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December 6, 2006

Ms. Angela Birchett
Chatham County Planning Department
Post Office Box 754
Pittsboro, North Carolina 27312

VIA HAND DELIVERY

RE: Westfall Subdivision; Environmental Review

Dear Ms. Birchett:

Enclosed please find the updated report from Soil & Environmental Consultants, PA regarding protected species on the Westfall project (formerly known as "Booth Mountain"). At the Commissioners' hearing on November 20, 2006, we reported to the Commissioners that an updated survey was being performed with regard to the possibility of potential habitat for protected species within the areas to be cleared for Phases 1A, B and C (the "Phase One Clearing Areas").

By way of summary, the consultants have concluded that there is only potential suitable habitat for one protected species known as Sweet Pinesap (*Monotropsis odorata*) within the Phase One Clearing Areas. The potential suitable habitat for the *Monotropsis odorata* is located solely within certain portions of the spray fields. Those portions have been flagged within the last three weeks. MacGregor Development agrees that it will perform no clearing in the flagged areas until such time as the final full evaluation takes place in late winter/early spring. Once that survey is performed, we will conform to the condition as revised during the Phase 1A, B and C preliminary plat proceedings.

Please let me know if you have any further questions regarding the above.

Very truly yours,



Nicolas P. Robinson

NPR:jbs

Enclosures

C: Bruce Herbert
Mark P. Ashness
David Gainey



Soil & Environmental Consultants, PA

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Revised December 2006
S&EC Project No. 8126.W3

MacGregor Development
Attn: Bruce Herbert
201 Shannon Oaks Circle, Suite 201
Cary, North Carolina 27511

Re: Revised: Suitable Habitat Survey for Booth Mountain Property
Chatham County, North Carolina

Dear Mr. Herbert:

The purpose of this report is to advise you on the potential of suitable habitat for protected species on the Booth Mountain Project. This revised report is the conclusion of a survey of the proposed road alignment and spray fields (the "Phase 1 Clearing Areas") for suitable habitat for the state-listed species discussed in this report. The work is the culmination of multiple site inspections and was completed in November 2006. The property is located on the northern side of Jack Bennett Road (S.R. 1717) approximately 2000 feet from its intersection with Big Woods Road (S.R. 1716). The property is approximately 314 acres in size.

Executive Summary

No habitat of Witch Alder (*Fothergilla major*) was found within the Phase 1 Clearing Areas. S&EC recommends a full survey for Witch Alder (*Fothergilla major*) be conducted during the spring blooming period for the balance of the property outside the Phase 1 Clearing Area. No Buttercup Phacelia (*Phacelia covillei*) habitat is located within the Phase 1 Clearing Area. S&EC recommends a full survey for Buttercup Phacelia (*Phacelia covillei*) be conducted during the spring blooming period for the balance of the Property outside the Phase 1 Clearing Area. Suitable habitat for Sweet Pinesap (*Monotropsis odorata*) was located within a portion of the Phase 1 Clearing Area; specifically, the potential habitat was found within portions of the spray fields associated with Phase 1, but not within the proposed road alignment. The suitable habitat located within the spray fields was flagged. S&EC recommends a full survey be conducted during

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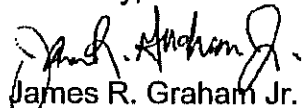
the late winter/early spring to fully evaluate the possibility of an occurrence within potential suitable habitat portion of the Phase 1 Clearing Area, as well as the remaining suitable habitat within the balance of the property.

CONCLUSION

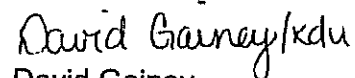
Soil and Environmental Consultants, PA concludes that suitable habitat exists on property for the following State-listed species: 1) Carolina Ladle Crayfish (*Cambarus davidi*), 2) Four-Toed Salamander (*Hemidactylium scutatum*), 3) Buttercup Phacelia (*Phacelia covillei*), 4) Witch Alder (*Fothergilla major*), and 5) Sweet Pinesap (*Monotropsis odorata*). A suitable habitat survey of the Phase 1 Clearing Area was conducted for the species listed above. Only suitable habitat for Sweet Pinesap (*Monotropsis odorata*) was found. This suitable habitat is located solely within the spray fields as this survey pertains to Phase 1 of this project and not within the proposed road alignment. S&EC suggests a full survey of the balance of the property outside the Phase 1 Clearing Area at the recommended bloom times and breeding times to fully evaluate the presence of the species listed above. Carolina Ladle Crayfish (*Cambarus davidi*) may be surveyed for at any time. All other species can be surveyed for in late winter or spring. Only the Sweet Pinesap (*Monotropsis odorata*) has suitable habitat within any portion of the Phase 1 Clearing Area.

If you have any questions or need additional services please call us.

Sincerely,



James R. Graham Jr.
Biologist / Environmental Scientist



David Gainey
Environmental Specialist /
Project Manager