



ROY COOPER
Governor
MICHAEL S. REGAN
Acting Secretary

March 28, 2018

Senator Trudy Wade, Chair
Representative Jimmy Dixon, Co-Chair
Representative Chuck McGrady, Co-Chair
Representative Pat McElraft, Vice Chair
Environmental Review Commission
16 W. Jones Street
Raleigh, North Carolina 27601

Re: Report on "Wetland Mitigation Practices Supportive of Public Recreation and Hunting"

Dear Sen. Wade, Rep. Dixon, Rep. McGrady, and Rep. McElraft:

As per §S.L. 2015-194, Sec.2(f) The Department of Environmental Quality shall report to the ERC annually on its progress complying with the provisions of SL 2015-194. Attached is the report.

This report was prepared by the Division of Mitigation Services in the Department of Environment Quality. If you have questions about this report, please contact me at 707-8668

Very truly yours,

Anderson Miller

AM/de

Enclosures

cc:

Michael Regan, Secretary
John Nicholson, Chief Deputy Secretary
Tim Baumgartner, Division of Mitigation Services



EXECUTIVE SUMMARY

Pursuant to Session Law 2015-194, the Department of Environmental Quality (DEQ) reports to the Environmental Review Commission annually on the actions taken to encourage wetland mitigation practices supportive of public recreation and hunting on mitigation sites. The Department's mitigation sites are comprised of lands owned in fee and conservation easements held on private lands. The following report reflects the Department's supportive activities for Calendar Year 2017. This is the second annual report prepared pursuant to Session Law 2015-194.

MITIGATION CREDIT FOR DIVERSE HABITATS UPDATE

As a member of the Interagency Review Team (IRT), the Division of Water Resources (DWR) works with the US Army Corps of Engineers as well as the NC Wildlife Resources Commission (WRC) staff and other agencies to ensure that the appropriate wetland and stream mitigation is taking place for impacts to those resources and analyzes sites for the appropriate mitigation credit.

In the past year, DWR has continued working closely with IRT members to look at pond conversion sites. Many pond removal projects are being proposed as mitigation sites that may include stream and/or wetland habitats. Many of these sites are likely to form wetlands within the footprint of the removed pond, and at least in the early development stages may include more open water, marsh-like habitat. In addition, many proposed stream sites will form wetlands in adjacent riparian areas which may support waterfowl and other marsh-like dependent fauna.

The DWR and WRC staff continue to coordinate with other IRT members to optimize the amount of stream and wetland diverse habitats that occur on mitigation sites in North Carolina.

POTENTIAL WILDLIFE HABITATS UPDATE

To conserve, protect and enhance the natural resources of North Carolina, the Department of Environmental Quality (Department) and other state agencies protect high-quality natural areas and mitigation lands through easement purchases or fee simple acquisitions. These land holdings are managed in perpetuity to protect water quality, wildlife habitat and open space.

The Department utilizes three methods of acquisition for mitigation land holdings: acquisition by easement (ABE), acquisition by deed (ABD), and reallocation of land (ROL). For calendar year 2017 the Department held mitigation property interest in 568 parcels consisting of 27 properties in deed and 541 properties in easement. Of the three acquisition methods, the Department retains hunting rights only on properties acquired by deed (ABD) and reallocation of land (ROL). The Department does not hold hunting rights on properties acquired by easement (ABE). Since the inception of the Department's mitigation program, opportunities for public hunting opportunities have been provided on eligible mitigation land holdings thru the award of hunt leases.

Appendix A of this report inventories the Department's ABD and ROL mitigation land holdings. The Department's inventory of ABD and ROL mitigation land holdings has been provided to the NCWRC. The Department, in consultation with the NCWRC, is in the process of determining site characteristics for potential wildlife habitats on mitigation land holdings. Consultation with NCWRC biologists is ongoing and will continue to inform the Department on which mitigation properties qualify as potential wildlife habitats.

APPENDIX A

ABD and ROL Mitigation Land Holdings with Retained Hunting Rights

Mitigation Land Holding	DEQ Determination of Potential Wildlife Habitat	NCWRC Determination of Potential Wildlife Habitat	Dept Name	County Name	Transaction Type Name	SPO File No.	Project Name	DEQ File No (IMS)
TRUE	TRUE	IN REVIEW	ENVIRONMENTAL QUALITY	Bertie	ABD ACQUISITION BY DEED	08-020.001	SALMON CREEK (NICHOLLS FARM)	441
TRUE	TRUE	IN REVIEW	ENVIRONMENTAL QUALITY	Cumberland	ABD ACQUISITION BY DEED	26-045.002	BIG POND BAY	92101
TRUE	TRUE	IN REVIEW	ENVIRONMENTAL QUALITY	Dare	ABD ACQUISITION BY DEED	28-096.001	USACOE IMPACTS (CARLYLE 2 ON SOUND)	N/A
TRUE	TRUE	IN REVIEW	ENVIRONMENTAL QUALITY	Franklin	ABD ACQUISITION BY DEED	35-011.001	MOCCASIN CREEK	256
TRUE	TRUE	IN REVIEW	ENVIRONMENTAL QUALITY	Hertford	ABD ACQUISITION BY DEED	46-031.001	NUCOR STEEL MILL SITE	94798
TRUE	TRUE	IN REVIEW	ENVIRONMENTAL QUALITY	Orange	ROL REALLOCATION OF LAND	68-041.041	MORGAN CREEK FLOODPLAIN	258
TRUE	TRUE	IN REVIEW	ENVIRONMENTAL QUALITY	Pasquotank	ABD ACQUISITION BY DEED	70-032.001	KNOBS CREEK	209
TRUE	TRUE	IN REVIEW	ENVIRONMENTAL QUALITY	Rockingham	ABD ACQUISITION BY DEED	79-018.001	SHARPE WETLAND PRESERVATION	92241
TRUE	TRUE	IN REVIEW	ENVIRONMENTAL QUALITY	Rowan	ABD ACQUISITION BY DEED	80-020.001	DOUBLE THUMB RESTORATION SITE (SECOND CREEK WETLANDS)	92237
TRUE	TRUE	IN REVIEW	ENVIRONMENTAL QUALITY	Rowan	ABD ACQUISITION BY DEED	80-020.002	DOUBLE THUMB RESTORATION SITE (SECOND CREEK WETLANDS)	92237
TRUE	TRUE	IN REVIEW	ENVIRONMENTAL QUALITY	Sampson	ABD ACQUISITION BY DEED	82-021.008	GREAT COHARIE SWAMP TRACT	92152
TRUE	TRUE	IN REVIEW	ENVIRONMENTAL QUALITY	Wake	ABD ACQUISITION BY DEED	92-241.002	TERRIBLE CREEK	134
TRUE	TRUE	IN REVIEW	ENVIRONMENTAL QUALITY	Wayne	ABD ACQUISITION BY DEED	96-040.001	NORWOOD GAINNEY WETLAND	628
TRUE	FALSE	IN REVIEW	ENVIRONMENTAL QUALITY	Alleghany	ABD ACQUISITION BY DEED	03-014.013	LITTLE PINE CREEK II	856
TRUE	FALSE	IN REVIEW	ENVIRONMENTAL QUALITY	Cabarrus	ABD ACQUISITION BY DEED	13-016.001	CODDLE CREEK	94
TRUE	FALSE	IN REVIEW	ENVIRONMENTAL QUALITY	Caldwell	ROL REALLOCATION OF LAND	14-020.008	BROWN BRANCH	53

Mitigation Land Holding	DEQ Determination of Potential Wildlife Habitat	NCWRC Determination of Potential Wildlife Habitat	Dept Name	County Name	Transaction Type Name	SPO File No.	Project Name	DEQ File No (IMS)
TRUE	FALSE	IN REVIEW	ENVIRONMENTAL QUALITY	Dare	ABD ACQUISITION BY DEED	28-090.023	OUTER BANKS MITIGATION - LOT 39 AT HOLIDAY SHORES (SUMMERELL SWANVIEW SHORES)	N/A
TRUE	FALSE	IN REVIEW	ENVIRONMENTAL QUALITY	Forsyth	ABD ACQUISITION BY DEED	34-036.001	BRUSHY FORK CREEK	55
TRUE	FALSE	IN REVIEW	ENVIRONMENTAL QUALITY	Forsyth	ABD ACQUISITION BY DEED	34-036.002	BRUSHY FORK CREEK	55
TRUE	FALSE	IN REVIEW	ENVIRONMENTAL QUALITY	Lenoir	ABD ACQUISITION BY DEED	54-033.003	ADKIN BRANCH	7
TRUE	FALSE	IN REVIEW	ENVIRONMENTAL QUALITY	Onslow	ABD ACQUISITION BY DEED	67-073.001	US EPA SETTLEMENT (HPS&R)	94799
TRUE	FALSE	IN REVIEW	ENVIRONMENTAL QUALITY	Orange	ROL REALLOCATION OF LAND	68-041.038	CHAPEL CREEK-FINLEY GOLF COURSE	77
TRUE	FALSE	IN REVIEW	ENVIRONMENTAL QUALITY	Pitt	ABD ACQUISITION BY DEED	74-041.001	MIDDLE SWAMP CREEK (JOHNSON-DALE)	661
TRUE	FALSE	IN REVIEW	ENVIRONMENTAL QUALITY	Wake	ABD ACQUISITION BY DEED	92-234.001	SMITH-AUSTIN CREEK	343
TRUE	FALSE	IN REVIEW	ENVIRONMENTAL QUALITY	Wake	ABD ACQUISITION BY DEED	92-234.002	SMITH-AUSTIN CREEK	343
TRUE	FALSE	IN REVIEW	ENVIRONMENTAL QUALITY	Wake	ROL REALLOCATION OF LAND	92-236.001	CHAVIS PARK RESTORATION SITE	87
TRUE	FALSE	IN REVIEW	ENVIRONMENTAL QUALITY	Wake	ABD ACQUISITION BY DEED	92-241.001	NEW LIGHT CREEK (BOLD RUN)	439