

DEPARTMENT OF THE ARMY
Wilmington District, Corps of Engineers
Post Office Box 1890
Wilmington, North Carolina 28402-1890

Action ID No. 200300583

April 4, 2003

PUBLIC NOTICE

The District Engineer has received a wetlands mitigation restoration plan describing the establishment of Phase II of Barra Farms Mitigation Bank in Cumberland County, North Carolina for Federal and State permits as described below:

Bank Sponsor
Ecosystems Land Mitigation Bank Corporation (EcoBank)
c/o: Alan Fickett
1555 Howell Branch Road
Winter Park, Florida 32789

This public notice does not imply, on the parts of the Corps of Engineers or other agencies, either favorable or unfavorable opinion of the establishment of the Bank, but is issued to solicit comments regarding the factors on which final decisions regarding the Bank will be based.

WATERWAYS AND LOCATION OF THE PROPOSED WORK: The proposed establishment of Phase II of the existing Barra Farms Cape Fear Regional Mitigation Bank (Bank) is located between Highway 53 and Highway 210, north of SR 2041 (Beard Road), in Harrison Creek Bay, in the headwaters of Harrison Creek, near Cedar Creek, Cumberland County in the lower Cape Fear River Drainage Basin (See attached maps).

PROPOSED WORK AND PURPOSE: The bank sponsor proposes to expand the existing Bank, under the envelop of the approved December 1998 Barra Farms Cape Fear Regional Mitigation Banking Instrument (MBI), by restoring, enhancing, and preserving an additional 1,719 acres of wetlands within Harrison Creek Bay, an identified Carolina Bay. Currently, the property is owned by Southern Produce Distributors, Inc. c/o: D. Stewart Precythe, and EcoBank retains the option to purchase the tract pending the establishment of Phase II. The total Bank size is approximately 1,812 acres which includes 24 acres of non-hydric uplands and 69 acres of remaining drained wetlands.

The primary objective of the bank is to restore approximately 883 acres of prior-converted cropland and drained commenced converted lands and to enhance approximately 215 acres of commenced converted lands to fully functioning non-riverine pocosin/bay wetland

status. In addition, approximately 621 acres of established pocosin/bay wetlands are planned for preservation. Expected functions that will be provided include increased floodwater storage capacity, enhance nutrient filtration/transformation, and increased habitat for species utilizing headwater wetland systems. Based on the provided acreages, the sponsor is proposing that 1,041 bank credits be available for mitigation.

The Bank site has been extensively altered through historical agriculture and silviculture drainage improvements. There are approximately 145,600 linear feet (27.5 miles) of lateral ditches, collector ditches, and canals located within Phase II. Approximately 125,400 linear feet of these ditches are proposed to be filled in, and approximately 395,000 native trees will be subsequently planted within designated areas. It has been determined that some of the main canals and ditches are jurisdictional waters, and consequently, the sponsors will be applying for Department of the Army authorization to work within these to accomplish the wetland restoration objectives.

The proposed geographic service area differs from Phase I in the fact that the sponsors are requesting the area to encompass all of the lower Cape Fear River Basin 0303005, which extends to the coastline of New Hanover County, and is depicted in the 1974 Hydrological Unit Catalog Map of North Carolina.

This mitigation bank may be considered one of a number of practicable alternatives available to applicants on a case-by-case basis to compensate for unavoidable wetland 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 wetland compensatory mitigation bank will be by a group of Federal and State agency representatives known as the Mitigation Bank Review Team (MBRT). The MBRT shall be chaired by the Wilmington District of the U.S. Army Corps of Engineers and is comprised of representatives from the U.S. Environmental Protection Agency, U.S. Fish and Wildlife Service, NC Division of Water Quality, and NC Wildlife Resources Commission:

The actual approval of the use of this mitigation bank for a specific project is the decision of the Corps of Engineers 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 wetland compensatory mitigation bank to compensate for unavoidable wetland impacts associated with a proposed application, even though mitigation from this bank may be available and the project may be within the established service area.

AUTHORITY: A Public Notice is recommended pursuant to Federal Guidance for the Establishment, Use and Operation of Mitigation Banks (60 Federal Register Number 228).

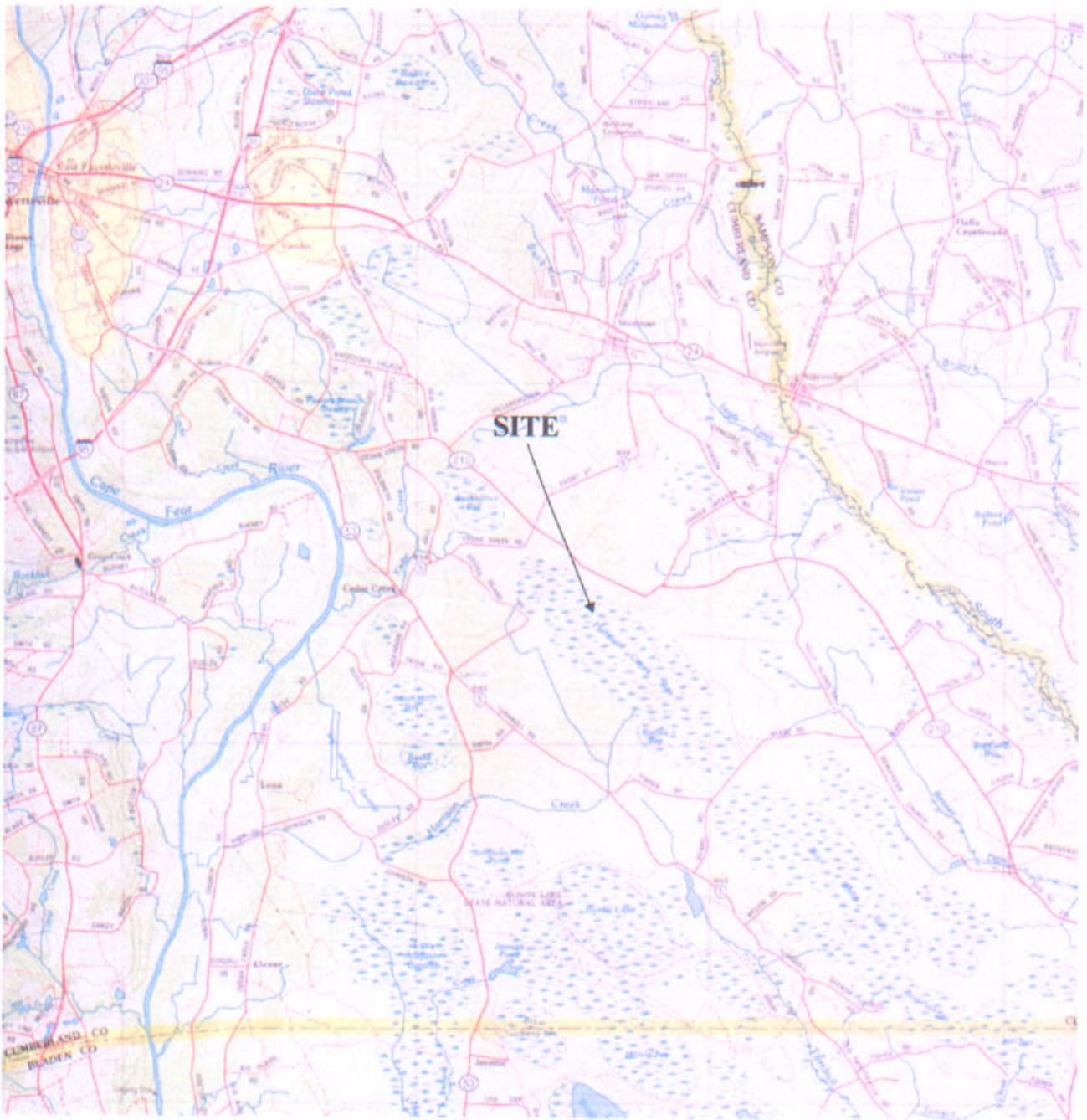
FEDERAL EVALUATION OF PROPOSAL: The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and

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 of the proposal indicates that: 1) An environmental impact statement 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; and 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.

A copy of the Phase II Mitigation Restoration Plan and the December 1998 MBI is available for review in the offices of the U.S. Army Corps of Engineers, Regulatory Division, 69 Darlington Avenue, Wilmington, North Carolina 28402

Written comments pertinent to the proposal will be received in this office, Attention: Mr. Mickey Sugg, Wilmington Regulatory Field Office, Post Office Box 1890, Wilmington, North Carolina 28402, until 4:15 p.m., May 2, 2003, or telephone (910) 251-4811.

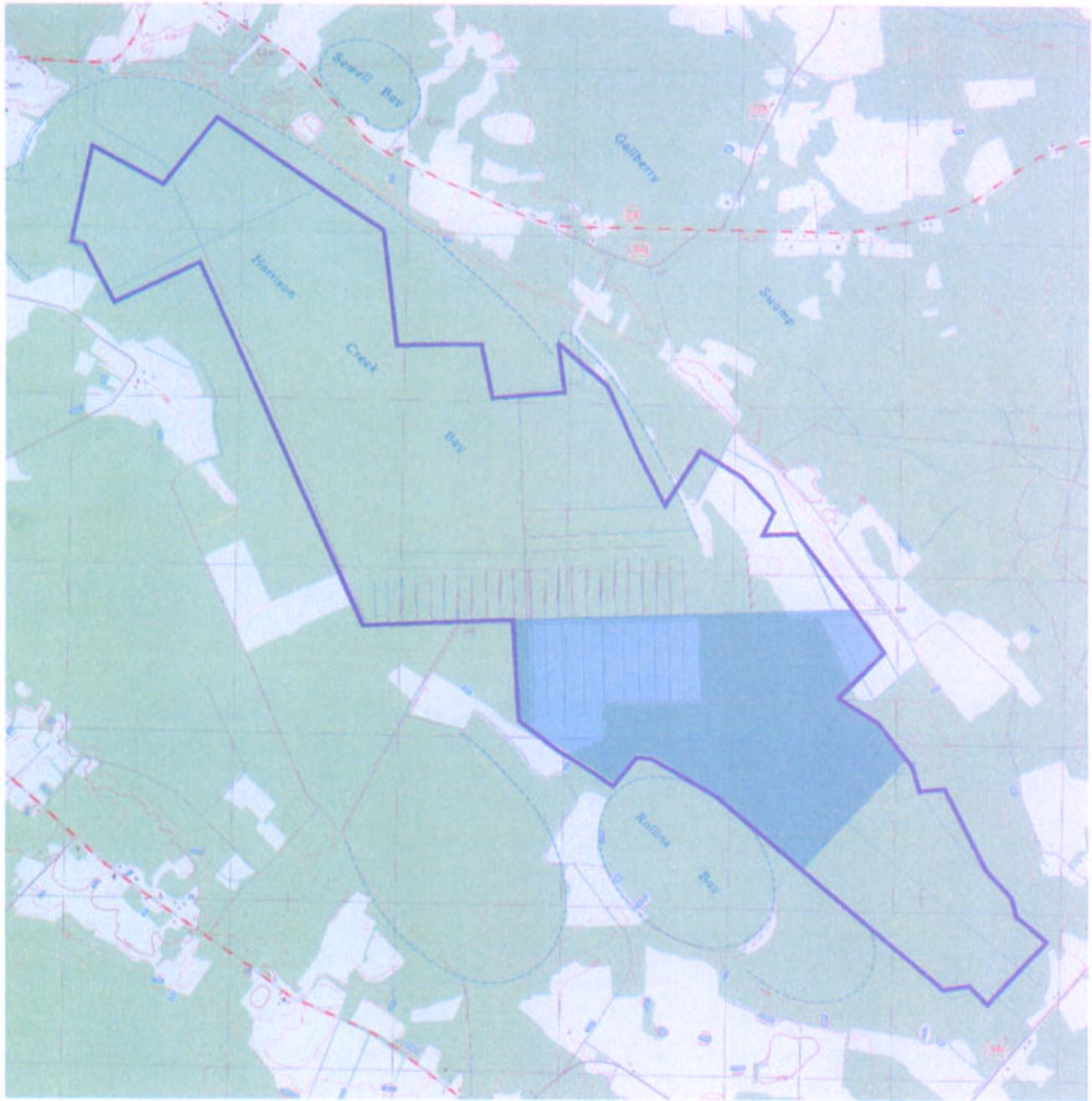


SCALE 1" = 2.4 miles

Barra Farms Cape Fear Regional
Mitigation Bank, Phase II
Cumberland County, NC

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Land Management Group, Inc.
January 2003

Figure 1. Vicinity map.



 Barra Farms I Mitigation Bank



SCALE 1" = 3000'

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Figure 2. USGS topographic
map. Site located within
the Autryville quad.

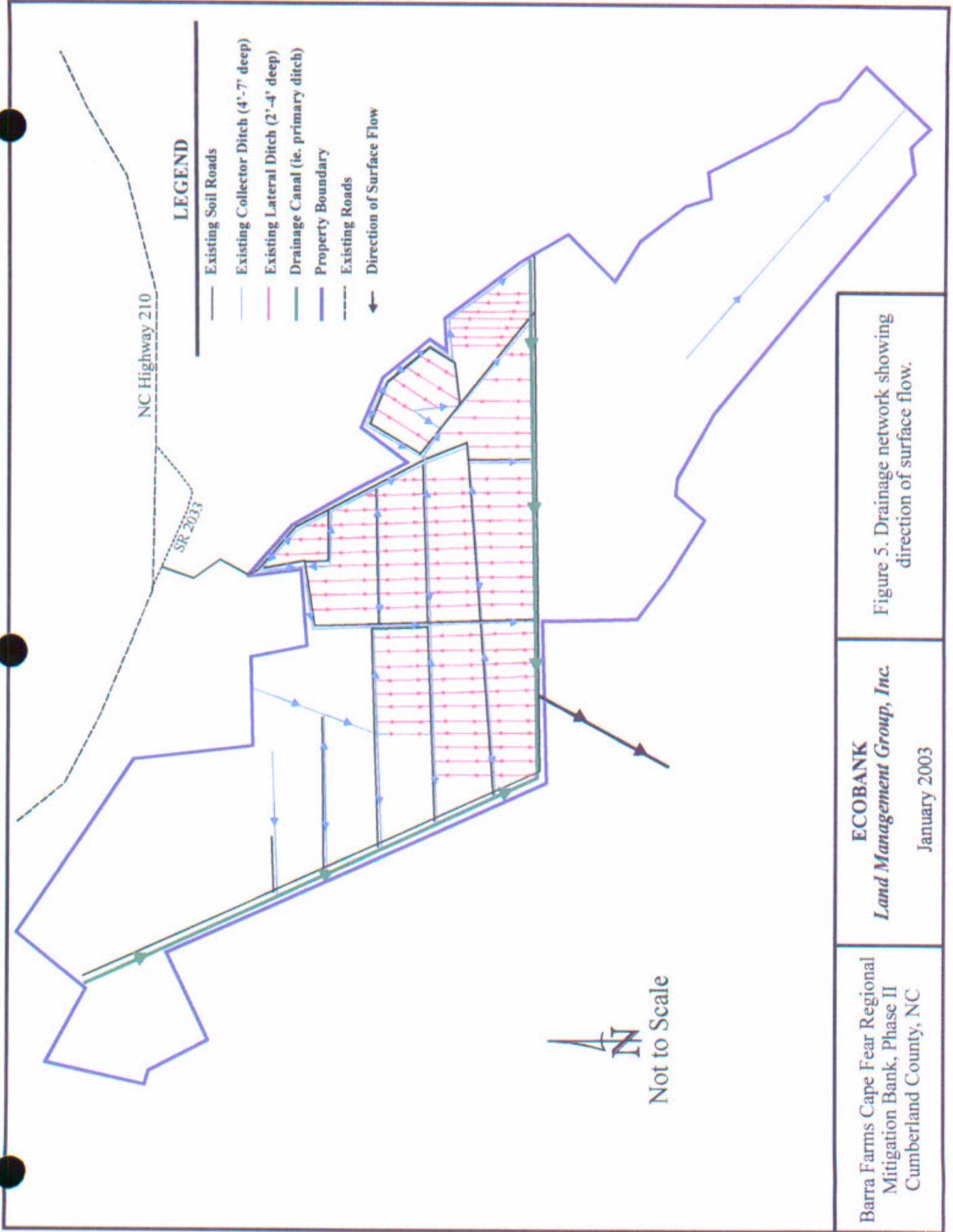
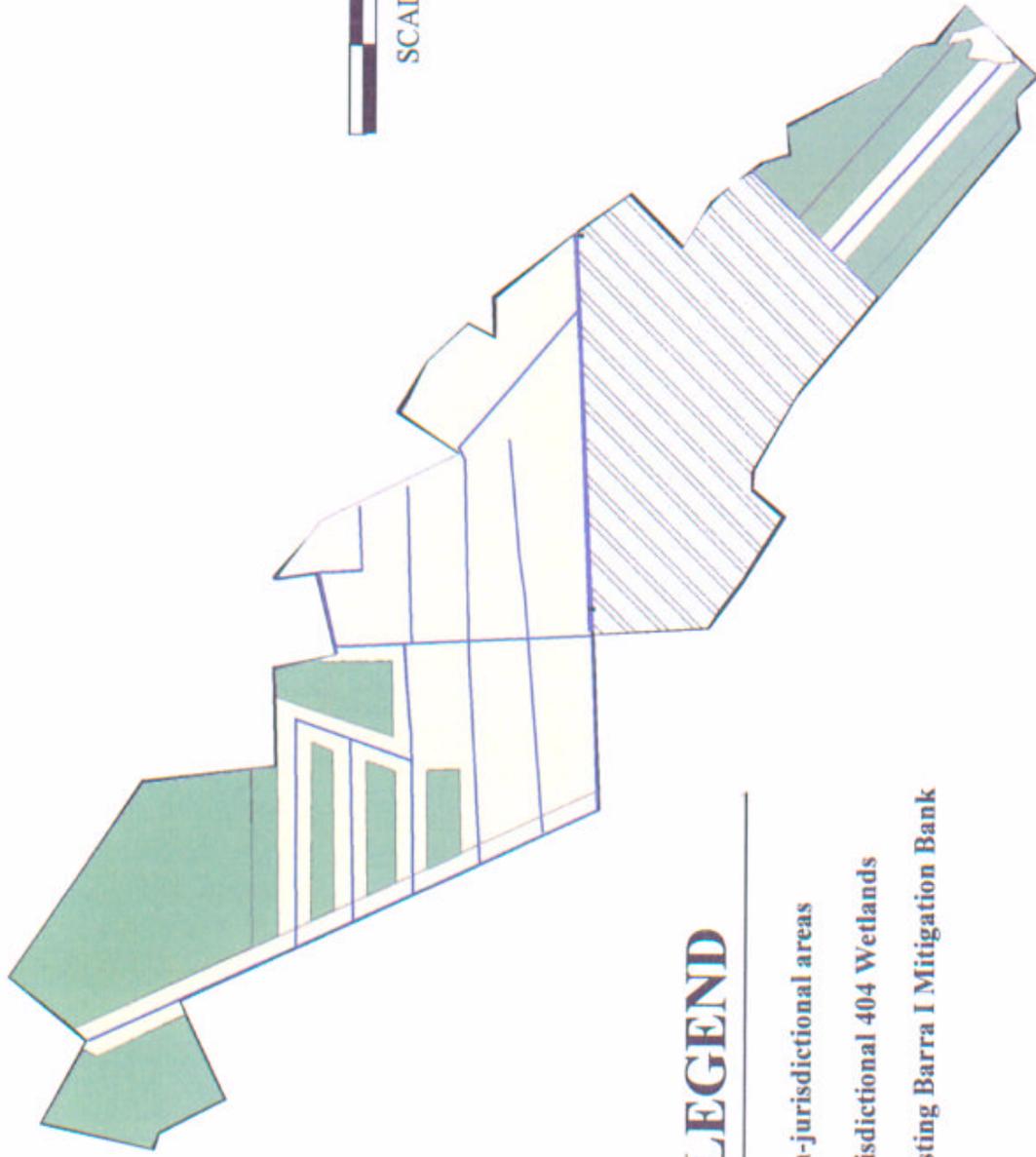


Figure 5. Drainage network showing direction of surface flow.

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Barra Farms Cape Fear Regional
 Mitigation Bank, Phase II
 Cumberland County, NC



LEGEND

-  Non-jurisdictional areas
-  Jurisdictional 404 Wetlands
-  Existing Barra I Mitigation Bank

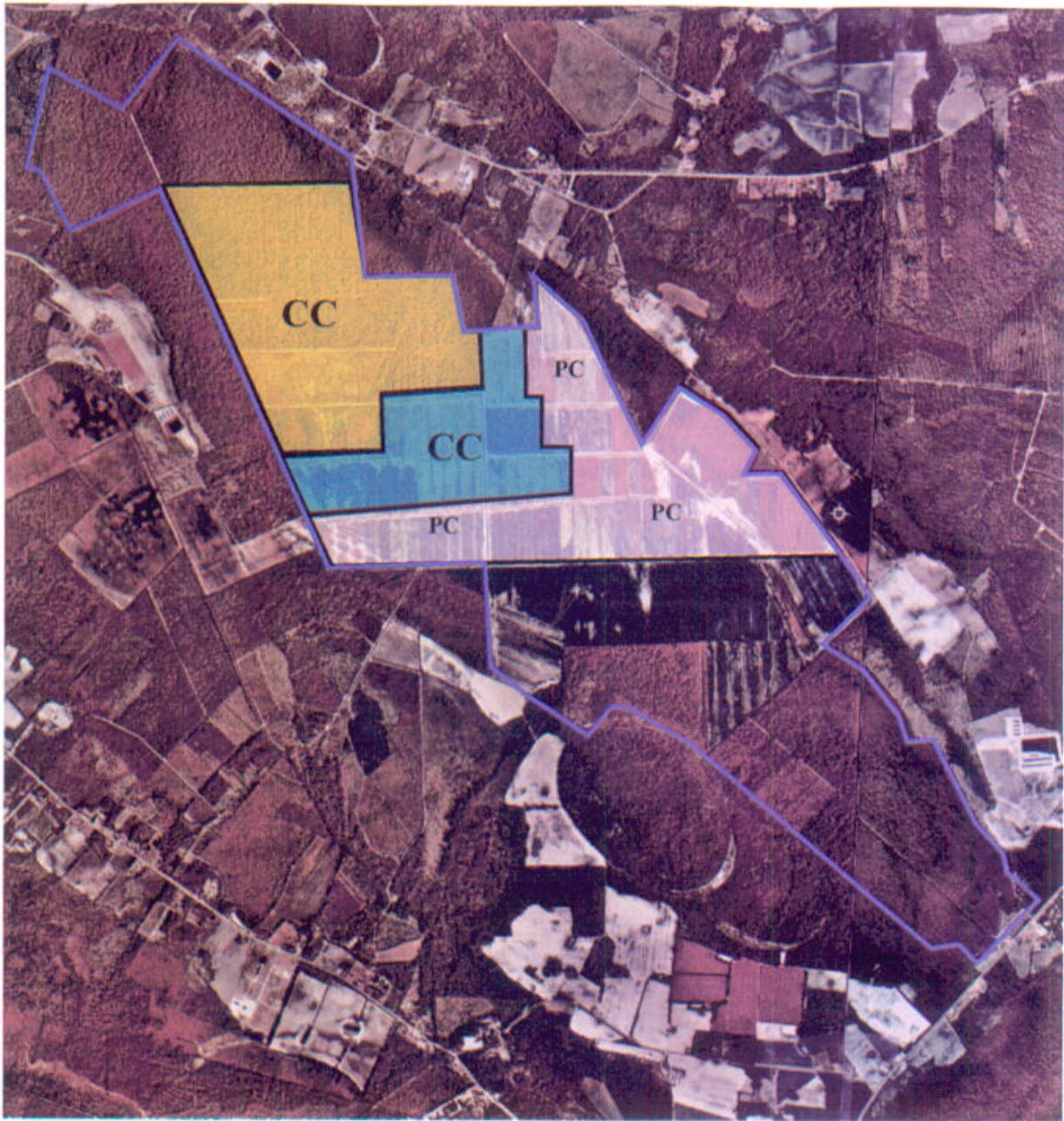
Note: Results of mapping are based on DRAINMOD studies and site evaluations.

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Figure 6. Mapped jurisdictional wetlands.



LEGEND

- CC Approved commenced areas that were not completed by January 1, 1995
- CC Commence conversion areas completed by January 1, 1995
- PC PC Areas (wetlands converted prior to December 23, 1985)

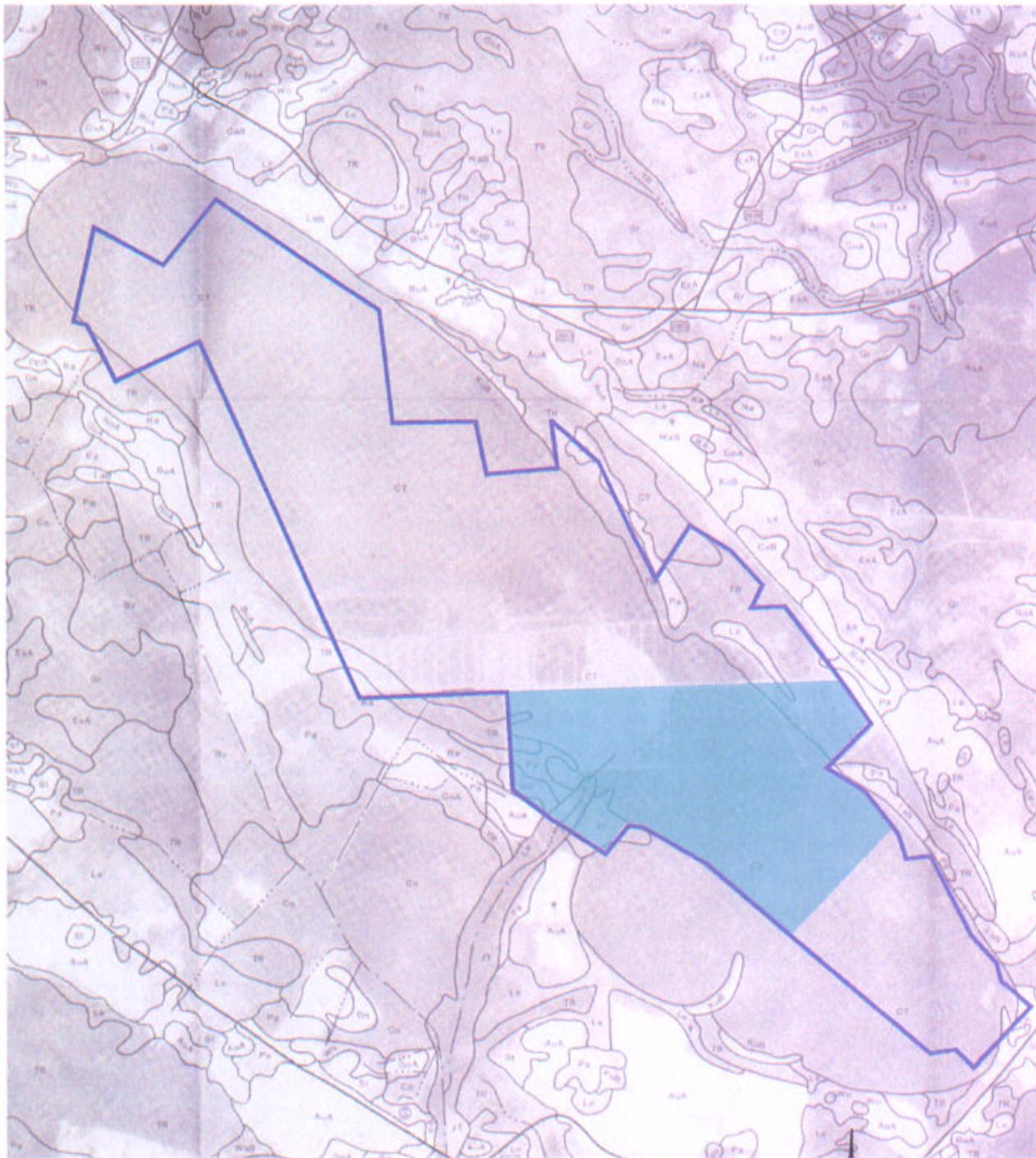


SCALE 1" = 3000'

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Figure 7. PC/CC status.



Barra Farms I Mitigation Bank

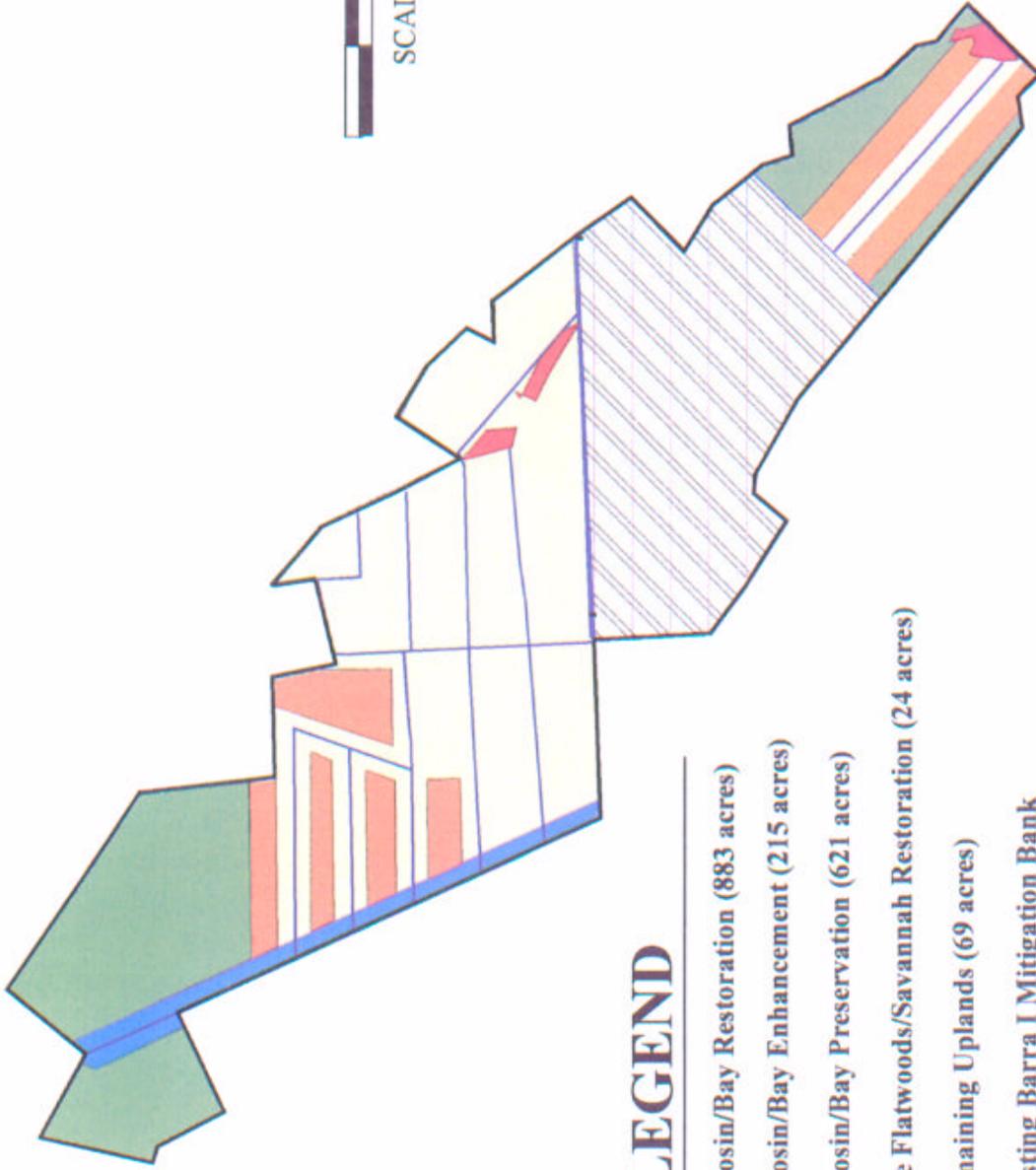


SCALE 1" = 3000'

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Figure 8. SCS soil survey
for Cumberland County.



LEGEND

-  Pocosin/Bay Restoration (883 acres)
-  Pocosin/Bay Enhancement (215 acres)
-  Pocosin/Bay Preservation (621 acres)
-  Pine Flatwoods/Savannah Restoration (24 acres)
-  Remaining Uplands (69 acres)
-  Existing Barra I Mitigation Bank



SCALE 1" = 3000'

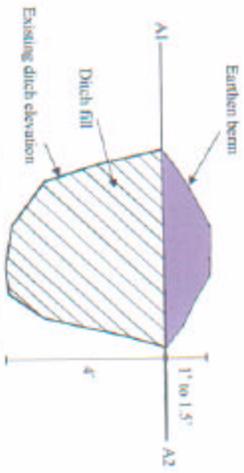
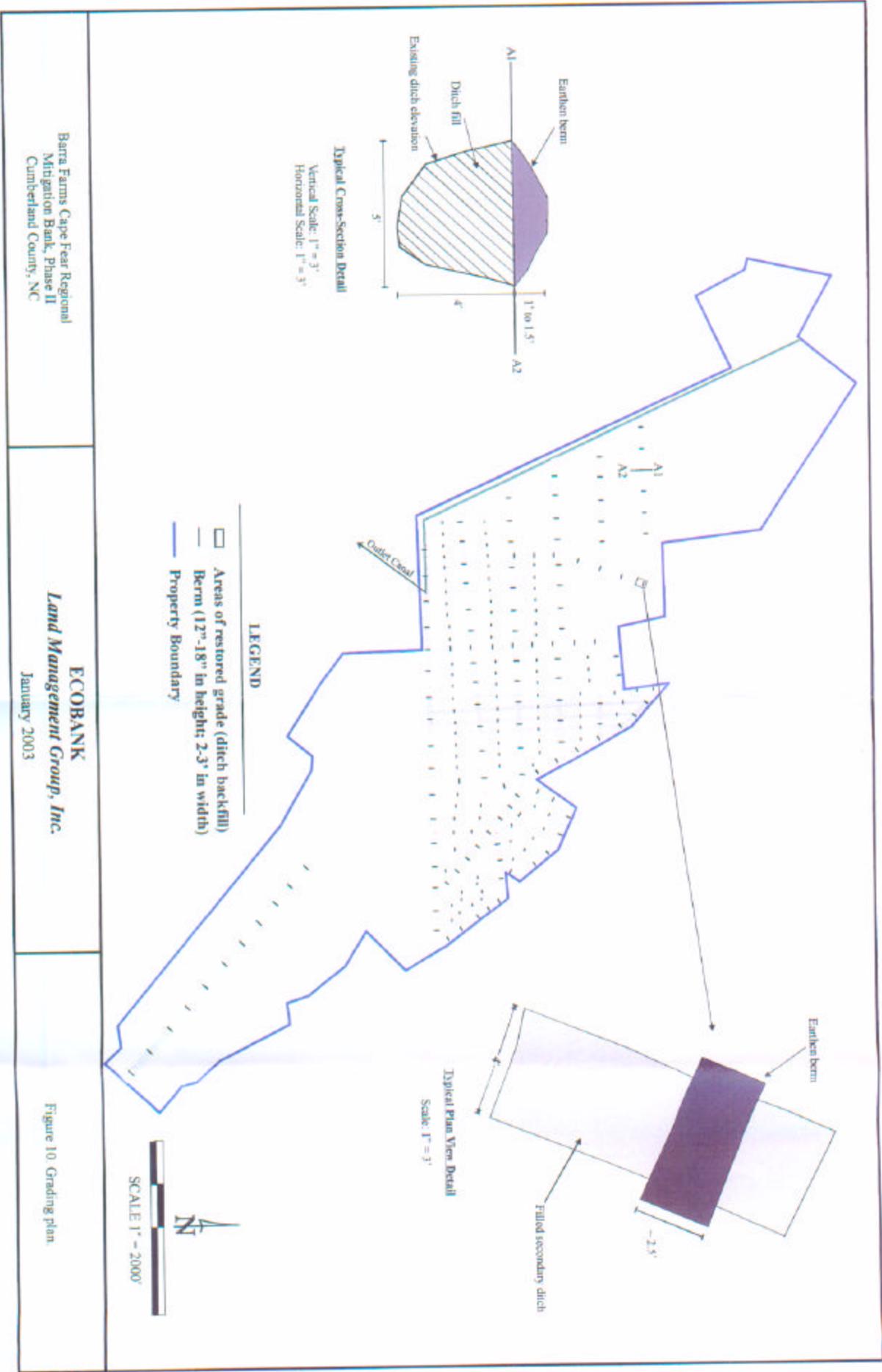
NOTE: All restoration areas will be planted with characteristic species at a density of 435 trees/acre (see Table 1 in mitigation plan).

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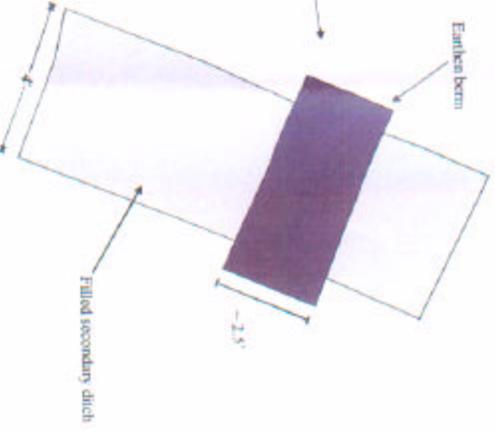
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Figure 9. Mitigation plan.



Typical Cross-Section Detail
 Vertical Scale: 1" = 3'
 Horizontal Scale: 1" = 3'

- LEGEND**
- Areas of restored grade (ditch backfill)
 - Berm (12"-18" in height; 2-3' in width)
 - Property Boundary



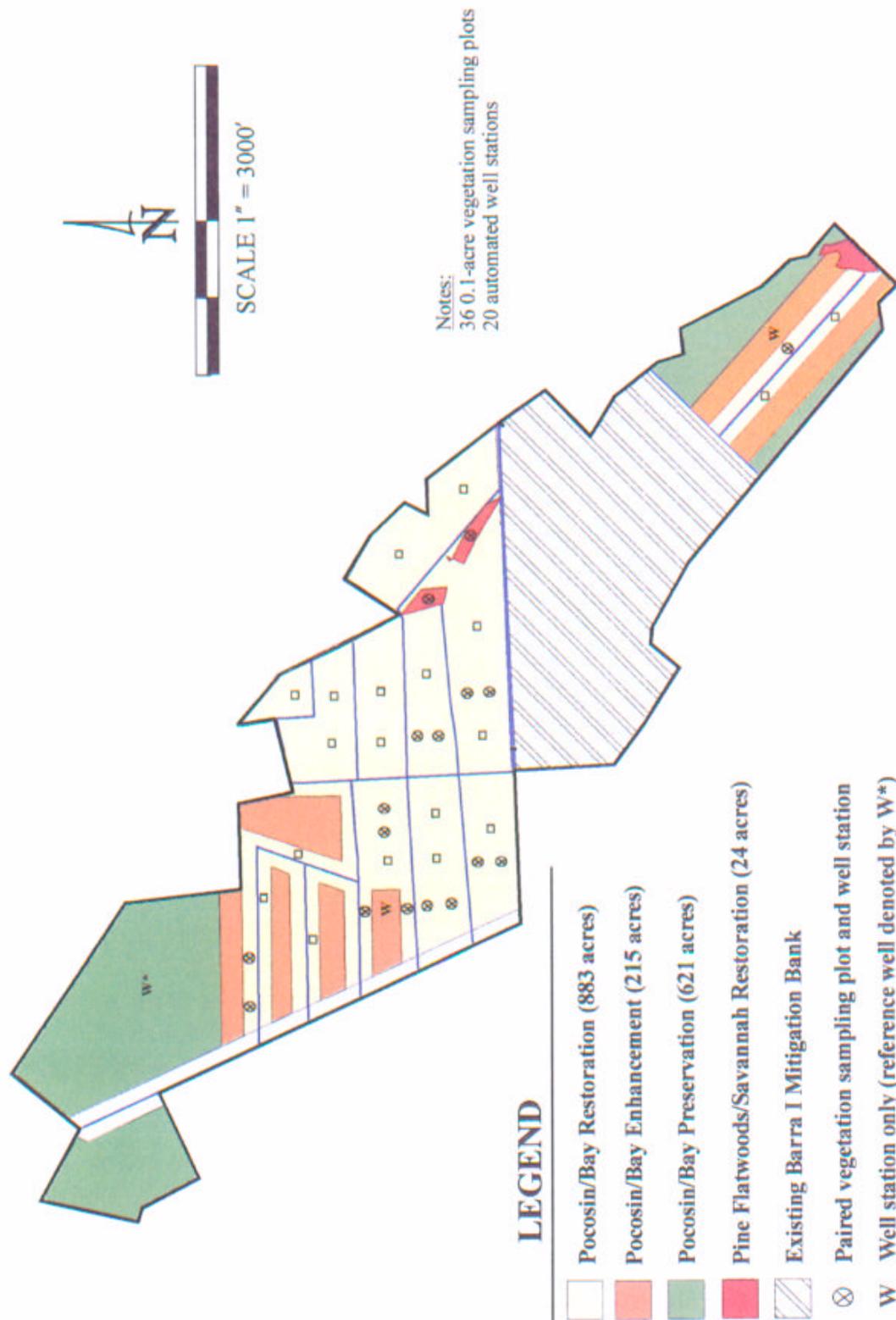
Typical Plan View Detail
 Scale: 1" = 3'



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Figure 10. Grading plan



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Figure 11. Vegetation sampling plot and well locations.