



US Army Corps
Of Engineers
Wilmington District

PUBLIC NOTICE

Issue Date: September 29, 2010
Comment Deadline: October 29, 2010
Corps Action ID: SAW-2010-00982

The District Engineer has received a prospectus describing the establishment of a compensatory umbrella mitigation bank to offset future state and federal permits. Also received is a mitigation plan for the first site, Stinking Creek, proposed for inclusion into the bank.

Bank Sponsor

Chatham Park Investors, LLC
100 Weston Estates Way
Cary, North Carolina 27513

This public notice does not imply, on the parts of the U. S. Army Corps of Engineers (Corps) or other agencies, either favorable or unfavorable opinion of the work to be performed, but it is issued to solicit comments regarding the factors on which final decisions will be based.

LOCATION OF THE PROPOSED WORK: The proposed mitigation site is located approximately 8 miles southeast of Pittsboro in eastern Chatham County. The Mitigation Site is located in the Haw River portion of the Cape Fear River Basin (USGS 8-digit Hydrologic Unit 03030002) of the South Atlantic/Gulf Region (NCDWQ Sub-basin Number 03-06-04). The approximate geographic coordinates are 35.6693° north latitude and -78.1084° west longitude. The site encompasses approximately 43 acres of land that includes approximately 10 acres of forested and/or marsh wetlands. In addition, the site also encompasses approximately 6,335 linear feet of stream associated with Stinking Creek and unnamed tributaries to Stinking Creek.

PROPOSED WORK AND PURPOSE: The bank sponsor proposes to establish and operate a stream and wetland compensatory umbrella mitigation bank to compensate for losses authorized by applicable federal and state regulatory programs. As proposed, this mitigation plan includes 1) preservation of approximately 6,335 linear feet of streams, 2) preservation of approximately 10.0 acres of jurisdictional wetlands, and 3) establishment of a permanent conservation easement to encompass all mitigation activities, as well as a 100-foot undisturbed riparian buffer adjacent to Stinking Creek and a 50-foot undisturbed riparian buffer adjacent to all other streams,

wetlands and ponds. Upon execution of the mitigation banking instrument, a conservation easement for the site would be conveyed to an appropriate public land trust organization or a newly created independent "Foundation". The proposed mitigation ratios are 5:1 for both stream and wetland preservation. Accordingly, a total of up to 1,267 stream credits and 2 wetland credits may be realized should the project be accepted.

GEOGRAPHIC SERVICE AREA: The proposed geographic service area for this bank is the Cape Fear River Basin, Hydrologic Unit Code (HUC) 03030002.

PROSPECTUS: The full prospectus and mitigation plan is available for review at:

http://www.saw.usacc.army.mil/WETLANDS/Notices/Current_notices.html

This umbrella mitigation bank may be considered one of a number of practicable alternatives available to applicants to compensate for unavoidable stream impacts associated with permits issued under the authority of Sections 404 and 401 of the Clean Water Act for projects located within the prescribed geographic service area.

Oversight of this stream mitigation bank will be by a group of federal and state agency representatives collectively referred to as the Interagency Review Team (IRT). The IRT shall be chaired by the Wilmington District, U.S. Army Corps of Engineers and is comprised of representatives from the U.S. Environmental Protection Agency, U.S. Fish and Wildlife Service, N.C. Division of Water Quality, and the N.C. Wildlife Resources Commission.

The actual approval of the use of this mitigation bank for a specific project is the decision of the Corps pursuant to Section 404 of the Clean Water Act. The Corps provides no guarantee that any particular individual or general permit will be granted authorization to use this stream compensatory mitigation bank to compensate for unavoidable stream impacts associated with a proposed permit, even though mitigation from this bank may be available.

AUTHORITY: This public notice is required pursuant to 33 CFR Part 332, *Compensatory Mitigation for Losses of Aquatic Resources*.

FEDERAL EVALUATION OF PROPOSAL: The Corps is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate this proposed mitigation bank. Any comments received will be considered by the Corps in evaluating this proposal. Comments are used to assess impacts on endangered species, historic properties, conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards and flood plain values (in accordance with Executive Order 11988), land use, navigation, shore

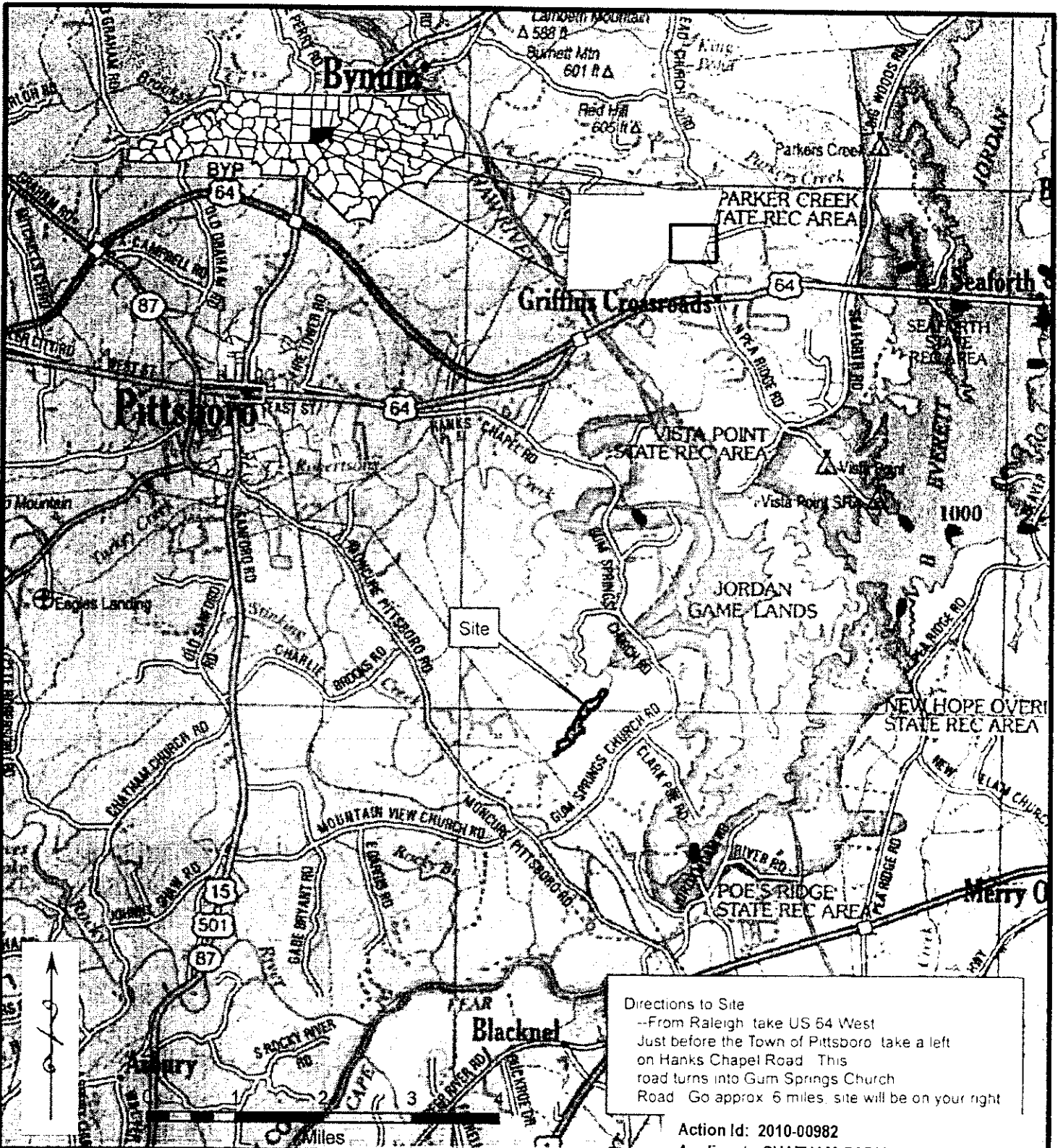
erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

Preliminary review indicates that:

1. An environmental impact statement (EIS) will not be required.
2. No species of fish, wildlife, or plant (or their critical habitat) listed as endangered or threatened under the Endangered Species Act of 1973 (PL 93-205) will be affected.
3. No cultural or historic resources considered eligible or potentially eligible for listing on the National Register of Historic Places will be affected.

Additional information may change any of these preliminary findings.

Written comments pertinent to the proposed work, as outlined above, will be received in this office, Wilmington District, Corps of Engineers, Attention: Mr. Monte Matthews, Raleigh Regulatory Field Office, 3331 Heritage Trade Drive, Suite 105, Wake Forest, North Carolina 27587, until 5:00 p.m., October 29, 2010.



Directions to Site
 --From Raleigh take US 64 West
 Just before the Town of Pittsboro take a left
 on Hanks Chapel Road This
 road turns into Gum Springs Church
 Road Go approx 6 miles site will be on your right

Action Id: 2010-00982
 Applicant: CHATHAM PARK INVESTORS, LLC
 Project Name: STINKING CREEK MITIGATION
 SITE
 Sheet 1 OF 5

Project No.
11248.W3

Project Mgr.:
BZ

Scale:
1" = 8,000'

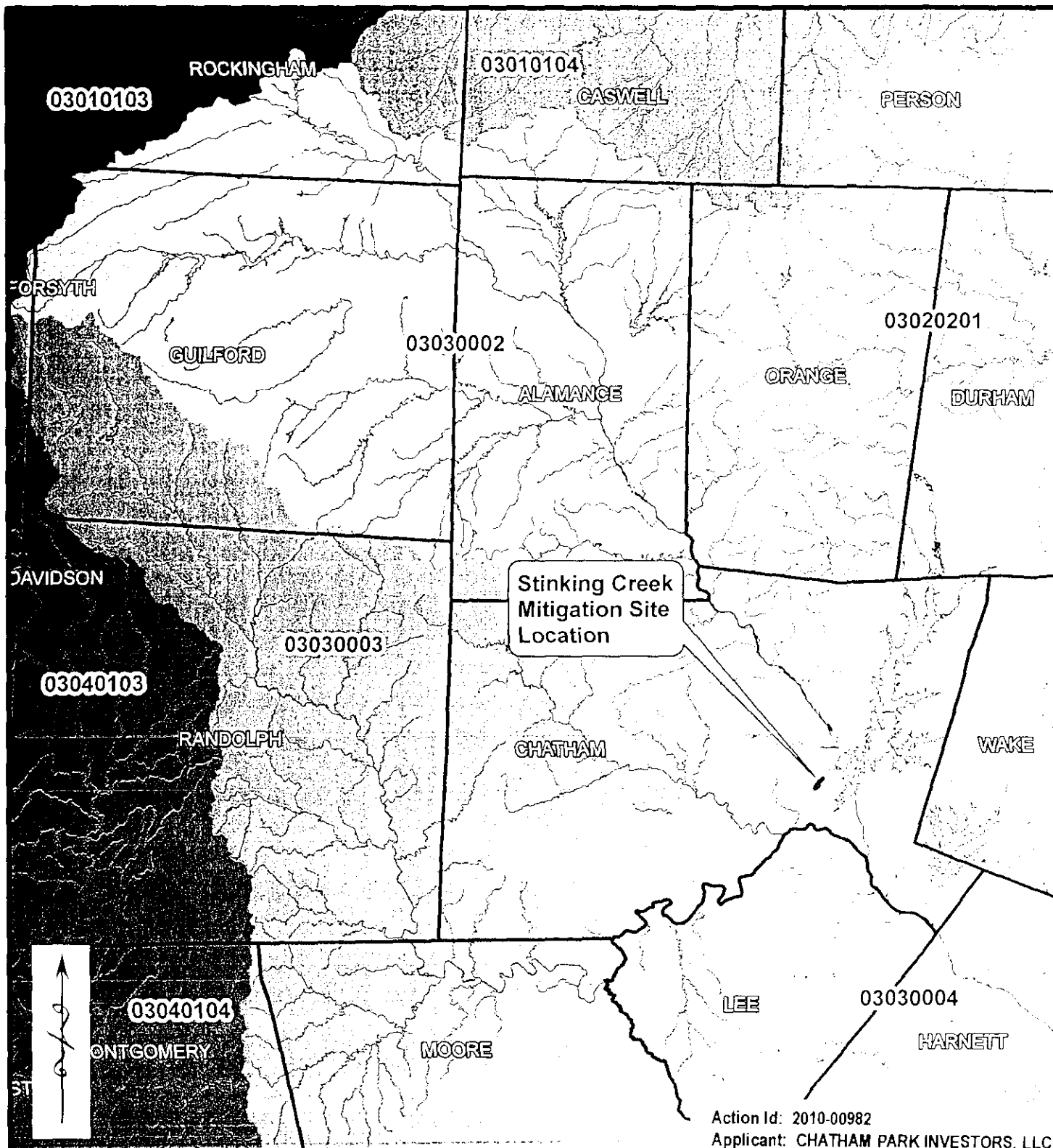
05/10/10

Figure 1
 Project Location
 Stinking Creek
 Mitigation Site
 Chatham County, NC

2008 Delorme Atlas
 and Gazetteer (Pg.39)



Soil & Environmental Consultants, PA
 11010 Raven Ridge Rd • Raleigh, NC 27614
 (919) 846-5900 • (919) 846-9467
 Web Page www.SandEC.com



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Sheet 2 of 5

Project No.
11248.W3

Project Mgr.:
BZ

Scale:
1" = 10 Miles

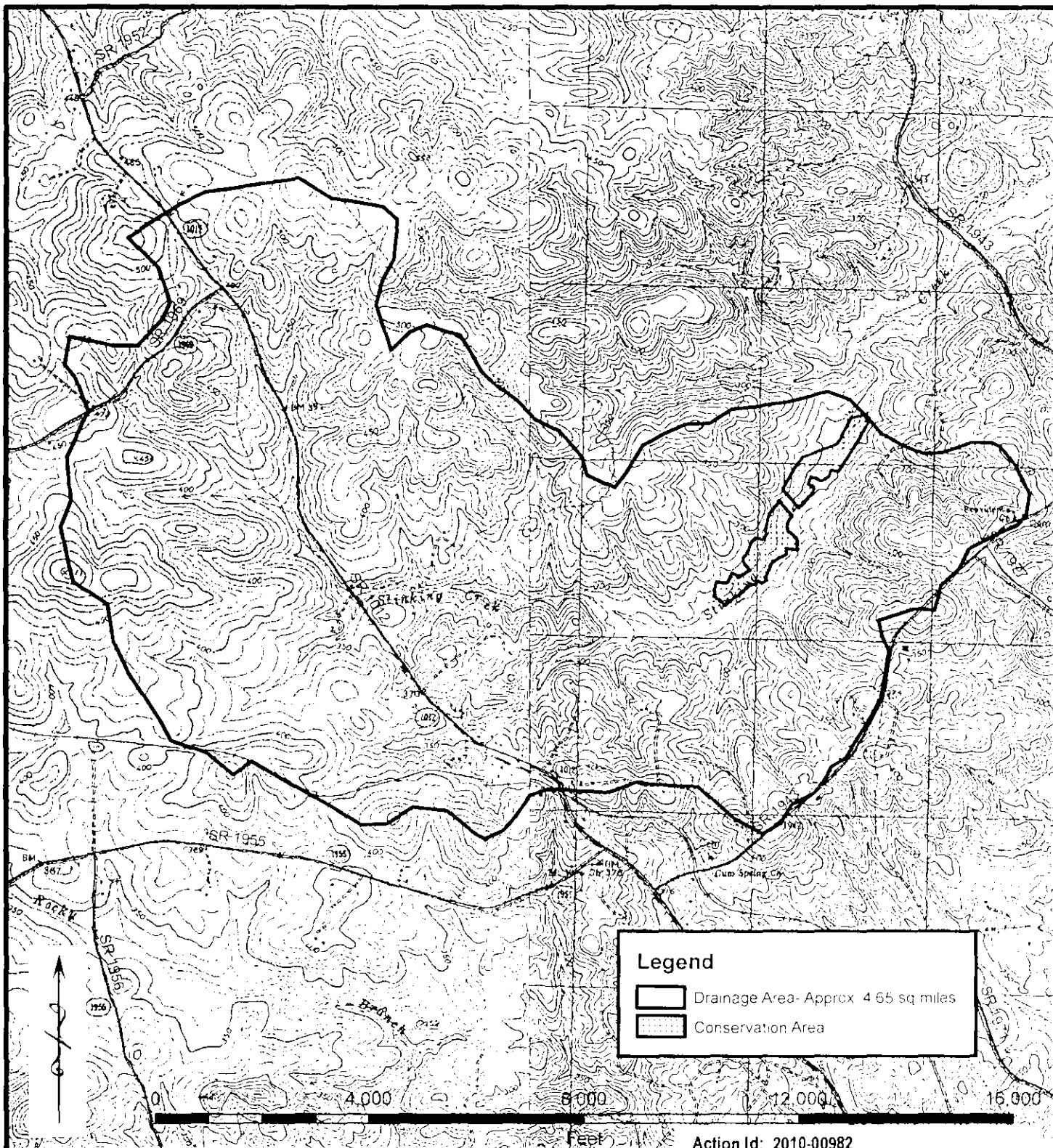
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Figure 2
Hydrologic Unit Map



Stinking Creek
Mitigation Site
Chatham County, NC



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Legend

-  Drainage Area- Approx. 4.65 sq miles
-  Conservation Area

Project No.
11248.W3

Project Mgr.:
BZ

Scale:
1" = 2,500'

09/03/10

Figure 3-Topography
and Drainage Area
Stinking Creek
Mitigation Site
Chatham County, NC

Pittsboro and Merry Oaks
Topo Quadrangle

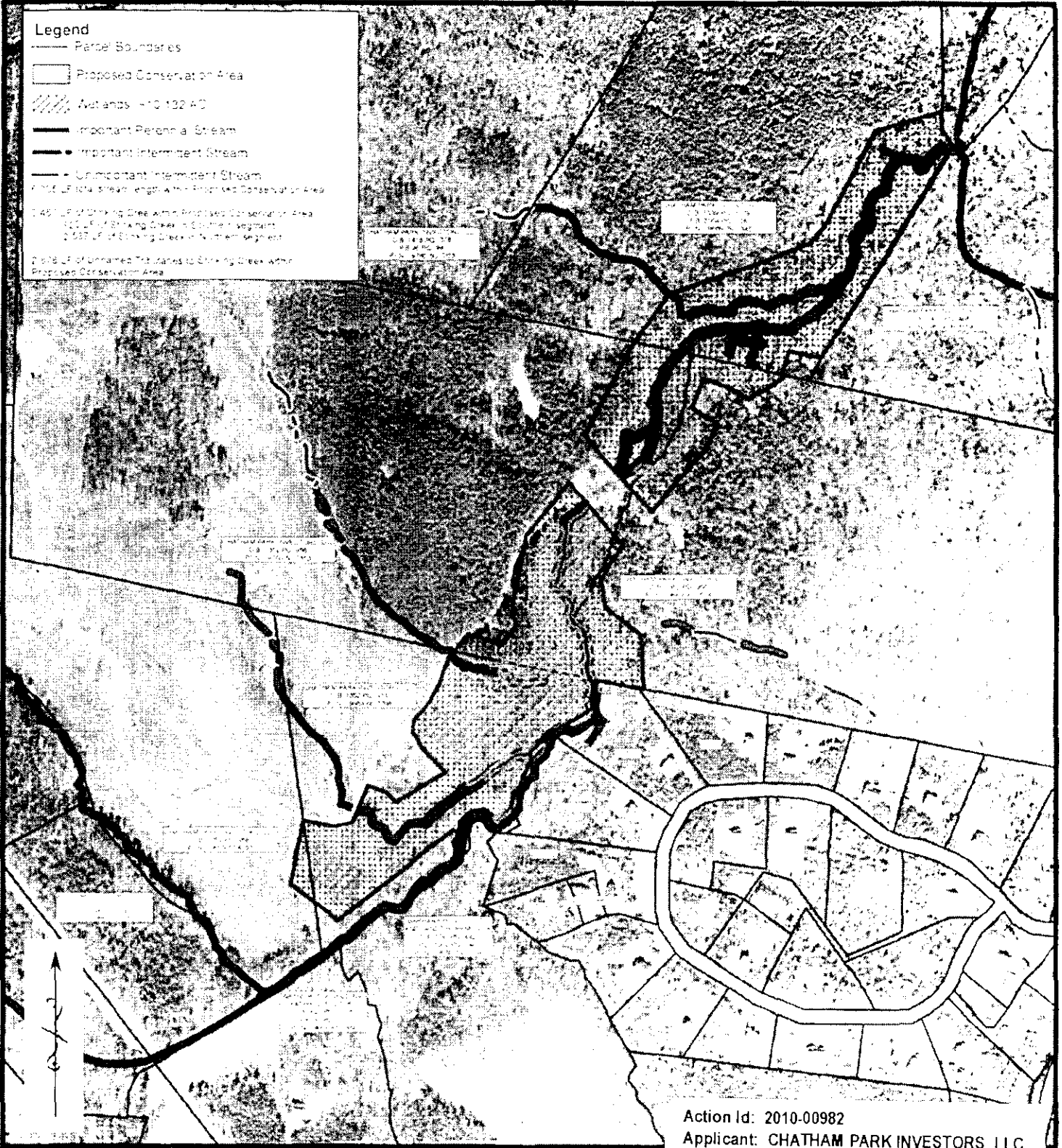


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Legend

- Parcel Boundaries
- ▭ Proposed Conservation Area
- ▨ Wetlands - 10/122 AD
- Important Perennial Stream
- Important Intermittent Stream
- Unimportant Intermittent Stream
- 0.102 LF of total stream length within Proposed Conservation Area
- 0.457 LF of Stinking Creek within Proposed Conservation Area
- 10.52 LF of Stinking Creek in Current Segment
- 2.537 LF of Stinking Creek in Northern Segment
- 0.918 LF of Unnamed Tributaries to Stinking Creek within Proposed Conservation Area



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 Sheet 4 of 5

Project No.
10248-13

Project Name
B2

Scale
1" = 600'

09/03/10

Figure 4
 Stinking Creek Mitigation Site
 Existing Conditions
 Chatham Umbrella
 Mitigation Bank
 Chatham County, NC

Background Imagery - 2007 Aerial
 photography provided by Chatham County



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