

EEP PPM Section 8.2.1.5		Document No.: PLN.PRO.05.01.01	
Procedure Title: Project by Project Selection and Review in Areas of Excessive Surplus		Rev. No. 1	Page: 1 of 5
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1.0 PURPOSE AND SCOPE

1.1 Purpose. The purpose of this procedure is to consume credits defined as excessive surplus independent of MOA protocols in a manner that ensures correct amount of mitigation continues to be produced to meet MOA compliance and clearly designates credit accounting transfer between EEP and DOT in order to ensure accurate accounting and credit ownership.

1.2 Scope. This procedure applies to compensatory mitigation credits not predicted to be consumed under the 3-party MOA protocols, by DOT impacts anticipated for current 7 year TIP.

1.3 Participants. This procedure applies to the following personnel:

- EEP Operational Strategic Planning Supervisor
- NC Department of Transportation (NCDOT) Natural Environment Assistant Unit Head
- EEP Director
- NCDOT PDEA Director
- US Army Corps of Engineers (USACE) Compensatory Mitigation Regulatory Staff
- Division of Water (DWQ) and Division of Coastal Management (DCM) Compensatory Mitigation Regulatory Staff

2.0 PROCEDURE STEPS

- 2.1 Create TIP list for potential application to project by project. (Concurrent with 2.2) Assistant Unit Head (AUH) from DOT NEU evaluates TIP list and produces a draft list of potential TIP's for project by project application.
- 2.2 Create project site list. EEP Ops Strategic Planning Supervisor (OSPS) creates a list of project sites that have credits remaining that are contributing to excess surplus credits
- 2.3 Review lists against EEP Operational Strategic Plan. AUH and OSPS review both lists against current Operational Strategic Plan and future commitments
- 2.4 Produce draft list of projects and ties to TIP's. AUH and OSPS produce draft list of projects with surplus credit amounts, current used credits, any "special provisions" associated with project site, along with potential "ties" to TIPS
- 2.5 Develop recommended list. After review and discussion of above, AUH and OSPS produce Project by Project recommendations
- 2.6 Present recommendations. AUH and OSPS present recommendations to DOT PDEA Director and EEP Director for review and approval
- 2.7 Approved? No. go to step 2.5. Yes, go to 2.8

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- 2.8 DOT sends formal request to EEP. AUH requests via formal letter to EEP OSPS to 1) Remove TIP from current MOA order and 2) to remove credits from EEP's MOA account.
- 2.9 EEP responds to request. OSPS files request and makes appropriate changes to the EEP data management system- removing TIP order and credits.
- 2.10 EEP sends confirmation letter to DOT. OSPS send formal letter to AUH, and cc's Division Directors, confirming acceptance of request and transfer of credit management and tracking to DOT
- 2.11 DOT begins regulatory approval process. AUH begins Regulatory Approval of Project by Project review and acceptance with "USACE and state agencies as appropriate. (Agencies will review the site(s), credits may be negotiated, and no regulatory decision will be made until the permit is issued. AUH determines if there are adjustments to credit amounts needed during negotiation. If yes, go to 2.12. If no, go to 2.13
- 2.12 Send letter requesting credit change. AUH sends formal letter to EEP OSPS requesting change
- 2.13 Regulatory Approval? If yes, or no, go to 2.14
- 2.14 Send decision documentation. AUH sends regulatory decision documentation, along with listing of "unused" credits. Unused credits will be transferred back to EEP- (un-used credits are what is "left-over" from a yes decision, or not used from a no decision). This documentation is sent to PDEA/EEP Division Directors and EEP OSPS. If applicable, go to 2.15, otherwise complete.
- 2.15 Send letter confirming acceptance back of any credits. If applicable, OSPS send formal letter to AUH confirming acceptance of credit transfer back to EEP

3.0 RESPONSIBILITIES AND AUTHORITIES

Table 1 summarizes the responsibilities and authorities of key participants in this procedure.

Table 1. Responsibilities and Authorities

Step #	Procedure Step	DOT NEU AUH	DENR EEP OSPS	DOT PDEA DIRECTOR	DENR EEP DIRECTOR	USACE REGULATORY	DENR DCM REGULATORY	DENR DWQ REGULATORY
1	Create TIP list for potential application to project by project	P						
2	Create project site list		P					
3	Review lists against EEP Operational Strategic Plan	P, RI	P, RI					
4	Produce draft list of projects and ties to TIP's	P	P					
5	Develop recommended list.	P	P					
6	Present recommendations.	P	P					
7	Recommendations Approved?			RA	RA			
8	DOT sends formal request to EEP	P						
9	EEP responds to request		P					
10	EEP sends confirmation letter to DOT		P					
11	DOT begins regulatory approval process.	P						
12	Send letter requesting credit change	P						
13	Regulatory Approval?					P	P	P
14	Send decision documentation.	P	N	N	N			
15	Send letter confirming acceptance back of any credits.		P					

Legend:

- P** = Primary responsibility
- A** = Assist
- RI** = Review to provide Input
- RA** = Review and Approve
- N** = Notify
- S** = Submit final output to this person

4.0 PROCEDURE FLOW DIAGRAM

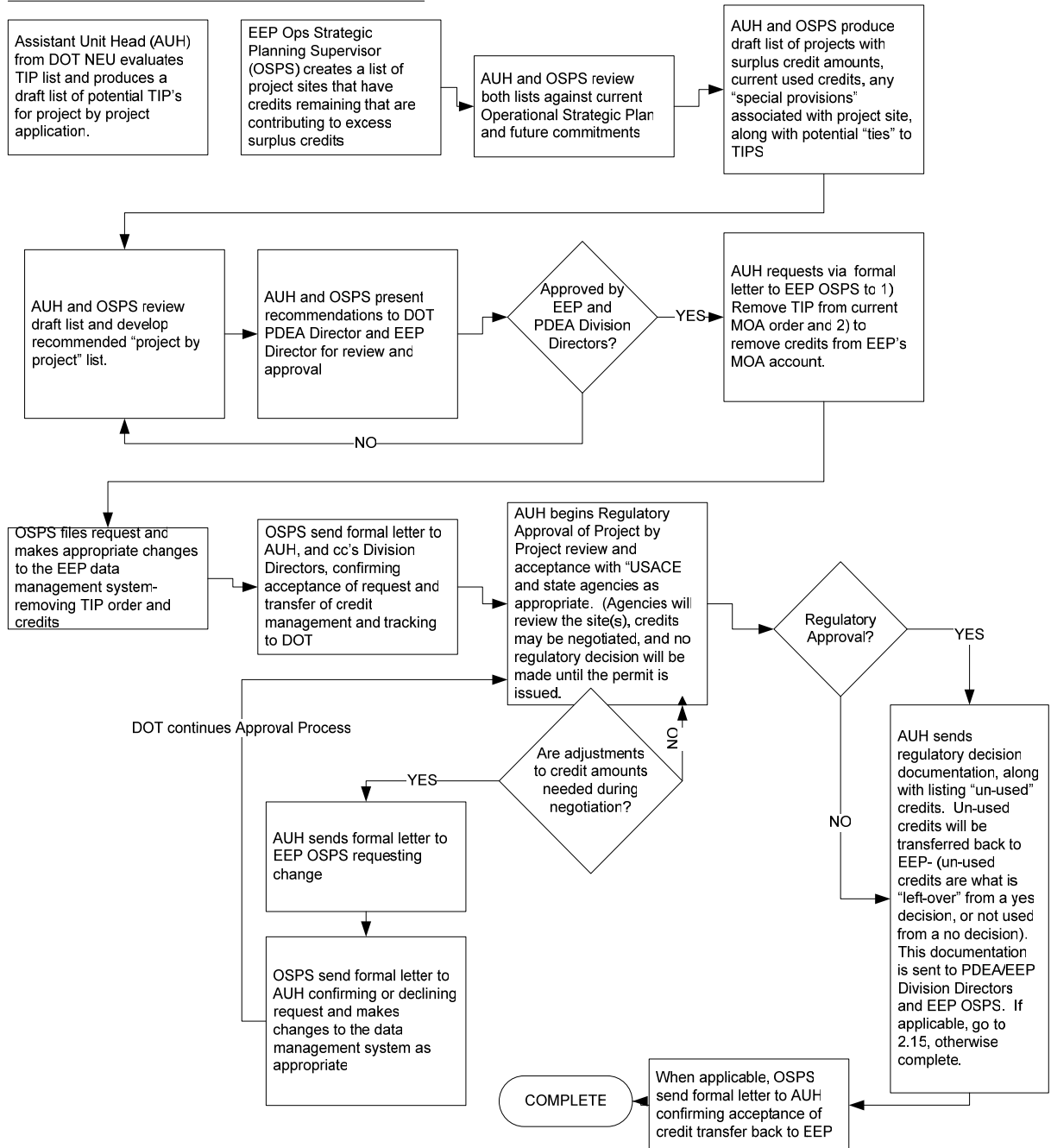
Inputs:
Surplus List
TIP list indicating
CU location

Start

PLN.PRO.05.01.01. Project by Project Selection and Review in Areas of Excessive Surplus

Owner:
Bruce Ellis, DOT and Jim Stanfill, EEP

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5.0 REFERENCES

Excessive Surplus Mitigation Assets Workshop Documentation, August 15-17, 2007, Raleigh, NC

6.0 FORMS

None.