

COPY - McADAMS

**State of North Carolina
Department of Environment
and Natural Resources
Raleigh Regional Office**



**Michael F. Easley, Governor
William G. (Bill) Ross, Secretary**

DIVISION OF LAND RESOURCES

LETTER OF APPROVAL

October 26, 2005

STATE

NNP-Briar Chapel, LLC
5850 Fayetteville Road, Suite 201
Durham, NC 27713
ATTN: Ed Timoney

RE: Project Name: Briar Chapel - Phase 2
County: Chatham
Submitted by: John R. McAdams Co., Inc.
Date Received: 9/26/05;10/12/05;10/21/05
Date Processing Initiated: 9/26/06
Watershed: Cape Fear #1/03-06-06
New Submittal (X) Revised ()

Dear Mr. Timoney:

This office has reviewed the subject Erosion and Sedimentation Control Plan. We find the plan to be acceptable and hereby issue this letter of approval. If any modifications, performance reservations, or recommendations are applicable, a list is enclosed and is incorporated as a part of this letter of approval. The enclosed Certificate of Approval should be posted at the job site. In addition, it should be noted that this plan approval shall expire three (3) years following the date of approval, if no land-disturbing activity has been undertaken, in accordance with Title 15A, North Carolina Administrative Code (NCAC) 4B.0029.

If any modifications are not incorporated into the plan and implemented in the field, the site will be in violation of the Sedimentation Pollution Control Act of 1973 (North Carolina General Statute (NCGS), 113A-61.1).

15A NCAC 4B.0018(a) requires that a copy of the approved plan be on file at the job site. Also, this letter gives the notice required by NCGS 113A-61.1(a) concerning our right to perform periodic inspections to ensure compliance with the approved plan.

North Carolina's sedimentation pollution control program is performance oriented, requiring protection of the natural resources and adjoining properties. If at any time during this project it is determined that the Erosion and Sedimentation Control Plan is inadequate to meet the requirements of the Sedimentation Pollution Control Act of 1973 (NCGS 113A-51 through 66), this office may require revisions in the plan and its implementation to ensure compliance with the Act.

Acceptance and approval of this plan is conditioned upon your compliance with applicable federal and state water quality laws, regulations and rules. This could include the Division of Water Quality under stormwater or other specific water quality standards, and the U.S. Army Corps of Engineers under Article 404 jurisdiction. Our approval does not supersede any other required permit or approval.

Since this project disturbs one or more acres, one such approval relates to the stormwater that will discharge from your project. This runoff is permitted pursuant to the National Pollutant Discharge Elimination System (NPDES) administered in North Carolina by the Division of Water Quality (DWQ). Attached is the General Stormwater NPDES Permit, NCG010000, as revised October 1, 2001, covering your activity. You are responsible for complying with the General Permit requirements and are subject to enforcement by DWQ for any violations of the General Permit.

Please note that this approval is based in part on the accuracy of the information provided concerning financial responsibility. You are requested to file an amended Financial Responsibility Form if any changes become necessary. In addition, it would be helpful if you would notify this office when the proposed land-disturbing activity covered by this plan is initiated.

Your cooperation is appreciated and we look forward to working with you on this project. If there are any questions, please do not hesitate to contact this office.

Sincerely,



Karyn Pageau, EIT
Assistant Regional Engineer
Land Quality Section

KWP:clm

cc: Mr. Christopher Sandt, EIT, John R. McAdams Co., Inc.
Mr. Ken Schuster, P.E., NC Division of Water Quality

PLAN REVIEW COMMENTS

PROJECT NAME: Briar Chapel, Ph.II LOCATION: Chatham County	DATE RECEIVED: 9/26/05;10/13/05;10/21/05 REVIEWED BY:KP
New Submittal (X) Revised ()	Approved (X) Disapproved ()
Reasons for Disapproval ()	Modifications (X) Performance Reservations ()

1. Provide lime and fertilizer types and rates on the drawings.
2. Modify erosion control construction sequence such that all upstream erosion control measures shall be in place prior to establishing each temporary crossing/low water crossing.
3. Provide 1 copy of drawings revised by requested changes to this office by November 24, 2005 or prior to construction beginning, whichever is sooner.

RECOMMENDATIONS AND/OR COMMENTS:

Please inform this office of the pre-construction meeting such that our staff may participate. Do not begin work in stream crossings until necessary permits have been acquired through NC DWQ/USACE.

CERTIFICATE OF PLAN APPROVAL



The posting of this certificate certifies that an erosion and sedimentation control plan has been approved for this project by the North Carolina Department of Environment and Natural Resources in accordance with North Carolina General Statute 113A - 57 (4) and 113A - 54 (d) (4) and North Carolina Administrative Code, Title 15A, Chapter 4B.0107 (c). This certificate must be posted at the primary entrance of the job site before construction begins and until establishment of permanent groundcover as required by North Carolina Administrative Code, Title 15A, Chapter 4B.0127 (b).

Bria Chapel Ph II - Chatham County

Project Name and Location

October 25, 2005

Date of Plan Approval

A handwritten signature in black ink, appearing to read "J. McArthur".

Regional Engineer