prescribed by the conservation easement. In this letter, the NCDOT requested that you inform the SFCC staff that is responsible for maintaining the grounds of the country club in conformance with the conservation easement, its purpose and its guidelines. The NCDOT also offered to meet with you and SFCC staff to review the maintenance requirements of the buffer areas associated with the conservation easement. The NCDOT did not receive a letter of response to its concerns nor was it contacted in regard to the proposed meeting to discuss the conservation easement, its purpose and its guidelines.

The stream mitigation work at SFCC provided compensatory mitigation for several Section 404 Individual Permits issued by the U. S. Army Corps of Engineers. It is the obligation of the NCDOT to enforce the terms and conditions of the conservation easement as part of these permits. A requirement of these permits is that the NCDOT provide monitoring reports of the stream mitigation work. The NCDOT conducted its

review of the mitigation work on December 15, 1999 and February 17, 2000. Based on this review, the NCDOT found several areas that need to be addressed by SFCC.

- SFCC is not complying with the maintenance requirements of the buffer corridors that was agreed upon in the conservation easement.
- SFCC has installed several drainage pipes upon the property subject to the conservation easement. This work was performed without the knowledge or consent of the NCDOT.
- SFCC did not notify the NCDOT regarding the need for or the installation of an overflow spillway associated with a pond located along Thread "A" downstream of Sam Snead bridge crossing. This overflow spillway encroaches into the conservation easement area.
- The NCDOT requests that SFCC coordinate with the NCDOT on any future, new encroachments on the property subject to the conservation easement.

In addition, the NCDOT noted that areas associated with erosion and sedimentation control silt fence were not dressed back after removal of the fencing. This lack of redressing has created a "trench" within or around the conservation easement. It is NCDOT's understanding that SFCC requested Mr. Darrell Westmoreland of North State Environmental to withhold removal of the silt fence until after SFCC had completed its renovations. (Mr. Westmoreland worked as a subcontractor on the stream mitigation work.). Mr. Westmoreland removed the silt fence when asked by SFCC and, as a by-product of the removal, the trench was created. However, Mr. Westmoreland was not allowed to redress the banks due to completed renovations of the golf course. The NCDOT requests that SFCC redress the areas along the stream corridor where a trench exists.

SFCC requested permission from the NCDOT to construct a temporary bridge parallel to the existing bridge crossing at Sam Snead Drive. The NCDOT agreed to allow construction of this bridge to move equipment for golf course renovations as long as the crossing was appropriately sloped along the stream banks and stabilized in accordance with the mitigation work. The work performed by SFCC at this area has not been performed to the satisfaction of the NCDOT. Rip rap has been placed in this area, and this stabilization method is not consistent with the stream mitigation work nor the conservation easement. The NCDOT requests SFCC to remove the rip rap and stabilize the area in a manner consistent with the stream mitigation work and the conservation easement. The NCDOT request that SFCC notify it how the area will be stabilized and offers to provide assistance in recommending appropriate stabilization that is consistent with the stream mitigation work and the conservation easement.

The NCDOT requests a meeting with you and SFCC staff to discuss the bulleted items detailed earlier in the letter as well as the "trench" issue and stabilization practices at the Sam Snead bridge crossing. The NCDOT would also like to discuss times to supplement of live staking in the conservation easement area, particularly along the stream section parallel to Hole #10, and to repair a coir fiber log that has been dislodged near the bridge crossing associated with Hole #12.

If you have any questions regarding this information, please contact Mr. Ed Lewis at (919) 733-1204 or Mr. Phillip Todd at (919) 733-7844, Extension 314.

Sincerely,

*W. C. Butler*

*for* William D. Gilmore, P. E., Manager  
Project Development and Environmental Analysis Branch

WDG/pct

cc: Mr. Daniel K. Sloane, Esq., Richmond, Virginia  
Mr. Michael Ambrose, SFCC  
Mr. Michael Brown, SFCC  
Mr. Byron Moore, NCDOT REU  
Mr. Ed Lewis, NCDOT PDEA  
Mr. Fred Lamar, Attorney General Office (Transportation Section)