

U.S. ARMY CORPS OF ENGINEERS
Wilmington District
Compensatory Mitigation Responsibility Transfer Form

Permittee: NCDOT Division 8, Phillip Harris

Action ID: SAW-2018-02283

Project Name: NCDOT/R-5709/NC 211 from US 15/501 to SR 1244/SR1311/Division 8 **County:** Hoke and Moore

Instructions to Permittee: The Permittee must provide a copy of this form to the Mitigation Sponsor, either an approved Mitigation Bank or the North Carolina Division of Mitigation Services (NCDMS), who will then sign the form to verify the transfer of the mitigation responsibility. Once the Sponsor has signed this form, it is the Permittee's responsibility to ensure that Wilmington District Project Manager identified on page two is in receipt of a signed copy of this form before conducting authorized impacts, unless otherwise specified below. If more than one Mitigation Sponsor will be used to provide the mitigation associated with the permit, or if the impacts and/or the mitigation will occur in more than one 8-digit Hydrologic Unit Code (HUC), multiple forms will be attached to the permit, and the separate forms for each Sponsor and/or HUC must be provided to the appropriate Mitigation Sponsors.

Instructions to Sponsor: The Sponsor verifies that the mitigation requirements (credits) shown below have been released and are available at the identified site. By signing below, the Sponsor is accepting full responsibility for the identified mitigation, regardless of whether they have received payment from the Permittee. Once the form is signed, the Sponsor must update the bank ledger and provide a copy of the signed form and the updated ledger to the Permittee, the Project Manager who issued the permit, the Bank Project Manager, and the District Mitigation Office (see contact information on page 2). The Sponsor must also comply with all reporting requirements established in their authorizing instrument.

Permitted Impacts and Compensatory Mitigation Requirements:

Permitted Impacts Requiring Mitigation*			8-digit HUC and Basin: 03040203, Lumber River Basin			
Stream Impacts (linear feet)			Wetland Impacts (acres)			
Warm	Cool	Cold	Riparian Riverine	Riparian Non-Riverine	Non-Riparian	Coastal
1,339				1.26	1.04	

*If more than one mitigation sponsor will be used for the permit, only include impacts to be mitigated by this sponsor.

Compensatory Mitigation Requirements:			8-digit HUC and Basin: 03040203, Lumber River Basin			
Stream Mitigation (credits)			Wetland Mitigation (credits)			
Warm	Cool	Cold	Riparian Riverine	Riparian Non-Riverine	Non-Riparian	Coastal
2,678				2.52	2.08	

Mitigation Site Debited: NCDMS

(List the name of the bank to be debited. For umbrella banks, also list the specific site. For NCDMS, list NCDMS. If the NCDMS acceptance letter identifies a specific site, also list the specific site to be debited).

Section to be completed by the Mitigation Sponsor

Statement of Mitigation Liability Acceptance: I, the undersigned, verify that I am authorized to approve mitigation transactions for the Mitigation Sponsor shown below, and I certify that the Sponsor agrees to accept full responsibility for providing the mitigation identified in this document (see the table above), associated with the USACE Permittee and Action ID number shown. I also verify that released credits (and/or advance credits for NCDMS), as approved by the Wilmington District, are currently available at the mitigation site identified above. Further, I understand that if the Sponsor fails to provide the required compensatory mitigation, the USACE Wilmington District Engineer may pursue measures against the Sponsor to ensure compliance associated with the mitigation requirements.

Mitigation Sponsor Name: NCDEQ DMS

Name of Sponsor's Authorized Representative: Beth Harmon

Elizabeth Harmon
Signature of Sponsor's Authorized Representative

08/11/2021
Date of Signature

Conditions for Transfer of Compensatory Mitigation Credit:

- Once this document has been signed by the Mitigation Sponsor and the District is in receipt of the signed form, the Permittee is no longer responsible for providing the mitigation identified in this form, though the Permittee remains responsible for any other mitigation requirements stated in the permit conditions.
- Construction within jurisdictional areas authorized by the permit identified on page one of this form can begin only after the District is in receipt of a copy of this document signed by the Sponsor, confirming that the Sponsor has accepted responsibility for providing the mitigation requirements listed herein. When NCDMS provides mitigation for authorized impacts conducted by the North Carolina Department of Transportation (NCDOT), construction within jurisdictional areas may proceed upon permit issuance; however, a copy of this form signed by NCDMS must be provided to the District within 30 days of permit issuance. NCDOT remains fully responsible for the mitigation until the District has received this form, confirming that the Sponsor has accepted responsibility for providing the mitigation requirements listed herein.
- Signed copies of this document must be retained by the Permittee, Mitigation Sponsor, and in the USACE administrative records for both the permit and the Bank/ILF Instrument. It is the Permittee's responsibility to ensure that the District Project Manager (address below) is provided with a signed copy of this form.
- If changes are proposed to the type, amount, or location of mitigation after this form has been signed and returned to the District, the Sponsor must obtain case-by-case approval from the District Project Manager and/or North Carolina Interagency Review Team (NCIRT). If approved, higher mitigation ratios may be applied, as per current District guidance and a new version of this form must be completed and included in the District administrative records for both the permit and the Bank/ILF Instrument.

Comments/Additional Conditions: A letter from NCDMS, confirming they are willing and able to accept the applicant's compensatory mitigation responsibility, dated 6/22/2021 was included with the preconstruction notification.

This form is not valid unless signed below by the District Project Manager and by the Mitigation Sponsor on Page 1. ***Once signed, the Sponsor should provide copies of this form along with an updated bank ledger to: 1) the Permittee, 2) the District Project Manager at the address below, 3) the Bank Manager listed in RIBITS, and 4) the Wilmington District Mitigation Office, 3331 Heritage Trade Drive, Suite 105, Wake Forest, NC 27587 (or by email to SAWMIT@usace.army.mil).*** Questions regarding this form or any of the permit conditions may be directed to the District Mitigation Office.

USACE Project Manager: James Lastinger
USACE Field Office: Raleigh Regulatory Office
US Army Corps of Engineers
3331 Heritage Trade Drive, Suite 105
Wake Forest, North Carolina 27587
Email: James.C.Lastinger@usace.army.mil

James Lastinger

USACE Project Manager Signature

7/19/2021
Date of Signature

Current Wilmington District mitigation guidance, including information on mitigation ratios, functional assessments, and mitigation bank location and availability, and credit classifications (including stream temperature and wetland groupings) is available at <http://ribits.usace.army.mil>.