



Marc Seelinger, PWS
The Swamp School
621 Starburst Lane
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March 10, 2009

Ms. Susan Walser
2224 Western Park Lane
Hillsborough, NC 27278

Reference: Orange County Solid Waste Transfer Station
Site 056
Orange County, North Carolina

Dear Ms. Walser:

At your request I have preformed a preliminary investigation to determine the presence or absence of wetlands on the referenced property. For your consideration, I offer the following observations.

The presence of hydric soils is a major determinant for the presence of wetlands. The Natural Resource Conservation Service (NRCS) has published a soil survey for Orange County. A Custom Soil Resource Report for Orange County, North Carolina, Orange County Solid Waste Transfer Station is attached. The NRCS has identified that the majority of the site is composed of the Lignum soil series. This soil series is partially hydric and has hydric inclusions of Wehadkee in depressions on flood plains.

The site photography that you sent me indicates a number of depressional areas that are inundated. It is a reasonable expectation that these areas would contain inclusions of the hydric Wehadkee series. The photography documents a prevalence of hydrophytic vegetation. This would meet all three criteria that define a wetland pursuant to the US Army Corps of Engineers (USACOE) Wetlands Delineation Manual (1987).

The suspected wetland areas are adjacent to an unnamed tributary to Collins Creek. The unnamed tributary appears to be a relevantly permanent water with perennial flow. It is shown on the US Geological Survey as a "blue-line" stream. Collins Creek is a relevantly permanent water that flows directly into a traditionally navigable waterway, the Haw River. Pursuant to the recent USACOE Guidance on Jurisdictional Waters, the unnamed tributary and the adjacent wetlands would be considered "waters of the US" and subject to regulation under the Federal Clean Water Act.

Please note that the USACOE, the NC Division of Water Quality and the US Environmental Protection agency are the final authority as to the determination of what wetlands and waterways are subject to Federal and State regulation. It is strongly urged that these agencies be consulted through the Jurisdictional Determination process for verification of this assessment.

Please let me know if you have any further questions.

Sincerely,

Marc Seelinger, PWS
The Swamp School
Attachment