



Ecosystem Enhancement Program

CURRENTS

Newsletter of The N.C. Ecosystem Enhancement Program

NOTE: EEP Undercurrents is envisioned as a series of periodic newsletters to update readers on the issues and events affecting EEP, its customers and consultants. We welcome your feedback.

October 2009

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Legislative, Governor's staffers tour EEP project sites

EEP officials hosted representatives of the legislative [Fiscal Research Division](#) and the Governor's policy office for a tour of stream-restoration sites in Orange and Durham counties in late September, providing a first-hand look at EEP's work with partnering organizations in selected local-watershed planning areas.

Attendees included Lanier McRee and Kristin Walker of Fiscal Research, Jennifer Bumgarner of Gov. Perdue's office and NCDENR Assistant Secretary David Knight, Budget Director Cathy Hardy and Legislative Liaison Elizabeth Biser. The visits

included a project on Chapel Creek in Chapel Hill, part of EEP's [Morgan Creek-Little Creek Local Watershed Plan](#) and a collaboration with the UNC-Chapel Hill, and a site on Ellerbe Creek in Durham, a partnership with the City of Durham in the [Ellerbe Creek Local Watershed Plan](#).

Perry Sugg, project manager on both projects, led the delegation's examination of construction objectives and water-quality issues at the sites. The group earlier heard an overview of EEP's history, funding and operational planning from Director Bill Gilmore and Strategic Planning section staff at the EEP office in Raleigh.

Legislative action brings changes to ILF programs

In response to the passage in July of [Session Law 2009-337](#), the Division of Water Quality and EEP issued a new policy for partners and customers on how NCDENR will implement the law, An Act to Promote the Use of Compensatory Mitigation Banks.

The policy update describes the actions that will be taken by DWQ and EEP, two NCDENR agencies whose policies and procedures are affected by the law. The law places additional obligations on some permit applicants before they can access any EEP In-Lieu Fee programs.

Taken together with Session Law 2008-152 passed last year, the laws require nongovernmental entities that choose to satisfy their mitigation requirements through a third party to purchase credits from a mitigation bank, if it exists in the watershed and has credits available for sale and approved for use by DWQ, the U.S. Army Corps of Engineers and/or a local government for the required compensatory mitigation for a project.

Information is available online on the [location of mitigation banks in the state](#). All requests to use EEP ILF programs must be accompanied by a signed Compliance Form verifying knowledge of and compliance with Session Law 2009-337.

The new law also stipulated that NCDENR will study whether the preference for compensatory wetland and stream mitigation banks, riparian-buffer mitigation banks and nutrient-offset banks established under law in the past two years "create a likelihood that EEP will be unable to recoup investments made in riparian buffer mitigation and nutrient offset projects." The report is due to the state [Environmental Review Commission](#) no later than Feb. 1, 2010.

More information on the new policy may be found on the EEP Web site or by contacting EEP ILF Coordinator Kelly Williams.

Liaison Council hears federal rule update



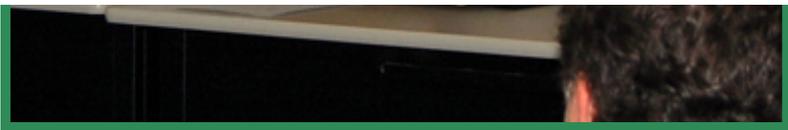
EEP convened a meeting of the EEP Liaison Council on July 28 to review the program's efforts to gain compliance with the new federal rule on compensatory mitigation.

EEP staff and Scott McLendon of the U.S. Army Corps of Engineers, Wilmington District provided information on key provisions of the federal rule related to in-lieu fee programs and anticipated adjustments that EEP will make as a result of the rule. The presentations have been posted on the EEP Web site.

Attendees included representatives of the U.S. Environmental Protection Agency, the Federal Highway Administration, the American Council of Engineering Companies of North Carolina, the N.C. Environmental Restoration Association, the N.C. Homebuilders Association, NCDOT, the Clean Water Management Trust Fund, the N.C. Division of Water Quality



Project Director Perry Sugg (second from right) explains features of the Chapel Creek restoration project in Chapel Hill.



NCDENR Assistant Secretary David Knight (center) delivers opening remarks at the July 28 meeting

NCDENR Assistant Secretary David Knight told the gathering that it is the priority for EEP to gain full and timely compliance with the rule through a transparent and interactive process. He added that he is interested in rejuvenating and refreshing EEP's partnerships with key stakeholders through the Liaison Council and other outreach efforts.

EEP staffers volunteer for prep environmental contest

Three Ecosystem Enhancement Program staffers joined more than 260 teenagers from 45 U.S. states and seven Canadian provinces in August for the 2009 Canon Envirothon, one of North America's largest high-school environmental education competitions.

EEP staffers Jessica Kemp, Andrea Leslie and Julie Cahill served as judges and "team buddies" during the competition, held at the University of North Carolina at Asheville. Throughout the Envirothon, teams were tested on their expertise in soils and land use, aquatic ecology, forestry, wildlife and a current environmental issue, Biodiversity in a Changing World.

"After two days of participating with these students from all over North America, I truly felt like our environment will be left in good hands," said Cahill. "These students really believed in what they were learning and seemed to apply it to their own lives."

"Working with the students competing in the Envirothon reminded me of my experience in the Peace Corps--I went there with the intention of helping out, but I was the one who ended up being helped out," added Leslie. "These kids are inspirational--enthusiastic, sharp, and dedicated to learning about and caring for our natural world. The Envirothon gave me a shot in the arm to put my heart into my work."

Students from West Johnston High School placed second in the competition.

State budget downturn affects seven positions at EEP

In response to the ongoing economic downturn and in collaboration with the Department of Environment and Natural Resources, the Ecosystem Enhancement Program in August notified five full-time employees of a Reduction in Force in accordance with policies set down in the State Personnel Manual.

EEP's situation was affected in particular by the program's special relationship with the Department of Transportation, and budgetary pressures affecting transportation-infrastructure improvements. EEP does not believe that the RIFs will affect delivery of services or its obligations to its customers.

Five EEP staffers were affected by the RIF, and two other vacant positions also eliminated.

Turnpike Authority dedicates Triangle Expressway

and various environmental consulting firms.

The Liaison Council is composed of private- and public-sector mitigation stakeholders who provide recommendations on EEP's structure, mission and operations. EEP established the Liaison Council as a part of its creation in 2003 to ensure accountability and credibility with external stakeholders.



Envirothon competitors gather before touring the Biltmore House in Asheville

The N.C. Turnpike Authority broke ground Aug. 12 on the Triangle Expressway, an 18.8-mile toll road in Wake and Durham counties that represents the authority's inaugural project.

N.C. Department of Transportation Secretary and



State, local and federal officials and private-sector partners turn earth at the groundbreaking ceremony in August

Turnpike Authority Board Chair Gene Conti and Turnpike Authority Executive Director David Joyner were joined by Federal Highway Administrator Victor Mendez and U.S. Rep. David Price for the official ceremony. "With dwindling transportation revenues and more fuel-efficient vehicles, the state needed another tool in its tool box to deliver megaprojects like the Triangle Expressway," said Conti. "By the community choosing to toll the Expressway, we will be able to deliver this project decades sooner."

The Triangle Expressway includes the Western Wake Freeway and the Triangle Parkway in Research Triangle Park. EEP provided off-site advance mitigation for the Triangle Expressway project and is committed to provide mitigation on other proposed Turnpike Authority projects around the state.

"The Authority has been working with local, state and federal officials on a toll-backed financing program for four years," said Joyner. "I commend the dozens of organizations and individuals who have labored so tirelessly to move this project from a study on a shelf to construction in such a short time."

Annual Report on track for November delivery to legislature

EEP is on schedule for the delivery of its fiscal year 2008-09 Annual Report to the legislature in November. The report, mandated by G.S. 143-214.13, spotlights the year's key accomplishments, EEP section reports, financial accounting, cost data, program- inventory status and other subjects.

The report is being designed this year as primarily an electronic document and will feature three interactive applications using Web technologies that will invite reader participation in EEP's work. The innovations include an embedded video of EEP's collaboration with the internationally syndicated environmental TV show "Aqua Kids," a tutorial on using EEP's online Web map system, and an interactive reader survey on the Annual Report.

[Previous reports may be found on the EEP Web site.](#)

Legislative program evaluation on EEP deferred

The N.C. General Assembly's Program Evaluation Division announced in September that it has updated its two-year work plan and deferred a study of "the efficiency of (EEP) including funding, staffing and management."

The division, established in 2007, is a non-partisan staff agency that carries out a work plan mandated by the Joint Legislative Program Evaluation Oversight Committee of the General Assembly. Its mission is to "evaluate whether public services are delivered in an effective and efficient manner and in accordance with the law." The division notified NCDENR Secretary Dee Freeman last year that a study of EEP would be included in its current work plan, but amended the plan last month to defer the EEP study "pending completion of other products."

Comments on EEP Undercurrents?

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