



North Carolina Department of Environment and Natural Resources

Division of Water Quality
Coleen H. Sullins
Director

Beverly Eaves Perdue
Governor

Dee Freeman
Secretary

April 5, 2011

MEMORANDUM

TO: 401 Water Quality Certification Mailing List, Other Interested Parties

FROM: Cyndi Karoly
Wetlands and Stormwater Branch Manager

RE: Proposed General Permit for Isolated Wetlands and Final Report on Regulatory Success of
Wetland and Stream Mitigation Projects in NC

The purpose of this Public Notice is outlined below. This notice, with hyperlinks to the two documents referenced, is available electronically at <http://portal.ncdenr.org/web/wq/swp/ws/401/publicnotices>.

I. Public Comment Requested - Proposed General Permit for Impacts to Isolated and Other Non-404 Jurisdictional Wetlands and Waters for the purpose of enhancing hydrology and amphibian habitat thru vegetation and surface soil removal in the coastal plain of North Carolina.

The Division has developed a draft General Permit to allow mechanical clearing of isolated wetlands in the coastal plain in order to enhance hydrology and amphibian habitat. This General Permit would allow work to be done by or in coordination with the NC Wildlife Resources Commission on sites of up to three (3) acres in size. In addition, monitoring of water levels, pH, photo documentation, amphibian use and vegetation will be required for up to seven (7) years. Sites with cypress (*Taxodium distichum* or *Taxodium ascendens*) must maintain at least 20% aerial coverage and DWQ must be consulted on a case-by-case basis for sites containing swamp tupelo (*Nyssa aquatica*). Annual activity and monitoring reports must be provided to DWQ for review and written approval. Other conditions are included in the draft General Permit. The full text of the draft General Permit can be obtained at <http://portal.ncdenr.org/web/wq/swp/ws/401/certsandpermits> or by calling John Dorney at 919-733-9646.

The Division is seeking public comment on this draft General Permit. Please send any comments to John Dorney at john.dorney@ncdenr.gov or via hard copy to John Dorney, Wetlands Program Development Unit, Parkview Building, 2321 Crabtree Blvd., Suite 250, Raleigh, NC 27604. Comments received by DWQ staff by 5 pm on June 17, 2011 will be considered in the development of the final General Permit. If you have questions about the draft General Permit, please contact Mr. Dorney at 919-733-9646 or via email at john.dorney@ncdenr.gov.

II. Final version of DWQ mitigation report now available.

The Division has completed the final version of a report to the Environmental Protection Agency under the terms of a Wetland Program Development Grant concerning mitigation success in North Carolina. The final report, entitled *Compensatory stream and wetland mitigation in North Carolina: An evaluation of regulatory success*, was authored by Tammy Hill, Eric Kulz, Breda Munoz, Ph.D. and John Dorney. Dr. Munoz is a statistician employed by Research Triangle International (RTI) while the other three authors are DWQ employees. Peer review was conducted internally within the Department of Environment and Natural Resources, and the draft document was also revised following solicitation of comments through a public notice dated November 1, 2010. The authors would like to thank the reviewers for their thoughtful and helpful comments on the draft report. The final report is available at two locations on the DWQ website at <http://portal.ncdenr.org/web/wq/swp/ws/401/certsandpermits/mitigation> and at <http://portal.ncdenr.org/web/wq/hot-topics> .

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