



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A Hagood Avenue
CHARLESTON, SOUTH CAROLINA 29403-5107

March 25, 2016

Regulatory Division

Northfolk Southern Railway Company
Attention: Mr. Josh Raglin
125 Brosnan Forest Road
Dorchester, South Carolina 29437

Dear Mr. Raglin:

Reference is made to the letter from your agent, Milliken Forestry Company, Inc., dated January 14, 2016, requesting the release of compensatory mitigation credits (credits) generated at the Brosnan Forest Mitigation Bank (BFMB). The U.S. Army Corps of Engineers (Corps) approved the Mitigation Banking Instrument (MBI) for the BFMB on December 4, 2015. The BFMB was approved to provide compensatory mitigation for impacts to waters of the United States for those activities located within the BFMB service area which have been authorized by Department of the Army (DA) permits. The 289.8 acre BFMB is located in the south-central interior portion of Brosnan Forest, approximately 2 miles south of Highway 78, 1 mile east of Smoak Road, and 1 mile west of Sandridge Road in Dorchester County, South Carolina. More specifically, the approximate central location of the site is latitude: 33.1183° and longitude: -80.4555°. The BFMB project has been assigned file number SAC-2011-00912.

As established, BFMB has the potential to generate a maximum of 792.8 freshwater wetland enhancement/restoration credits as identified in the Wetland Mitigation Credit Worksheet Table in Appendix 6 of the MBI. Credits are eligible to be released in association with the successful completion of specific activities in accordance with the approved BFMB MBI.

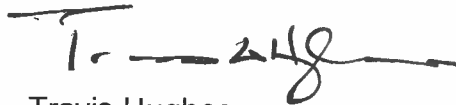
The Corps has evaluated your request for the release of credits associated with the establishment of implementation and long-term management financial assurances, recordation of a conservation easement over the bank property, and installation of signs along the boundary of the bank. Based on the information submitted, the Corps has determined that requirements for the initial credit release associated with establishment of the BFMB has been completed in accordance with the provisions noted in the MBI; specifically, with the submittal of proof of financial assurances in the form of \$100,000.00 held in escrow, submittal of the recorded conservation easement (Dorchester County, Instrument 117, Plat Book 10023, Page 138-194), and submittal of photographic evidence of the installation and location of signage along the property boundary.

In accordance with the approved credit release schedule, 15-percent of the total potential maximum credits (792.8) expected to be generated by this bank is hereby released; therefore, **118.9** freshwater wetland enhancement/restoration credits are now available for sale by the BFMB to provide compensatory mitigation for impacts to waters of the United States authorized by DA permits within the established service area designated in the MBI.

This is the first credit release by the Corps for BFMB. To date, including this action the Corps has released a total of **118.9** freshwater wetland enhancement/restoration credits to BFMB. While you will be maintaining a ledger for the BFMB, as required by the regulations at 33 CFR 332.8(p)(1), the Corps will be utilizing the Regulatory In-Lieu Fee and Bank Information Tracking System (RIBITS) to track credit accounting for the BFMB. A summary of credits released and transferred can be viewed under the BFMB section of the following web site: <https://ribits.usace.army.mil>. As the sponsor for the BFMB, you are required to provide the Corps with notification of all approved credit transactions. It is important to note that when credits are debited, the bank sponsor must calculate and record both the number of credits and the number of acres consumed by each credit transaction. When all 226-acres of freshwater wetland enhancement/restoration associated with BFMB have been consumed, credits will no longer be available for sale.

If you should have any questions regarding this matter, please contact Mr. David B. Wilson at 843-329-8044.

Sincerely,

A handwritten signature in black ink, appearing to read "Travis Hughes", with a horizontal line above the first few letters.

Travis Hughes
Chief, Regulatory Division

Copies Furnished via electronic mail:

Ms. Monica Folk, Milliken Forestry Company, Inc., monicafolk@embaqmail.com

South Carolina Interagency Review Team