

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GREENSBORO CREATING  
AN UMBRELLA STREAM AND WETLAND MITIGATION BANK (“MITIGATION  
BANK”) FOR THE CITY OF GREENSBORO

WHEREAS, the City of Greensboro has a Mitigation Bank Instrument, signed by North Carolina’s Mitigation Banking Review Team which consists of USACE, EPA, NCDENR, and several other state and federal agencies, and was signed by Mitch Johnson, City Manager at the time the Mitigation Bank was created in 2006; and

WHEREAS, Government entities were disallowed from creating mitigation banks by the North Carolina Legislature in 2012, but the Mitigation Bank Instrument allows Greensboro’s Umbrella Stream and Wetland Mitigation Bank (“Mitigation Bank”) to be grandfathered in and to operate under the authority of the North Carolina Legislature; and

WHEREAS, the Mitigation Bank will allow the City of Greensboro to undertake future City projects that may impact or destroy streams or wetlands in the area; and

WHEREAS, creation of a Mitigation Bank allows the City of Greensboro to accumulate credits based upon proactive projects that functionally improve stream quality; and

WHEREAS, the credits set aside in the Mitigation Bank may be used for future City projects that may encroach upon surrounding streams and wetlands; and

WHEREAS, the credits set aside in the Mitigation Bank will allow the City of Greensboro to save money, gain permitting efficiency, and avoid violating Environmental Protection Agency (“EPA”) regulations on future City projects; and

WHEREAS, the City of Greensboro has designated 30 sites to be included in the Mitigation Bank, and the EPA gave approval for these sites; and

WHEREAS, a declaration of restrictions will be placed on these sites, by recording the easements with the Guilford County Recorder of Deeds, to ensure their compliance with EPA standards, and compliance with these standards is of no additional cost to the City of Greensboro, and the City was already in compliance with EPA regulations prior to initiating this project; and

WHEREAS, by establishing this Mitigation Bank, the City of Greensboro will not need to purchase credits from other entities to undertake City projects, will be in compliance with EPA regulations, will be able to carry out projects in an efficient, less time-consuming manner; and

NOW, THEREFORE, BE IT RESOLVED THAT:

The City of Greensboro authorizes the Umbrella Stream and Wetland Mitigation Bank project by directing the Water Resources Department to record the easements with the Guilford County Recorder of Deeds and to oversee and utilize the Mitigation Bank for future projects