



WATERSHED PROTECTION DEPARTMENT

P.O. Box 548
Pittsboro, NC 27312
PHONE: (919) 545-8394

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May 13, 2022

Mr. Drew Lucas
Wetlands & Waters, Inc.
328 East Broad Street Suite D
Statesville, North Carolina 28677

Project Name: Hawk Point Extension Parcel # 95254

Location: Hawk Point, Chatham County

Subject Features: Two (2) perennial stream segments, one (1) potential wetland, and one (1) mapped floodplain

Date of Determination: May 13, 2022

Explanation:

The site visit was completed on March 30, 2022, by Wetlands & Waters, Inc. (Wetlands & Waters), on Parcel # 95254 that is located within the Jordan Lake watershed. The site visit completed by Wetlands & Waters personnel which resulted in the identification of two (2) perennial stream segments, two (2) potential wetlands and a mapped floodplain on the property. Wetlands & Waters submitted a request for Chatham County to complete a formal review to determine if the features would be subject to riparian buffers according to Section 304 of the Chatham County Watershed Protection Ordinance.

Required Riparian Buffers:

All perennial stream segments will require a 100-ft buffer from the top of bank landward on both sides. In cases where a perennial stream is within a mapped floodplain the riparian buffer extends to the most restrictive limits of either the floodplain or the riparian buffer (whichever is furthest from the stream). A 50-ft buffer will be required on all wetlands from the flagged boundary landward.

Impacts to Riparian Buffers:

Impacts to the riparian buffers may require a Riparian Buffer Authorization depending on the size and scope of the impacts. Please refer to Section 304 (J)(3) of the Chatham County Watershed Protection Ordinance to determine if your impacts will require a Riparian Buffer Authorization. If you determine that a Riparian Buffer Authorization is required please contact Drew Blake to receive the required application and submittal instructions.

This on-site determination shall expire five (5) years from the date of this letter. Landowners or affected parties that dispute a determination made by Chatham County, on parcels outside of the Jordan Lake watershed, may submit a request for appeal in writing to the Watershed Review Board. A request for a determination by the Watershed Review Board shall be made in accordance with Section 304 of the Chatham County Watershed Protection Ordinance. Landowners or affected parties that dispute a determination made by Chatham County, on parcels inside the Jordan Lake watershed, shall submit a request for appeal in writing to NC DWR, 401 & Buffer Permitting Unit, 1650 Mail Service Center, Raleigh, NC 27669-1650 attention of the Director of the NC Division of Water Quality.



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Should this project result in any direct impacts to surface water features (i.e., crossing and/or filling streams or wetlands) additional reviews may be necessary. Additionally, a Section 404/401 Permit may be required. Any inquiries regarding Section 404/401 permitting should be directed to the Division of Water Resources (Central Office) at (919)-807-6364 and the US Army Corp of Engineers (Raleigh Regulatory Field Office) at (919)-554-4884.

Respectfully,

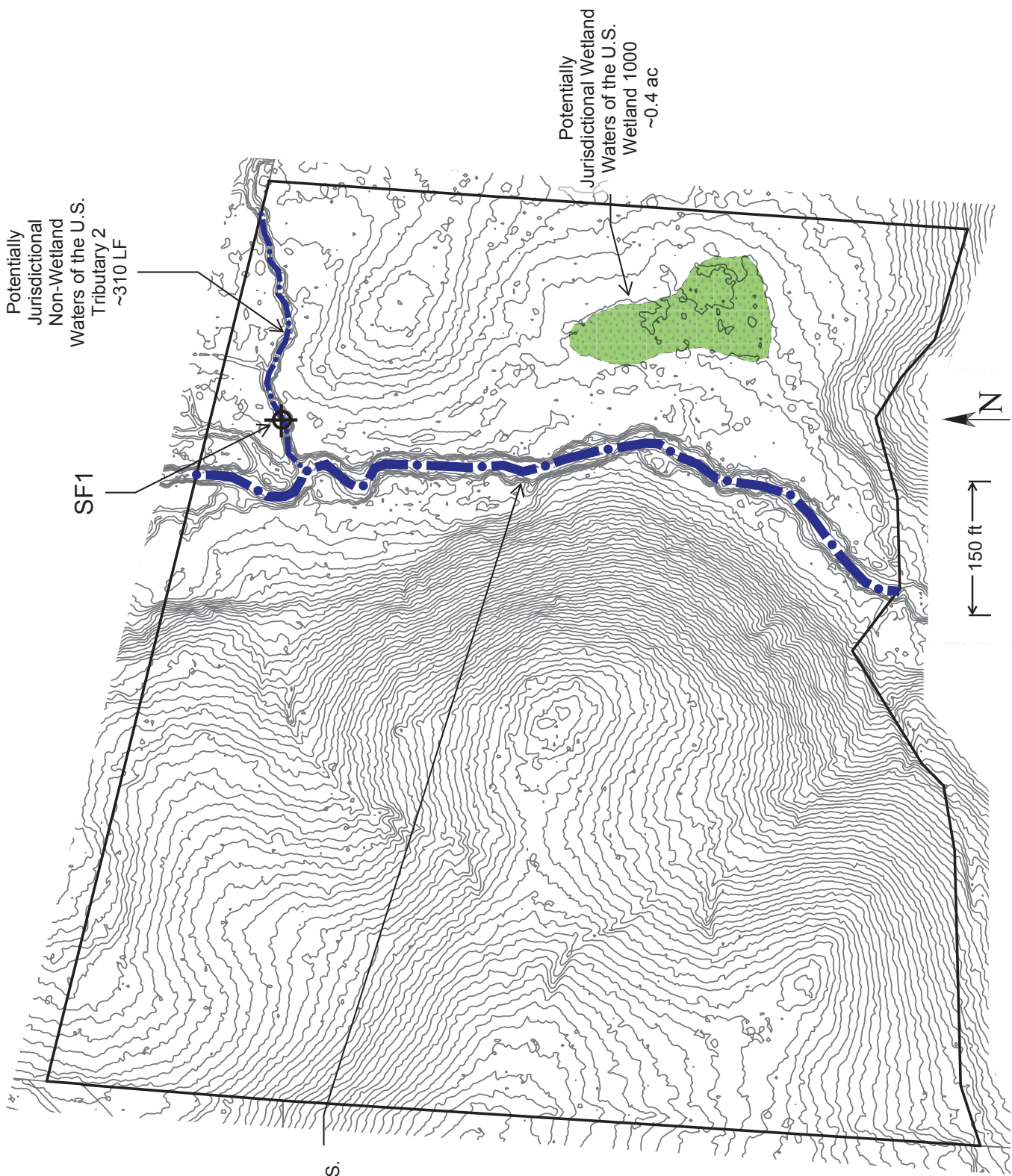
Drew Blake

Drew Blake
Senior Watershed Specialist, CESSWI

Enclosures:

- Approximate Depiction of Aquatic Resources – completed by Wetlands & Waters
- NRCS Soil Survey – completed by Wetlands & Waters
- USGS Topographic Map – completed by Wetlands & Waters
- NCDWQ Stream Identification Form – completed by Wetlands & Waters
- UASCE Wetland Determination Data Sheet – completed by Wetlands & Waters
- USACE Notification of Jurisdictional Determination (SAW-2022-00987)
- Major Subdivision Riparian Buffer Application
- Authorized Agent Form
- Authorization to Enter Property Form

cc: Rachael Thorn, Director, Chatham County Watershed Protection Department
Kimberly Tyson, Planner II/Subdivision Administrator, Chatham County Planning Department
Angela Plummer, Planner II/Zoning Administrator, Chatham County Planning Department
Jason Sullivan, Director, Chatham County Planning Department



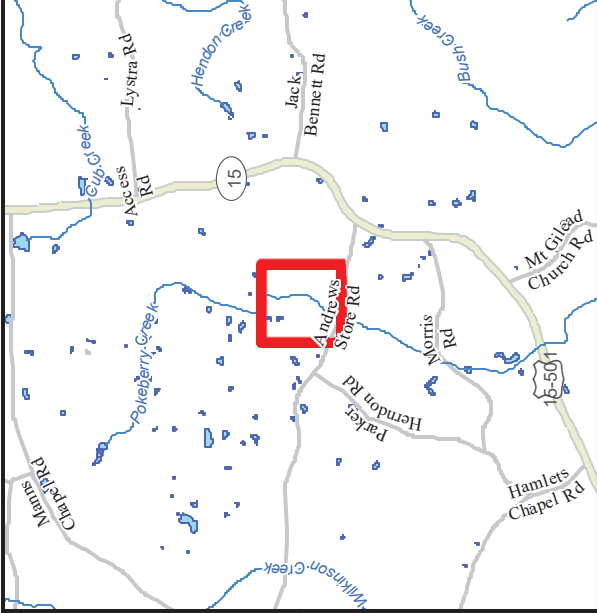
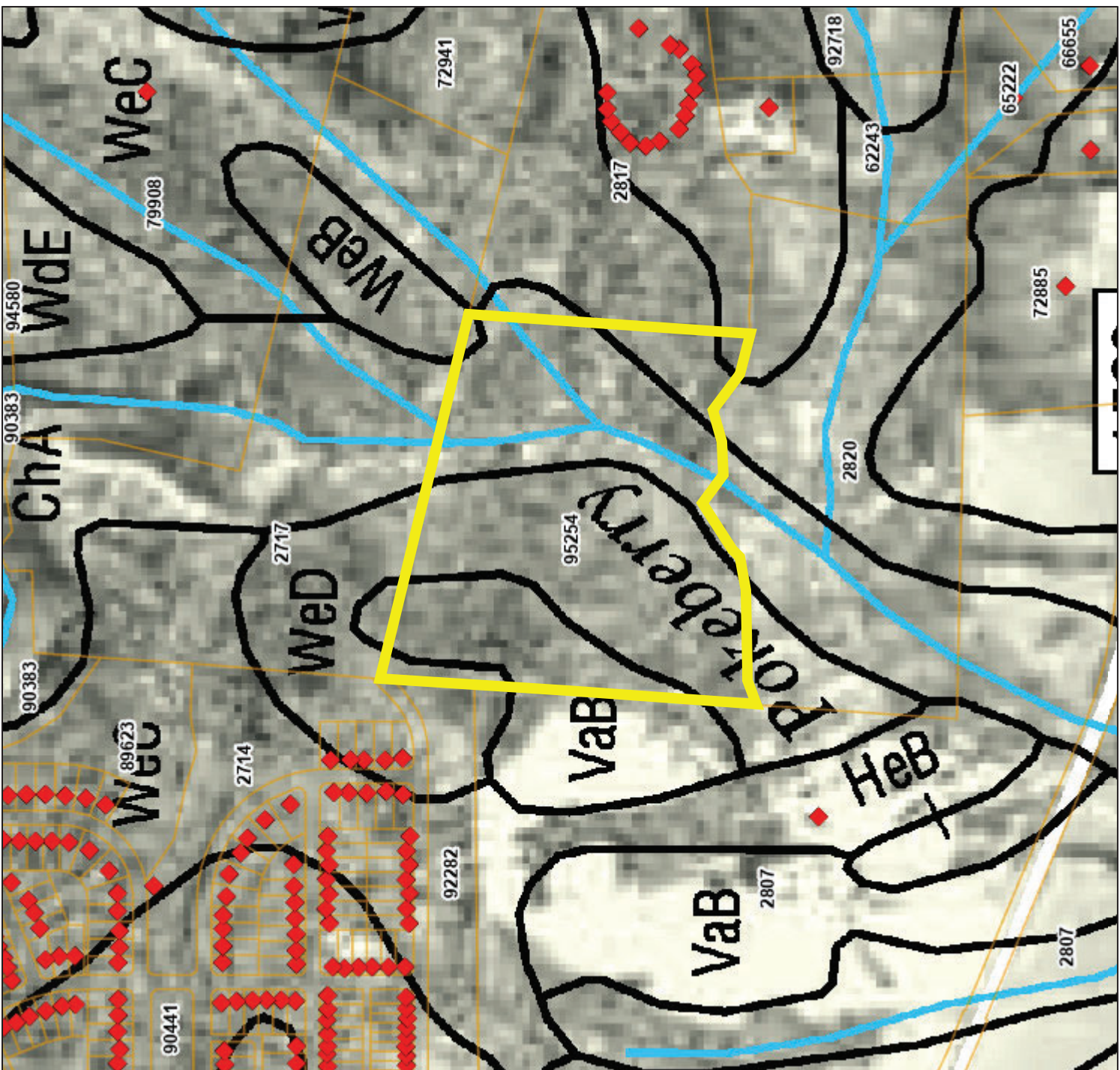
* Wetland Sketch provided for illustrative purposes for preliminary planning use only. Not intended to be relied upon for exact location, dimensions, or orientation. All findings and assessments made by wetland consultants regarding limits of jurisdiction or permitting requirements are subject to verification by the US Army Corps of Engineers and other appropriate state and local authorities.



Figure 2: Approximate Depiction of Aquatic Resources

Owner / Developer	Congruus, LLC.		Project Name:	Hawk Point Road Extension
City / Town:	Pittsboro	County:	Chatham	Tax PIN(s): 95254
Coordinates (Lat/Long):	35.815158, -79.102772	State:	NC	Date: 04-28-2022
		AID / ORM:	n/a	Scale:
				graphic

Chatham County Tax Map



Legend

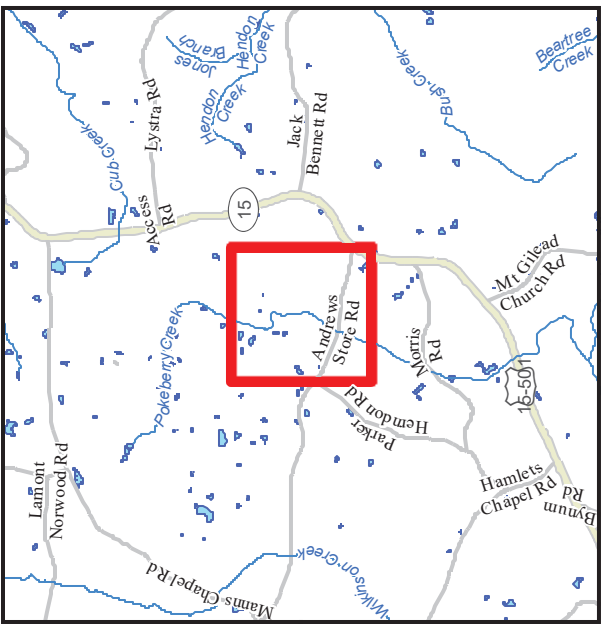
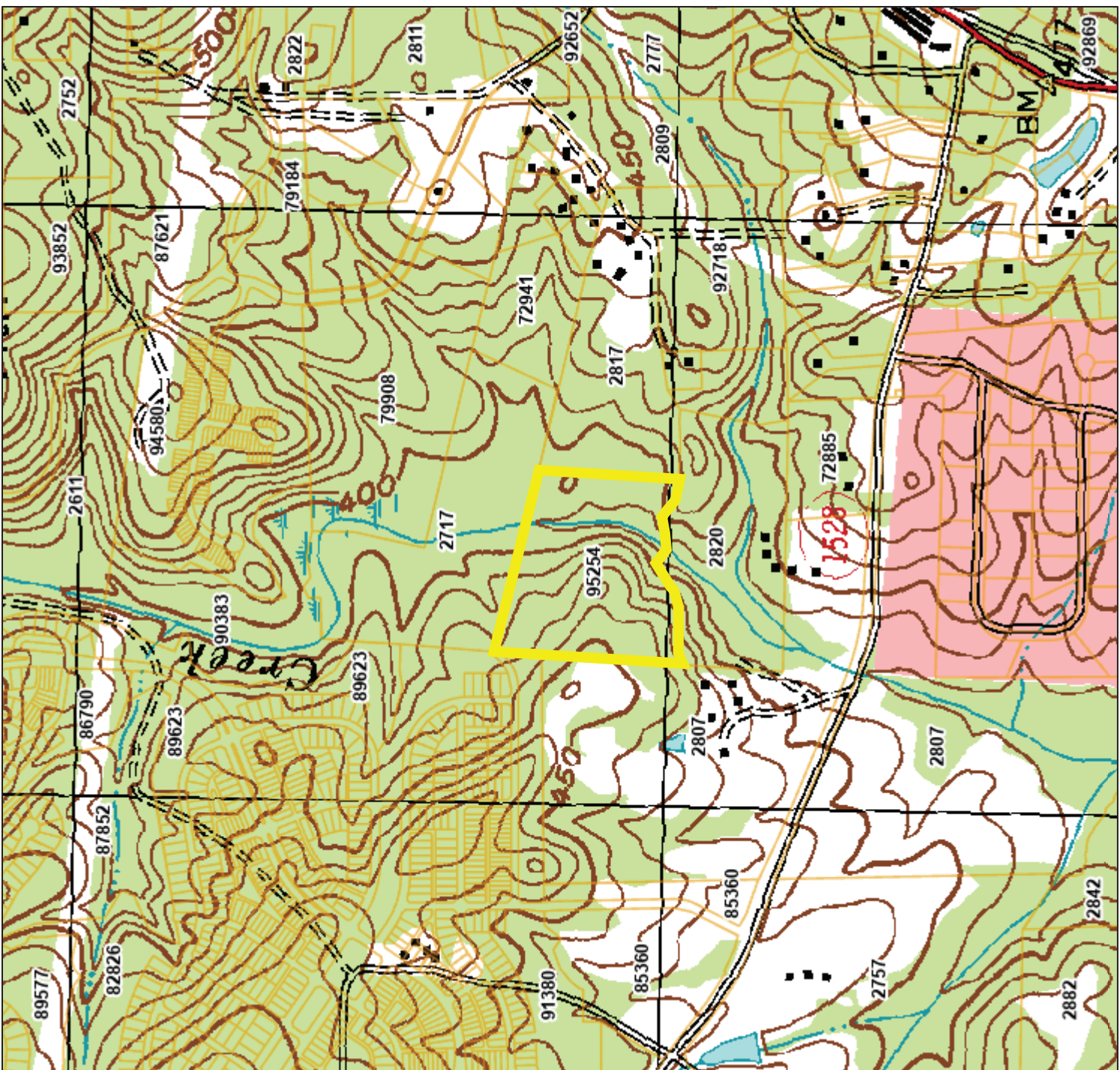
- Lines: Override 1
- Parcel Pop-Up: Address Points
- Parcels:



Service Layer Credits:
 Chatham County,
 Chatham County GIS
 NRCs, Chatham County,

Date: 4/28/2022
 Time: 1:18:51 PM

Chatham County Tax Map



Legend

- Lines
- Override 1
- Parcel Pop-Up
- Parcels



Service Layer Credits:
 USGS, Chatham County,
 Chatham County GIS
 Chatham County,

Date: 4/28/2022
 Time: 1:20:31 PM

NC DWQ Stream Identification Form Version 4.11

Date: 03-30-2022	Project/Site: Hawk Point Rd Ext	Latitude: 35.81615
Evaluator: PI CH	County: Chatham	Longitude: -79.10169
Total Points: <i>Stream is at least intermittent if ≥ 19 or perennial if ≥ 30*</i> 33.5	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other SF1 <i>e.g. Quad Name:</i>

A. Geomorphology (Subtotal = <u>17</u>)	Absent	Weak	Moderate	Strong	
1 ^a . Continuity of channel bed and bank	0	1	2	3	3
2. Sinuosity of channel along thalweg	0	1	2	3	2
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3	1
4. Particle size of stream substrate	0	1	2	3	1
5. Active/relict floodplain	0	1	2	3	2
6. Depositional bars or benches	0	1	2	3	2
7. Recent alluvial deposits	0	1	2	3	2
8. Headcuts	0	1	2	3	0
9. Grade control	0	0.5	1	1.5	0.5
10. Natural valley	0	0.5	1	1.5	0.5
11. Second or greater order channel	No = 0		Yes = 3		3

^a artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = <u>9.5</u>)	Absent	Weak	Moderate	Strong	
12. Presence of Baseflow	0	1	2	3	3
13. Iron oxidizing bacteria	0	1	2	3	0
14. Leaf litter	1.5	1	0.5	0	1.5
15. Sediment on plants or debris	0	0.5	1	1.5	1
16. Organic debris lines or piles	0	0.5	1	1.5	1
17. Soil-based evidence of high water table?	No = 0		Yes = 3		3

C. Biology (Subtotal = <u>7</u>)	Absent	Weak	Moderate	Strong	
18. Fibrous roots in streambed	3	2	1	0	3
19. Rooted upland plants in streambed	3	2	1	0	3
20. Macroinvertebrates (note diversity and abundance)	0	1	2	3	1
21. Aquatic Mollusks	0	1	2	3	0
22. Fish	0	0.5	1	1.5	0
23. Crayfish	0	0.5	1	1.5	0
24. Amphibians	0	0.5	1	1.5	0
25. Algae	0	0.5	1	1.5	0
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0				0

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

Project/Site: Hawk Point Road Extension City/County: Carrboro/Chatham Sampling Date: 03-30-2022
 Applicant/Owner: Congruus, LLC State: NC Sampling Point: DF1
 Investigator(s): PI CH Section, Township, Range: _____
 Landform (hillside, terrace, etc.): floodplain Local relief (concave, convex, none): none Slope (%): 0
 Subregion (LRR or MLRA): LRR P, MLRA 136 Lat: 35.81518 Long: -79.10150 Datum: WGS84
 Soil Map Unit Name: Chewacla NWI classification: none
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No _____ (If no, explain in Remarks.)
 Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes X No _____
 Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes <u>X</u> No _____	Is the Sampled Area within a Wetland? Yes <u>X</u> No _____
Hydric Soil Present?	Yes <u>X</u> No _____	
Wetland Hydrology Present?	Yes <u>X</u> No _____	
Remarks:		

HYDROLOGY

Wetland Hydrology Indicators: <u>Primary Indicators</u> (minimum of one is required; check all that apply)	<u>Secondary Indicators</u> (minimum of two required)
<input type="checkbox"/> Surface Water (A1) <input type="checkbox"/> True Aquatic Plants (B14) <input type="checkbox"/> High Water Table (A2) <input type="checkbox"/> Hydrogen Sulfide Odor (C1) <input type="checkbox"/> Saturation (A3) <input checked="" type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3) <input type="checkbox"/> Water Marks (B1) <input type="checkbox"/> Presence of Reduced Iron (C4) <input type="checkbox"/> Sediment Deposits (B2) <input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6) <input type="checkbox"/> Drift Deposits (B3) <input type="checkbox"/> Thin Muck Surface (C7) <input type="checkbox"/> Algal Mat or Crust (B4) <input type="checkbox"/> Other (Explain in Remarks) <input type="checkbox"/> Iron Deposits (B5) <input type="checkbox"/> Inundation Visible on Aerial Imagery (B7) <input type="checkbox"/> Water-Stained Leaves (B9) <input type="checkbox"/> Aquatic Fauna (B13)	<input type="checkbox"/> Surface Soil Cracks (B6) <input type="checkbox"/> Sparsely Vegetated Concave Surface (B8) <input type="checkbox"/> Drainage Patterns (B10) <input type="checkbox"/> Moss Trim Lines (B16) <input type="checkbox"/> Dry-Season Water Table (C2) <input type="checkbox"/> Crayfish Burrows (C8) <input type="checkbox"/> Saturation Visible on Aerial Imagery (C9) <input type="checkbox"/> Stunted or Stressed Plants (D1) <input checked="" type="checkbox"/> Geomorphic Position (D2) <input type="checkbox"/> Shallow Aquitard (D3) <input type="checkbox"/> Microtopographic Relief (D4) <input checked="" type="checkbox"/> FAC-Neutral Test (D5)

Field Observations: Surface Water Present? Yes _____ No <u>X</u> Depth (inches): _____ Water Table Present? Yes _____ No <u>X</u> Depth (inches): _____ Saturation Present? Yes <u>X</u> No _____ Depth (inches): <u>6</u> (includes capillary fringe)	Wetland Hydrology Present? Yes <u>X</u> No _____
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Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

VEGETATION (Four Strata) – Use scientific names of plants.

Sampling Point: DF1

	Absolute % Cover	Dominant Species?	Indicator Status																	
Tree Stratum (Plot size: <u>30</u>)																				
1. <u><i>Acer rubrum</i></u>	<u>15</u>	<u>Yes</u>	<u>FAC</u>	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>9</u> (A) Total Number of Dominant Species Across All Strata: <u>10</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>90.0%</u> (A/B)																
2. <u><i>Liquidambar styraciflua</i></u>	<u>10</u>	<u>Yes</u>	<u>FAC</u>																	
3. <u><i>Fraxinus pennsylvanica</i></u>	<u>15</u>	<u>Yes</u>	<u>FACW</u>																	
4. _____																				
5. _____																				
6. _____																				
7. _____																				
<u>40</u> =Total Cover																				
50% of total cover: <u>20</u>		20% of total cover: <u>8</u>																		
Sapling/Shrub Stratum (Plot size: <u>15</u>)																				
1. <u><i>Ligustrum sinense</i></u>	<u>10</u>	<u>Yes</u>	<u>FACU</u>	Prevalence Index worksheet: <table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%; text-align:right;">Total % Cover of:</td> <td style="width:50%; text-align:left;">Multiply by:</td> </tr> <tr> <td>OBL species <u>0</u></td> <td>x 1 = <u>0</u></td> </tr> <tr> <td>FACW species <u>30</u></td> <td>x 2 = <u>60</u></td> </tr> <tr> <td>FAC species <u>95</u></td> <td>x 3 = <u>285</u></td> </tr> <tr> <td>FACU species <u>12</u></td> <td>x 4 = <u>48</u></td> </tr> <tr> <td>UPL species <u>0</u></td> <td>x 5 = <u>0</u></td> </tr> <tr> <td>Column Totals: <u>137</u> (A)</td> <td><u>393</u> (B)</td> </tr> <tr> <td colspan="2" style="text-align:center;">Prevalence Index = B/A = <u>2.87</u></td> </tr> </table>	Total % Cover of:	Multiply by:	OBL species <u>0</u>	x 1 = <u>0</u>	FACW species <u>30</u>	x 2 = <u>60</u>	FAC species <u>95</u>	x 3 = <u>285</u>	FACU species <u>12</u>	x 4 = <u>48</u>	UPL species <u>0</u>	x 5 = <u>0</u>	Column Totals: <u>137</u> (A)	<u>393</u> (B)	Prevalence Index = B/A = <u>2.87</u>	
Total % Cover of:	Multiply by:																			
OBL species <u>0</u>	x 1 = <u>0</u>																			
FACW species <u>30</u>	x 2 = <u>60</u>																			
FAC species <u>95</u>	x 3 = <u>285</u>																			
FACU species <u>12</u>	x 4 = <u>48</u>																			
UPL species <u>0</u>	x 5 = <u>0</u>																			
Column Totals: <u>137</u> (A)	<u>393</u> (B)																			
Prevalence Index = B/A = <u>2.87</u>																				
2. <u><i>Carpinus caroliniana</i></u>	<u>5</u>	<u>No</u>	<u>FAC</u>																	
3. <u><i>Quercus phellos</i></u>	<u>10</u>	<u>Yes</u>	<u>FAC</u>																	
4. <u><i>Liquidambar styraciflua</i></u>	<u>10</u>	<u>Yes</u>	<u>FAC</u>																	
5. <u><i>Acer rubrum</i></u>	<u>5</u>	<u>No</u>	<u>FAC</u>																	
6. <u><i>Fraxinus pennsylvanica</i></u>	<u>15</u>	<u>Yes</u>	<u>FACW</u>																	
7. _____																				
8. _____																				
9. _____																				
<u>55</u> =Total Cover																				
50% of total cover: <u>28</u>		20% of total cover: <u>11</u>																		
Herb Stratum (Plot size: <u>5</u>)																				
1. <u><i>Microstegium vimineum</i></u>	<u>20</u>	<u>Yes</u>	<u>FAC</u>	Hydrophytic Vegetation Indicators: <input type="checkbox"/> 1 - Rapid Test for Hydrophytic Vegetation <input checked="" type="checkbox"/> 2 - Dominance Test is >50% <input checked="" type="checkbox"/> 3 - Prevalence Index is ≤3.0 ¹ <input type="checkbox"/> 4 - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) <input type="checkbox"/> Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.																
2. <u><i>Carex abscondita</i></u>	<u>5</u>	<u>Yes</u>	<u>FAC</u>																	
3. _____																				
4. _____																				
5. _____																				
6. _____																				
7. _____																				
8. _____																				
9. _____																				
10. _____																				
11. _____																				
<u>25</u> =Total Cover																				
50% of total cover: <u>13</u>		20% of total cover: <u>5</u>																		
Woody Vine Stratum (Plot size: <u>15</u>)																				
1. <u><i>Smilax rotundifolia</i></u>	<u>15</u>	<u>Yes</u>	<u>FAC</u>	Definitions of Four Vegetation Strata: Tree – Woody plants, excluding vines, 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height. Sapling/Shrub – Woody plants, excluding vines, less than 3 in. DBH and greater than or equal to 3.28 ft (1 m) tall. Herb – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall. Woody Vine – All woody vines greater than 3.28 ft in height.																
2. <u><i>Lonicera japonica</i></u>	<u>2</u>	<u>No</u>	<u>FACU</u>																	
3. _____																				
4. _____																				
5. _____																				
<u>17</u> =Total Cover																				
50% of total cover: <u>9</u>		20% of total cover: <u>4</u>																		
				Hydrophytic Vegetation Present? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>																

Remarks: (Include photo numbers here or on a separate sheet.)

SOIL

Sampling Point: DF1

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)								
Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-4	2.5Y 4/2	100					Loamy/Clayey	
4-10	2.5Y 4/2	95	2.5Y 5/6	5	C	PL/M	Loamy/Clayey	Prominent redox concentrations
10-16	2.5Y 4/2	92	2.5Y 6/6	8	C	M	Loamy/Clayey	Prominent redox concentrations

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains.

²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:

- Histosol (A1)
- Histic Epipedon (A2)
- Black Histic (A3)
- Hydrogen Sulfide (A4)
- Stratified Layers (A5)
- 2 cm Muck (A10) (**LRR N**)
- Depleted Below Dark Surface (A11)
- Thick Dark Surface (A12)
- Sandy Mucky Mineral (S1)
- Sandy Gleyed Matrix (S4)
- Sandy Redox (S5)
- Stripped Matrix (S6)
- Dark Surface (S7)

- Polyvalue Below Surface (S8) (**MLRA 147, 148**)
- Thin Dark Surface (S9) (**MLRA 147, 148**)
- Loamy Mucky Mineral (F1) (**MLRA 136**)
- Loamy Gleyed Matrix (F2)
- Depleted Matrix (F3)
- Redox Dark Surface (F6)
- Depleted Dark Surface (F7)
- Redox Depressions (F8)
- Iron-Manganese Masses (F12) (**LRR N, MLRA 136**)
- Umbric Surface (F13) (**MLRA 122, 136**)
- Piedmont Floodplain Soils (F19) (**MLRA 148**)
- Red Parent Material (F21) (**MLRA 127, 147, 148**)

Indicators for Problematic Hydric Soils³:

- 2 cm Muck (A10) (**MLRA 147**)
- Coast Prairie Redox (A16) (**MLRA 147, 148**)
- Piedmont Floodplain Soils (F19) (**MLRA 136, 147**)
- Red Parent Material (F21) (**outside MLRA 127, 147, 148**)
- Very Shallow Dark Surface (F22)
- Other (Explain in Remarks)

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____
 Depth (inches): _____

Hydric Soil Present? Yes No

Remarks:

Project/Site: Hawk Point Road Extension City/County: Carrboro/Chatham Sampling Date: 03-30-2022
 Applicant/Owner: Congruus LLC State: NC Sampling Point: DF2
 Investigator(s): PI CH Section, Township, Range: _____
 Landform (hillside, terrace, etc.): floodplain Local relief (concave, convex, none): none Slope (%): 0
 Subregion (LRR or MLRA): LRR P, MLRA 136 Lat: 35.81546 Long: -79.10168 Datum: WGS84
 Soil Map Unit Name: Chewacla NWI classification: none
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No _____ (If no, explain in Remarks.)
 Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes X No _____
 Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes _____ No <u>X</u>	Is the Sampled Area within a Wetland? Yes _____ No <u>X</u>
Hydic Soil Present?	Yes _____ No <u>X</u>	
Wetland Hydrology Present?	Yes _____ No <u>X</u>	
Remarks:		

HYDROLOGY

Wetland Hydrology Indicators: <u>Primary Indicators</u> (minimum of one is required; check all that apply)	<u>Secondary Indicators</u> (minimum of two required)
<input type="checkbox"/> Surface Water (A1) <input type="checkbox"/> High Water Table (A2) <input type="checkbox"/> Saturation (A3) <input type="checkbox"/> Water Marks (B1) <input type="checkbox"/> Sediment Deposits (B2) <input type="checkbox"/> Drift Deposits (B3) <input type="checkbox"/> Algal Mat or Crust (B4) <input type="checkbox"/> Iron Deposits (B5) <input type="checkbox"/> Inundation Visible on Aerial Imagery (B7) <input type="checkbox"/> Water-Stained Leaves (B9) <input type="checkbox"/> Aquatic Fauna (B13)	<input type="checkbox"/> True Aquatic Plants (B14) <input type="checkbox"/> Hydrogen Sulfide Odor (C1) <input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3) <input type="checkbox"/> Presence of Reduced Iron (C4) <input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6) <input type="checkbox"/> Thin Muck Surface (C7) <input type="checkbox"/> Other (Explain in Remarks)
<input type="checkbox"/> Surface Soil Cracks (B6) <input type="checkbox"/> Sparsely Vegetated Concave Surface (B8) <input type="checkbox"/> Drainage Patterns (B10) <input type="checkbox"/> Moss Trim Lines (B16) <input type="checkbox"/> Dry-Season Water Table (C2) <input type="checkbox"/> Crayfish Burrows (C8) <input type="checkbox"/> Saturation Visible on Aerial Imagery (C9) <input type="checkbox"/> Stunted or Stressed Plants (D1) <input checked="" type="checkbox"/> Geomorphic Position (D2) <input type="checkbox"/> Shallow Aquitard (D3) <input type="checkbox"/> Microtopographic Relief (D4) <input type="checkbox"/> FAC-Neutral Test (D5)	

Field Observations: Surface Water Present? Yes _____ No <u>X</u> Depth (inches): _____ Water Table Present? Yes _____ No <u>X</u> Depth (inches): _____ Saturation Present? Yes _____ No <u>X</u> Depth (inches): _____ (includes capillary fringe)	Wetland Hydrology Present? Yes _____ No <u>X</u>
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Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

VEGETATION (Four Strata) – Use scientific names of plants.

Sampling Point: DF2

Tree Stratum (Plot size: <u>30</u>)	Absolute % Cover	Dominant Species?	Indicator Status	
1. <u><i>Liriodendron tulipifera</i></u>	<u>15</u>	Yes	FACU	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>1</u> (A) Total Number of Dominant Species Across All Strata: <u>7</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>14.3%</u> (A/B)
2. <u><i>Liquidambar styraciflua</i></u>	<u>5</u>	No	FAC	
3. <u><i>Fagus grandifolia</i></u>	<u>10</u>	Yes	FACU	
4. _____				
5. _____				
6. _____				
7. _____				
<u>30</u> =Total Cover				Prevalence Index worksheet: Total % Cover of: _____ Multiply by: _____ OBL species <u>0</u> x 1 = <u>0</u> FACW species <u>0</u> x 2 = <u>0</u> FAC species <u>25</u> x 3 = <u>75</u> FACU species <u>72</u> x 4 = <u>288</u> UPL species <u>5</u> x 5 = <u>25</u> Column Totals: <u>102</u> (A) <u>388</u> (B) Prevalence Index = B/A = <u>3.80</u>
50% of total cover: <u>15</u>		20% of total cover: <u>6</u>		
Sapling/Shrub Stratum (Plot size: <u>15</u>)				
1. <u><i>Ligustrum sinense</i></u>	<u>20</u>	Yes	FACU	Hydrophytic Vegetation Indicators: <u>1</u> - Rapid Test for Hydrophytic Vegetation <u>2</u> - Dominance Test is >50% <u>3</u> - Prevalence Index is ≤3.0 ¹ <u>4</u> - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) <u>_____</u> Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
2. <u><i>Carpinus caroliniana</i></u>	<u>5</u>	No	FAC	
3. <u><i>Quercus phellos</i></u>	<u>5</u>	No	FAC	
4. <u><i>Fagus grandifolia</i></u>	<u>10</u>	Yes	FACU	
5. <u><i>Liquidambar styraciflua</i></u>	<u>5</u>	No	FAC	
6. <u><i>Rosa multiflora</i></u>	<u>7</u>	No	FACU	
7. _____				
8. _____				
9. _____				
<u>52</u> =Total Cover				
50% of total cover: <u>26</u>		20% of total cover: <u>11</u>		
Herb Stratum (Plot size: <u>5</u>)				
1. <u><i>Microstegium vimineum</i></u>	<u>5</u>	Yes	FAC	Definitions of Four Vegetation Strata: Tree – Woody plants, excluding vines, 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height. Sapling/Shrub – Woody plants, excluding vines, less than 3 in. DBH and greater than or equal to 3.28 ft (1 m) tall. Herb – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall. Woody Vine – All woody vines greater than 3.28 ft in height.
2. <u><i>Allium allegheniense</i></u>	<u>5</u>	Yes	UPL	
3. _____				
4. _____				
5. _____				
6. _____				
7. _____				
8. _____				
9. _____				
10. _____				
11. _____				
<u>10</u> =Total Cover				
50% of total cover: <u>5</u>		20% of total cover: <u>2</u>		
Woody Vine Stratum (Plot size: <u>15</u>)				
1. <u><i>Lonicera japonica</i></u>	<u>10</u>	Yes	FACU	Hydrophytic Vegetation Present? Yes _____ No <u>X</u>
2. _____				
3. _____				
4. _____				
5. _____				
<u>10</u> =Total Cover				
50% of total cover: <u>5</u>		20% of total cover: <u>2</u>		
Remarks: (Include photo numbers here or on a separate sheet.)				

SOIL

Sampling Point: DF2

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)								
Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-5	2.5Y 5/3	100					Loamy/Clayey	
5-16	2.5Y 5/3	80	2.5Y 4/4	20	C	M	Loamy/Clayey	Faint redox concentrations

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains.

²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:

- Histosol (A1)
- Histic Epipedon (A2)
- Black Histic (A3)
- Hydrogen Sulfide (A4)
- Stratified Layers (A5)
- 2 cm Muck (A10) (**LRR N**)
- Depleted Below Dark Surface (A11)
- Thick Dark Surface (A12)
- Sandy Mucky Mineral (S1)
- Sandy Gleyed Matrix (S4)
- Sandy Redox (S5)
- Stripped Matrix (S6)
- Dark Surface (S7)

- Polyvalue Below Surface (S8) (**MLRA 147, 148**)
- Thin Dark Surface (S9) (**MLRA 147, 148**)
- Loamy Mucky Mineral (F1) (**MLRA 136**)
- Loamy Gleyed Matrix (F2)
- Depleted Matrix (F3)
- Redox Dark Surface (F6)
- Depleted Dark Surface (F7)
- Redox Depressions (F8)
- Iron-Manganese Masses (F12) (**LRR N, MLRA 136**)
- Umbric Surface (F13) (**MLRA 122, 136**)
- Piedmont Floodplain Soils (F19) (**MLRA 148**)
- Red Parent Material (F21) (**MLRA 127, 147, 148**)

Indicators for Problematic Hydric Soils³:

- 2 cm Muck (A10) (**MLRA 147**)
- Coast Prairie Redox (A16) (**MLRA 147, 148**)
- Piedmont Floodplain Soils (F19) (**MLRA 136, 147**)
- Red Parent Material (F21) (**outside MLRA 127, 147, 148**)
- Very Shallow Dark Surface (F22)
- Other (Explain in Remarks)

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____
 Depth (inches): _____

Hydric Soil Present? Yes No

Remarks:

U.S. ARMY CORPS OF ENGINEERS
WILMINGTON DISTRICT

Action Id. SAW-2022-00987 County: Chatham U.S.G.S. Quad: NC-Farrington

NOTIFICATION OF JURISDICTIONAL DETERMINATION

Requestor: Congruus LLC
Keith McRae
Address: 697 Hillsboro Street, suite 600
Pittsboro, NC 27312
Telephone Number: 919-942-4214 ext 202
E-mail: kmcrae@congruus.com

Size (acres)	<u>20.3</u>	Nearest Town	<u>Ferrington</u>
Nearest Waterway	<u>Pokeberry Creek</u>	River Basin	<u>Cape Fear</u>
USGS HUC	<u>03030002</u>	Coordinates	Latitude: <u>35.8151</u> Longitude: <u>-79.1027</u>

Location description: The project site is approximately 20.3 acres located at the terminus of Hawk Point Road, near the town of Pittsboro, Chatham County, North Carolina.

Indicate Which of the Following Apply:

A. Preliminary Determination

- There appear to be **waters, including wetlands** on the above described project area/property, that may be subject to Section 404 of the Clean Water Act (CWA)(33 USC § 1344) and/or Section 10 of the Rivers and Harbors Act (RHA) (33 USC § 403). The **waters, including wetlands** have been delineated, and the delineation has been verified by the Corps to be sufficiently accurate and reliable. The approximate boundaries of these waters are shown on the enclosed delineation map dated 2/28/2022. Therefore this preliminary jurisdiction determination may be used in the permit evaluation process, including determining compensatory mitigation. For purposes of computation of impacts, compensatory mitigation requirements, and other resource protection measures, a permit decision made on the basis of a preliminary JD will treat all waters and wetlands that would be affected in any way by the permitted activity on the site as if they are jurisdictional waters of the U.S. This preliminary determination is not an appealable action under the Regulatory Program Administrative Appeal Process (Reference 33 CFR Part 331). However, you may request an approved JD, which is an appealable action, by contacting the Corps district for further instruction.
- There appear to be **waters, including wetlands** on the above described project area/property, that may be subject to Section 404 of the Clean Water Act (CWA)(33 USC § 1344) and/or Section 10 of the Rivers and Harbors Act (RHA) (33 USC § 403). However, since the **waters, including wetlands** have not been properly delineated, this preliminary jurisdiction determination may not be used in the permit evaluation process. Without a verified wetland delineation, this preliminary determination is merely an effective presumption of CWA/RHA jurisdiction over all of the **waters, including wetlands** at the project area, which is not sufficiently accurate and reliable to support an enforceable permit decision. We recommend that you have the **waters, including wetlands** on your project area/property delineated. As the Corps may not be able to accomplish this wetland delineation in a timely manner, you may wish to obtain a consultant to conduct a delineation that can be verified by the Corps.

B. Approved Determination

- There are Navigable Waters of the United States within the above described project area/property subject to the permit requirements of Section 10 of the Rivers and Harbors Act (RHA) (33 USC § 403) and Section 404 of the Clean Water Act (CWA)(33 USC § 1344). Unless there is a change in law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.
- There are **waters, including wetlands** on the above described project area/property subject to the permit requirements of Section 404 of the Clean Water Act (CWA) (33 USC § 1344). Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.
- We recommend you have the **waters, including wetlands** on your project area/property delineated. As the Corps may not be able to accomplish this wetland delineation in a timely manner, you may wish to obtain a consultant to conduct a delineation that can be verified by the Corps.
- The **waters, including wetlands** on your project area/property have been delineated and the delineation has been verified by the Corps. The approximate boundaries of these waters are shown on the enclosed delineation map dated DATE. We strongly suggest you have this delineation surveyed. Upon completion, this survey should be reviewed and verified by the Corps. Once

SAW-2022-00987

verified, this survey will provide an accurate depiction of all areas subject to CWA jurisdiction on your property which, provided there is no change in the law or our published regulations, may be relied upon for a period not to exceed five years.

- The **waters, including wetlands** have been delineated and surveyed and are accurately depicted on the plat signed by the Corps Regulatory Official identified below on **DATE**. Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.
- There are no waters of the U.S., to include wetlands, present on the above described project area/property which are subject to the permit requirements of Section 404 of the Clean Water Act (33 USC 1344). Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.
- The property is located in one of the 20 Coastal Counties subject to regulation under the Coastal Area Management Act (CAMA). You should contact the Division of Coastal Management in **Morehead City, NC, at (252) 808-2808** to determine their requirements.

Placement of dredged or fill material within waters of the US, including wetlands, without a Department of the Army permit may constitute a violation of Section 301 of the Clean Water Act (33 USC § 1311). Placement of dredged or fill material, construction or placement of structures, or work within navigable waters of the United States without a Department of the Army permit may constitute a violation of Sections 9 and/or 10 of the Rivers and Harbors Act (33 USC § 401 and/or 403). If you have any questions regarding this determination and/or the Corps regulatory program, please contact **James Lastinger at 919-554-4884 ext 32 or James.C.Lastinger@usace.army.mil**.

C. Basis For Determination: Basis For Determination: See the preliminary jurisdictional determination form dated 05/05/2022.

D. Remarks:

E. Attention USDA Program Participants

This delineation/determination has been conducted to identify the limits of Corps' Clean Water Act jurisdiction for the particular site identified in this request. The delineation/determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985. If you or your tenant are USDA Program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service, prior to starting work.

F. Appeals Information (This information applies only to approved jurisdictional determinations as indicated in B. above)

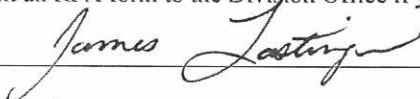
If you object to this determination, you may request an administrative appeal under Corps regulations at 33 CFR Part 331. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and Request for Appeal (RFA) form. If you request to appeal this determination you must submit a completed RFA form to the following address:

US Army Corps of Engineers
South Atlantic Division
Attn: Mr. Philip A. Shannin
Administrative Appeal Review Officer
60 Forsyth Street SW, Floor M9
Atlanta, Georgia 30303-8803
AND
PHILIP.A.SHANNIN@USACE.ARMY.MIL

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR part 331.5, and that it has been received by the Division Office within 60 days of the date of the NAP. Should you decide to submit an RFA form, it must be received at the above address by **Not applicable**.

****It is not necessary to submit an RFA form to the Division Office if you do not object to the determination in this correspondence.****

Corps Regulatory Official: _____



Date of JD: **05/05/2022** Expiration Date of JD: **Not applicable**

SAW-2022-00987

The Wilmington District is committed to providing the highest level of support to the public. To help us ensure we continue to do so, please complete our Customer Satisfaction Survey, located online at <https://regulatory.ops.usace.army.mil/customer-service-survey/>.

Copy Furnished:

Agent:

Wetlands and Waters, Inc.

Attn: Perry Isner

328 East Broad Street, suite D

Statesville, NC 28677

704-773-4239

perrvisner@wetlands-waters.com

**NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND
REQUEST FOR APPEAL**

Applicant: **Congruus LLC, Keith McRae** File Number: **SAW-2022-00987** Date: **05/05/2022**

Attached is:		See Section below
<input type="checkbox"/>	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A
<input type="checkbox"/>	PROFFERED PERMIT (Standard Permit or Letter of permission)	B
<input type="checkbox"/>	PERMIT DENIAL	C
<input type="checkbox"/>	APPROVED JURISDICTIONAL DETERMINATION	D
<input checked="" type="checkbox"/>	PRELIMINARY JURISDICTIONAL DETERMINATION	E

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at or <http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits.aspx> or the Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the district engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact:

**District Engineer, Wilmington Regulatory Division
Attn: James Lastinger
Raleigh Regulatory Office
U.S Army Corps of Engineers
3331 Heritage Trade Drive, Suite 105
Wake Forest, North Carolina 27587**

If you only have questions regarding the appeal process you may also contact:

**MR. PHILIP A. SHANNIN
ADMINISTRATIVE APPEAL REVIEW OFFICER
CESAD-PDS-O
60 FORSYTH STREET SOUTHWEST, FLOOR M9
ATLANTA, GEORGIA 30303-8803**

**PHONE: (404) 562-5136; FAX (404) 562-5138
EMAIL: PHILIP.A.SHANNIN@USACE.ARMY.MIL**

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15-day notice of any site investigation, and will have the opportunity to participate in all site investigations.

Signature of appellant or agent.

Date: _____

Telephone number: _____

For appeals on Initial Proffered Permits send this form to:

District Engineer, Wilmington Regulatory Division, Attn: James Lastinger , 69 Darlington Avenue, Wilmington, North Carolina 28403

For Permit denials, Proffered Permits and Approved Jurisdictional Determinations send this form to:

**Division Engineer, Commander, U.S. Army Engineer Division, South Atlantic, Attn: Mr. Philip Shannin, Administrative Appeal Officer, CESAD-PDO, 60 Forsyth Street, Room 10M15, Atlanta, Georgia 30303-8801
Phone: (404) 562-5137**

PRELIMINARY JURISDICTIONAL DETERMINATION (PJD) FORM

BACKGROUND INFORMATION

- A. REPORT COMPLETION DATE FOR PJD:** 05/05/2022
- B. NAME AND ADDRESS OF PERSON REQUESTING PJD:** Congruus LLC, Keith McRae, 697 Hillsboro Street, suite 600, Pittsboro, NC 27312
- C. DISTRICT OFFICE, FILE NAME, AND NUMBER:** Wilmington District, Haw Point Road site, SAW-2022-00987
- D. PROJECT LOCATION(S) AND BACKGROUND INFORMATION:** The project site is approximately 20.3 acres located at the terminus of Hawk Point Road, near the town of Pittsboro, Chatham County, North Carolina.

(USE THE TABLE BELOW TO DOCUMENT MULTIPLE AQUATIC RESOURCES AND/OR AQUATIC RESOURCES AT DIFFERENT SITES)

State: NC County: Chatham City: Fearrington
Center coordinates of site (lat/long in degree decimal format): Latitude: 35.8151 Longitude: -79.1027

Universal Transverse Mercator:

Name of nearest waterbody: Pokeberry Creek

E. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):

Office (Desk) Determination. Date: May 5, 2022

Field Determination. Date(s):

TABLE OF AQUATIC RESOURCES IN REVIEW AREA WHICH "MAY BE" SUBJECT TO REGULATORY JURISDICTION

Site Number	Latitude (decimal degrees)	Longitude (decimal degrees)	Estimated amount of aquatic resources in review area (acreage and linear feet, if applicable)	Type of aquatic resources (i.e., wetland vs. non-wetland waters)	Geographic authority to which the aquatic resource "may be" subject (i.e., Section 404 or Section 10/404)
Tributary 1	35.8147	-79.1019	900 LF	Non-wetland	Section 404
Tributary 2	35.8161	-79.1013	310 LF	Non-wetland	Section 404
Wetland 1000	35.8148	-79.1014	0.4 acre	wetland	Section 404

1. The Corps of Engineers believes that there may be jurisdictional aquatic resources in the review area, and the requestor of this PJD is hereby advised of his or her option to request and obtain an approved JD (AJD) for that review area based on an informed decision after having discussed the various types of JDs and their characteristics and circumstances when they may be appropriate.
2. In any circumstance where a permit applicant obtains an individual permit, or a Nationwide General Permit (NWP) or other general permit verification requiring "pre- construction notification" (PCN), or requests verification for a non-reporting NWP or other general permit, and the permit applicant has not requested an AJD for the activity, the permit applicant is hereby made aware that: (1) the permit applicant has elected to seek a permit authorization based on a PJD, which does not make an official determination of jurisdictional aquatic resources; (2) the applicant has the option to request an AJD before accepting the terms and conditions of the permit authorization, and that basing a permit authorization on an AJD could possibly result in less compensatory mitigation being required or different special conditions; (3) the applicant has the right to request an individual permit rather than accepting the terms and conditions of the NWP or other general permit authorization; (4) the applicant can accept a permit authorization and thereby agree to comply with all the terms and conditions of that permit, including whatever mitigation requirements the Corps has determined to be necessary; (5) undertaking any activity in reliance upon the subject permit authorization without requesting an AJD constitutes the applicant's acceptance of the use of the PJD; (6) accepting a permit authorization (e.g., signing a proffered individual permit) or undertaking any activity in reliance on any form of Corps permit authorization based on a PJD constitutes agreement that all aquatic resources in the review area affected in any way by that activity will be treated as jurisdictional, and waives any challenge to such jurisdiction in any administrative or judicial compliance or enforcement action, or in any administrative appeal or in any Federal court; and (7) whether the applicant elects to use either an AJD or a PJD, the JD will be processed as soon as practicable. Further, an AJD, a proffered individual permit (and all terms and conditions contained therein), or individual permit denial can be administratively appealed pursuant to 33 C.F.R. Part 331. If, during an administrative appeal, it becomes appropriate to make an official determination whether geographic jurisdiction exists over aquatic resources in the review area, or to provide an official delineation of jurisdictional aquatic resources in the review area, the Corps will provide an AJD to accomplish that result, as soon as is practicable. This PJD finds that there *"may be"* waters of the U.S. and/or that there *"may be"* navigable waters of the U.S. on the subject review area, and identifies all aquatic features in the review area that could be affected by the proposed activity, based on the following information:

SUPPORTING DATA. Data reviewed for PJD (check all that apply) Checked items are included in the administrative record and are appropriately cited:

Maps, plans, plots or plat submitted by or on behalf of the PJD requestor:

Map: Attached dated February 28, 2022

Data sheets prepared/submitted by or on behalf of the PJD requestor. Datasheets:

Office concurs with data sheets/delineation report.

Office does not concur with data sheets/delineation report. Rationale: _____

Data sheets prepared by the Corps: _____

Corps navigable waters' study:

U.S. Geological Survey Hydrologic Atlas:

USGS NHD data:

USGS 8 and 12 digit HUC maps:

U.S. Geological Survey map(s). Cite scale & quad name: Farrington Quad

Natural Resources Conservation Service Soil Survey. Citation: NRCS Websoil survey

National wetlands inventory map(s). Cite name: USFWS NWI

State/local wetland inventory map(s): _____

FEMA/FIRM maps: NC FIRM

100-year Floodplain Elevation is: _____ (National Geodetic Vertical Datum of 1929)

Photographs: Aerial (Name & Date): undated

or Other (Name & Date): site photos dated 3-30-2022

Previous determination(s). File no. and date of response letter: _____

Other information (please specify):

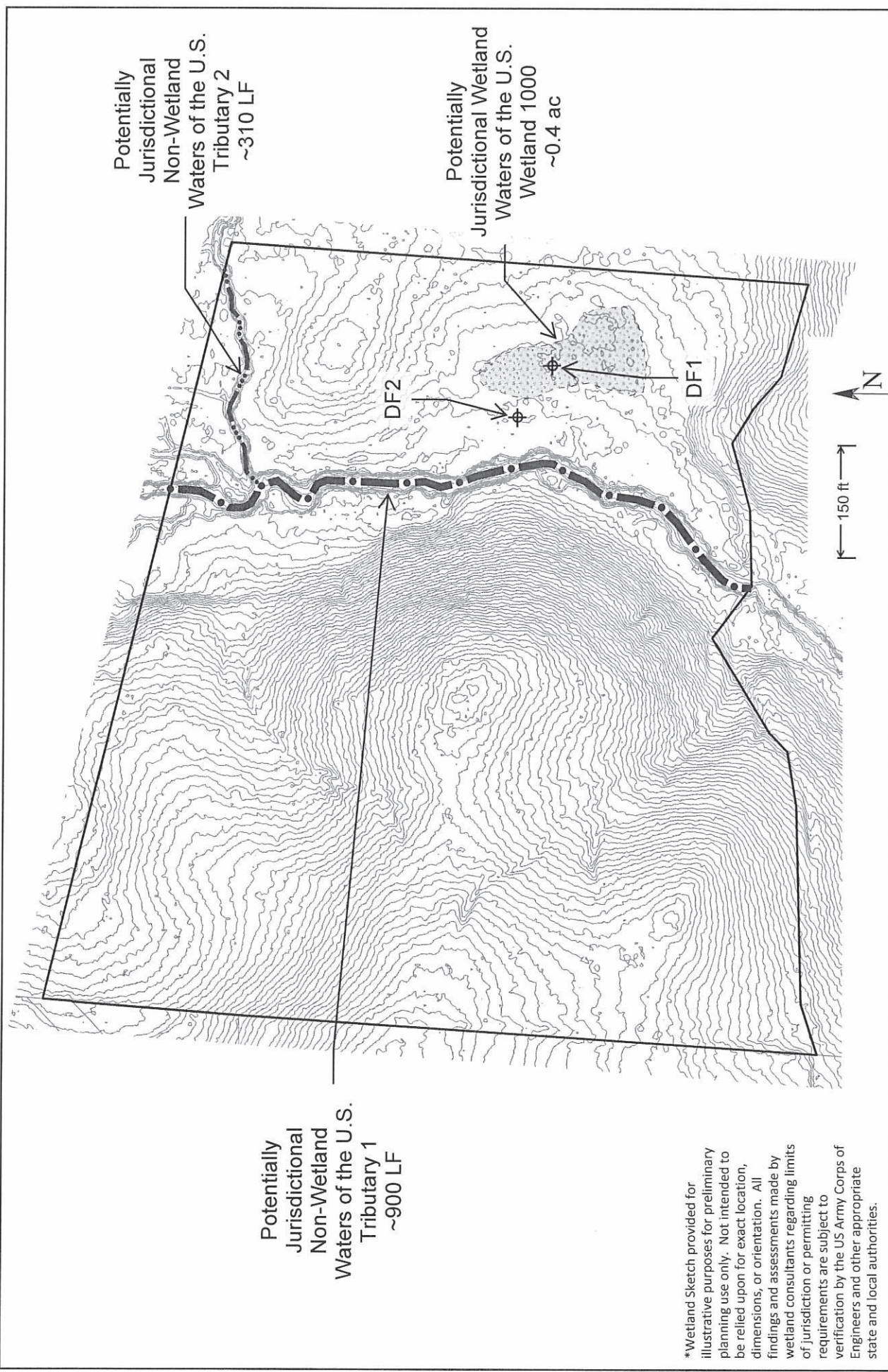
IMPORTANT NOTE: The information recorded on this form has not necessarily been verified by the Corps and should not be relied upon for later jurisdictional determinations.



Signature and date of Regulatory
staff member completing PJD
05/05/2022

Signature and date of person requesting PJD
(REQUIRED, unless obtaining the signature is
impracticable)¹

¹ Districts may establish timeframes for requester to return signed PJD forms. If the requester does not respond within the established time frame, the district may presume concurrence and no additional follow up is necessary prior to finalizing an action.



Potentially Jurisdictional Non-Wetland Waters of the U.S. Tributary 1 ~900 LF

Potentially Jurisdictional Non-Wetland Waters of the U.S. Tributary 2 ~310 LF

Potentially Jurisdictional Wetland Waters of the U.S. Wetland 1000 ~0.4 ac

*Wetland Sketch provided for illustrative purposes for preliminary planning use only. Not intended to be relied upon for exact location, dimensions, or orientation. All findings and assessments made by wetland consultants regarding limits of jurisdiction or permitting requirements are subject to verification by the US Army Corps of Engineers and other appropriate state and local authorities.



Project Name:	Hawk Point Road Extension
Owner / Developer:	Congruus LLC
City / County:	Pittsboro/Chatham
Tax PIN(s):	95254
Coordinates:	Lat: 35.815158 Long: -79.102772
Scale:	graphic
Date:	02-28-2022

Figure 1: Approximate Delineation of Surface Waters and Wetlands



05/10/2022

WP-22-280

On-site Riparian Buffer Review

Status: Active

Date Created: May 5, 2022

Applicant

Drew Lucas
drewlucas@wetlands-waters.com
328 East Broad Street
Suite D
Statesville, North Carolina 28677
540-529-2580

Location

0 VACANT
North Carolina 00000

Owner:

CONGRUUS LLC
PO BOX 2861 CHAPEL HILL , NC 27515-2861

Project Information

Review Type

Major Subdivision

Before continuing please complete a phone or email conversation with Paula Phillips of the Planning Department. (919) 542-8276 paula.phillips@chathamcountync.gov

If your project will result in a review of greater than 10 acres please contact a private consulting firm to complete the surface water determination. For stream determinations the consultant must have successfully completed the NCDWQ/NC State University Surface Waters Classification. For wetland delineations the consultant must demonstrate at least 2 years of experience delineating jurisdictional wetlands in accordance with the Eastern Mountains and Piedmont Regional Supplement to the 1987 US Corps of Engineers Wetland Delineation Manual. Please visit the Watershed Protection Department website for a list of consultants that regularly complete work within Chatham County.

If your project is a Major Subdivision please contact a private consulting firm to complete the surface water determination. For stream determinations the consultant must have successfully completed the NCDWQ/NC State University Surface Waters Classification. For wetland delineations the consultant must demonstrate at least 2 years of experience delineating jurisdictional wetlands in accordance with the Eastern Mountains and Piedmont Regional Supplement to the 1987 US Corps of Engineers Wetland Delineation Manual. Please visit the Watershed Protection Department website for a list of consultants that regularly complete work within Chatham County.

Number of Features Found

2

Feature is defined as any surface water that is subject to Chatham County Riparian Buffers (streams, wetlands, ponds). Include each stream type transition, with corresponding forms, and individual wetland in your total. Total is total features found before USACE or County site visit.

Date Field Work Was Completed

03/30/2022

Has USACE on-site review been scheduled or completed

Completed

Date USACE was completed

05/05/2022

Brief Summary of USACE Findings

JD was approved as submitted

A Minor Subdivision is the creation of 5 or less new lots. If the original tract is over 10 acres and the subdivision results in the total of that tract becoming less than 10 acres then two lots have been created by default.

Parcel Information

Parcel Number (s) 95254	Watershed District --
Is the property within the Jordan Lake Watershed No	
Property Owner Name Congruus, LLC.	
Location of Tract (address if applicable) 35.815158, -79.102772	
Driving Directions from Pittsboro Head east toward US-64 BUS, exit traffic circle onto Hillsboro St, continue onto US-15 N/US-501 N/Chapel Hill Rd, make a U-turn at Jack Bennett Rd, slight right onto Taylor Rd, turn left onto Penny Lane, site is on the left	
Subdivision Name (if applicable) --	
Please describe access issues (provide gate codes, or information for scheduling site visit) No access issues	

Applicants Information

Are you the Landowner or an Agent Agent	Full Name Drew Lucas
Primary Phone Number 5405292580	Primary Email drewlucas@wetlands-waters.com
Mailing Address 328 East Broad Street, Suite D	City/State Statesville
Zip Code 28677	

How would you like to receive the completed review letter?

I would like to pick up the completed Riparian Buffer Review at the County Office

I would like the completed Riparian Buffer Review mailed to me








I would like the completed Riparian Buffer Review e-mailed to me.

Statement of Understanding

I have read and understand the regulations of the Watershed Protection Ordinance, Section 304, and I agree to adhere to these associated policies and guidelines.

Name
Drew Lucas
New Field





Attachments

-  HPRE_AuthorizationtoEnterProperty.pdf
Uploaded by Drew Lucas on May 5, 2022 at 1:55 pm
-  HPRE_AgentAuthorization.pdf
Uploaded by Drew Lucas on May 5, 2022 at 1:59 pm
-  HPRE_DelineationSketch.pdf
Uploaded by Drew Lucas on May 5, 2022 at 2:01 pm
-  HPRE_DelineationSketch.pdf
Uploaded by Drew Lucas on May 5, 2022 at 2:01 pm
-  HPRE_StreamForm.pdf
Uploaded by Drew Lucas on May 5, 2022 at 2:02 pm
-  HPRE_PaperSoil.pdf
Uploaded by Drew Lucas on May 5, 2022 at 2:03 pm
-  HPRE_USGS.pdf
Uploaded by Drew Lucas on May 5, 2022 at 2:03 pm

History

Date	Activity
Feb 17, 2022 at 1:48 pm	Drew Lucas started a draft of Record WP-22-280
May 5, 2022 at 2:04 pm	Drew Lucas submitted Record WP-22-280
May 5, 2022 at 2:04 pm	approval step Intake Approval was assigned to Drew Blake on Record WP-22-280
May 10, 2022 at 12:41 pm	Drew Blake approved approval step Intake Approval on Record WP-22-280

Timeline

Label	Status	Activated	Completed	Assignee	Due Date
 Intake Approval	Complete	May 5, 2022 at 2:04 pm	May 10, 2022 at 12:41 pm	Drew Blake	-
 Major Subdivision Riparian Buffer Review Fee	Active	May 10, 2022 at 12:41 pm	-	-	-
 Field Review	Inactive	-	-	-	-
 Major Subdivision Riparian Buffer Confirmation Report	Inactive	-	-	-	-



CHATHAM COUNTY

AUTHORIZED AGENT FOR FORM

PROPERTY LEGAL DESCRIPTION:

LOT NO. _____ PARCEL ID (PIN) 95254 PARCEL SIZE 20.3

STREET ADDRESS: 263 Penny Lane, Pittsboro, NC 27312

Please print:

Property Owner: Congruus, LLC

Property Owner: _____

The undersigned owner(s) of the above described property, do hereby authorize

Chris Huysman, of Wetlands & Waters, Inc.
(Contractor / Agent) (Name of consulting firm if applicable)

to act on my/our behalf and take all actions, I/we could have taken if present, necessary for the processing, issuance and acceptance of reviews, inspections, or permits and any and all standard and special conditions attached to these approvals. The activities authorized include the following (**Check all that apply**):

Check here for all of the below options.

- Building Permit
- Zoning Compliance Permits
- Floodplain Determination
- Soil Erosion & Sedimentation Control Permit
- Permits to install, repair, evaluate, or expand onsite wastewater system(s)
- Evaluation/inspection/permitting of a private drinking water well(s).
- Riparian Buffer Review pursuant to §304 of the Chatham Co. Watershed Protection Ordinance.
- Other: _____

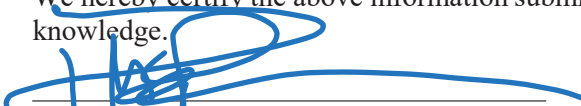
Property Owner's Address (if different than property above):

697 Hillsboro Street, Suite 600, Pittsboro, NC 27312

Telephone: 919-942-4214 ext 202

E-mail: kmcrae@congruus.com

We hereby certify the above information submitted in this application is true and accurate to the best of our knowledge.


Owner Authorized Signature

Date: 04/29/2022


Agent Authorized Signature

Date: 05-02-2022



Authorization to Enter Property Form


Date: 04-28-2022

PARCEL No. (AKPAR) 95254

I, (print name) Keith McRae, as owner of the property described above, or as a representative of the owner(s) do hereby convey permission to Chatham County staff to enter the property at their convenience to conduct a surface water identification (SWID) necessary to determine whether or not water features on my property are subject to the riparian buffer regulations described in Section 304 of the Chatham County Watershed Protection Ordinance. The SWID will be public record and on file at the Planning and Watershed Protection Departments, and may be requested in the future for review by interested parties.

I understand that stream delineations for the property listed above will be made by County staff only once and that if future subdivisions are proposed within this property boundary, it will require a surface water identification by a private consultant at the property owner's expense.

Keith McRae
(Print Owner's Name)


(Signature of Owner)
(Date)

Chris Huysman
(Print Authorized Agent Name)


(Signature of Authorized Agent)
(Date)