

NC Environmental Restoration Association



NCERA Members

- Restoration Systems
- Environmental Banc & Exchange
- Wildlands Engineering
- Michael Baker Corporation
- KCI Technologies
- Land Management Group
- North State Environmental
- Riverworks – A Division of the Fred Smith Company
- BB&T
- K2 Design
- Eco Engineering – A Division of the John R. McAdams Company

NCERA Quick Facts

- Members include: mitigation bankers, engineering firms, survey firms, construction companies, and banks.
- Member firms represent 180 employees across NC.
- Member Firms have offices in Wilmington, Goldsboro, Raleigh, Cary, Durham, Greensboro, Winston-Salem, Charlotte, and Asheville.
- Member firms employee companies outside NCERA including: engineering firms, construction companies, survey firms, archaeological survey firms, soil scientists, and law firms.
- Member Firms have developed projects in all 100 counties.

Stream & Wetland Mitigation

- Clean Water Act (1972) – Federal law that regulates activities including the discharge of dredged or fill material into waters, including streams and wetlands, of the United States.
- Clean Water Act (Section 401) – State certification delegated by EPA.

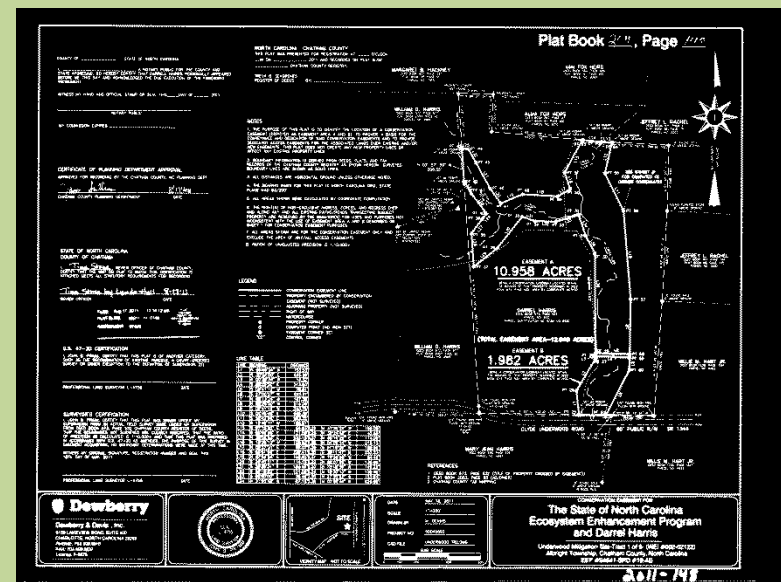


Stream & Wetland Mitigation

- Three options available to the public:
 - Permittee Responsible: Applicant proposes to restore, enhance, and/or preserve streams or wetlands 'On-Site.'
 - Mitigation Banks: Banker develops a mitigation site and sells credits to developers, DOT, municipalities, etc.
 - In-Lieu Fee: In NC, EEP takes in fees from DOT and developers, aggregates funds by watershed, and develops mitigation projects.

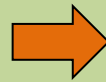
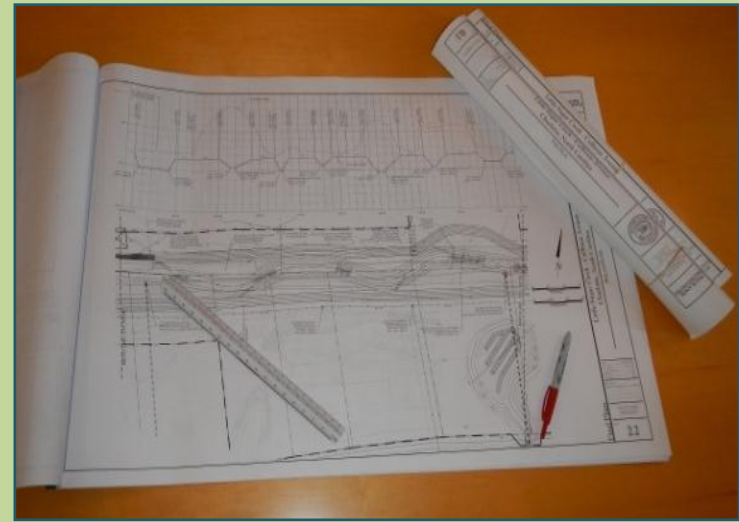
Mitigation Process

Step 1: Identify and purchase land with degraded streams and wetlands.



Mitigation Process

Step 2: Design project to mimic high quality local streams and wetlands.



Mitigation Process

Step 3: Contractor translates design plans into restored ecosystem.



Mitigation Process

Step 4: Site is monitored for 7 years to ensure long term sustainability.



EEP Procurement Mechanisms

- Design-Bid-Build
 - On-call Consultants
 - Contractors Bid
 - Monitoring Consultants

Credit Procurement

- Mitigation credit purchase
 - Request for Information
 - Request for Proposals (RFP)
- Full Delivery (RFP)

RFP Process (Full Delivery)

- RFP advertise
- Secure conservation easement option
- Develop Technical & Cost Proposal
- State Review
- Project Implementation
- Closeout

Contract Approval Process

- NCDOT mitigation needs
- EEP Contract recommendation
- NCDOT approvals through process
- Department of Administration
- Michael Bryant – Purchasing and Services
- Contract executed

Solution

- Delegation or Exemption
- One order for Mitigation...

Project Management

- Shift to FD in Feb 2011 completed June 2011
- Organizational difficulty implementing transition
- Project team approach
- Appears to be lack of commitment/interest

Solution

Right people with the right skills

Land

- Easement Inefficiency – requirements change
- Cost Uncertainty – long term management
- Cost of managing real estate

Solution

- Third party easement holder
- Non-wasting endowment
- State out of the property business

Full Delivery Benefits

- Cost Certainty to the State
- Deliver projects the State cannot implement
- Risk is on the Provider not the State
- Using private capital to finance work
- Benefit to the Natural Resources

State Comparison

Virginia

Vs.

South Carolina

Virginia

Aquatic Resources Trust Fund

- The Nature Conservancy of Virginia
- US Army Corps of Engineers – Norfolk
- Virginia Department of Environmental Quality

Price Comparison

Virginia

- Streams \$375 - \$700
- Wetlands \$30,000 - \$100,000

North Carolina

- Streams \$276 - \$365
- Wetlands \$24,844 - \$66,721

South Carolina

- No In-Lieu Fee Program
- Escrow agreement for SCDOT
- Project Delays
- County projects???

Questions/Comments

NCERA

John Hutton

Norton Webster