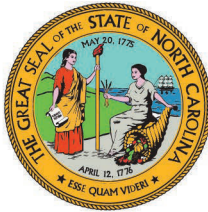


ROY COOPER
Governor

ELIZABETH S. BISER
Secretary

RICHARD E. ROGERS, JR.
Director



NORTH CAROLINA
Environmental Quality

March 4, 2024

DWR # 20221471 v3
Chatham County

RBV 1252, LLC
Attn: Rex Vick Jr.
3434 Kildaire Farm Road, Suite 135
Cary, NC 27518

Delivered via email to: rvick@windjamdevelopment.com

Subject: Approval of Individual 401 Water Quality Certification
Flatiron Forest Subdivision
USACE Action ID. No. SAW-2022-01047

Dear Mr. Vick:

Attached hereto is a copy of Certification No. WQC006678 issued to Mr. Rex Vick, Jr. and RBV 1252, LLC, dated March 4, 2024. This approval is for the purpose and design described in your application. The plans and specifications for this project are incorporated by reference as part of this Water Quality Certification. If you change your project, you must notify the Division and you may be required to submit a new application package with the appropriate fee. If the property is sold, the new owner must be given a copy of this Certification and is responsible for complying with all conditions. [15A NCAC 02H .0507(d)(2)].

This Water Quality Certification does not relieve the permittee of the responsibility to obtain all other required Federal, State, or Local approvals before proceeding with the project, including those required by, but not limited to, Sediment and Erosion Control, Non-Discharge, Water Supply Watershed, and Trout Buffer regulations.

This Water Quality Certification neither grants nor affirms any property right, license, or privilege in any lands or waters, or any right of use in any waters. This Water Quality Certification does not authorize any person to interfere with the riparian rights, littoral rights, or water use rights of any other person and does not create any prescriptive right or any right of priority regarding any usage of water. This Water Quality Certification shall not be interposed as a defense in any action respecting the determination of riparian or littoral rights or other rights to water use. No consumptive user is deemed by virtue of this Water Quality Certification to possess any prescriptive or other right of priority with respect to any other consumptive user.

Upon the presentation of proper credentials, the Division may inspect the property.

This Water Quality Certification shall expire on the same day as the expiration date of the corresponding Section 404 Permit. The conditions shall remain in effect for the life of the project, regardless of the expiration date of this Water Quality Certification.



North Carolina Department of Environmental Quality | Division of Water Resources
512 North Salisbury Street | 1611 Mail Service Center | Raleigh, North Carolina 27699-1611
919.707.9000

Non-compliance with or violation of the conditions herein set forth may result in revocation of this Water Quality Certification for the project and may also result in criminal and/or civil penalties.

If you are unable to comply with any of the conditions of this Water Quality Certification you must notify the Raleigh Regional Office within 24 hours (or the next business day if a weekend or holiday) from the time the permittee becomes aware of the circumstances.

The permittee shall report to the Raleigh Regional Office any noncompliance with, and/or any violation of, stream or wetland standards [15A NCAC 02B .0200] including but not limited to sediment impacts to streams or wetlands. Information shall be provided orally within 24 hours (or the next business day if a weekend or holiday) from the time the permittee became aware of the non-compliance circumstances.

This approval and its conditions are final and binding unless contested [G.S. 143-215.5]. Please be aware that impacting waters without first applying for and securing the issuance of a 401 Water Quality Certification violates Title 15A of the North Carolina Administrative Code (NCAC) 2H .0500. Title 15A NCAC 2H .0500 requires certifications pursuant to Section 401 of the Clean Water Act whenever construction or operation of facilities will result in a discharge into navigable waters, including wetlands, as described in 33 Code of Federal Regulations (CFR) Part 323. It also states any person desiring issuance of the State certification or coverage under a general certification required by Section 401 of the Federal Water Pollution Control Act shall file with the Director of the North Carolina Division of Water Quality. Pursuant to G.S. 143-215.6A, these violations and any future violations are subject to a civil penalty assessment of up to a maximum of \$25,000.00 per day for each violation

This Certification can be contested as provided in Chapter 150B of the North Carolina General Statutes by filing a Petition for a Contested Case Hearing (Petition) with the North Carolina Office of Administrative Hearings (OAH) **within sixty (60) calendar days**. Requirements for filing a Petition are set forth in Chapter 150B of the North Carolina General Statutes and Title 26 of the North Carolina Administrative Code. Additional information regarding requirements for filing a Petition and Petition forms may be accessed at <http://www.ncoah.com/> or by calling the OAH Clerk's Office at (919) 431-3000.

A party filing a Petition must serve a copy of the Petition on:

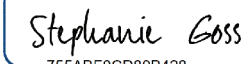
William F. Lane, General Counsel
Department of Environmental Quality
1601 Mail Service Center
Raleigh, NC 27699-1601

If the party filing the Petition is not the permittee, then the party must also serve the recipient of the Certification in accordance with N.C.G.S 150B-23(a).



This letter completes the Division's review under section 401 of the Clean Water Act and 15A NCAC 02H .0500. Please contact Stephanie Goss at 919-707-9013 or stephanie.goss@deq.nc.gov if you have any questions or concerns.

Sincerely,

DocuSigned by:

755ABF0CD80B428...

Stephanie Goss, Supervisor
401 & Buffer Permitting Branch

Electronic cc: Rick Trone, WithersRavenel
Rachel Capito, USACE Raleigh Regulatory Field Office
Gabriela Garrison, NCWRC
DWR 401 & Buffer Permitting Branch Electronic file



NORTH CAROLINA 401 WATER QUALITY CERTIFICATION

CERTIFICATION #WQC006678 is issued in conformity with the requirements of Section 401, Public Laws 92-500 and 95-217 of the United States and subject to North Carolina’s Regulations in 15 NCAC 02H .0500 and 15A NCAC 02B .0200, to Mr. Rex Vick, Jr. and RBV 1252, LLC, who have authorization for the impacts listed below, as described within your application received by the N.C. Division of Water Resources (Division) on January 12, 2024, and by Public Notice issued by the U. S. Army Corps of Engineers on January 18, 2024, and within the Reasonable Period of Time pursuant to 40 CFR Part 121.6.

The State of North Carolina certifies that this activity will comply with water quality requirements and the applicable portions of Sections 301, 302, 303, 306, 307 of the Public Laws 92-500 and PL 95-217 if conducted in accordance with the application, the supporting documentation, and conditions hereinafter set forth.

The following impacts are hereby approved. No other impacts are approved, including incidental impacts. [15A NCAC 02H .0506(b)]

Type of Impact	Amount Approved Permanent	Amount Approved Temporary	Mitigation Amount Required
Perennial Streams			
S1 – Construction Access	0 linear feet	42 linear feet	0 credits
S2 – Road Crossing	74 linear feet	0 linear feet	0 credits
S3 – Rip Rap	32 linear feet	0 linear feet	0 credits
S4 – Construction Access	0 linear feet	20 linear feet	0 credits
S5 – Construction Access	0 linear feet	17 linear feet	0 credits
Riparian Wetlands			
W1 – Construction Access	0 acres	0.034 acres	0 credits
W2 – Road Crossing	0.079 acres	0 acres	0 credits
W3 – Road Crossing	0 acres	0.001 acres	0 credits
W4 – Road Crossing	0.020 acres	0 acres	0 credits

This approval requires you to follow the conditions listed in the certification below.

CONDITIONS OF CERTIFICATION [15A NCAC 02H .0507(c)]:

1. All wetlands, streams, and surface waters located within 50 feet of the construction area on the project site shall be clearly marked (example- orange fabric fencing) prior to any land disturbing activities and must be maintained on the property until the project phase is completed.

Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c)

Justification: Surface water quality standards require that conditions of waters be suitable for all best uses provided for in state rule (including, at minimum: aquatic life propagation, survival, and maintenance of biological integrity; wildlife; secondary contact recreation; agriculture); and that activities must not cause water pollution that precludes any best use on a short-term or long-term basis.



2. The Permittee shall secure an *approved* stormwater management plan (SMP) from Town of Pittsboro **before any** impacts authorized in this certification occur. The applicable portion of the approved SMP shall be constructed and operational before any permanent building or other permanent structure is occupied at the site. If any of the SCMs are used as an Erosion and Sediment Control device, it must be restored to the approved stormwater design condition within 30 days of close-out of the Erosion and Sediment Control Plan.

Citation: 15A NCAC 02H .0506(b)(2) and (3); 15A NCAC 02H .0507(c)

Justification: Surface water quality standards require that conditions of waters be suitable for all best uses provided for in state rule (including, at minimum: aquatic life propagation, survival, and maintenance of biological integrity; wildlife; secondary contact recreation; agriculture); and that activities must not cause water pollution that precludes any best use on a short-term or long-term basis

3. The permittee shall report to the DWR Raleigh Regional Office any noncompliance with, and/or any violation of, stream or wetland standards [15A NCAC 02B .0200], including but not limited to sediment impacts to streams or wetlands. Information shall be provided orally within 24 hours (or the next business day if a weekend or holiday) from the time the permittee became aware of the non-compliance circumstances.

Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c)

Justification: Timely reporting of non-compliance is important in identifying and minimizing detrimental impacts to water quality and avoiding impacts due to water pollution that precludes any best use on a short-term or long-term basis.

4. No waste, spoil, solids, or fill of any kind shall occur in wetlands or waters beyond the footprint of the approved impacts (including temporary impacts).

Citation: 15A NCAC 02H .0506; 15A NCAC 02H .0507(c)

Justification: Surface water quality standards require that conditions of waters be suitable for all best uses provided for in state rule (including, at minimum: aquatic life propagation, survival, and maintenance of biological integrity; wildlife; secondary contact recreation; agriculture); and that activities must not cause water pollution that precludes any best use on a short-term or long-term basis.

5. All activities shall be in compliance with any applicable State Regulated Riparian Buffer Rules in Chapter 2B of Title 15A in the North Carolina Administrative Code.

Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c)

Justification: The referenced Riparian Buffer rules were adopted to address water quality impairments and further protect existing uses.

6. All construction activities shall be performed and maintained in full compliance with G.S. Chapter 113A Article 4 (Sediment and Pollution Control Act of 1973). Regardless of applicability of the Sediment and Pollution Control Act, all projects shall incorporate appropriate Best Management Practices for the control of sediment and erosion so that no violations of state water quality standards, statutes, or rules occur.



Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c); 15A NCAC02B .0200; 15A NCAC 02B .0231

Justification: A project that affects waters shall not be permitted unless the existing uses, and the water quality to protect such uses, are protected. Activities must not cause water pollution that precludes any best use on a short-term or long-term basis. As cited in Stream Standards: (12) Oils, deleterious substances, or colored or other wastes: only such amounts as shall not render the waters injurious to public health, secondary recreation, or to aquatic life and wildlife, or adversely affect the palatability of fish, aesthetic quality, or impair the waters for any designated uses; and (21) turbidity in the receiving water shall not exceed 50 Nephelometric Turbidity Units (NTU) in streams not designated as trout waters and 10 NTU in streams, lakes, or reservoirs designated as trout waters; for lakes and reservoirs not designated as trout waters, the turbidity shall not exceed 25 NTU; if turbidity exceeds these levels due to natural background conditions, the existing turbidity level shall not be increased. As cited in Wetland Standards: (c)(1) Liquids, fill or other solids, or dissolved gases shall not be present in amounts that may cause adverse impacts on existing wetland uses; and (3) Materials producing color or odor shall not be present in amounts that may cause adverse impacts on existing wetland uses.

7. Sediment and erosion control measures shall not be installed in wetland or waters except within the footprint of temporary or permanent impacts otherwise authorized by this Certification. If placed within authorized impact areas, then placement of such measures shall not be conducted in a manner that results in dis-equilibrium of any wetlands, streambeds, or streambanks. Any silt fence installed within wetlands shall be removed from wetlands and the natural grade restored within two (2) months of the date that DEMLR or locally delegated program has released the specific area within the project to ensure wetland standards are maintained upon completion of the project.

Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c); 15A NCAC 02B .0200; 15A NCAC 02B .0231

Justification: A project that affects waters shall not be permitted unless the existing uses, and the water quality to protect such uses, are protected. Activities must not cause water pollution that precludes any best use on a short-term or long-term basis. As cited in Stream Standards: (12) Oils, deleterious substances, or colored or other wastes: only such amounts as shall not render the waters injurious to public health, secondary recreation, or to aquatic life and wildlife, or adversely affect the palatability of fish, aesthetic quality, or impair the waters for any designated uses; and (21) turbidity in the receiving water shall not exceed 50 Nephelometric Turbidity Units (NTU) in streams not designated as trout waters and 10 NTU in streams, lakes, or reservoirs designated as trout waters; for lakes and reservoirs not designated as trout waters, the turbidity shall not exceed 25 NTU; if turbidity exceeds these levels due to natural background conditions, the existing turbidity level shall not be increased. As cited in Wetland Standards: (c)(1) Liquids, fill or other solids, or dissolved gases shall not be present in amounts that may cause adverse impacts on existing wetland uses; and (3) Materials producing color or odor shall not be present in amounts that may cause adverse impacts on existing wetland uses.

8. Erosion control matting that incorporates plastic mesh and/or plastic twine shall not be used along streambanks or within wetlands.

Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c)



Justification: A project that affects waters shall not be permitted unless the existing uses (including aquatic life propagation and biological integrity), and the water quality to protect such uses, are protected. Protections are necessary to ensure any remaining surface waters or wetlands, and any surface waters or wetlands downstream, continue to support existing uses during and after project completion. The Division must evaluate if the activity has avoided and minimized impacts to waters, would cause or contribute to a violation of standards, or would result in secondary or cumulative impacts.

9. If the project is covered by NPDES Construction Stormwater Permit Number NCG010000 or NPDES Construction Stormwater Permit Number NCG250000, full compliance with permit conditions including the erosion & sedimentation control plan, inspections and maintenance, self-monitoring, record keeping and reporting requirements is required.

Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c); 15A NCAC 02B .0200; 15A NCAC 02B .0231

Justification: A project that affects waters shall not be permitted unless the existing uses, and the water quality to protect such uses, are protected. Activities must not cause water pollution that precludes any best use on a short-term or long-term basis. As cited in Stream Standards: (12) Oils, deleterious substances, or colored or other wastes: only such amounts as shall not render the waters injurious to public health, secondary recreation, or to aquatic life and wildlife, or adversely affect the palatability of fish, aesthetic quality, or impair the waters for any designated uses; and (21) turbidity in the receiving water shall not exceed 50 Nephelometric Turbidity Units (NTU) in streams not designated as trout waters and 10 NTU in streams, lakes, or reservoirs designated as trout waters; for lakes and reservoirs not designated as trout waters, the turbidity shall not exceed 25 NTU; if turbidity exceeds these levels due to natural background conditions, the existing turbidity level shall not be increased. As cited in Wetland Standards: (c)(1) Liquids, fill or other solids, or dissolved gases shall not be present in amounts that may cause adverse impacts on existing wetland uses; and (3) Materials producing color or odor shall not be present in amounts that may cause adverse impacts on existing wetland uses.

10. All work in or adjacent to streams shall be conducted so that the flowing stream does not come in contact with the disturbed area. Approved best management practices from the most current version of the NC Sediment and Erosion Control Manual, or the NC Department of Transportation Construction and Maintenance Activities Manual, such as sandbags, rock berms, cofferdams, and other diversion structures shall be used to minimize excavation in flowing water.

Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c); 15A NCAC 02B .0200

Justification: Surface water quality standards require that conditions of waters be suitable for all best uses provided for in state rule, and that activities must not cause water pollution that precludes any best use on a short-term or long-term basis. As cited in Stream Standards: (12) Oils, deleterious substances, or colored or other wastes: only such amounts as shall not render the waters injurious to public health, secondary recreation, or to aquatic life and wildlife, or adversely affect the palatability of fish, aesthetic quality, or impair the waters for any designated uses; and (21) turbidity in the receiving water shall not exceed 50 Nephelometric Turbidity Units (NTU) in streams not designated as trout waters and 10 NTU in streams, lakes, or reservoirs designated as trout waters; for lakes and reservoirs not designated as trout waters, the turbidity



shall not exceed 25 NTU; if turbidity exceeds these levels due to natural background conditions, the existing turbidity level shall not be increased.

11. Culverts shall be designed and installed in such a manner that the original stream profiles are not altered and allow for aquatic life movement during low flows. The dimension, pattern, and profile of the stream above and below a pipe or culvert shall not be modified by widening the stream channel or by reducing the depth of the stream in connection with the construction activity. The width, height, and gradient of a proposed culvert shall be such as to pass the average historical low flow and spring flow without adversely altering flow velocity. If the width of the culvert is wider than the stream channel, the culvert shall include multiple boxes/pipes, baffles, benches and/or sills to maintain the natural width of the stream channel. If multiple culverts/pipes/barrels are used, low flows shall be accommodated in one culvert/pipe and additional culverts/pipes shall be installed such that they receive only flows above bankfull.

Placement of culverts and other structures in streams shall be below the elevation of the streambed by one foot for all culverts with a diameter greater than 48 inches, and 20% of the culvert diameter for culverts having a diameter less than or equal to 48 inches, to allow low flow passage of water and aquatic life. If the culvert outlet is submerged within a pool or scour hole and designed to provide for aquatic passage, then culvert burial into the streambed is not required.

For structures less than 72" in diameter/width, and topographic constraints indicate culvert slopes of greater than 2.5% culvert burial is not required, provided that all alternative options for flattening the slope have been investigated and aquatic life movement/connectivity has been provided when possible (e.g. rock ladders, cross-vanes, sills, baffles etc.). Notification, including supporting documentation to include a location map of the culvert, culvert profile drawings, and slope calculations, shall be provided to DWR 30 calendar days prior to the installation of the culvert.

When bedrock is present in culvert locations, culvert burial is not required, provided that there is sufficient documentation of the presence of bedrock. Notification, including supporting documentation such as a location map of the culvert, geotechnical reports, photographs, etc. shall be provided to DWR a minimum of 30 calendar days prior to the installation of the culvert. If bedrock is discovered during construction, then DWR shall be notified by phone or email within 24 hours of discovery.

Installation of culverts in wetlands shall ensure continuity of water movement and be designed to adequately accommodate high water or flood conditions. When roadways, causeways, or other fill projects are constructed across FEMA-designated floodways or wetlands, openings such as culverts or bridges shall be provided to maintain the natural hydrology of the system as well as prevent constriction of the floodway that may result in destabilization of streams or wetlands.

The establishment of native woody vegetation and other soft stream bank stabilization techniques shall be used where practicable instead of rip-rap or other bank hardening methods.

Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c)

Justification: Surface water quality standards require that conditions of waters be suitable for all best uses provided for in state rule, and that activities must not cause water pollution that precludes any best use on a short-term or long-term basis. Ensuring that structures are installed



properly in waters will ensure that surface water quality standards are met and conditions of waters are suitable for all best uses.

12. Application of fertilizer to establish planted/seeded vegetation within disturbed riparian areas and/or wetlands shall be conducted at agronomic rates and shall comply with all other Federal, State and Local regulations. Fertilizer application shall be accomplished in a manner that minimizes the risk of contact between the fertilizer and surface waters.

Citation: 15A 02H .0506(b); 15A NCAC 02H .0507(c); 15A NCAC 02B .0200; 15A NCAC 02B .0231

Justification: A project that affects waters shall not be permitted unless the existing uses, and the water quality to protect such uses, are protected. Activities must not cause water pollution that precludes any best use on a short-term or long-term basis. As cited in Stream Standards: (12) Oils, deleterious substances, or colored or other wastes: only such amounts as shall not render the waters injurious to public health, secondary recreation, or to aquatic life and wildlife, or adversely affect the palatability of fish, aesthetic quality, or impair the waters for any designated uses. As cited in Wetland Standards: (c)(1) Liquids, fill or other solids, or dissolved gases shall not be present in amounts that may cause adverse impacts on existing wetland uses; and (3) Materials producing color or odor shall not be present in amounts that may cause adverse impacts on existing wetland uses.

13. If concrete is used during construction, then all necessary measures shall be taken to prevent direct contact between uncured or curing concrete and waters of the state. Water that inadvertently contacts uncured concrete shall not be discharged to waters of the state.

Citation: 15A 02H .0506(b); 15A NCAC 02H .0507(c); 15A NCAC 02B .0200; 15A NCAC 02B .0231

Justification: A project that affects waters shall not be permitted unless the existing uses, and the water quality to protect such uses, are protected. Activities must not cause water pollution that precludes any best use on a short-term or long-term basis. As cited in Stream Standards: (12) Oils, deleterious substances, or colored or other wastes: only such amounts as shall not render the waters injurious to public health, secondary recreation, or to aquatic life and wildlife, or adversely affect the palatability of fish, aesthetic quality, or impair the waters for any designated uses. As cited in Wetland Standards: (c)(1) Liquids, fill or other solids, or dissolved gases shall not be present in amounts that may cause adverse impacts on existing wetland uses; and (3) Materials producing color or odor shall not be present in amounts that may cause adverse impacts on existing wetland uses.

14. Any rip-rap required for proper culvert placement, stream stabilization, or restoration of temporarily disturbed areas shall be restricted to the area directly impacted by the approved construction activity. All rip-rap shall be placed such that the original streambed elevation and streambank contours are restored and maintained and shall consist of clean rock or masonry material free of debris or toxic pollutants. Placement of rip-rap or other approved materials shall not result in de-stabilization of the stream bed or banks upstream or downstream of the area or be installed in a manner that precludes aquatic life passage.

Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c)

Justification: Surface water quality standards require that conditions of waters be suitable for all best uses provided for in state rule, and that activities must not cause water pollution that precludes any best use on a short-term or long-term basis. The Division must evaluate if the



activity has avoided and minimized impacts to waters, would cause or contribute to a violation of standards, or would result in secondary or cumulative impacts.

15. Any rip-rap used for stream or shoreline stabilization shall be of a size and density to prevent movement by wave, current action, or stream flows, and shall consist of clean rock or masonry material free of debris or toxic pollutants. Rip-rap shall not be installed in the streambed except in specific areas required for velocity control and to ensure structural integrity of bank stabilization measures.

Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c); 15A NCAC 02B .0201

Justification: Surface water quality standards require that conditions of waters be suitable for all best uses provided for in state rule, and that activities must not cause water pollution that precludes any best use on a short-term or long-term basis. The Division must evaluate if the activity has avoided and minimized impacts to waters, would cause or contribute to a violation of standards, or would result in secondary or cumulative impacts.

16. All mechanized equipment operated near surface waters shall be inspected and maintained regularly to prevent contamination of surface waters from fuels, lubricants, hydraulic fluids, or other toxic materials. Construction shall be staged in order to minimize the exposure of equipment to surface waters to the maximum extent practicable. Fueling, lubrication, and general equipment maintenance shall be performed in a manner to prevent, to the maximum extent practicable, contamination of surface waters by fuels and oils.

Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c); 15A NCAC 02B .0200; 15A NCAC 02B .0231

Justification: A project that affects waters shall not be permitted unless the existing uses, and the water quality to protect such uses, are protected. Activities must not cause water pollution that precludes any best use on a short-term or long-term basis. As cited in Stream Standards: (12) Oils, deleterious substances, or colored or other wastes: only such amounts as shall not render the waters injurious to public health, secondary recreation, or to aquatic life and wildlife, or adversely affect the palatability of fish, aesthetic quality, or impair the waters for any designated uses. As cited in Wetland Standards: (c)(1) Liquids, fill or other solids, or dissolved gases shall not be present in amounts that may cause adverse impacts on existing wetland uses; and (3) Materials producing color or odor shall not be present in amounts that may cause adverse impacts on existing wetland uses.

17. Heavy equipment working in wetlands shall be placed on mats or other measures shall be taken to minimize soil disturbance and compaction.

Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c); 15A NCAC 02B .0231

Justification: Wetland standards require maintenance or enhancement of existing uses of wetlands such that hydrologic conditions necessary to support natural biological and physical characteristics are protected; populations of wetland flora and fauna are maintained to protect biological integrity of the wetland; and materials or substances are not present in amounts that may cause adverse impact on existing wetland uses.

18. In accordance with 143-215.85(b), the permittee shall report any petroleum spill of 25 gallons or more; any spill regardless of amount that causes a sheen on surface waters; any petroleum spill



regardless of amount occurring within 100 feet of surface waters; and any petroleum spill less than 25 gallons that cannot be cleaned up within 24 hours.

Citation: 15A NCAC 02H .0507(c); N.C.G.S 143-215.85(b)

Justification: Person(s) owning or having control over oil or other substances upon notice of discharge must immediately notify the Department, or any of its agents or employees, of the nature, location, and time of the discharge and of the measures which are being taken or are proposed to be taken to contain and remove the discharge. This action is required in order to contain or divert the substances to prevent entry into the surface waters. Surface water quality standards require that conditions of waters be suitable for all best uses provided for in state rule (including, at minimum: aquatic life propagation, survival, and maintenance of biological integrity; wildlife; secondary contact recreation; agriculture); and that activities must not cause water pollution that precludes any best use on a short-term or long-term basis.

19. The permittee and their authorized agents shall conduct all activities in a manner consistent with State water quality standards (including any requirements resulting from compliance with §303(d) of the Clean Water Act), and any other appropriate requirements of State and Federal Law.

Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c)

Justification: Surface water quality standards require that conditions of waters be suitable for all best uses provided for in state rule, and that activities must not cause water pollution that precludes any best use on a short-term or long-term basis. The Division must evaluate if the activity has avoided and minimized impacts to waters, would cause or contribute to a violation of standards, or would result in secondary or cumulative impacts.

20. The permittee shall require its contractors and/or agents to comply with the terms and conditions of this certification in the construction and maintenance of this project, and shall provide each of its contractors and/or agents associated with the construction or maintenance of this project with a copy of this Water Quality Certification. A copy of this Water Quality Certification shall be available at the project site during the construction and maintenance of this project.

Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c)

Justification: Those actually performing the work should be aware of the requirements of this 401 Water Quality Certification to minimize water quality impacts.

This approval to proceed with your proposed impacts or to conduct impacts to waters as depicted in your application shall expire upon expiration of the 404 Permit. The conditions in effect on the date of issuance shall remain in effect for the life of the project, regardless of the expiration date of this Certification. [15A NCAC 02H .0507(c)]

This, the 4th day of March 2024

DocuSigned by:

Stephanie Goss

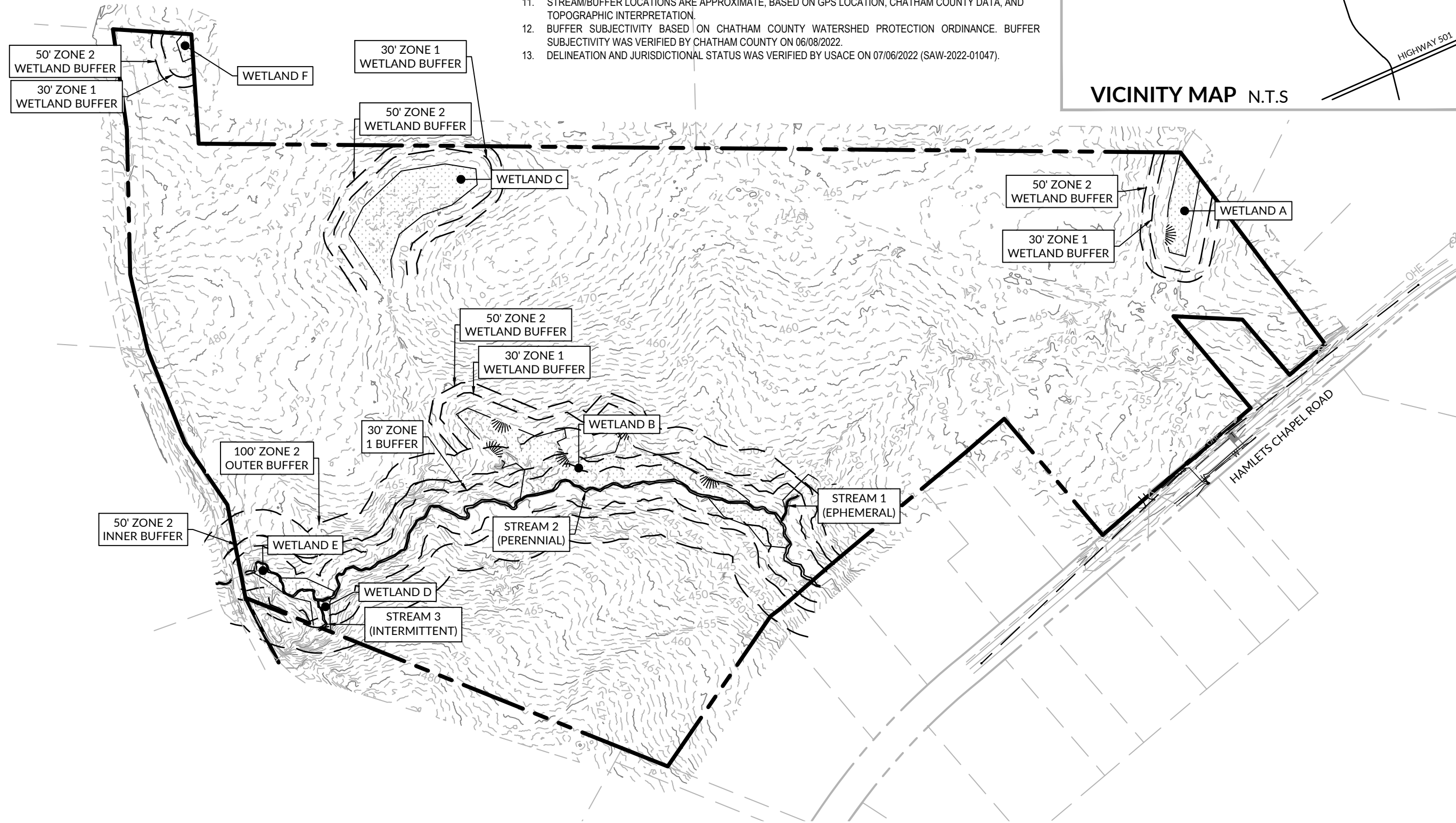
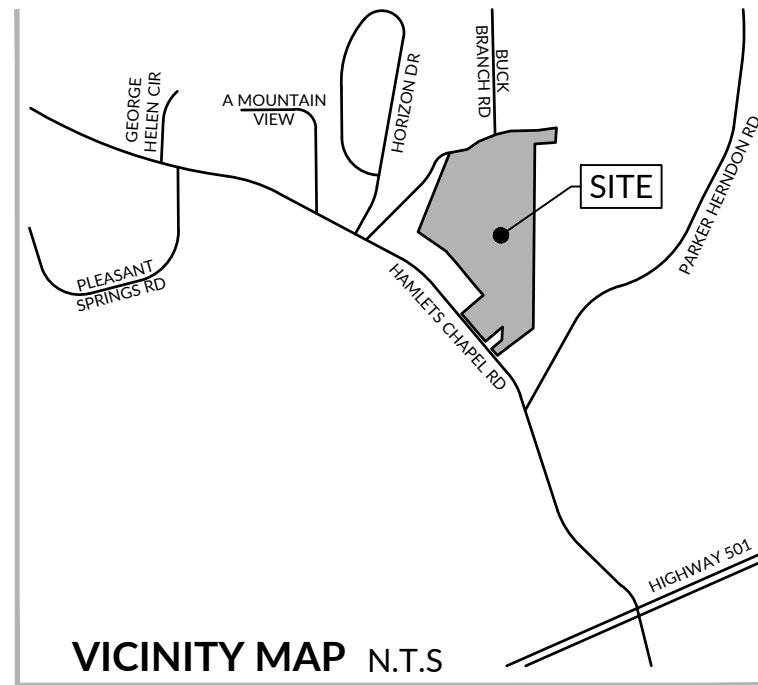
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Stephanie Goss, Supervisor
401 & Buffer Permitting Branch



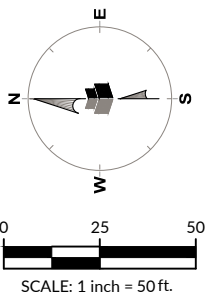
GENERAL NOTES

1. BASIS OF BEARINGS: NC STATE PLANE GRID COORDINATES, NAD83(2011).
2. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES IN U.S. SURVEY FEET UNLESS OTHERWISE NOTED.
3. AREAS SHOWN HEREON WERE COMPUTED USING THE COORDINATE METHOD.
4. LINES NOT SURVEYED ARE SHOWN AS BROKEN LINES FROM INFORMATION REFERENCED ON THE FACE OF THIS PLAT.
5. NO EVIDENCE OF EARTH MOVING WAS OBSERVED IN THE PROCESS OF CONDUCTING FIELDWORK ON SUBJECT PARCEL.
6. NO EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS OBSERVED IN THE PROCESS OF CONDUCTING FIELDWORK.
7. NO EVIDENCE OF BURIAL GROUNDS WAS OBSERVED IN THE PROCESS OF CONDUCTING FIELDWORK.
8. PROPERTY IS NOT LOCATED WITHIN A FLOOD HAZARD AREA ACCORDING TO FLOOD INSURANCE RATE MAP 3710976400K DATED NOVEMBER 17, 2017.
9. IRON PIPES SET AT ALL CORNERS UNLESS OTHERWISE NOTED.
10. WETLAND/BUFFER DELINEATION PERFORMED BY WR ON 03/30/2022.
11. STREAM/BUFFER LOCATIONS ARE APPROXIMATE, BASED ON GPS LOCATION, CHATHAM COUNTY DATA, AND TOPOGRAPHIC INTERPRETATION.
12. BUFFER SUBJECTIVITY BASED ON CHATHAM COUNTY WATERSHED PROTECTION ORDINANCE. BUFFER SUBJECTIVITY WAS VERIFIED BY CHATHAM COUNTY ON 06/08/2022.
13. DELINEATION AND JURISDICTIONAL STATUS WAS VERIFIED BY USACE ON 07/06/2022 (SAW-2022-01047).



IMPACT MAPS
FLATRION FOREST

638 HAMLET'S CHAPEL ROAD | CHATHAM COUNTY, NC 27312



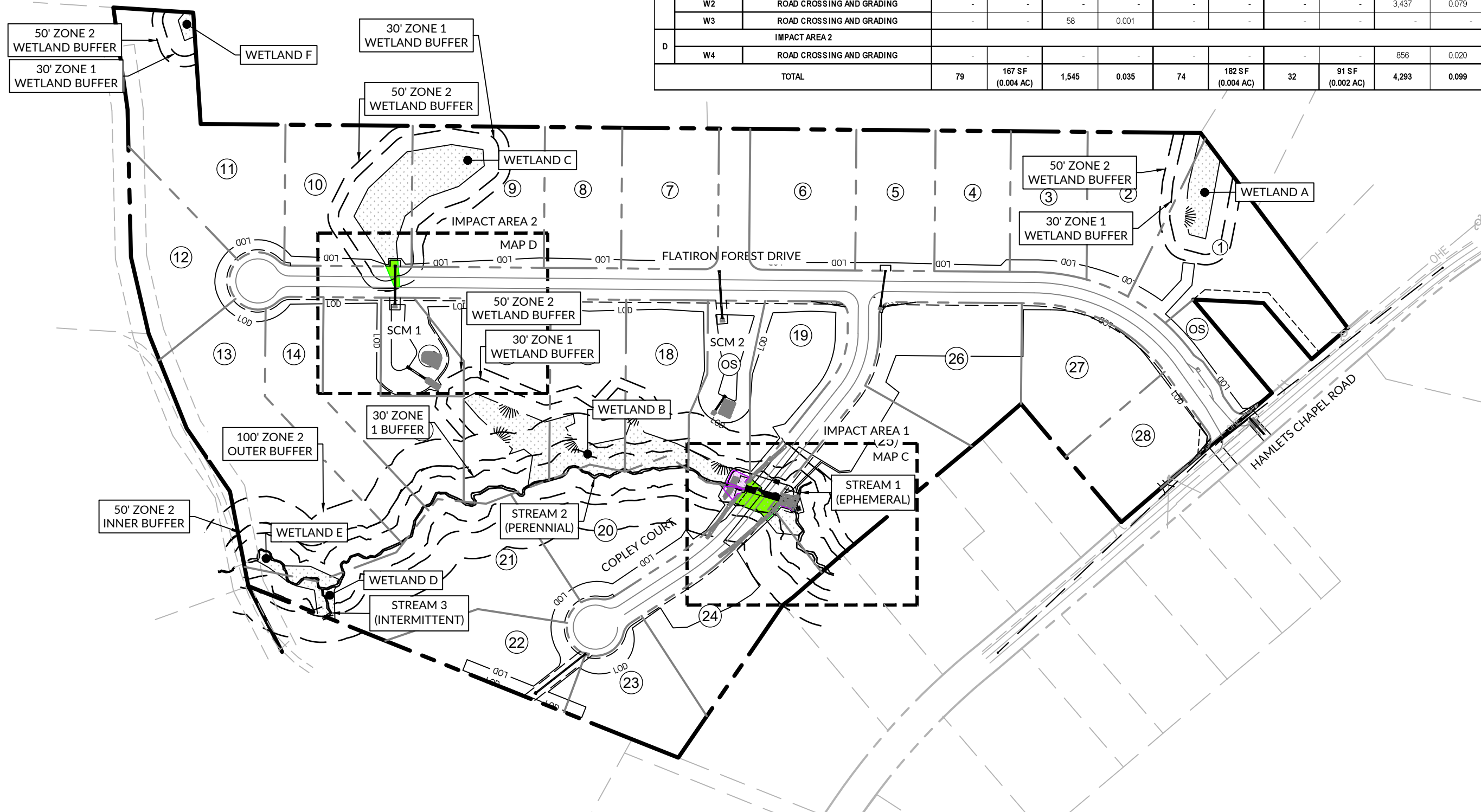
Initial Plan Date: FLATRION FOREST
IMPACT MAPS
Revisions:
1 02/08/23
PER NCDEQ COMMENTS

WR Job No. DATE
02220132 12/29/23
DRN: EB DGN: WR CKD: RT

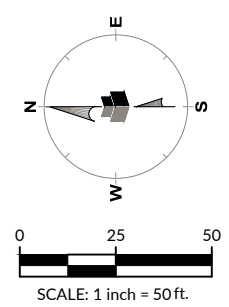
OVERALL EXISTING CONDITIONS

A

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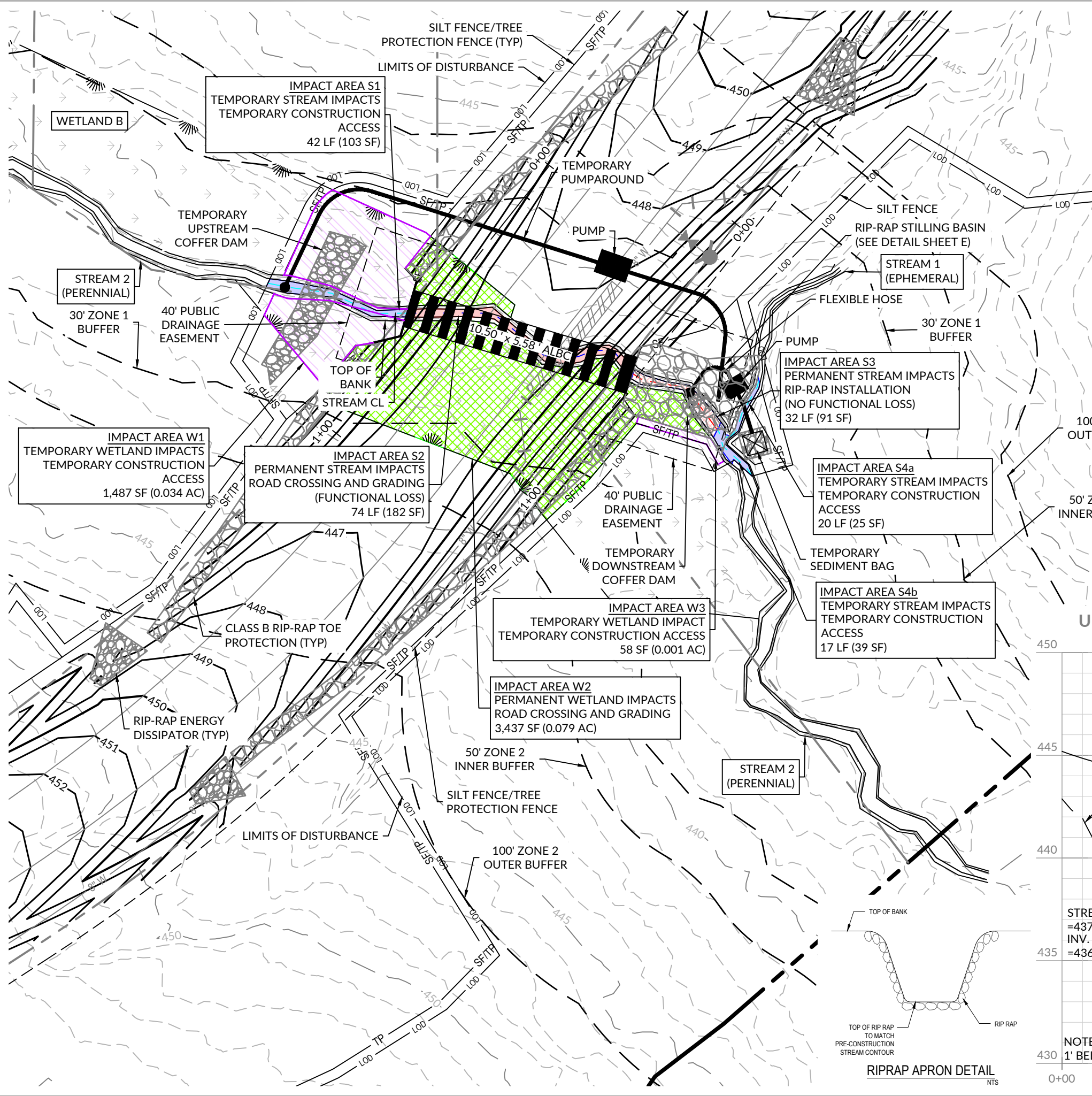
MAP	IMPACT #	IMPACT SPECIFICATION	OVERALL STREAM AND WETLAND IMPACT SUMMARY									
			TEMPORARY				PERMANENT (FUNCTIONAL LOSS)		PERMANENT (NO FUNCTIONAL LOSS)		PERMANENT	
			STREAM		WETLANDS		STREAM		STREAM		WETLANDS	
			(LF)	(AC)	(SF)	(AC)	(LF)	(AC)	(LF)	(AC)	(SF)	(AC)
IMPACT AREA 1												
C	S1	TEMPORARY CONSTRUCTION ACCESS	42	103 SF (0.002 AC)	-	-	-	-	-	-	-	-
	S2	ROAD CROSSING AND GRADING	-	-	-	-	74	182 SF (0.004 AC)	-	-	-	-
	S3	RIP-RAP INSTALLATION	-	-	-	-	-	-	32	91 SF (0.002 AC)	-	-
	S4a	TEMPORARY CONSTRUCTION ACCESS	20	25 SF (0.001 AC)	-	-	-	-	-	-	-	-
	S4b	TEMPORARY CONSTRUCTION ACCESS	17	39 SF (0.001 AC)	-	-	-	-	-	-	-	-
IMPACT AREA 1												
	W1	TEMPORARY CONSTRUCTION ACCESS	-	-	1,487	0.034	-	-	-	-	-	-
	W2	ROAD CROSSING AND GRADING	-	-	-	-	-	-	-	-	3,437	0.079
	W3	ROAD CROSSING AND GRADING	-	-	58	0.001	-	-	-	-	-	-
IMPACT AREA 2												
D	W4	ROAD CROSSING AND GRADING	-	-	-	-	-	-	-	-	856	0.020
TOTAL			79	167 SF (0.004 AC)	1,545	0.035	74	182 SF (0.004 AC)	32	91 SF (0.002 AC)	4,293	0.099



Initial Plan Date: 12/29/23
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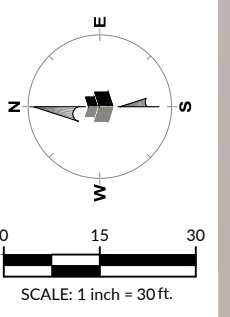
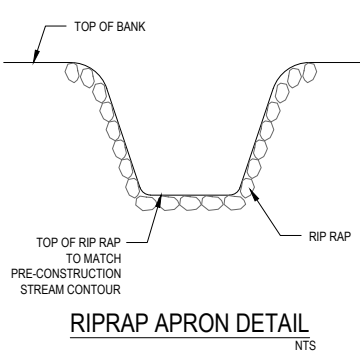
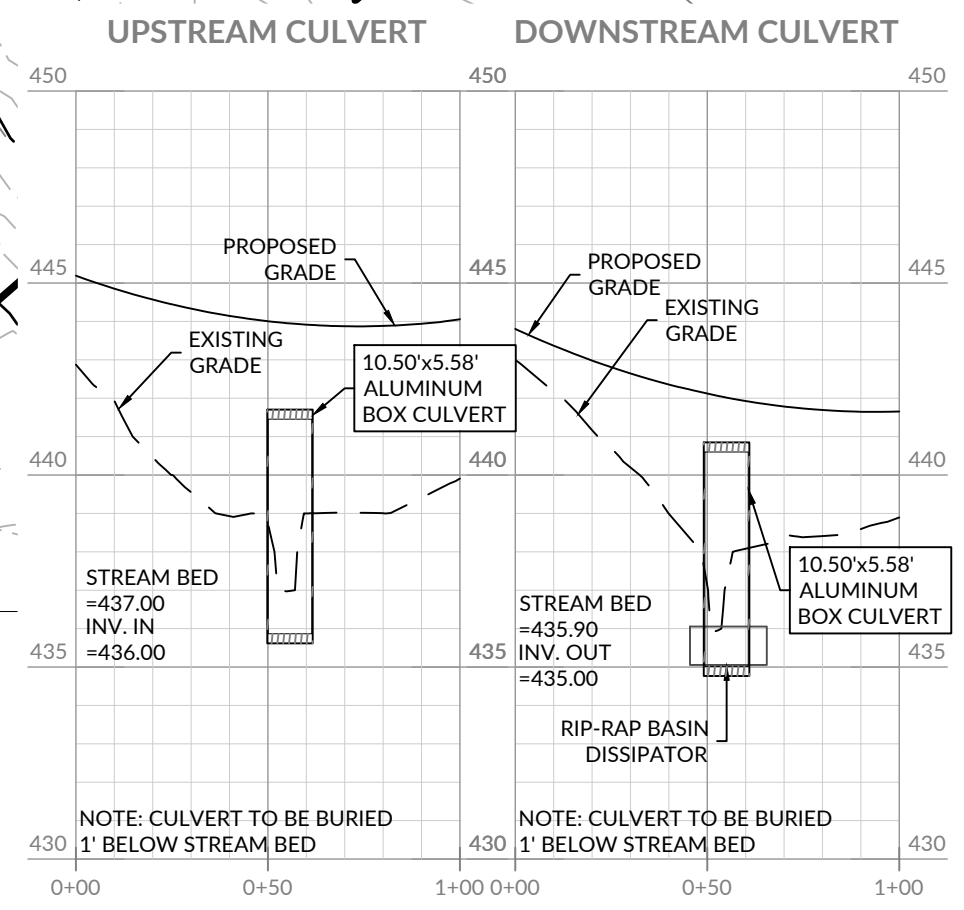
WR Job No. DATE
02220132 12/29/23
DRN: EB DGN: WR CKD: RT

OVERALL STREAM & WETLAND IMPACT MAP



IMPACT LEGEND

- TEMPORARY STREAM
- PERMANENT STREAM (NO FUNCTIONAL LOSS)
- PERMANENT STREAM (FUNCTIONAL LOSS)
- PERMANENT WETLANDS
- TEMPORARY WETLANDS
- CULVERT



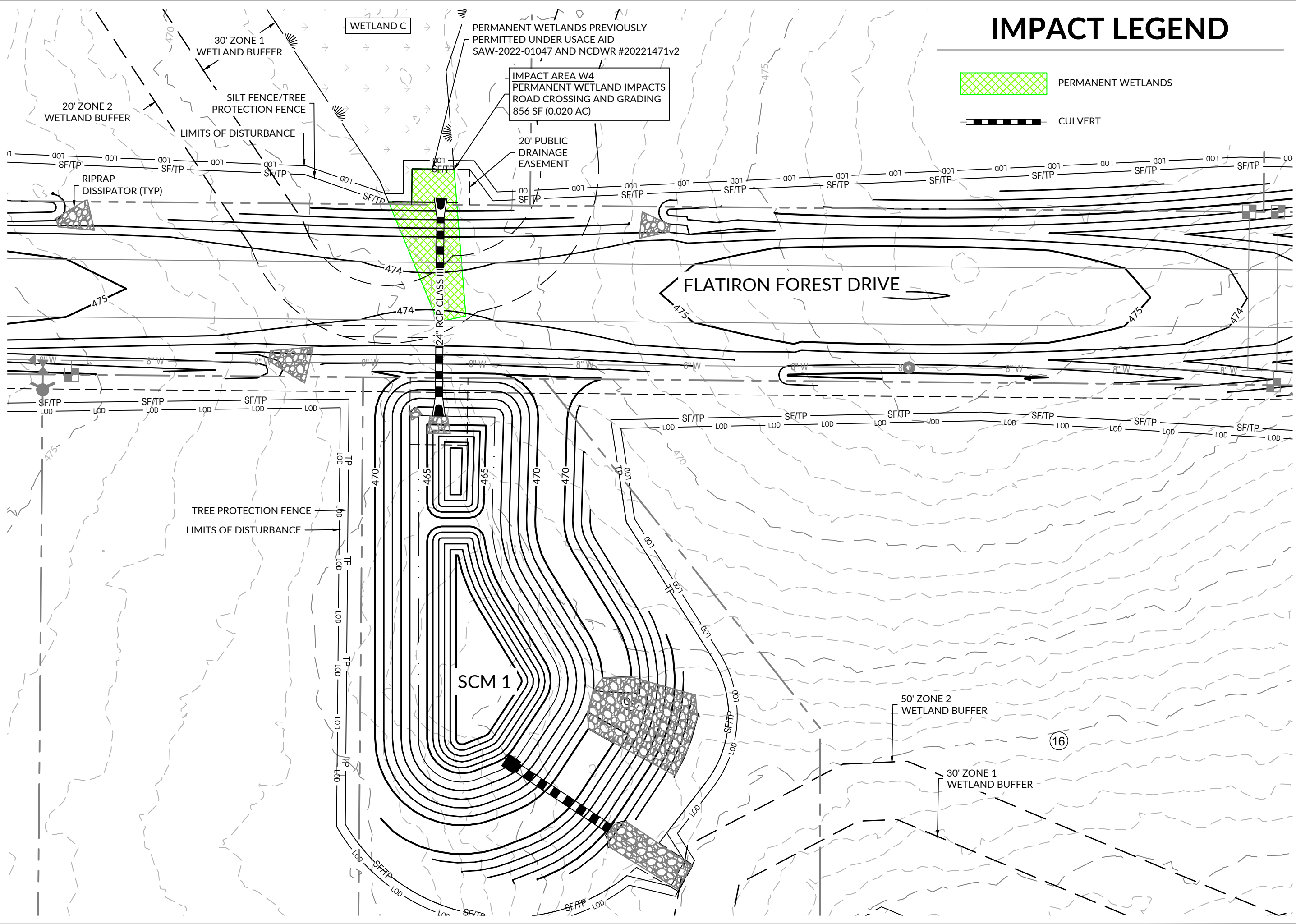
Initial Plan Date: 12/29/23
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1 02/08/23 PER NCDEQ COMMENTS

WR Job No. DATE
02220132 12/29/23
DRN: EB DGN: WR CKD: RT



STREAM & WETLAND IMPACT MAP

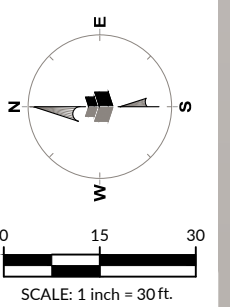
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IMPACT LEGEND

-  PERMANENT WETLANDS
-  CULVERT

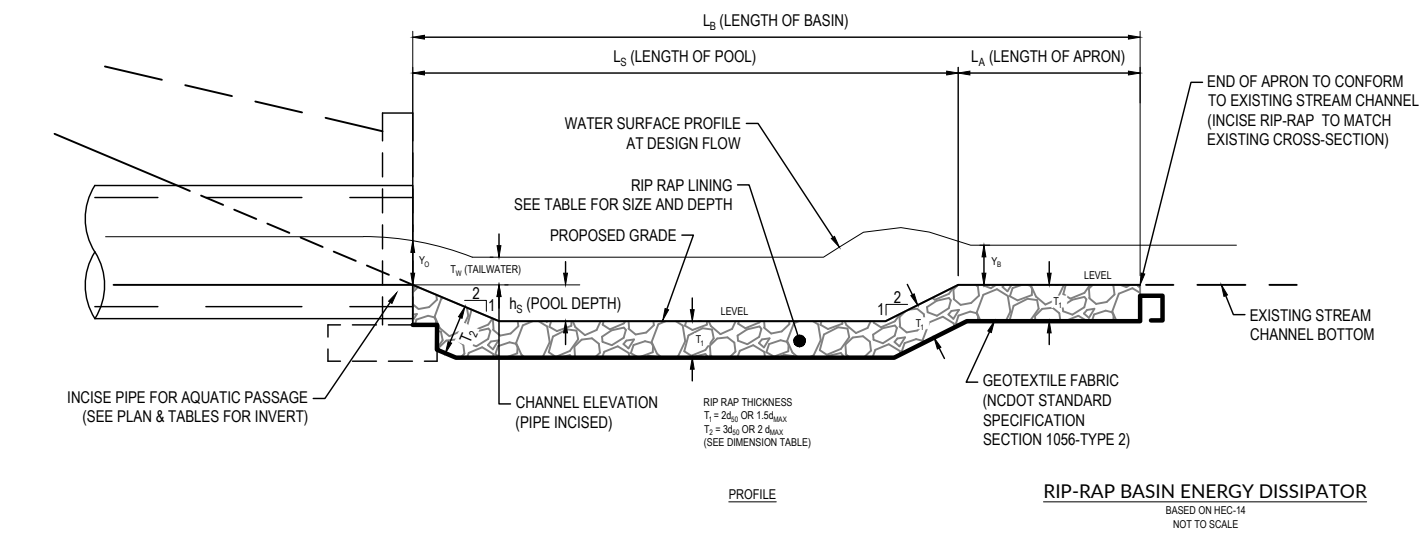
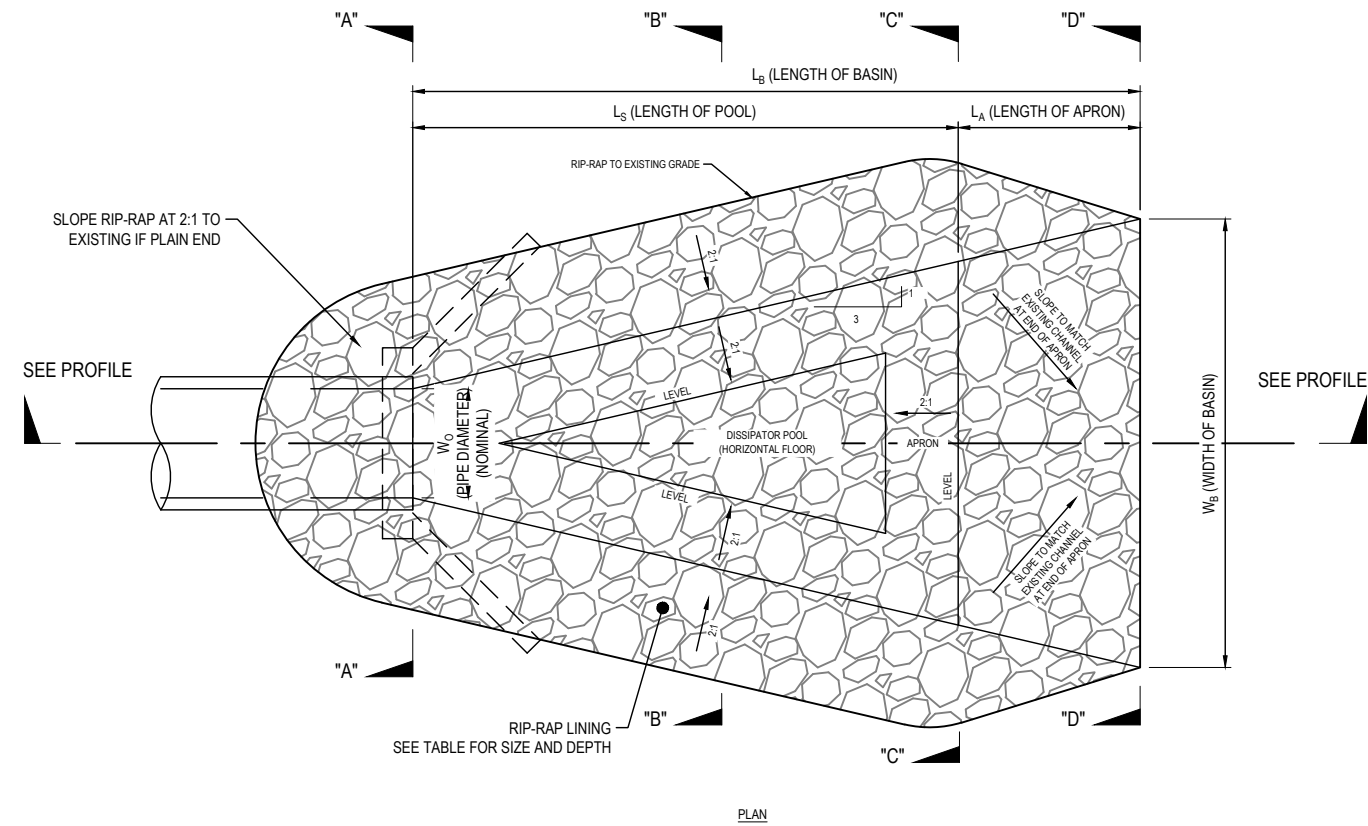


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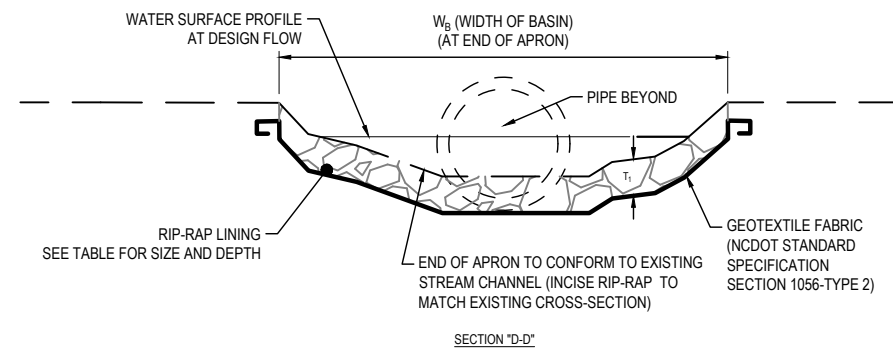
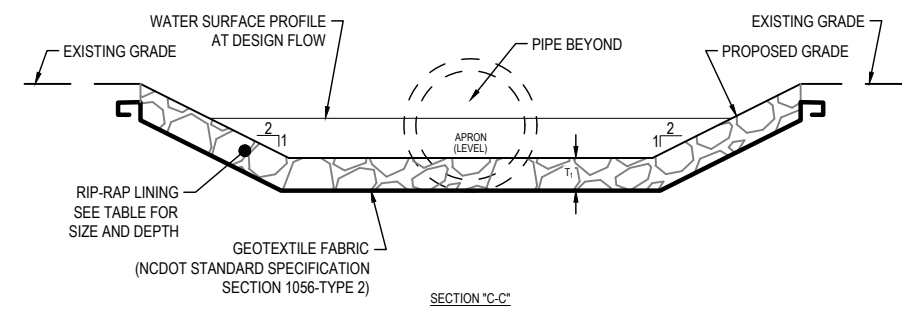
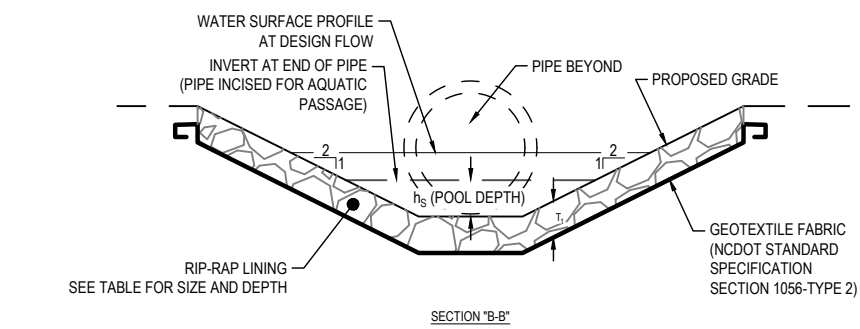
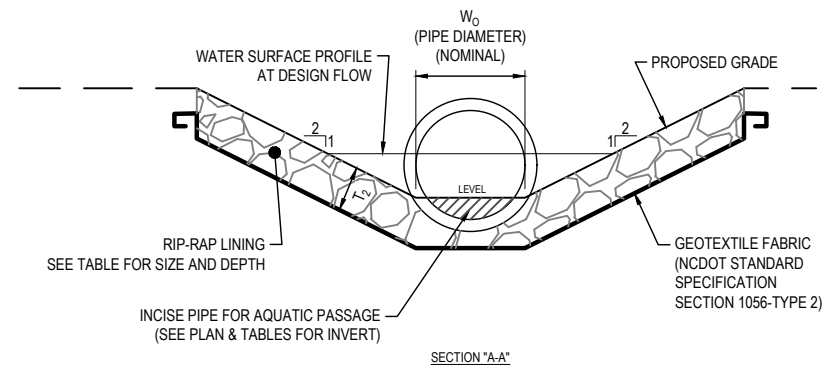
WR Job No. 02220132	DATE 12/29/23
DRN: EB	DGN: WR
CKD: RT	

WETLAND IMPACT MAP

D

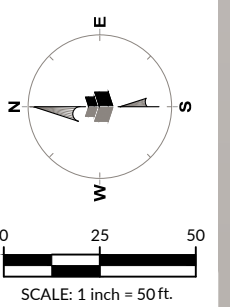
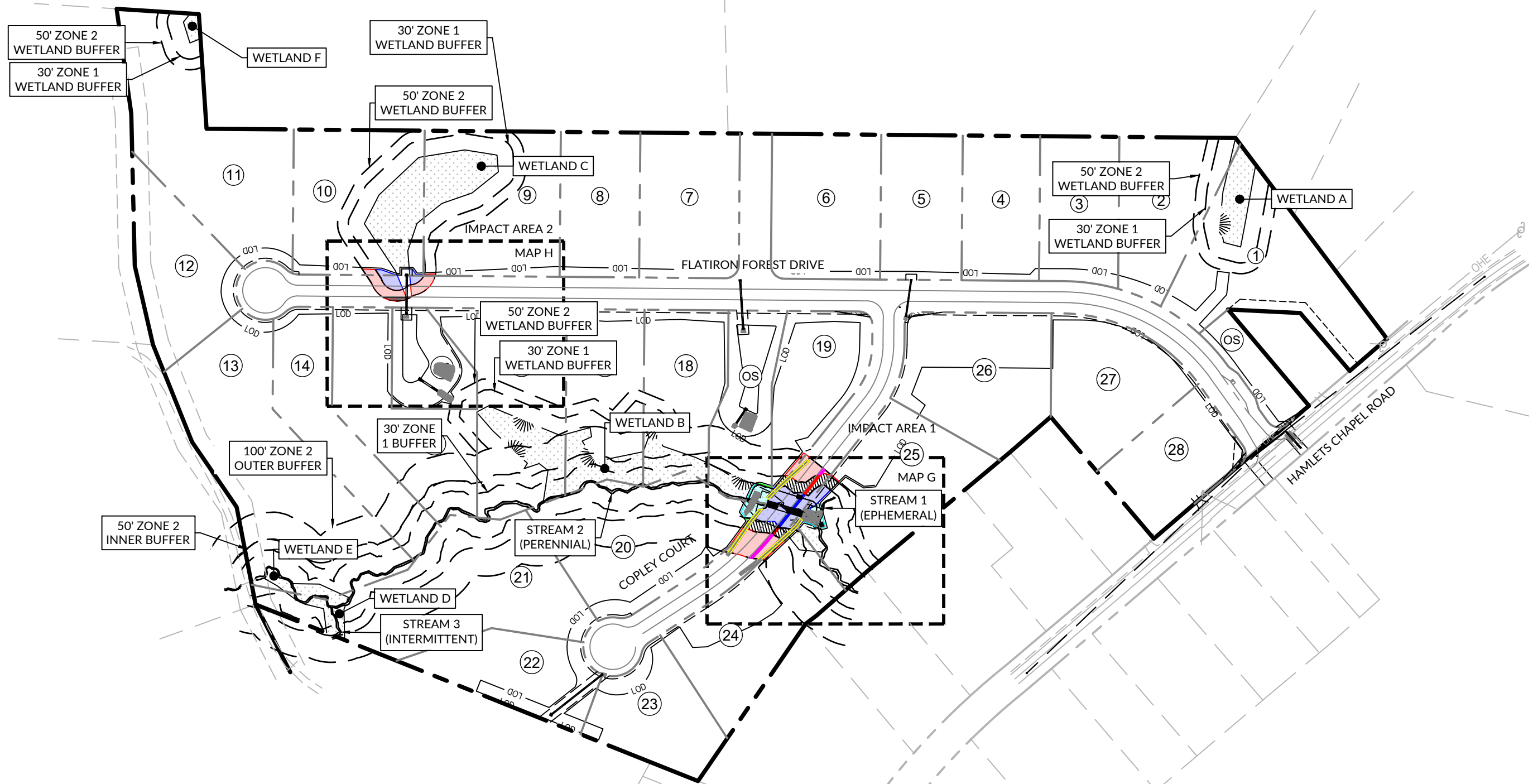


RIP-RAP BASIN ENERGY DISSIPATOR
BASED ON HEC-14
 NOT TO SCALE



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02220132	12/29/23
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**OVERALL BUFFER
 IMPACT MAP**

F

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BUFFER IMPACT NUMBER	PERMANENT/TEMPORARY	PURPOSE/TYPE OF IMPACT	STREAM NAME (FROM USGS MAP, UT, UNNAMED TRIBUTARY OF STREAM NAME ON USGS)	BUFFER TYPE	SQUARE FEET	IMPACT FACE WIDTH (LINEAR IMPACT)
B		COPLEY COURT - ROAD CROSSING TOTAL	STREAM 2 - UT TO HAW RIVER	(P-100')	19,827	
B		COPLEY COURT - ROAD CROSSING ZONE 1 TOTAL	STREAM 2 - UT TO HAW RIVER	(P-100')	8,719	
B		COPLEY COURT - ROAD CROSSING ZONE 2 INNER TOTAL	STREAM 2 - UT TO HAW RIVER	(P-100')	5,274	
B		COPLEY COURT - ROAD CROSSING ZONE 2 OUTER TOTAL	STREAM 2 - UT TO HAW RIVER	(P-100')	5,834	
B		FLATIRON FOREST DRIVE - ROAD CROSSING TOTAL	WETLAND C	(W-50')	4,398	
B		FLATIRON FOREST DRIVE - ROAD CROSSING ZONE 1 TOTAL	WETLAND C	(W-50')	1,531	
B		FLATIRON FOREST DRIVE - ROAD CROSSING ZONE 2 TOTAL	WETLAND C	(W-50')	2,867	
B1	PERMANENT	COPLEY COURT - PERMANENT ROAD CROSSING ZONE 1	STREAM 2 - UT TO HAW RIVER	(P-100')	5,675	82'
B2	PERMANENT	COPLEY COURT - PERMANENT ROAD CROSSING ZONE 2 INNER	STREAM 2 - UT TO HAW RIVER	(P-100')	4,165	83'
B3	PERMANENT	COPLEY COURT - PERMANENT UTILITY NON-ELECTRIC IMPACT ZONE 2 OUTER	STREAM 2 - UT TO HAW RIVER	(P-100')	285	4'
B4	PERMANENT	COPLEY COURT - PERMANENT ROAD CROSSING ZONE 2 OUTER	STREAM 2 - UT TO HAW RIVER	(P-100')	5,153	83'
B5	TEMPORARY	COPLEY COURT - TEMPORARY CONSTRUCTION ACCESS ZONE 2 INNER	STREAM 2 - UT TO HAW RIVER	(P-100')	73	25'
B6	TEMPORARY	COPLEY COURT - TEMPORARY CONSTRUCTION ACCESS - ZONE 1	STREAM 2 - UT TO HAW RIVER	(P-100')	2,372	154'
B7	TEMPORARY	COPLEY COURT - PERMANENT UTILITY NON-ELECTRIC IMPACT ZONE 2 INNER	STREAM 2 - UT TO HAW RIVER	(P-100')	267	4'
B8	TEMPORARY	COPLEY COURT - PERMANENT UTILITY NON-ELECTRIC IMPACT ZONE 1	STREAM 2 - UT TO HAW RIVER	(P-100')	282	4'
B9	PERMANENT	COPLEY COURT - PERMANENT RIP-RAP TOE PROTECTION IMPACT ZONE 1	STREAM 2 - UT TO HAW RIVER	(P-100')	390	5'
B10	PERMANENT	COPLEY COURT - PERMANENT RIP-RAP TOE PROTECTION IMPACT ZONE 2 INNER	STREAM 2 - UT TO HAW RIVER	(P-100')	769	5'
B11	PERMANENT	COPLEY COURT - PERMANENT RIP-RAP TOE PROTECTION IMPACT ZONE 2 OUTER	STREAM 2 - UT TO HAW RIVER	(P-100')	396	5'
B12	PERMANENT	FLATIRON FOREST DRIVE - ROAD CROSSING ZONE 1	WETLAND C	(W-50')	1,531	10'-25'
B13	PERMANENT	FLATIRON FOREST DRIVE - ROAD CROSSING ZONE 2	WETLAND C	(W-50')	2,709	137'
B14	PERMANENT	FLATIRON FOREST DRIVE - UTILITY NON-ELECTRIC ZONE 2	WETLAND C	(W-50')	158	4'
TOTAL					24,225	



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IMPACT MAPS
FLATIRON FOREST

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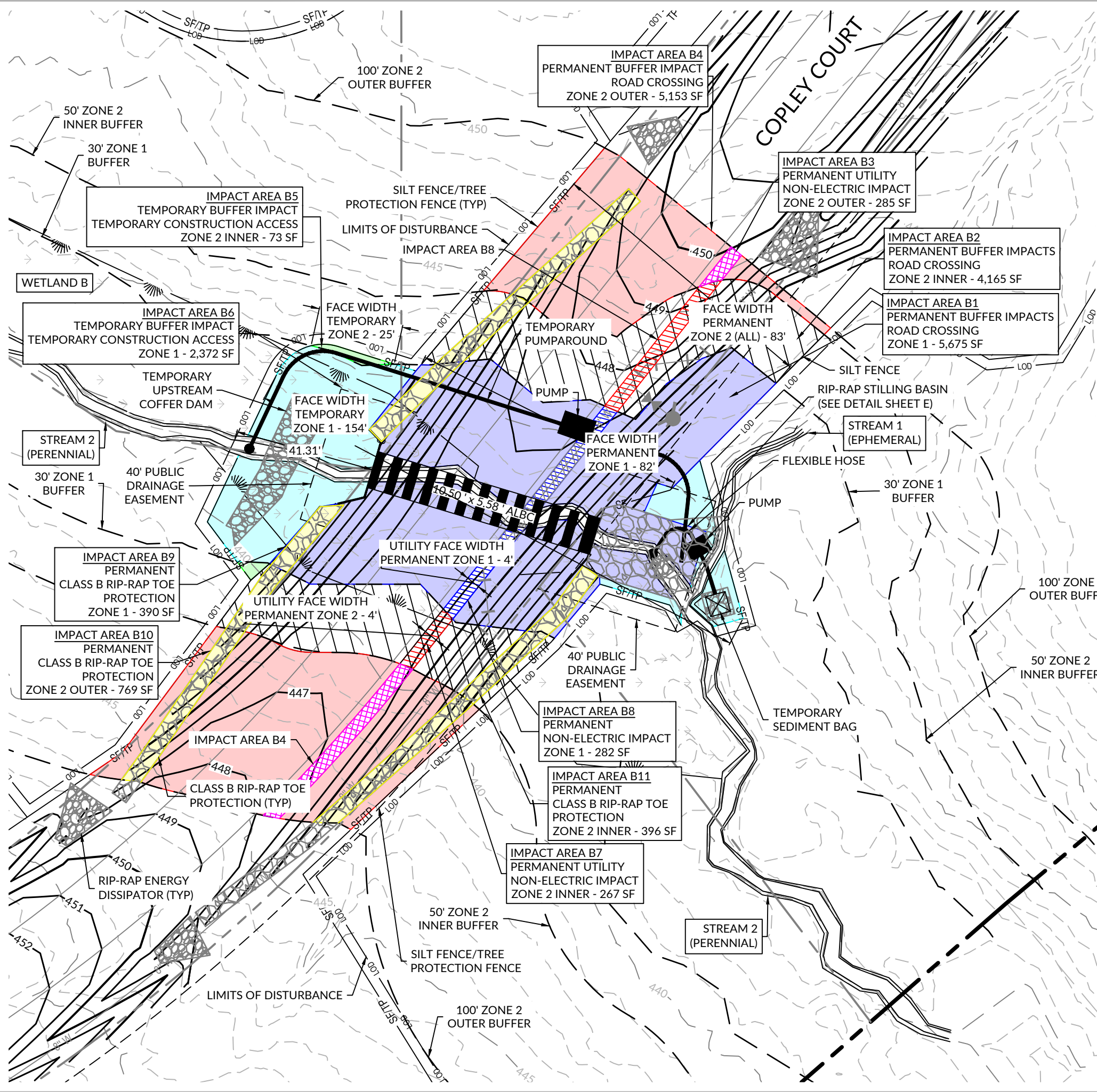
Initial Plan Date: 12/29/23
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1 02/08/23
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02220132 12/29/23
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BUFFER IMPACT SUMMARY

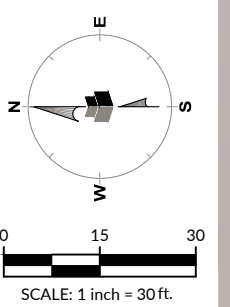
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IMPACT LEGEND

- TEMPORARY ZONE 1 BUFFER IMPACTS
- TEMPORARY ZONE 2 INNER BUFFER IMPACTS
- PERMANENT ZONE 1 BUFFER IMPACTS
- PERMANENT ZONE 2 INNER BUFFER IMPACTS
- PERMANENT ZONE 2 OUTER BUFFER IMPACTS
- PERMANENT ZONE 1 BUFFER IMPACTS UTILITY NON-ELECTRIC
- PERMANENT ZONE 2 INNER BUFFER IMPACTS UTILITY NON-ELECTRIC
- PERMANENT ZONE 2 OUTER BUFFER IMPACTS UTILITY NON-ELECTRIC
- PERMANENT BUFFER IMPACTS RIP-RAP TOE PROTECTION
- CULVERT



Initial Plan Date: 12/29/23
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2 03/14/23 PER CHATHAM CO. COMMENTS

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	CKD: RT

BUFFER IMPACT MAP

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