

North Carolina  
**Transportation** 2005  
*Forum*

March 23-24, 2005  
Hilton Charlotte Center City  
Charlotte, North Carolina



U.S. Army Corps  
of Engineers  
Wilmington District



## Outline

- A mitigation primer
- Who is EEP?
- How does EEP operate?
- Items of interest

# Mitigation Primer

- A product produced and protected to replace an environmental loss.
- Several laws drive the mitigation process
  - Clean Water Act Federal
  - Endangered Species Act Federal
  - Water Quality Rules State
  - Buffer Protection Rules State
  - Coastal Zone Management Act Federal

# Mitigation Primer

- The last step of sequencing
  - Avoid
  - Minimize
  - Mitigate
- No provision of required mitigation = **no project**
  - The laws and acts that protect the environment prohibit federal and state actions without following and adhering to sequence

# Mitigation Primer

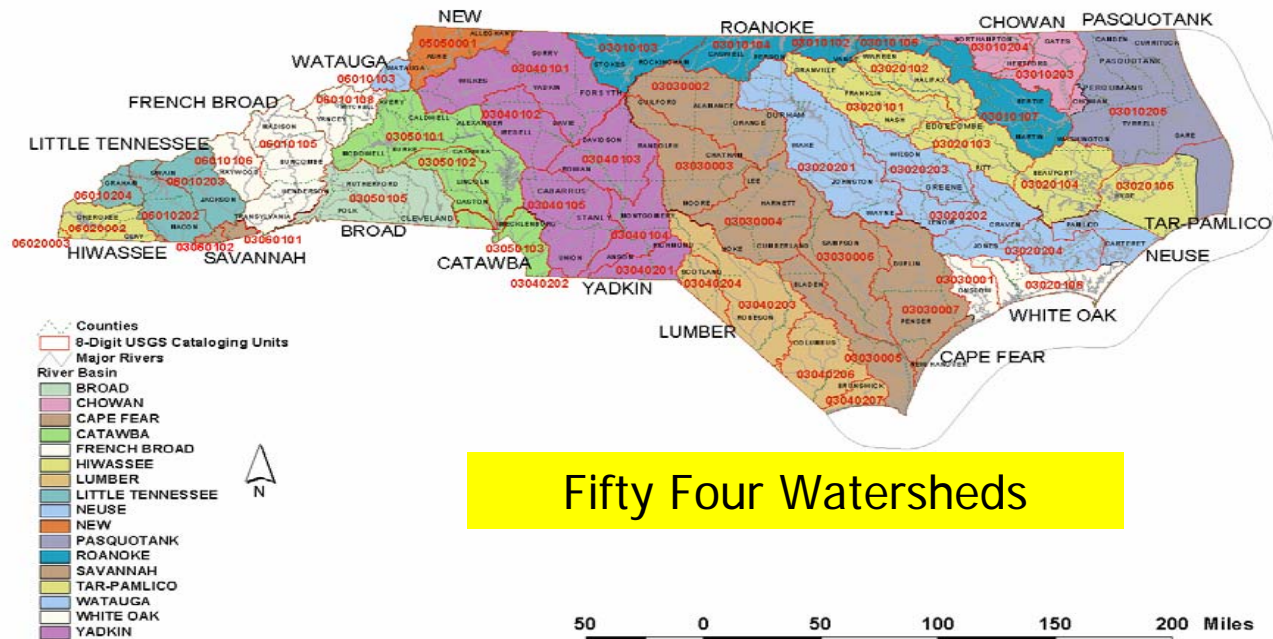
- EEP Mitigation Products in Terms of
  - Riverine Wetlands
  - Non-Riverine Wetlands
  - Streams (Cold, Cool, Warm)
  - Marshes (Salt and Fresh water)
  
- Classifications
  - Restoration
  - Creation
  - Enhancement
  - Preservation

Seven types

Four classes

# Mitigation Primer

## USGS 8-DIGIT CATALOGING UNITS- NORTH CAROLINA



Fifty Four Watersheds

# Who/Why EEP?

- Scientific studies demonstrating lack of mitigation project success
- Infrastructure needs
  - 78,000 highway system
  - Major economic growth
- Project delays
  - NEPA
  - Section 404 b(1)
  - 40% of delays mitigation related

# Who is EEP?

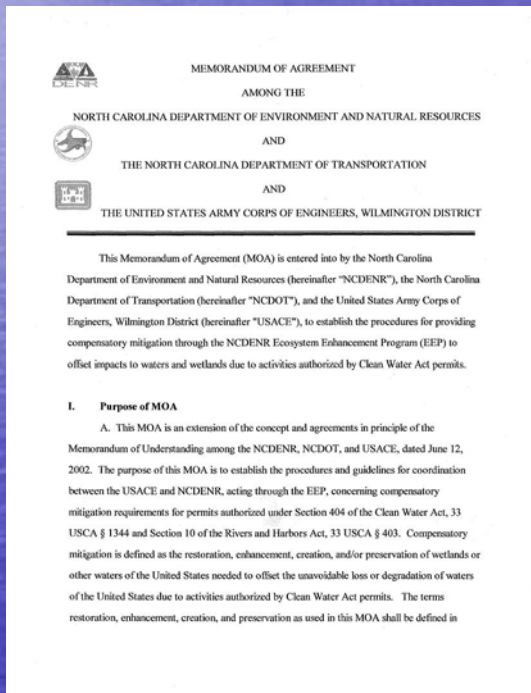
- A DENR agency working for the General Public and the Department of Transportation
- Created in **partnership** with the NCDOT, FHWA, NCWRP, and USACE to provide comprehensive mitigation for unavoidable CWA impacts

# Who is EEP?

- An agency that provides comprehensive mitigation. . .
  - In advance of impacts based on predictive models (**NCDOT Advance Funding**)
  - Through a watershed planning and project development process
  - That is replacing lost functions
  - Streamlines permits that require compensatory mitigation

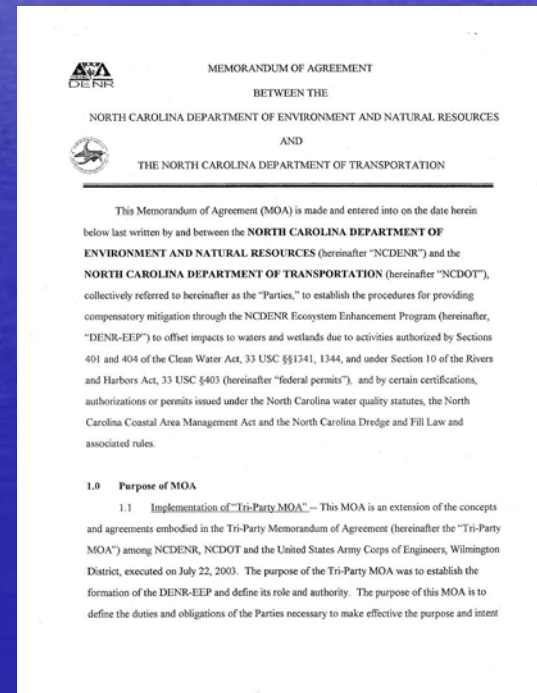
# Authority Established

3-Party MOA  
DOT/DENR/USACE  
July 2003



Regulatory Document

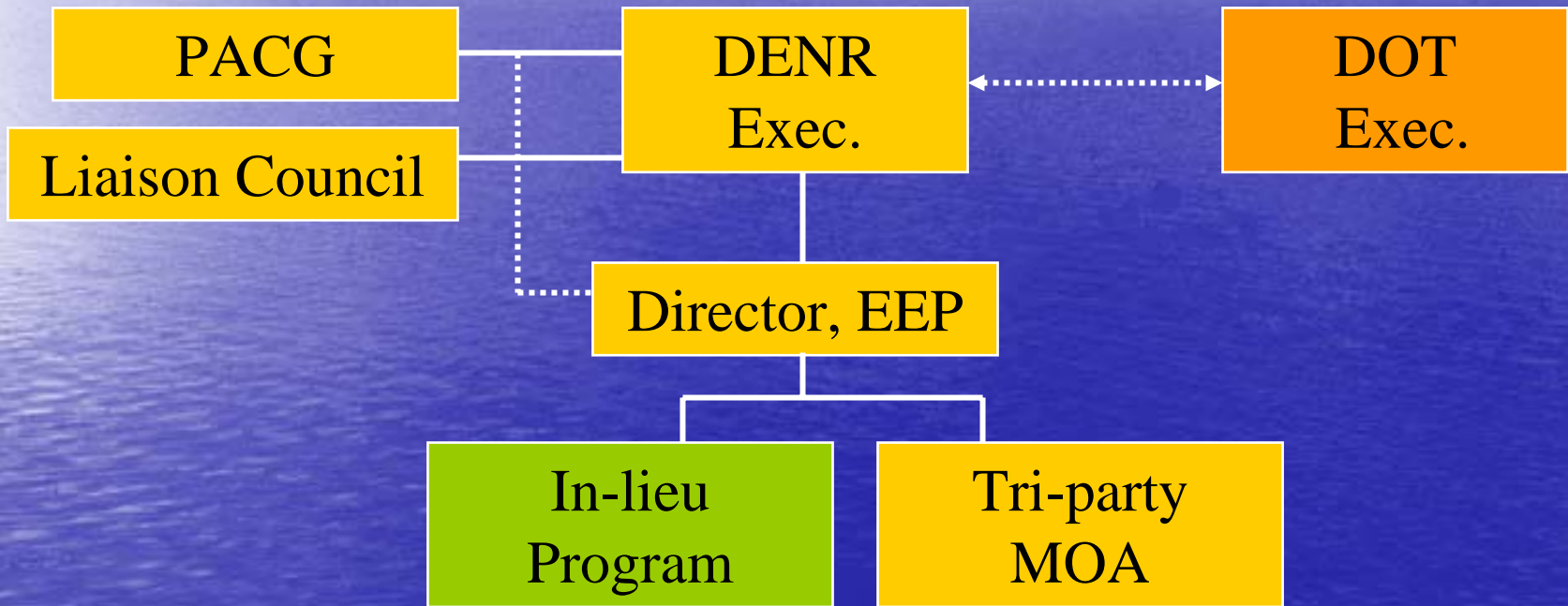
2-Party MOA  
DOT/DENR  
April 2004



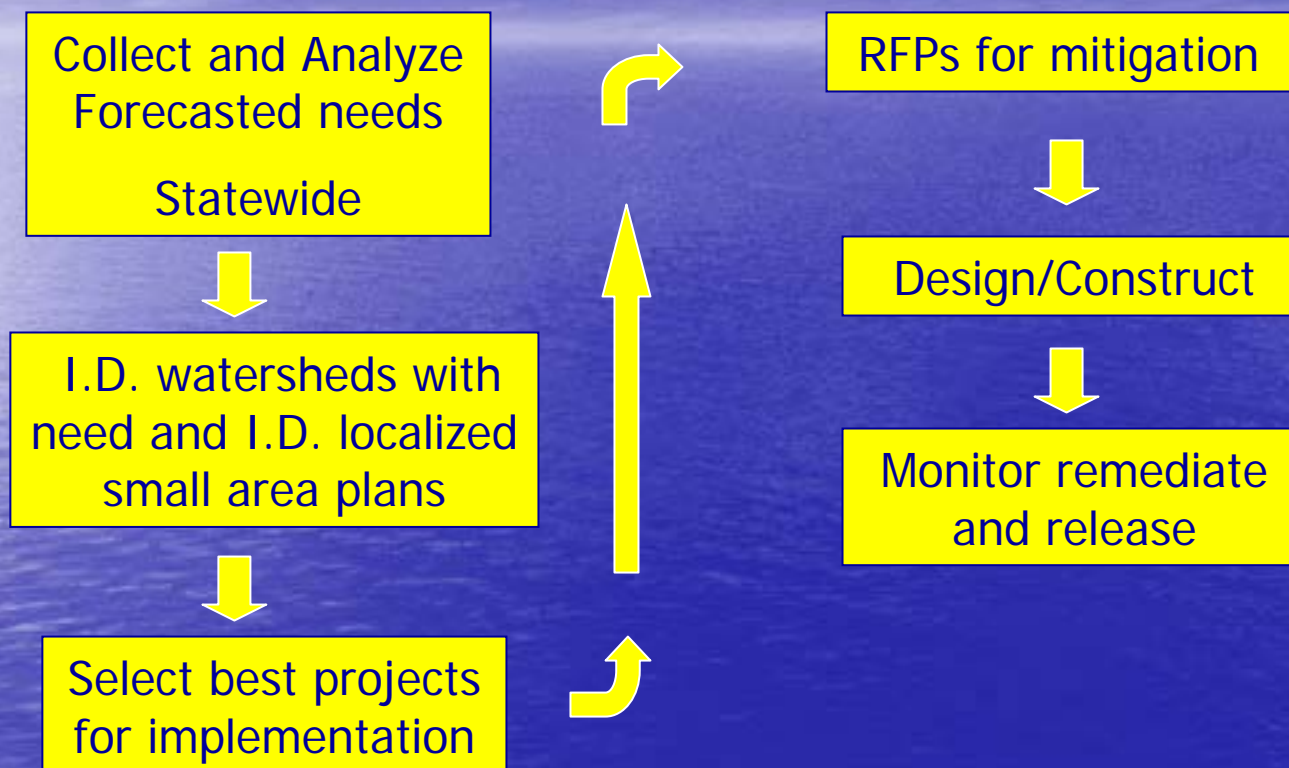
Business Document



# Organizational Relationship EEP/DENR



# How does EEP operate?



# Restoration Projects in Design and Construction

## Wetlands

## Streams

Design	166 acres	180,645 feet
Construction	79 acres	78,123 feet
Monitoring	381 acres	106,764 feet

# Sept/Oct 2004 Full Delivery Awards

- 143,000 ft. stream
- 625 acres of wetland
- 75 acres of buffer
- Total contract value \$ 39,644,356

# October 2004 posting RFPs (FDP) Current

21 8-digit catalog units

Totaling 450,000 feet stream

900 acres wetlands

1300 acres buffers

Value \$100 million

Advancing mitigation -- Impacts for 3+ years out based on NCDOT projected impacts

# Things to consider

- Impacting project cost can often be reduced if you avoid or minimize impacts. Mitigation is expensive!
- Include natural resource protection in your land use and transportation plans. This helps you secure your permits and speed project approvals.
- Once you have a project designed, have coordinated with regulators, EEP is available to you for mitigation.
- EEP's creation is a product of partnerships to help responsible development to occur and provide the best natural resource protection for our State. ( the DOT's advance funding process is unprecedented nationally)

For more information

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