

## **Standard procedures for the purchase & sale of Nutrient Offset Credits:**

- **Confirmation of nutrient reduction/offset required:**
  - Developer / Permittee (hereby referred to as “Purchaser”) requests & receives a Stormwater Management Plan approval letter\* from a delegated local government (*confirm that the local government is listed within the applicable Nutrient Management Strategy Rule*) for the new development project showing nutrient offset is required.
- **Find nutrient offset credits:**
  - Purchaser contacts an approved mitigation bank to purchase credits- Available Banks with contacts can be found at <http://portal.ncdenr.org/web/wq/nutrientbufferbanks>
  - If no credits are available from a mitigation bank, contact the Ecosystem Enhancement Program for credits: Kelly.williams@ncdenr.gov
  - Purchaser sends the approval letter referenced above to the mitigation Bank Sponsor or EEP, which serves as confirmation of the amount of nutrient offset credits needed.

*\*Note that this letter should show the amount of pounds of Nitrogen and/or Phosphorous the development project will need as well as any delivery factors that may have been applied. Also needed is the 8-digit Hydrologic Unit Code (HUC) of the development project to confirm that it matches the same 8-digit HUC of the mitigation bank. If it doesn't, developer cannot purchase credits from bank per 15A NCAC 02B .0240*

- **Request & Receive nutrient offset credits:**
  - If using a mitigation bank, the Bank Sponsor may require a signed Sales Agreement, which would be signed by both the Purchaser and the Bank Sponsor.
  - Bank Sponsor may provide an invoice to the Purchaser for the sale of credits.
  - Purchaser makes payment defined by the invoice amount to the mitigation bank. Payment to the mitigation bank must be made by the individual defined in the Stormwater Management Plan approval letter.
  - Once payment is received, the Bank Sponsor will provide a Mitigation Credit Transfer Certificate to the Purchaser. This usually completes the transaction with the Purchaser and the mitigation bank.

### **Additional Mitigation Bank Administration:**

- Bank Sponsor may offer to provide a copy of the Mitigation Credit Transfer Certificate to the local government who wrote the approval letter referenced above.
- Bank Sponsor must record the transaction on the mitigation bank's credit ledger as a “Debit” and update ledger fields accordingly.
- Typically, within 30 days of every credit sale, updated credit ledgers are sent to DWR along with the Transfer Certificates that correspond to respective sales made within that 30 day period.