



ROY COOPER

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*Interim Director*

May 1, 2018

TO: DENR-DWR-Wetlands-Public Listserv

FROM: Karen Higgins, 401 & Buffer Permitting Branch

RE: Online Pre-construction Notification Form Available; Notice of Public Hearings and Comment Period for Water Quality Permitting Rules and Water Supply Watershed Rules; Proposed Riparian Buffer & Nutrient Offset BDP in the Neuse – EBX-Neuse I, LLC; and Notification of Modified Mitigation Banking Instrument for Wildlands Holdings II, LLC

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The purpose of this Public Notice is outlined below. This notice is available electronically at <https://deq.nc.gov/about/divisions/water-resources/water-resources-permits/wastewater-branch/401-wetlands-buffer-permits/401-public-notices>.

**I. Online Pre-construction Notification Form Available**

The U.S. Army Corps of Engineers Wilmington District (Corps) and the N.C. Division of Water Resources (DWR) have developed an online Pre-Construction Notification (PCN) form that can be used in lieu of the paper PCN form. This online PCN form became available for use by all applicants on **February 1, 2018**.

The online PCN form is available online at: [https://edocs.deq.nc.gov/Forms/Pre-Construction\\_Notification\\_Form](https://edocs.deq.nc.gov/Forms/Pre-Construction_Notification_Form). The help document is also available online: <http://edocs.deq.nc.gov/WaterResources/0/edoc/624704/PCN%20Help%20File%202018-1-30.pdf>.

Once the online PCN form is submitted, DWR will assign a project number and an email will be sent with directions on how to submit payment of the application fee. The 60-day statutory clock will begin on the date payment is received. If you have any questions, please contact Beverly Strickland by email at [bev.strickland@ncdenr.gov](mailto:bev.strickland@ncdenr.gov) or call 919-707-8789.

**When a paper application is submitted to DWR *instead* of using the online PCN form, DWR requires only one (1) copy of the complete application package.**

**II. Notice of Public Hearings and Comment Period for Water Quality Permitting Rules and Water Supply Watershed Rules**

This is an announcement for a comment period and upcoming public hearings for proposed actions to Water Supply Watershed Protection Rules and Water Quality Permitting Rules:

<b>Rules</b>	<b>Description</b>
15A NCAC 02B .0400	Effluent Limitations
15A NCAC 02B .0500	Surface Water Monitoring: Reporting
15A NCAC 02B .0600	Water Quality Management Plans: Goose Creek, Riparian Buffers, Catawba Buffers, Water Supply
15A NCAC 02B .0700	Nutrient Strategies: Randleman Lake, Neuse Riparian Buffers, Tar-Pamlico Riparian Buffers
15A NCAC 02H .0100	Point Source Discharges To Surface Waters
15A NCAC 02H .0400	Coastal Waste Treatment Disposal
15A NCAC 02H .0500	Water Quality Certification
15A NCAC 02H .0900	Local Pretreatment Programs
15A NCAC 02H .1200	Special Orders
15A NCAC 02H .1300	Discharges To Isolated Wetlands & Waters

**Written comments on the proposed actions to rules and associated regulatory impact analyses are encouraged to be submitted electronically to: [publiccomments@ncdenr.gov](mailto:publiccomments@ncdenr.gov) (please include rule number in email's subject line). *E-mail correspondence to this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties.***

Or written comments can be mailed to:

Attn: Julie Ventaloro  
NCDEQ-DEMLR-Stormwater Permitting Program  
1612 Mail Service Center  
Raleigh, NC 27699-1612

Written comments addressing the proposed actions to the rules and associated regulatory impact analyses will be accepted through **Monday, July 2, 2018.**

You may also attend the public hearing(s) and present comments on the proposed actions to the rules and associated regulatory impact analyses:

**May 23, 2018 at 6:00 PM**  
**(speaker registration starts at 5:30)**  
 Ground Floor Hearing Room  
 Archdale Building  
 512 N. Salisbury Street  
 Raleigh, NC 27604

**June 7, 2018 at 6:00 PM**  
**(speaker registration starts at 5:30)**  
 Piedmont Triad Regional Council  
 1398 Carrollton Crossing Drive  
 Kernersville, NC 27284

If you should need additional information, please contact the following:

Rules	Staff Contact
15A NCAC 02B .0400	Mike Templeton ( <a href="mailto:mike.templeton@ncdenr.gov">mike.templeton@ncdenr.gov</a> )
15A NCAC 02B .0500	Mike Templeton ( <a href="mailto:mike.templeton@ncdenr.gov">mike.templeton@ncdenr.gov</a> )
15A NCAC 02B .0601-.0614	Karen Higgins ( <a href="mailto:karen.higgins@ncdenr.gov">karen.higgins@ncdenr.gov</a> )
15A NCAC 02B .0620-.0624	Julie Ventaloro ( <a href="mailto:julie.ventaloro@ncdenr.gov">julie.ventaloro@ncdenr.gov</a> )
15A NCAC 02B .0700	Karen Higgins ( <a href="mailto:karen.higgins@ncdenr.gov">karen.higgins@ncdenr.gov</a> )
15A NCAC 02H .0100	Mike Templeton ( <a href="mailto:mike.templeton@ncdenr.gov">mike.templeton@ncdenr.gov</a> )
15A NCAC 02H .0400	Mike Templeton ( <a href="mailto:mike.templeton@ncdenr.gov">mike.templeton@ncdenr.gov</a> )
15A NCAC 02H .0500	Karen Higgins ( <a href="mailto:karen.higgins@ncdenr.gov">karen.higgins@ncdenr.gov</a> )
15A NCAC 02H .0900	Deborah Gore ( <a href="mailto:deborah.gore@ncdenr.gov">deborah.gore@ncdenr.gov</a> )
15A NCAC 02H .1200	Mike Templeton ( <a href="mailto:mike.templeton@ncdenr.gov">mike.templeton@ncdenr.gov</a> )
15A NCAC 02H .1300	Karen Higgins ( <a href="mailto:karen.higgins@ncdenr.gov">karen.higgins@ncdenr.gov</a> )

The hearing announcements for the proposed actions to the rules are located at <https://deq.nc.gov/news/events/public-notices-hearings>. Clicking on this link will take you to DWR’s Public Notices and Hearings website, where you can enter one of the above-mentioned public hearing dates under “Starts” and click on “Apply” to see more public hearing information. Copies of the draft rules, regulatory impact analyses, and other information about the rules are available online: <https://deq.nc.gov/permits-regulations/rules-regulations/proposed-rules>.

**III. Proposed Buffer & Nutrient Offset Bank Parcel Development Package in the Neuse River Basin – EBX-Neuse I, LLC**

EBX-Neuse I, LLC (EBX) has submitted a proposed Bank Parcel Development Package (BPDP) for the Meadow Spring Nutrient Offset and Buffer Mitigation Bank Parcel, which is located in the Neuse River Basin (8-digit USGS HUC 03020201) near Smithfield, in Johnston County. Stormwater runoff from this Bank Parcel drains into an unnamed tributary to the Neuse River.

The proposed bank parcel will be used to generate Neuse riparian buffer mitigation and nutrient offsets. Restoration of riparian areas will generate approximately 4.35 acres (189,486 ft<sup>2</sup>) of Neuse riparian buffer credits and 1.81 acres (4,114 lbs-Nitrogen) of nutrient offset credits. Enhancement of riparian areas from cattle exclusion will generate approximately 0.68 acres (29,627 ft<sup>2</sup>) of Neuse riparian buffer credits.

Nutrient offset credits generated at this proposed site can be used to satisfy nutrient offset requirements for development projects pursuant to 15A NCAC 02B .0240 and located within the 8-digit USGS HUC 03020201, excluding the Falls Lake Watershed. Neuse riparian buffer credits generated at this proposed bank site can be used to satisfy buffer mitigation requirements for impacts pursuant to 15A NCAC 02B .0295 within the Neuse River Basin, primarily within the USGS HUC 03020201 and excluding the Falls Lake Watershed.

This project is being proposed under the RES Neuse Umbrella Mitigation Banking Instrument (UMBI) approved on January 31, 2018. A copy of the UMBI can be found online at <http://edocs.deq.nc.gov/WaterResources/0/doc/625408/Page1.aspx> .

The proposed Meadow Nutrient Offset and Buffer Mitigation Bank BPDP can be found online at: <https://edocs.deq.nc.gov/WaterResources/0/doc/642527/Page1.aspx>. Persons wishing to comment are invited to submit their comments in writing to Katie Merritt at ([katie.merritt@ncdenr.gov](mailto:katie.merritt@ncdenr.gov) or 1617 Mail Service Center, Raleigh, NC 27699-1617). All comments received by DWR by close of business (5:00 p.m.) on May 16, 2018 will be considered during preparation and approval of the final BPDP. If you have any questions, please contact Katie Merritt at 919-807-6371.

#### **IV. Wildlands Holdings II, LLC North Fork Little River MBI Modification for Riparian Buffer and Nutrient Offset Mitigation Credits in the Neuse River Basin**

The North Fork Little River Mitigation Banking Instrument (MBI) was signed by the Director of the Division of Water Resources (DWR) on April 19, 2016 and allows Wildlands Holdings II, LLC (WHII) to sell riparian buffer credits and nutrient offset credits within the Neuse River Basin, including the Falls Watershed. On March 21, 2018, DWR received a request from WHII to change the name of the Bank Sponsor for the subject MBI from WHII to Wildlands Holdings V, LLC.

A copy of the approved MBI modification is available online at: <https://edocs.deq.nc.gov/WaterResources/0/doc/649126/Page1.aspx>. If you have any questions, please contact Katie Merritt at 919-807-6371.