



Since 1979

THE JOHN R. McADAMS COMPANY, INC.

May 6, 2010

Ms. Lynn Richardson
Chatham County Planning Department
Post Office Box 54
80-A East Street
Pittsboro, North Carolina 27312-0054

Re: **Briar Chapel – Phase 4**
Kimbolton Place Preliminary Plat
Lots 465 and 466
NEW-09004

Dear Ms. Richardson:

Please find enclosed our 2-lot preliminary submittal for Kimbolton Place, Lots 465 and 466. We are also submitting the final plat for these lot and 12 others under separate cover.

Enclosed in this submittal are the following:

- (A) (25) paper copies of the preliminary plat along with one (1) 8 ½" x 11" copy
- (B) Completed application with adjacent owners addresses
- (C) Major Subdivision Review Checklist
- (D) Applicable permits with summary table and appropriate back-up
- (E) CD with digital copies of Items A, B, C, and D.

If you have any questions please call at your earliest convenience.

Sincerely

THE JOHN R. McADAMS COMPANY, INC.

Jonathan S. Butters, PE
Executive Vice President/COO

JSB/djh

cc: Mr. Lee Bowman
Mr. Bill Mumford, PE

Research Triangle Park, NC
Post Office Box 14005
Research Triangle Park
North Carolina, 27709
2905 Meridian Parkway
Durham, North Carolina 27713
800-733-5646
919-361-5000
919-361-2269 Fax

Charlotte, NC
6701 Carmel Road
Suite 205
Charlotte North Carolina 28226
800-733-5646
704-527-0800
704-527-2003 Fax

www.johnrmcadams.com

Design Services Focused On Client Success

BRIAR CHAPEL

PRELIMINARY PLAT PHASE 4 - KIMBOLTON PLACE, LOTS 465 & 466

U.S. HWY. 15-501 & MANN'S CHAPEL ROAD
BALDWIN & WILLIAMS TOWNSHIPS
CHATHAM COUNTY, NORTH CAROLINA
PROJECT NUMBER: NEW-09004

DATE: MAY 7, 2010



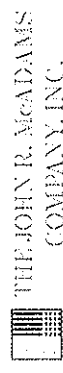
by
Newland COMMUNITIES

NWP-BRIAR CHAPEL, L.L.C.
16 WINDY KNOLL CIRCLE
CHAPEL HILL, NORTH CAROLINA 27516
PHONE: (919) 951-0713
FAX: (919) 951-0711
CONTACT: BILL MUMFORD
BMUMFORD@NEWLANDCOMMUNITIES.COM



VICINITY MAP
NTS

- SHEET INDEX
- C-1 PROJECT LOCATION MAP
 - C-2 EXISTING CONDITIONS
 - C-3 SITE PLAN
 - C-4 STAGE 1 EROSION CONTROL PLAN
 - C-5 STAGE 2 EROSION CONTROL PLAN
 - C-6 UTILITY PLAN




THE JOHN R. MCADAMS
COMPANY, INC.

ENGINEERS • PLANNERS • SURVEYORS • ENVIRONMENTAL
18501 HERSHMAN PARKWAY, SUITE 200
RICHMOND, VIRGINIA 23234



CALL 48 HOURS BEFORE YOU DIG
1-800-632-4949
NORTH CAROLINA ONE-CALL CENTER



CONTRACTORS, PROPERTY OWNERS AND ONE CALL CENTER MEMBERS SHOULD CONTACT THE ONE CALL CENTER AT 1-800-632-4949 TO HAVE EXISTING UTILITIES LOCATED. CONTRACTORS SHALL CONTACT ANY LOCAL UTILITIES THAT INCLUDE THEIR SERVICE AREAS. PROPERTY OWNERS SHOULD CONTACT THE ONE CALL CENTER PRIOR TO ANY CONSTRUCTION. REQUEST ANY DISCREPANCIES TO THE ENGINEER IMMEDIATELY.

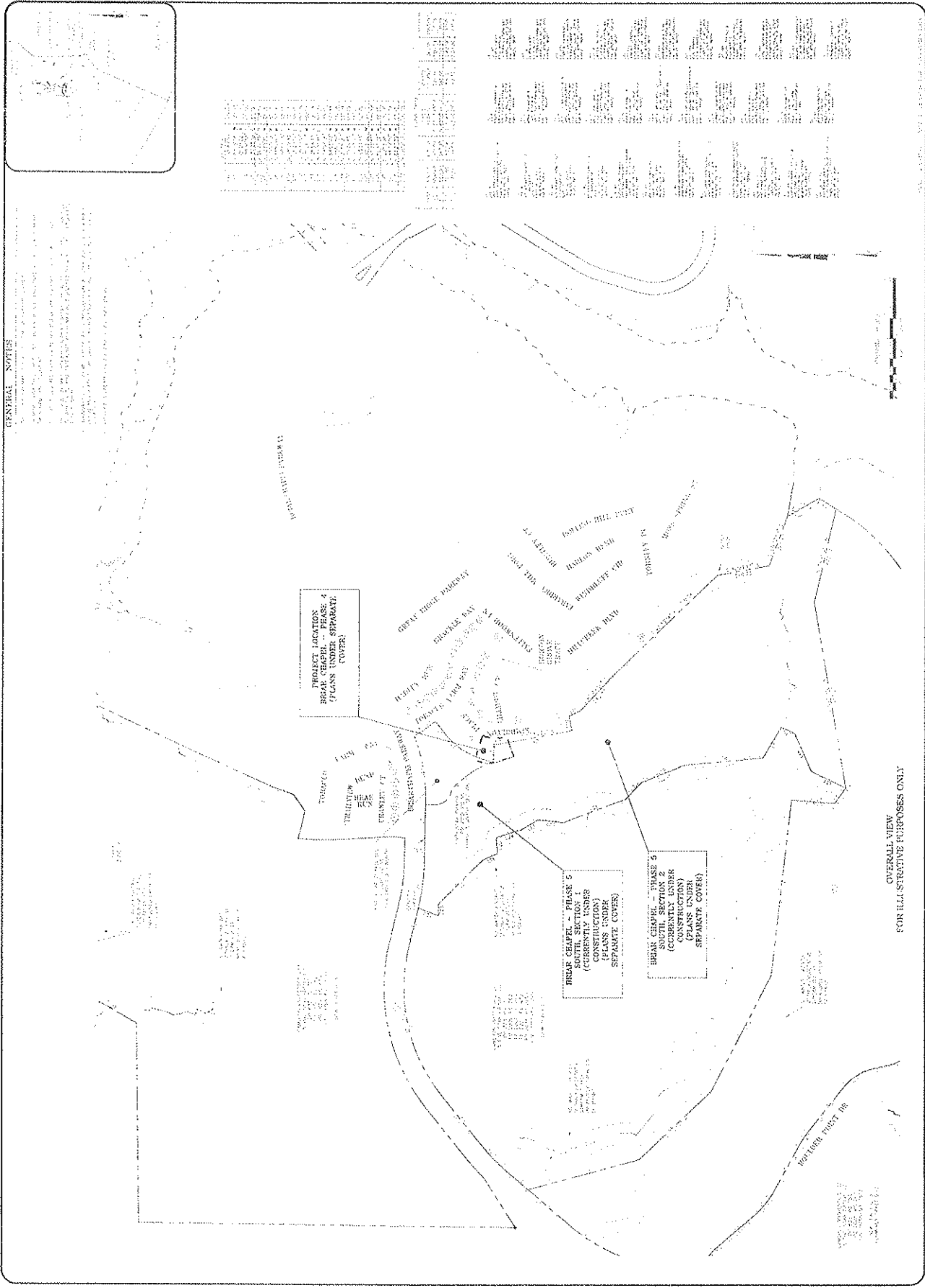
BRIAR CHAPEL

PHASE 4 - KIMBOLTON PLACE, LOTS 465 & 466
PRELIMINARY PLAN
U.S. HWY. 15-601 & MANN'S CHAPEL ROAD, BALDWIN & WILLIAMS
TOWNSHIPS, CHEMUNG COUNTY, NORTH CAROLINA

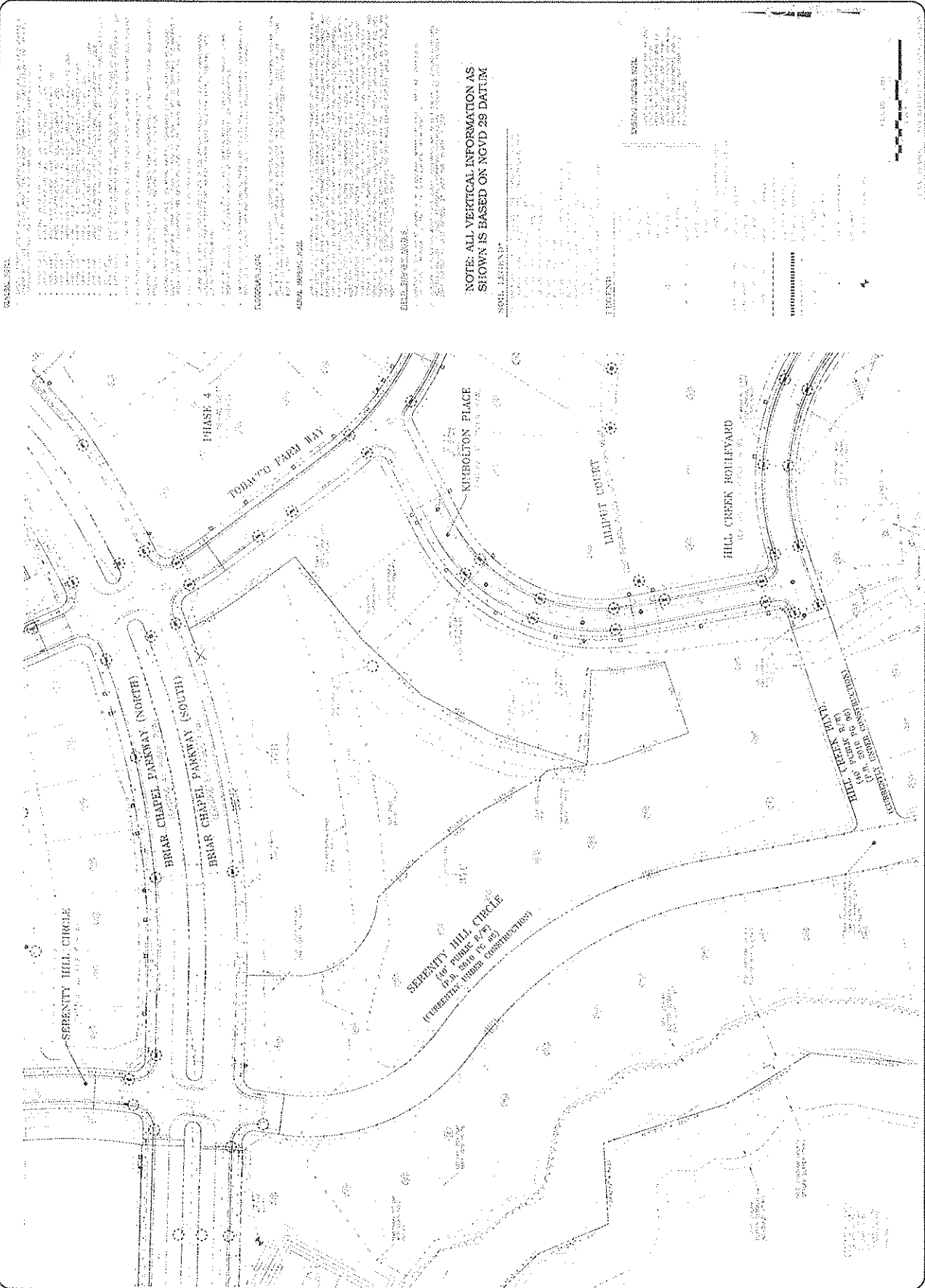
PROJECT LOCATION MAP

BRIAR CHAPEL
MANN'S CHAPEL, L.L.C.
10000 MANN'S CHAPEL RD.
BALDWIN & WILLIAMS TOWNSHIPS
CHEMUNG COUNTY, NORTH CAROLINA 28701

THE JOHN R. McADAMS
COMPANY, INC.
ENGINEERS, PLANNERS, ARCHITECTS & ENVIRONMENTAL
DESIGNERS
10000 MANN'S CHAPEL RD., SUITE 100
BALDWIN & WILLIAMS TOWNSHIPS
CHEMUNG COUNTY, NORTH CAROLINA 28701
TEL: 813-333-1111
WWW.MCADAMSCOMPANY.COM



OVERALL VIEW
FOR ILLUSTRATIVE PURPOSES ONLY



SCALE: 1" = 40'

4



NOTE: ALL VERTICAL INFORMATION AS SHOWN IS BASED ON NGVD 29 DATUM

SEE PHASE 3 SOUTH SECTION CONSTRUCTION PLAN FOR GRADED STORM STRUCTURE AND STORM DRAINAGE WITHIN PHASE 3, NORTH AND DRINK ALLEYS.

NOTE: ALL VERTICAL INFORMATION AS SHOWN IS BASED ON NGVD 29 DATUM

SEE PHASE 3 SOUTH SECTION CONSTRUCTION PLAN FOR GRADED STORM STRUCTURE AND STORM DRAINAGE WITHIN PHASE 3, NORTH AND DRINK ALLEYS.

PHASE 4 CONSTRUCTION AREA

PHASE 1 CONSTRUCTION AREA

1011 E. PARK RD

HEATHER GLENN CIRCLE (SEE PRIVATE ACCESS/AGREEMENT)

PHASE 3 SOUTH SECTION CONSTRUCTION PLAN FOR GRADED STORM STRUCTURE AND STORM DRAINAGE WITHIN PHASE 3, NORTH AND DRINK ALLEYS.

Chatham County Planning Department
Post Office Box 54
Pittsboro, NC 27312
Tel: (919) 542-8204
Fax: (919) 542-2698

Type of Review
 Sketch
 Preliminary
 Final

MAJOR SUBDIVISION APPLICATION

Name of Subdivision: Briar Chapel - Phase 4, Kimbolton Place Lots 465, 466

Subdivision Applicant

Name: Bill Mumford, Sr. Project Manager

Address: 16 Windy Knoll Circle

Chapel Hill, North Carolina 27516

Phone (W): (919) 951-0713

Phone (H): _____ Fax: (919) 951-0711

E-Mail: bmumford@newlandcommunities.com

Subdivision Owner

Name: NNP Briar Chapel, LLC

Address: 16 Windy Knoll Circle

Chapel Hill, North Carolina 27516

Phone (W): (919) 951-0713

Phone (H): _____ Fax: (919) 951-0711

E-Mail: bmumford@newlandcommunities.com

Township Baldwin Zoning CUD-CC

Flood Map # 3710977500J Zone: AE

3710976500J AE

Watershed: WS-IV PA

P.I.N. # 8765-75-7818.000

Parcel # 87020

Existing Access Road: S.R.# US Hwy 15-501

S.R. Road Name US Hwy 15-501

Total Acreage: 1586.26 Total # of Lots: Overall 2,389 Min. Lot Size: N/A Per CCO

*Ph. 4 acreage of lots affected 0.44 Ph. 4 # of lots to be added 2 approval

Ph. I Acreage: _____ Phase I # of Lots: _____ Max. Lot Size N/A

Ph. II Acreage: _____ Phase II # of Lots: _____ Avg. Lot Size: N/A

Type of Road: Private/Length _____ Frontage Public/Length 112 LF

Name and date of contact with Chatham County Historical Association: Jane Pyle - 4/9/2003

Road Surface:

Paved

Gravel

Water System:

Individual Wells

Community Wells

Public System

Name Chatham County

Sewer System:

Septic Systems

Community Systems

Public System

Name Provided by on-site facility

List other facilities: commercial, recreation, etc., and the approximate acreage or square footage:

Bezyal Date: 5-6-10 Bezyal Date: 5-6-10
Signature of Applicant AGENT FOR Signature of Owner
NNP - BRIAR CHAPEL, LLC

For Office Use Only:

Notes:

Approved by County commissioners:

Sketch

Preliminary

Final

Payment Date / / Amount: \$

ADJACENT LAND OWNERS (Property owners across a road, easement, or waterway are considered adjacent land owners):

Legal notices are mailed to these owners, please type or write neatly, and include zip codes.

1. MOHAN, THYVELIKAKATHI P. 44 KIMBOLTON PLACE CHAPEL HILL, NC 27516	11.
2. STROMBERG, CAROLE F. 310 HILLCREEK BLVD. CHAPEL HILL, NC 27516	12.
3.	13.
4.	14.
5.	15.
6.	16.
7.	17.
8.	18.
9.	19.
10.	20.

**CHATHAM COUNTY
MAJOR SUBDIVISION
REVIEW CHECKLIST**

Subdivision Name Briar Chapel (Phase 4, Kimbolton Place, Lots 465,466)

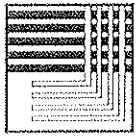
Review For: Sketch Prelim Final

Attach all supporting documentation regarding these approvals. If approvals are still pending, attach applications for approval.

SKETCH DESIGN REVIEW	APPROVAL DATE
<input type="checkbox"/> 25 Copies of Plat with topo along with one (1) 8-1/2 x 11 copy	-----
<input type="checkbox"/> Application w/Complete Adjacent Owner Addresses	-----
<input type="checkbox"/> Soil Scientist Report and soil map	-----
<input type="checkbox"/> Confirmation from Chatham County Historical Association/Jane Pyle/542-3603	
<input type="checkbox"/> 1 electronic copy of all items above (see Digital Document Requirements)	
PRELIMINARY PLAT REVIEW	
<input checked="" type="checkbox"/> 25 Copies of Plat along with one (1) 8-1/2 x 11 copy
<input checked="" type="checkbox"/> Application w/ Complete Adjacent Owner Addresses
<input checked="" type="checkbox"/> Detailed Soils Map and Letter of explanation or D.E.M. approval {see Requirements for soil scientist report}	<u>05 / 03 / 10</u>
<input checked="" type="checkbox"/> NCDOT Approval (if public roads)	<u>09 / 07 / 06</u>
<input type="checkbox"/> DOT Comm. Driveway Permit - N/A	<u> / / </u>
<input checked="" type="checkbox"/> Erosion Control Plan Approval (if new roads or one acre disturbed)	<u>03 / 27 / 06</u>
<input checked="" type="checkbox"/> U.S. Army Corps of Engineers Permit (if appl)	<u>08 / 31 / 09</u>
<input type="checkbox"/> Road Name Request Form - N/A	<u> / / </u>
<input checked="" type="checkbox"/> County Public Water Approval (if applicable)	<u>03 / 07 / 06</u>
<input checked="" type="checkbox"/> State Public Water Approval (if applicable)	<u>08 / 22 / 06</u>
<input type="checkbox"/> Chatham Co. Schools' Road Comments (if new roads) – N/A	<u> / / </u>
<input checked="" type="checkbox"/> Stormwater Management Plan Approval (if appl)	<u>04 / 26 / 10</u>
<input type="checkbox"/> Economic & Environmental Impact Study (if appl) – N/A	<u> / / </u>
<input type="checkbox"/> Water / Sewer Impact Statement (if appl) – N/A	<u> / / </u>
<input checked="" type="checkbox"/> 1 electronic copy of all items above (see Digital Document Requirements)	
FINAL PLAT REVIEW	
<input type="checkbox"/> 25 Copies of Plat	<u> / / </u>
<input type="checkbox"/> Application
<input type="checkbox"/> 1 electronic copy of all items above (see Digital Document Requirements)	<u> / / </u>
<input type="checkbox"/> Chatham County Environmental Health Division septic improvement permits or NCDWQ septic permits for each lot.	<u> / / </u>
<input type="checkbox"/> Road Completion Certificate or Financial Guarantee	<u> / / </u>
<input type="checkbox"/> Utilities Completion Cert. or Financial Guarantee	<u> / / </u>

Comment _____

Date Complete Application Rec'd: _____ / _____ / _____ By: _____



THE JOHN R. McADAMS COMPANY, INC.

BRIAR CHAPEL, PHASE 4 – KIMBOLTON PLACE, LOTS 465, 466
SUMMARY OF PERMIT IMPACT FOR PRELIMINARY PLAT

PERMIT	PERMITTING AGENCY	COMMENT
Roadway	NC DOT	NC DOT Phase 4 approval letter attached, dated September 7, 2006.
Driveway	NC DOT	Not applicable as the driveway permits for Briar Chapel Parkway and Great Ridge Parkway to Manns Chapel Road have been obtained.
Erosion Control	Chatham County	Approval letter dated March 27, 2006 attached.
Wetlands/Streams	USACOE/NC DENR	401/404 approval letter dated, August 31, 2009, August 21, 2009 attached
Public Water	Chatham County	Phase 4 approval letter dated, March 7, 2006 attached.
Public Water	NC DENR PWS	Approval letter dated August 22, 2006 attached.
Sanitary Sewer	NC DENR DWQ APS	Please see Permit No. WQ0029867 Modification – Briar Chapel, Phase 4 – Wastewater Collection System Extension.
Stormwater Management	NC DNER DWQ	DWQ has reviewed and approved Stormwater Management Plan modification. Please see attached approval letter dated April 26, 2010 signed by Mr. Ian McMillan

NC DOT Correspondence Regarding Roadway Permit



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS

MICHAEL F. EASLEY
GOVERNOR

LYNDO TIPPETT

Prelim Plat
NC DOT
Letter

September 7, 2006

Chatham County

Subject: Subdivision - Plan Review - Briar Chapel Phase 4

Richard J. Dickie, PE,
The John R. McAdams Co., Inc
PO Box 14005
Research Triangle Park, NC 27709-4005

Dear Mr. Dickie:

The N. C. Department of Transportation, Division of Highways has reviewed the construction plans as submitted to this office and approval is granted subject to the following stipulations and recommendations:

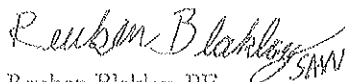
1. All Construction is to be in accordance with the details and changes in red as shown on the plans. Please note the change in asphalt type. Any asphalt pavement construction after March 1, 2003 shall be of the Superpave type (See Attached).
2. The entire right of way is to be cleared and grubbed throughout the whole phase of the project. Please be aware that the areas within the sight distance quadrants are to be treated as right of way.
3. All soil areas within the proposed right of way and any other soil areas disturbed during construction shall be seeded and mulched immediately upon completion of roadway construction. The seeding shall be done as outlined in the seeding specification attachment.
4. There was crossline drainage proposed on the construction plans. If, however field conditions dictate any changes these shall be made. Please note that this approval is contingent upon full implementation of any comments that may be made by the Hydraulics Unit. If any of the property owners desire to pipe their ditches within the proposed N C DOT right of way, please advise them that this work should conform to NC DOT specifications for this type of work (see attached). If any ditches are piped and not done to the NC DOT specifications, this could result in the road not being accepted for addition to the state maintained system of roads. Any ditches piped prior to addition to the state maintained system are subject to an encroachment agreement, as are utility companies, when the road is added.
5. The typicals as marked on the plans, are approved.
6. The Division of Highways will only allow mailboxes, with non-rigid type post, such as 4" x 4" wooden or small diameter metal type on new additions. Brick columns or mailboxes on rigid stands such as block,

P.O. Box 1164, Asheboro, North Carolina 27204
Phone (336) 629-1423 Fax (336) 629-7228

- stone or any other type felt to be a traffic hazard will not be allowed within the right of way. This policy applies to all roads being considered for addition to the State Maintained System.
7. An erosion control plan shall require approval from the Department of Natural Resources and Community Development. The developer should forward this plan to Mr. John Holley, P.E., Department of Natural Resources and Community Development, P.O. Box 27687, Raleigh, N.C. 27611, phone (919) 571-4718 for his review and approval.
 8. As this subdivision is proposed to be public and is likely to be requested to be added to the state maintained system of roads, the developer will be responsible for providing a PE Certification, (See Attached) and testing results for base and asphalt density stating that the streets have been built in accordance with the most current "Subdivision Roads: Minimum Construction Standards" manual and with the attached approved plans. Please be advised that this PE Certification does not approve the road for addition to the State Highway System for maintenance. When the proper home density is achieved and roads have been satisfactorily maintained, the developer or property owners must submit Form SR-1, Petition for Road Addition (copy attached to this correspondence), and four (4) copies of the recorded plat to request that the road or roads be added to the State Highway system. Any maintenance problems found when the road is requested to be added must be repaired by the developer prior to the road becoming state maintained. As stated in GS 136-102.6, final acceptance by the Division of Highways of the public streets and placing them on the State highway system for maintenance shall be conclusive proof that the streets have been constructed according to the minimum standards of the board of Transportation.
 9. The developer shall comply with all applicable local, state, and federal environmental regulations, and shall obtain all necessary local, state, and federal environmental permits, including, but not limited to, those related to sediment control, stormwater, wetlands, streams, endangered species, and historical sites.
 10. A properly completed Verification of Compliance with the Department of Environment and Natural Resources (DENR)(page 35, attached) must be submitted prior to the road(s) being considered for addition to the NCDOT System.
 11. In preparing the final plat for certification by this office and subsequent recording, the following information will be incorporated
 - A. The sight distance quadrants at the intersections shall be shown either as an easement or as the property line.
 - B. Easements for drainage throughout the development.
 - C. All roads shall be shown as public and the right of way width shown.

If you have any further questions regarding this matter, please do not hesitate to call this office at (336) 629-1423.

Yours truly,



Reuben Blakley, PE
District Engineer

REB/saw
Attachments

cc: Tim Johnson, PE, Division Engineer
File

P.O. Box 1164, Asheboro, North Carolina 27204
Phone (336) 629-1423 Fax (336) 629-7228



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

MICHAEL F. EASLEY,
GOVERNOR

DIVISION OF HIGHWAYS

LYNDO TIPPETT
SECRETARY

September 7, 2006

Chatham County

Subject: Subdivision - Plan Review - Briar Chapel Phase 3

Richard J. Dickie, PE,
The John R. McAdams Co., Inc
PO Box 14005
Research Triangle Park, NC 27709-4005

Dear Mr. Dickie:

The N. C. Department of Transportation, Division of Highways has reviewed the construction plans as submitted to this office and approval is granted subject to the following stipulations and recommendations:

1. All Construction is to be in accordance with the details and changes in red as shown on the plans. Please note the change in asphalt type. Any asphalt pavement construction after March 1, 2003 shall be of the Superpave type (See Attached).
2. The entire right of way is to be cleared and grubbed throughout the whole phase of the project. Please be aware that the areas within the sight distance quadrants are to be treated as right of way.
3. All soil areas within the proposed right of way and any other soil areas disturbed during construction shall be seeded and mulched immediately upon completion of roadway construction. The seeding shall be done as outlined in the seeding specification attachment.
4. There was crossline drainage proposed on the construction plans. If, however field conditions dictate any changes these shall be made. Please note that this approval is contingent upon full implementation of any comments that may be made by the Hydraulics Unit. If any of the property owners desire to pipe their ditches within the proposed N C DOT right of way, please advise them that this work should conform to NC DOT specifications for this type of work (see attached). If any ditches are piped and not done to the NC DOT specifications, this could result in the road not being accepted for addition to the state maintained system of roads. Any ditches piped prior to addition to the state maintained system are subject to an encroachment agreement, as are utility companies, when the road is added.
5. The typicals as shown in the plans, are approved. With the exception of the median drainage shown draining across the roadways to reach the gutter (see note: ** on sheet C-31).
6. The Division of Highways will only allow mailboxes, with non-rigid type post, such as 4" x 4" wooden or small diameter metal type on new additions. Brick columns or mailboxes on rigid stands such as block,

P.O. Box 1164, Asheboro, North Carolina 27204
Phone (336) 629-1423 Fax (336) 629-7228

stone or any other type felt to be a traffic hazard will not be allowed within the right of way. This policy applies to all roads being considered for addition to the State Maintained System.

7. An erosion control plan shall require approval from the Department of Natural Resources and Community Development. The developer should forward this plan to Mr. John Holley, P.E., Department of Natural Resources and Community Development, P.O. Box 27687, Raleigh, N.C. 27611, phone (919) 571-4718 for his review and approval.
8. As this subdivision is proposed to be public and is likely to be requested to be added to the state maintained system of roads, the developer will be responsible for providing a PE Certification, (See Attached) and testing results for base and asphalt density stating that the streets have been built in accordance with the most current "Subdivision Roads: Minimum Construction Standards" manual and with the attached approved plans. Please be advised that this PE Certification does not approve the road for addition to the State Highway System for maintenance. When the proper home density is achieved and roads have been satisfactorily maintained, the developer or property owners must submit Form SR-1, Petition for Road Addition (copy attached to this correspondence), and four (4) copies of the recorded plat to request that the road or roads be added to the State Highway system. Any maintenance problems found when the road is requested to be added must be repaired by the developer prior to the road becoming state maintained. As stated in GS 136-102.6, final acceptance by the Division of Highways of the public streets and placing them on the State highway system for maintenance shall be conclusive proof that the streets have been constructed according to the minimum standards of the board of Transportation.
9. The developer shall comply with all applicable local, state, and federal environmental regulations, and shall obtain all necessary local, state, and federal environmental permits, including, but not limited to, those related to sediment control, stormwater, wetlands, streams, endangered species, and historical sites.
10. A properly completed Verification of Compliance with the Department of Environment and Natural Resources (DENR)(page 35, attached) must be submitted prior to the road(s) being considered for addition to the NCDOT System.
11. In preparing the final plat for certification by this office and subsequent recording, the following information will be incorporated
 - A. The sight distance quadrants at the intersections shall be shown either as an easement or as the property line.
 - B. Easements for drainage throughout the development.
 - C. All roads shall be shown as public and the right of way width shown.

If you have any further questions regarding this matter, please do not hesitate to call this office at (336) 629-1423.

Yours truly,


Reuben Blakley, PE
District Engineer

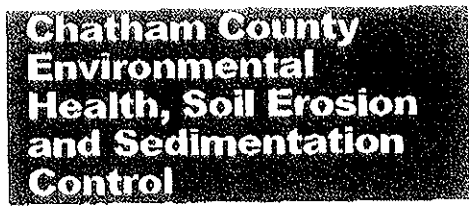
REB/saw
Attachments

cc: Tim Johnson, PE, Division Engineer
File

P.O. Box 1164, Asheboro, North Carolina 27204
Phone (336) 629-1423 Fax (336) 629-7228

CHATHAM COUNTY Erosion Control

P.O. Box 130
Pittsboro, NC 27312
Office: (919) 542-8217
Fax: (919) 542-8288



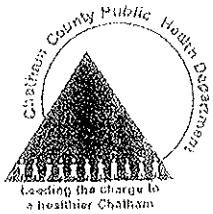
Prelim Plat
Erosion Control
Letter

Fax

To: Christopher Sandt, E.I.	From: Brian Gro
Fax: (919) 361-2269	Pages: 3 including cover page
Phone: (919) 545-8343	Date: 3/27/2006
Re: Briar Chapel Ph. 3 and 4	CC:

Urgent For Review Please Comment Please Reply Please Recycle

Comments: Letter of Approval dated 3/27/06. **KB**



Chatham County Environmental Health, Erosion Control Section

March 27, 2006

LETTER OF APPROVAL

NNP-Briar Chapel, LLC
Attn: Mitch Barron
5850 Fayetteville Road, Suite 201
Durham, NC 27713

RE: Project Name: Briar Chapel Ph. 3 and 4 Acres approved: 114.00
Total Acres: 1649
Permit Number: 2006-03-003
Submitted By: John R. McAdams Company
Date Received: 2-02-06

Dear Sir or Madam:

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. The enclosed Certificate of Approval must be posted at the job site. This plan approval shall expire two (2) years following the date of approval, if no land-disturbing activity has been undertaken.

Section 6 (l) of the Chatham County Sedimentation and Erosion Control Ordinance requires that a copy of the approved erosion control plan be on file at the job site. Also, this letter gives the notice required by G.S. 113A-61.1(a) of our right of periodic inspection to insure compliance with the approved plan.

North Carolina's Sedimentation Pollution Control Act is performance-oriented, requiring protection of existing natural resources and adjoining properties. If, following the commencement of this project, the erosion and sedimentation control plan is inadequate to meet the requirements of the Chatham County Sedimentation and Erosion Control Ordinance, this office may require revisions to the plan and implementation of the revisions to insure compliance with the Act.

Chatham County Erosion Control
P. O. Box 130, 80 East St. Pittsboro, NC 27312-0130 • Phone: 919-545-8343 / FAX: 919-542-8288

Letter of Approval
NNP-Briar Chapel, LLC
February 9, 2006
Page 2 of 2

Acceptance and approval of this plan is conditioned upon your compliance with Federal and State water quality laws, regulations, and rules. In addition, local city or county ordinances or rules may also apply to this land-disturbing activity. This approval does not supersede any other permit or approval.

Please be aware that your project will be covered by the enclosed NPDES General Stormwater Permit NCGO1000 (Construction Activities). You should first become familiar with all of the requirements for compliance with the enclosed general permit.

Please note that this approval is based in part on the accuracy of the information provided in the Financial Responsibility Form, which you provided. You are requested to file an amended form if there is any change in the information included on the form. Please notify us when you would like to schedule a preconstruction conference. Notification shall be given at least 7 days prior to initiation of activity.

Your cooperation is appreciated.

Sincerely,



Brian Grogan, CPESC
Chatham County Erosion Control

Enclosures: Certificate of Approval
NPDES Permit

cc: John R. McAdams Company, Attn: Christopher Sandt, E. I.

USACOE/NC DENR Wetlands/Streams



North Carolina Department of Environment and Natural Resources

Division of Water Quality
Coleen H. Sullins
Director

Dee Freeman
Secretary

Beverly Eaves Perdue
Governor

August 31, 2009

*Prelims. Plat
401/404
Permits*

Mr. William S. Mumford
NNP – Briar Chapel, LLC
16 Windy Knoll Circle
Chapel Hill, NC 27516

Re: Briar Chapel, Chatham County
DWQ Project # 20050732, Ver. 13; USACE Action ID. No. 200121222
APPROVAL of 401 Water Quality Certification with Additional Conditions - MODIFICATION

Dear Mr. Mumford:

Attached hereto is a copy of Certification No. 3567 issued to Mr. William S. Mumford of NNP- Briar Chapel, LLC, Inc., dated August 31, 2009. **This Certification replaces the Certification issued to you on January 11, 2008, July 21, 2009, and July 24, 2009.** In addition, you should get any other federal, state or local permits before you go ahead with your project including (but not limited to) Solid Waste, Sediment and Erosion Control, Stormwater, Dam Safety, Non-discharge and Water Supply Watershed regulations.

If we can be of further assistance, do not hesitate to contact us.

Sincerely,

Coleen Sullins

CHS/cbk/ljm

Attachments: Certificate of Completion

cc: Becky Fox, EPA, 1307 Firefly Road, Whittier, NC 28789
U.S. Army Corps of Engineers, Raleigh Regulatory Field Office, Wilmington District
Lauren Witherspoon, DWQ Raleigh Regional Office
DLR, Raleigh Regional Office
File Copy
Nicole Thomson, S&EC, P.A., 11010 Raven Ridge Road, Raleigh, NC 27614

Filename: 050732Ver13BriarChapel(Chatham)401_IC_MOI2_Revise

NORTH CAROLINA 401 WATER QUALITY CERTIFICATION

THIS CERTIFICATION is issued in conformity with the requirements of Section 401 Public Laws 92-500 and 95-217 of the United States and subject to the North Carolina Division of Water Quality (DWQ) Regulations in 15 NCAC 2H, Section .0500 to Mr. William S. Mumford of NNP- Briar Chapel, LLC to fill 0.4374 acres of 404/wetland (permanent impact), 0.197 acres 404/wetland (temporary impact), 2,154 linear feet of perennial stream (permanent impact), 612 linear feet of perennial stream (temporary impact), 83 linear feet of intermittent stream (permanent impact), and 22 linear feet of intermittent stream (temporary impact), in the Cape Fear River Basin, to construct the Briar Chapel residential and mixed use development at the site. The site is located west of U.S. Highway 15-501, and north of Andrew's Store Road (SR 1528), and south of Mann's Chapel Road (SR 1532), approximately 5 miles south of Chapel Hill, in Chatham County, North Carolina, pursuant to a permit application dated May 8, 2009, and received by the DWQ on May 8, 2009, by Public Notice issued by the USACE on May 22, 2009, and received by the DWQ on May 22, 2009, and by all additional correspondences received by the DWQ on May 20, 2009 and June 25, 2009.

The application and supporting documentation provides adequate assurance that the proposed work will not result in a violation of applicable Water Quality Standards and discharge guidelines. Therefore, the State of North Carolina certifies that this activity will not violate the applicable portions of Sections 301, 302, 303, 306, 307 of PL 92-500 and PL 95-217 if conducted in accordance with the application, the supporting documentation, and conditions hereinafter set forth.

This approval is only valid for the purpose and design submitted in the application materials and as described in the Public Notice. If the project is changed, prior to notification a new application for a new Certification is required. If the property is sold, the new owner must be given a copy of the Certification and approval letter and is thereby responsible for complying with all conditions of this Certification. Any new owner must notify the Division and request the Certification be issued in their name. Should wetland or stream fill be requested in the future, additional compensatory mitigation may be required as described in 15A NCAC 2H .0506 (h) (6) and (7). If any plan revisions from the approved site plan result in a change in stream or wetland impact or an increase in impervious surfaces, the DWQ shall be notified in writing and a new application for 401 Certification may be required. For this approval to be valid, compliance with the conditions listed below is required.

Conditions of Certification:

I. Impacts Approved

The following impacts are hereby approved as long as all of the other specific and general conditions of this Certification (or Isolated Wetland Permit) are met. No other impacts are approved including incidental impacts:

Type of Impact	Amount Approved (Units)	Plan Location or Reference
404/401 Wetlands	0.4374 (acres) – permanent impact	Table 2, Application, and Public Notice
404/401 Wetlands	0.197 (acres) – temporary impact	Table 2, Application, and Public Notice
Stream (perennial)	2,154 (linear feet) – permanent impact	Table 2, Application, and Public Notice
Stream (perennial)	612 (linear feet) – temporary impact	Table 2, Application, and Public Notice
Stream (intermittent)	83 (linear feet) – permanent impact	Table 2, Application, and Public Notice
Stream (intermittent)	22 (linear feet) – temporary impact	Table 2, Application, and Public Notice

Sediment and Erosion Control:

2. Erosion and sediment control practices must be in full compliance with all specifications governing the proper design, installation and operation and maintenance of such Best Management Practices in order to protect surface waters standards:
 - a. The erosion and sediment control measures for the project must be designed, installed, operated, and maintained in accordance with the most recent version of the *North Carolina Sediment and Erosion Control Planning and Design Manual*.
 - b. The design, installation, operation, and maintenance of the sediment and erosion control measures must be such that they equal, or exceed, the requirements specified in the most recent version of the *North Carolina Sediment and Erosion Control Manual*. The devices shall be maintained on all construction sites, borrow sites, and waste pile (spoil) projects, including contractor-owned or leased borrow pits associated with the project.
3. No waste, spoil, solids, or fill of any kind shall occur in wetlands, waters, or riparian areas beyond the footprint of the impacts depicted in the 404/401 Permit Application. All construction activities, including the design, installation, operation, and maintenance of sediment and erosion control Best Management Practices, shall be performed so that no violations of state water quality standards, statutes, or rules occur;
4. Sediment and erosion control measures shall not be placed in wetlands or waters without prior approval from the Division. If placement of sediment and erosion control devices in wetlands and waters is unavoidable, design and placement of temporary erosion control measures shall not be conducted in a manner that may result in dis-equilibrium of wetlands or stream beds or banks, adjacent to or upstream and down stream of the above structures. All sediment and erosion control devices shall be removed and the natural grade restored within two (2) months of the date that the Division of Land Resources or locally delegated program has released the project.
5. Protective Fencing - The outside buffer, wetland or water boundary and along the construction corridor within these boundaries approved under this authorization shall be clearly marked with orange warning fencing (or similar high visibility material) for the areas that have been approved to infringe within the buffer, wetland or water prior to any land disturbing activities.

Continuing Compliance:

6. Mr. William S. Mumford and NNP- Briar Chapel, LLC shall conduct construction activities in a manner consistent with State water quality standards (including any requirements resulting from compliance with section 303(d) of the Clean Water Act) and any other appropriate requirements of State law and federal law. If the Division determines that such standards or laws are not being met (including the failure to sustain a designated or achieved use) or that State or federal law is being violated, or that further conditions are necessary to assure compliance, the Division may reevaluate and modify this Certification to include conditions appropriate to assure compliance with such standards and requirements in accordance with 15A NCAC 2H.0507(d). Before modifying the Certification, the Division shall notify Mr. William S. Mumford and NNP- Briar Chapel, LLC and the US Army Corps of Engineers, provide public notice in accordance with 15A NCAC 2H.0503 and provide opportunity for public hearing in accordance with 15A NCAC 2H.0504. Any new or revised conditions shall be provided to Mr. William S. Mumford and NNP- Briar Chapel, LLC in writing, shall be provided to the United States Army Corps of Engineers for reference in any Permit issued

pursuant to Section 404 of the Clean Water Act, and shall also become conditions of the 404 Permit for the project;

7. Construction Stormwater Permit NCG010000

Upon the approval of an Erosion and Sedimentation Control Plan issued by the Division of Land Resources (DLR) or a DLR delegated local erosion and sedimentation control program, an NPDES General stormwater permit (NCG010000) administered by DWQ is automatically issued to the project. This General Permit allows stormwater to be discharged during land disturbing construction activities as stipulated by conditions in the permit. If your project is covered by this permit [applicable to construction projects that disturb one (1) or more acres], full compliance with permit conditions including the sedimentation control plan, self-monitoring, record keeping and reporting requirements are required. A copy of this permit and monitoring report forms may be found at http://h2o.enr.state.nc.us/su/Forms_Documents.htm.

Mitigation:

8. Compensatory Mitigation

~~Compensatory stream mitigation shall be accomplished by using 2,127 linear feet of stream~~ mitigation credit at the Harpers Crossroads stream mitigation site and the remaining 27 linear feet of required stream credit (10:1 ratio = 270 linear feet) from the 63,412 linear feet of available onsite stream preservation. These mitigation efforts shall be protected through use of conservation easement written to satisfy the US Army Corps of Engineers. Uses which may be allowable in the protected stream buffers include water dependent activities and greenway trails upon additional written approval of the Division of Water quality and the US Army Corps of Engineers. These provisions should be explicitly reflected in the conservation easements, or similar mechanisms, written to satisfy the USACE.

The Permittee shall provide stream restoration in accordance with the plan entitled 'Harpers Crossroads Stream Restoration Plan,' dated September 2005. The restoration site, which was authorized with a separate DA nationwide permit (USACE Action Id No. 200420489) has already been constructed. The as-built report dated June 12, 2006 states the total stream restoration generated by the project as 2,127 linear feet. Within 90 days of the USACE's determination that the Harpers Crossroads Stream Restoration Project has met the success criteria outlined in the 'Harpers Crossroads Stream Restoration Plan,' the permittee shall arrange for the transfer of the existing conservation easements to a third-party grantee, subject to approval by the USACE.

Type of Impact	Compensatory Mitigation Required	River and Sub-basin Number
Stream (perennial)	2,154 (linear feet)	Cape Fear/03030002

9. Stormwater Management Plan Implementation Procedures (No Further Approval Needed)

- The approved SMP must be constructed and operational before any permanent building or other structure is occupied at the site. If a development is phased, then the approved SMP for each future phase must be constructed and operational before any permanent building or other structure associated with that phase is occupied.
- The approved SMP as well as drainage patterns must be maintained in perpetuity.
- The SMP may not be modified without prior written authorization from the SMP approval authority. If the SMP falls under another state stormwater program, then a copy of the approval letter and the modified SMP must be submitted to the 401 Oversight/Express Unit prior to the commencement of the modifications.

10. Culvert Installation

All work in or adjacent to stream waters shall be conducted in a dry work area. Approved BMP measures from the most current version of NCDOT Construction and Maintenance Activities manual (http://www.ncdot.org/doh/operations/BMP_manual/download/BMP_Manual.pdf) such as sandbags, rock berms, cofferdams and other diversion structures shall be used to prevent excavation in flowing water.

Culverts required for this project shall be installed in such a manner that the original stream profiles are not altered. Existing stream dimensions (including the cross section dimensions, pattern, and longitudinal profile) must be maintained above and below locations of each culvert. Culverts shall be designed and installed to allow for aquatic life movement as well as to prevent head cutting of the streams. If any of the existing pipes are or become perched, the appropriate stream grade shall be re-established or, if the pipes installed in a perched manner, the pipes shall be removed and re-installed correctly.

Culvert(s) shall not be installed in such a manner that will cause aggradation or erosion of the stream up or down stream of the culvert(s). Existing stream dimensions (including the cross section dimensions, pattern and longitudinal profile) shall be maintained above and below locations of each culvert.

~~Placement of culverts and other structures in waters, streams, and wetlands must be placed below the elevation of the streambed by one foot for all culverts with a diameter greater than 48 inches, and 20 percent of the culvert diameter for culverts having a diameter less than 48 inches, to allow low flow passage of water and aquatic life. Design and placement of culverts and other structures including temporary erosion control measures shall not be conducted in a manner that may result in disequilibrium of wetlands or streambeds or banks, adjacent to or upstream and down stream of the above structures. The applicant is required to provide evidence that the equilibrium shall be maintained if requested in writing by DWQ.~~

The establishment of native, woody vegetation and other soft stream bank stabilization techniques must be used where practicable instead of rip rap or other bank hardening methods. If rip-rap is necessary, it shall not be placed in the stream bed, unless specifically approved by the Division of Water Quality.

Installation of culverts in wetlands must ensure continuity of water movement and be designed to adequately accommodate high water or flood conditions.

Upon completion of the project, the Applicant shall complete and return the enclosed "Certificate of Completion" form to notify NCDWQ when all work included in the §401 Certification has been completed. The responsible party shall complete the attached form and return it to the 401/Wetlands Unit of the NC Division of Water Quality upon completion of the project. *Please send photographs upstream and downstream of each culvert site to document correct installation along with the Certificate of Completion form.*

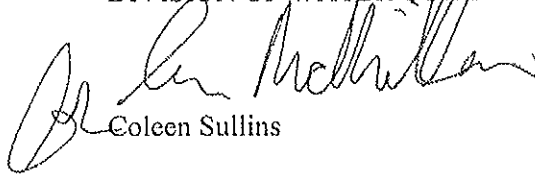
11. Certificate of Completion

Upon completion of all work approved within the 401 Water Quality Certification or applicable Buffer Rules, and any subsequent modifications, the applicant is required to return the attached certificate of completion to the 401/Wetlands Unit, North Carolina Division of Water Quality, 1650 Mail Service Center, Raleigh, NC, 27699-1650.

Also, 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 or CAMA Permit.

If this Certification is unacceptable to you, you have the right to an adjudicatory hearing upon written request within sixty (60) days following receipt of this Certification. This request must be in the form of a written petition conforming to Chapter 150B of the North Carolina General Statutes and filed with the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, N.C. 27699-6714. If modifications are made to an original Certification, you have the right to an adjudicatory hearing on the modifications upon written request within sixty (60) days following receipt of the Certification. Unless such demands are made, this Certification shall be final and binding.

This the 31st day of August 2009
DIVISION OF WATER QUALITY



Coleen Sullins

CHS/cbk/ijm

3567



North Carolina Department of Environment and Natural Resources
Division of Water Quality

Beverly Eaves Perdue
Governor

Coleen H. Sullins
Director

Dee Freeman
Secretary

DWQ Project No.: 05-0732 U13 County: Chatham

Applicant: _____

Project Name: _____

Date of Issuance of 401 Water Quality Certification: aug 31, 2009

Certificate of Completion

Upon completion of all work approved within the 401 Water Quality Certification or applicable Buffer Rules, and any subsequent modifications, the applicant is required to return this certificate to the 401/Wetlands Unit, North Carolina Division of Water Quality, 1650 Mail Service Center, Raleigh, NC, 27699-1650. This form may be returned to DWQ ~~by the applicant, the applicant's authorized agent, or the project engineer. It is not necessary to send certificates from~~ all of these.

Applicant's Certification

I, _____, hereby state that, to the best of my abilities, due care and diligence was used in the observation of the construction such that the construction was observed to be built within substantial compliance and intent of the 401 Water Quality Certification and Buffer Rules, the approved plans and specifications, and other supporting materials.

Signature: _____ Date: _____

Agent's Certification

I, _____, hereby state that, to the best of my abilities, due care and diligence was used in the observation of the construction such that the construction was observed to be built within substantial compliance and intent of the 401 Water Quality Certification and Buffer Rules, the approved plans and specifications, and other supporting materials.

Signature: _____ Date: _____

If this project was designed by a Certified Professional

I, _____, as a duly registered Professional _____ (i.e., Engineer, Landscape Architect, Surveyor, etc.) in the State of North Carolina, having been authorized to observe (periodically, weekly, full time) the construction of the project, for the Permittee hereby state that, to the best of my abilities, due care and diligence was used in the observation of the construction such that the construction was observed to be built within substantial compliance and intent of the 401 Water Quality Certification and Buffer Rules, the approved plans and specifications, and other supporting materials.

Signature: _____ Registration No. _____

Date _____



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
WILMINGTON DISTRICT, CORPS OF ENGINEERS
69 DARLINGTON AVENUE
WILMINGTON, NORTH CAROLINA 28403-1343

August 21, 2009

Regulatory Division

Action ID. 200121252

Mr. William S. Mumford
NNP – Briar Chapel, LLC
16 Windy Knoll Circle
Chapel Hill, North Carolina 27516

Dear Mr. Mumford:

Reference the Department of the Army (DA) permit issued on October 2, 2006, to Mitch Barron of Newland Communities for impacts associated with the Briar Chapel Development. Also reference the modification to this permit approved in December, 2007. This development is approximately 1,589 acres in size and is located west of US Highway 15-501, north of Andrew's Store Road (SR 1528), and south of Mann's Chapel Road (SR 1532), approximately 5 miles south of Chapel Hill, in Chatham County, North Carolina. Coordinates (in decimal degrees) for the site are 35.8251 ° North, 79.1059 ° West. The site contains several unnamed tributaries and adjacent wetlands of Pokeberry Creek and Wilkinson Creek, in the Cape Fear River Basin (8-Digit Cataloging Unit 03030002).

Permanent impacts authorized by this permit and the subsequent 2007 modification totaled 1,666 linear feet of stream channel and 0.4422 acre of wetland, and temporary impacts totaled 359 linear feet of stream channel and 0.156 acre of wetlands. Mitigation was implemented for the unavoidable impacts by: a) Payment into the North Carolina Ecosystem Enhancement Program for the restoration of 0.6655 acre of riparian wetlands; b) Restoration of 2,127 linear feet of stream channel at the Harpers Crossroads Mitigation Site; and c) On-site preservation of 59.3 acres of wetlands and 63,412 linear feet of stream channel.

Also reference your permit modification request received by the Corps on May 8, 2009. This modification was to address impact amounts and location changes associated with roadway crossings in and near the development. Also included within the requested modification were impacts associated with restoration to streams and wetlands as required to satisfy an existing on-site Clean Water Act violation. On May 22, 2009, a Public Notice was issued detailing this modification request which would bring total impacts associated with Briar Chapel to: 2,237 linear feet of permanent stream channel, 634 linear feet of temporary stream channel, 0.4374 acre of permanent wetland impact,

and 0.197 acres of temporary wetland impact. Please note the attached Tables 1, 2, and 3; originally created by your consultant S&EC, which describe the impact history by site number and amount. No additional mitigation was proposed due to the relatively large amount of preservation mitigation required within the original permit.


The Corps has completed the evaluation of your request and concurs with your request for a change in impacts associated with your referenced DA permit including the change to plans as requested. No additional mitigation is required for this modification.

Special condition 1 of your permit is hereby modified to read:

“All work authorized by this permit must be performed in strict compliance with the attached plans, Exhibit A, Exhibit E, and/or Exhibit F which are a part of this permit. These plans reflect the original proposal, Exhibit A; and the modifications as depicted within the January 26, and the revised June 7, 2007, proposals as shown in Exhibit E, and the modification request of May 8, 2009, as shown in Exhibit F. Only the attached modification plans reflect approved changes to the original plans, therefore any additional ~~deviations from the original plans are not approved per this modification and any further~~ modification to the plans must be approved by the US Army Corps of Engineers (USACE) prior to implementation. The temporary impacts as identified on Exhibit E shall be removed by May 1, 2008, or the project shall be considered non-compliant with this condition. In addition, the following time deadlines are hereby established for work considered authorized under this 2009 permit modification: all impacts, both temporary and permanent, as shown in the stream repair and stabilization document received with the modification application on May 8, 2009, must be completed prior to April 15, 2010; and all additional temporary impacts, not requested within the stream repair and stabilization document but requested and authorized under this 2009 modification, shall be removed within 30 days of the completion of each respective crossing. Proper documentation of permit compliance for this 2009 modification shall be submitted to the Corps of Engineers Regulatory Representative via email on or before April 15, 2010, or at the time of each temporary impact removal, respectively. ”

Please note that all other permit conditions and exhibits remain in effect as written. Should you have questions, contact Mr. Monte Matthews, Raleigh Regulatory Field Office at telephone (919) 554-4884, Extension 30.

Sincerely,


For/ Jefferson M. Ryscavage
Colonel, U.S. Army
District Commander

Attachments

Copy Furnished (w/o attachment)

Ms. Cyndi Karoly
Division of Water Quality
North Carolina Department of Environment
and Natural Resources
2321 Crabtree Boulevard, Suite 250
Raleigh, NC 27604

Copy Furnished (w/attachment)

Ms. Nicole Thomson
Soil & Environmental Consultants
11010 Raven Ridge Road
Raleigh, NC 27614

TABLE 1
PREVIOUSLY PERMITTED IMPACTS

Regulatory Branch

Impact	Classification	Impact Type	Original permitted Stream impacts (5/9/06 & 10/2/2006)	Original permitted Wetland impacts (5/9/06 & 10/2/2006)	Approved Modification Stream impacts (12/05/07 & 1/11/08)	Approved Modification Wetland impacts (12/05/07 & 1/11/08)
A	Wetland	Road Crossing	0	0.0341 ac. perm. wetland impact	N/A	N/A
B	Perennial Stream/Wetland	Road Crossing	141 LF perm. stream impact	0.0018 ac. perm. wetland impact	N/A	N/A
C	Perennial Stream	Bridge	0	0	N/A	0
D	Perennial Stream/Wetland	Road Crossing	140 LF perm. stream impact	0.0320 ac. perm. wetland impact	N/A	N/A
E	Perennial Stream	Road Crossing	129 LF perm. stream impact	0.0064 ac. perm. wetland impact	N/A	N/A
F	Perennial Stream	Road Crossing	155 LF perm. stream impact	0	197 LF perm. stream impact & 41 LF temp. stream impact	0
G	Perennial Stream/Wetland	Road Crossing	238 LF perm. stream impact	0.0030 ac. perm. wetland impact	271 LF perm. stream impact & 26 LF temp. stream impact	0.010 ac. perm. wetland impact
H	Perennial Stream	Road Crossing	166 LF perm. stream impact	0	262 LF perm. stream impact & 50 LF temp. stream impact	0
I	Perennial Stream/Wetland	Road Crossing	91 LF perm. stream impact	0.0003 ac. perm. wetland impact	83 LF perm. stream impact & 31 LF temp. stream impact	0.002 ac. perm. wetland impact & 0.019 ac. temp. wetland impact
J	Perennial Stream	Road Crossing	150 LF perm. stream impact	0	N/A	N/A
K	Intermittent Stream/Wetland	Road Crossing	150 LF perm. stream impact	0.2320 ac. perm. wetland impact	ELIMINATED	ELIMINATED
L	Perennial Stream	Road Crossing	114 LF perm. stream impact	0	N/A	N/A
M	Perennial Stream	Road Crossing	220 LF perm. stream impact	0	N/A	N/A
N	Wetland	Fill	0	0.3559 ac. perm. wetland impact	N/A	N/A
O	Perennial Stream	Road Crossing	109 LF perm. stream impact	0	N/A	N/A
P	Wetland	Road Crossing	0	0.062 ac. perm. wetland impact	N/A	N/A
Q	Perennial Stream/Wetland	Pedestrian Bridge	not part of orig. submittal	N/A	N/A	added to mod./no impact
R	Wetland/Beaver Impoundment	Pedestrian Bridge	not part of orig. submittal	N/A	N/A	added to mod./no impact

TABLE 1
PREVIOUSLY PERMITTED IMPACTS

Impact	Classification	Impact Type	Original permitted Stream impacts (5/9/06 & 10/2/2006)	Original permitted Wetland impacts (5/9/06 & 10/2/2006)	Approved Modification Stream impacts (12/05/07 & 1/11/08)	Approved Modification Wetland impacts (12/05/07 & 1/11/08)
1	Perennial Stream	Utility	20 LF temp. stream impact	0	N/A	N/A
2	Perennial Stream	Utility	20 LF temp. stream impact	0	N/A	N/A
3	Perennial Stream	Utility	21 LF temp. stream impact	0	N/A	N/A
4	Perennial Stream	Utility	35 LF temp. stream impact	0	N/A	N/A
5	Perennial Stream	Utility	36 LF temp. stream impact	0	N/A	N/A
6	Perennial Stream	Utility	35 LF temp. stream impact	0	N/A	N/A
7	Perennial Stream	Utility	20 LF temp. stream impact	0.123 ac. temp. wetland impact	N/A	N/A
8	Perennial Stream	Utility	24 LF temp. stream impact	0	N/A	N/A
9	Wetland	Utility	0	0.0140 temp. wetland impact	N/A	N/A
Original Permitted Totals:			1,653 LF perm. Stream impact & 211 LF temp. Stream impact	0.6655 ac. perm. Wetland impact & 0.137 ac. temp. Wetland impact		
			New Permitted Totals 2007/2008		1,666 LF perm. Stream impact & 359 LF temp. Stream Impact	0.4422 ac. perm. Wetland impact & 0.156 ac. temp. Wetland impact

* Crossings J and P were eliminated prior to 404 and 401 Approvals in 2006

TABLE 2
2009 REVISED IMPACTS

Impact	Classification	Impact Type	Revised Stream Impacts	Revised Wetland Impacts
A	Wetland	Road Crossing	4 LF perm. stream impact	0.0372 ac. perm. wetland impact & 0.0264 ac. temp. wetland impact
B	Perennial Stream/Wetland	Road Crossing	166 LF perm. stream impact & 14 LF temp. stream impact	0.0018 ac. perm wetland (NO CHANGE TO PERM) & 0.0063 ac. temp. wetland impact
C	Perennial Stream	Bridge	0	0
D	Perennial Stream/Wetland	Road Crossing	181 LF perm. stream impact & 39 LF temp. stream impact	0.0282 ac. perm. wetland impact & 0.0077 ac. temp. wetland impact
E	Perennial Stream	Road Crossing	129 LF perm. stream impact & 40 LF of temp. stream impact	0.0065 ac. perm. wetland impact
F	Perennial Stream	Road Crossing	213 LF perm. stream impact & 56 LF temp. stream impact	0
G	Perennial Stream/Wetland	Road Crossing	296 LF perm. stream impact & 26 LF temp. stream impact (NO CHANGE TO TEMP.)	0.0095 ac. perm. wetland impact
H	Perennial Stream	Road Crossing	257 LF perm. stream impact & 55 LF temp. stream impact	0
I	Perennial Stream/Wetland	Road Crossing	83 LF perm. stream impact & 22 LF perm. stream impact (NO CHANGE TO PERM.)	0.0003 ac. perm. wetland impact & 0.0196 ac. temp. wetland impact
L	Perennial Stream	Road Crossing	123 LF perm. stream impact & 20 LF of temp. stream impact	0
M	Perennial Stream	Road Crossing	310 LF perm. stream impact & 50 LF temp. stream impact	0
N	Wetland	Road Crossing/Lot Fill	0	0.3449 ac. perm. wetland impact
O	Perennial	Road Crossing	148 LF perm. stream impact & 8 LF temp. stream impact	0
S	Perennial Stream	Road Widening (NEW)	58 LF perm. stream impact & 24 LF temp. stream impact	0
T	Perennial Stream	Road Widening (NEW)	36 LF perm. stream impact & 20 LF temp. stream impact	0
U	Perennial Stream	Road Widening (NEW)	233 LF perm. stream impact & 21 LF temp. stream impact	0.009 ac. perm. wetland impact
1	Perennial Stream	Utility	20 LF temp. stream impact (NO CHANGE)	0
2	Perennial Stream	Utility	20 LF temp. stream impact (NO CHANGE)	0
3	Perennial Stream	Utility	21 LF temp. stream impact (NO CHANGE)	0
4	Perennial Stream	Utility	41 LF temp. stream impact	0
5	Perennial Stream	Utility	50 LF temp. stream impact	0
6	Perennial Stream	Utility	43 LF temp. stream impact	0
7	Perennial Stream	Utility	20 LF temp. stream impact (NO CHANGE)	0.123 ac. temp. wetland impact (NO CHANGE)
8	Perennial Stream	Utility	24 LF temp. stream impact (NO CHANGE)	0 (NO CHANGE)
9	Wetland	Utility	0 (NO CHANGE)	0.0140 temp. wetland impact (NO CHANGE)
TOTALS			2,237 LF perm. stream impact & 634 LF temp. stream impact	0.4374 ac. perm. wetland impact & 0.197 ac. temp. wetland impact

TABLE 3
NET DIFFERENCES IN IMPACTS

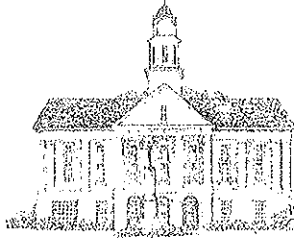
Impact	Classification	Impact Type	Net difference Stream Impact	Net difference Wetland Impact
A	Wetland	Road Crossing	+ 4 LF perm. stream impact	+0.0031 ac. perm. wetland impact & +0.0264 ac. temp wetland impact
B	Perennial Stream/Wetland	Road Crossing	+25 LF perm. stream impact & + 14LF temp. stream impact	+0.0063 ac. temp. wetland impact
C	Perennial Stream	Bridge	0	0
D	Perennial Stream/Wetland	Road Crossing	+41 LF perm. stream impact & +39 LF temp. stream impact	-0.0038 ac. perm. wetland impact & +0.0077 ac. temp. wetland impact
E	Perennial Stream	Road Crossing	0 LF perm. stream impact & + 40 LF temp. stream impact	+0.0001 ac. perm. wetland impact
F	Perennial Stream	Road Crossing	+16 LF perm. stream impact & +15 LF temp. stream impact	0
G	Perennial Stream/Wetland	Road Crossing	+25 LF perm. stream impact	-0.0005 ac. perm. wetland impact
H	Perennial Stream	Road Crossing	-5 LF perm. stream impact & +5 LF temp. stream impact	0
I	Perennial Stream/Wetland	Road Crossing	0 LF perm. stream impact & -9 LF temp. stream impact	-0.0017 ac. perm. wetland impact & +0.0006 ac. temp. wetland impact
L	Perennial Stream	Road Crossing	+9 LF perm. stream impact & +20 LF temp. stream impact	0
M	Perennial Stream	Road Crossing	+90 LF perm. stream impact & +50 LF temp. stream impact	0
N	Wetland	Fill	0	-0.011 ac. perm. wetland impact
O	Perennial Stream	Road Crossing	+39 LF perm. stream impact & + 8 LF temp. stream impact	
S	Perennial Stream	Road Widening (NEW)	+58 LF perm. stream impact & +24 LF temp. stream impact	0
T	Perennial Stream	Road Widening (NEW)	+36 LF perm. stream impact & +20 LF temp. stream impact	0
U	Perennial Stream	Road Widening (NEW)	+233 LF perm. stream impact & +21 LF temp. stream impact	+0.009 ac. perm. wetland impact
1	Perennial Stream	Utility	0	0
2	Perennial Stream	Utility	0	0
3	Perennial Stream	Utility	0	0
4	Perennial Stream	Utility	+6 LF temp. stream impact	0
5	Perennial Stream	Utility	+14 LF temp. stream impact	0
6	Perennial Stream	Utility	+8 LF temp. stream impact	0
7	Perennial Stream	Utility	0	0
8	Perennial Stream	Utility	0	0
9	Wetland	Utility	0	-0.0048 ac. perm./+0.041 ac. temp.
TOTALS NET FOR PROJECT			+571 LF perm./+275 LF temp.	

CHATHAM COUNTY Public Water

CHATHAM COUNTY WATER UTILITY

UTILITIES - A Division of Public Works

- Maintenance and Construction
- Water Treatment Plant
- Wastewater Treatment Plant
- Billing and Collections



POST OFFICE BOX 910
PITTSBORO, N. C. 27312-0910

ORGANIZED 1770

707 SQUARE MILES

PHONE
(919) 542-8270

FAX
(919) 542-8282

Handwritten notes and stamps: "MAR 9 2006", "New C-5041", "C Sandt, S. Mc".

Chris Sandt, EI
John R. McAdams Co.
PO Box 14005
RTP, NC 27709

March 7, 2006

Handwritten notes: "Prelim Plat", "County Water", "Approval".

RE: Chatham County Water Systems
Briars Chapel Phase 3 and 4

Dear Mr. Sandt:

In regard to the subject development Chatham County understands that there will be approximately 300-400 lots in the Phase 3 and 4 of the above development with an ultimate build out of approximately 2,300 lots.

Based upon the water main capacity in the North Chatham Water System (PWS ID# 03-19-126) and the location of the subject development and our review of the proposed development plans. The development will extend a network of 6" through 12" water mains in the subdivision and connecting these proposed mains at various locations in the Chatham County Water System namely to the existing 12" main on Manns Chapel Road, 12" main near the intersection of Jack Bennett Road and NC Hwy 15-501 and again to the 8" main on Andrews Store Road with an ultimate connection again to the 12" main on the south end of Manns Chapel Road providing a series of looped connections in the North Chatham Water System. This area will be supplied from a hydraulic grade of 737 FT-MSL in the North Chatham Water System which includes the 1.2 MG Standpipe located in the Governors Club and the proposed Briars Chapel Elevated Tank to be located on the northeast end of Manns Chapel Road. This tank shall be constructed to an elevation of approximately 737 FT-MSL to match the existing tank elevation.

Given the above mentioned connections and improvements the North Chatham Distribution System will have adequate capacity to support the Briars Chapel Phase 3 and 4 and with the addition of the above elevated tank will support the balance of the



This paper is made from recycled waste.

development provided that the number of lots does not increase significantly over the 2,300 mentioned above.

As for the nature of the water supply for the development, currently Chatham County owns and operates a 3.0 MGD surface water treatment plant that draws raw water capacity from Jordan Lake. Chatham County's current allocation from Jordan Lake is 6.0 MGD. Chatham County's consultant is in the process of designing a 4.0 MGD upgrade to this plant, the County is also investigating the possibility of additional supply from bulk water providers to satisfy the long-term needs for water supply for the County residents. Based on 400 lots at 200 gpd per connection this equates to an average daily flow of 0.080 MGD, and 400 lots at 400 gpd per connection equates to a peak daily flow of 0.160 MGD. Based upon the current and maximum daily usage at the Jordan Lake Water Treatment Plant Chatham County has adequate capacity to serve the needs of Phase 3 and 4 of the Briars Chapel Development. We do however encourage you to proceed with the design and permitting of the Briars Chapel 1.0 MG Elevated Storage Tank. As Chatham County completes the WTP upgrade to 6.0 MGD the County will be in a position to produce adequate volumes of water to support the build out of the development as well as the existing Chatham County customers.

If you have any questions or need any additional information please feel free to call.

Sincerely,
CHATHAM COUNTY UTILITIES



Roy Lowder, Interim Director

NC DENR PWS Public Water

Prelim Plat
State Water
Approval

**CHATHAM COUNTY WATER SYSTEMS
AUTHORIZATION TO CONSTRUCT**

Project: BRIAR CHAPEL - PHASE 4
Location: TIES TO PHASE 3 - LOCATED WEST OF US 15-501 AND SOUTH OF MANNS CHAPEL ROAD
Engineer of Record: THE JOHN R. MCADAMS COMPANY, INC. - RICHARD DICKIE, P.E.

_____ is hereby authorized to begin construction of the above project. This
(Name of Contractor)

Authorization to Construct is being issued in conjunction with the receipt of the following items.

- Approval of Hydraulic Study by Chatham County Utilities.
Approval Date: _____
- Approval of Plans and Specifications by Chatham County Utilities.
Approval Date: 02/21/06
- NCDENR-Public Water Supply Authorization to Construct.
Approval Date: 8-11-06 Permit #: 06-00528
- NCDOY - Encroachment Agreement (if applicable)
Approval Date: N/A
- NCDENR-Land Quality Section Approval of Soil Erosion Sedimentation Control Plan (required for more than one contiguous acre of disturbance).
Approval Date: 03/27/06 - BRIAN GREGAN
- All applicable fees paid in full.
Approval Date: 6/20/06 4400 units

The above mentioned approvals must be maintained on site at all times during the construction period and must be made available to Chatham County Utilities upon request.

The Engineer of Record must supply a Resident Project Representative on site to monitor construction compliance of the project. Copies of the RPR's daily logs or inspection reports must be supplied to Chatham County on a monthly basis. The Engineer of Record must also supply a Final Engineer's Certification of the project for final approval from NCDENR Public Water Supply Section.

Chatham County Utilities must be provided with Record Drawings (As-Builts) in accordance with Standard Specifications for Water Main Extensions prior to final acceptance and assumption of ownership and maintenance of the project.

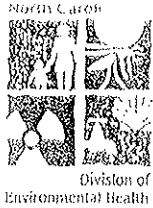
Chatham County Utilities:

Authorization to Construct is issued by:

[Signature]
Name
Utilities Director
Title

Date: 8/21/06

Invoiced for 400 units
await info from state.



Division of Environment & Health
Terry L. Pierce, Director

State of North Carolina
Michael F. Easley, Governor

Public Water Supply Section
Jessica G. Miles, Section Chief

Department of Environment and
Natural Resources
William G. Ross, Secretary

August 22, 2006

Charlie Horn, County Manager
12 East Street
Pittsboro, NC 27312

Re: Authorization to Construct
Briar Chapel, Phase 3 & 4
Chatham Co Water System
Chatham County NC0319126

Dear Applicant:

This letter is to confirm that a complete Engineer's Report and a Water System Management Plan have been received, and that engineering plans and specifications have been approved by the Department for Briar Chapel, Phase 3 & 4, DEH Serial No. 06-00528.

The Authorization to Construct is valid for 24 months from the date of this letter. Authorization to Construct may be extended if the Rules Governing Public Water Supplies and site conditions have not changed. The Authorization to Construct and the engineering plans and specifications approval letter, shall be posted at the primary entrance of the job site before and during construction.

Approval must be secured from the Department before any construction or installation if:

- Deviation from the approved engineering plans and specifications is necessary; or
- There are changes in site conditions affecting capacity, hydraulic conditions, operating units, the function of water treatment processes, the quality of water to be delivered, or conditions imposed by the Department in any approval letters

Upon completion of the construction or modification and in accordance with Rule .0303, the applicant shall submit a certification statement directly to HENRI OU of this office. This statement must be signed and sealed by a registered professional engineer stating that construction was completed in accordance with approved engineering plans and specifications, including any provisions stipulated in the Department's engineering plan and specification approval letter. Prior to Final Approval, the applicant shall submit a signed certification stating that the requirements in 15A NCAC 18C .0307 (d) and (e) have been satisfied and if applicable, a completed application for an Operating Permit and fee. Once the certification statements and operating permit application and fee, if applicable, are received and determined adequate, the Department will grant Final Approval in accordance with Rule .0309 (a). Therefore, no construction, alteration, or expansion of a water system shall be placed into service until Final Approval has been issued by the Department.

If we can be of further assistance, please call (919) 733-2321

Sincerely,

Tony C. Chen, P.E.
Technical Services Branch
Public Water Supply Section

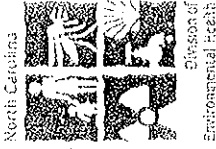
FCC: HSO

cc: Michael L. Douglas, Regional Engineer
The John R McAdams Company Inc-RTP

1634 Mail Service Center, Raleigh, North Carolina 27699-1634
Telephone 919-733-2321 & Fax 919-715-4374 & Lab Form Fax 919-715-6637
<http://ncdrinkingwater.state.nc.us/>

An Equal Opportunity / Affirmative Action Employer

One
North Carolina
Naturally



State of North Carolina
 Department of Environment and Natural Resources
 Division of Environmental Health

Public Water System Authorization to Construct

Public Water System Name
 and PWSID No. (if available):

Chatham Co Water System
 NC0319126

Project Name:

Brier Chapel, Phase 3 & 4

Serial No.

06-00528

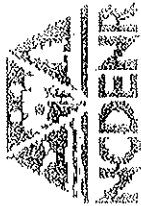
Issue Date:

8/11/2006

Expiration Date:

24 months after Issue Date

In accordance with NCAC 18C .0005, this Authorization to Construct must be posted for inspection at the primary entrance to the job site during construction.



NC DENR DWQ - Correspondence
Regarding Sanitary Sewer Permit



North Carolina Department of Environment and Natural Resources
Division of Water Quality

Beverly Eaves Perdue
Governor

Coleen H. Sullins
Director

Dee Freeman
Secretary

May 3, 2010

Bill Mumford, Project Manager
Briar Chapel Utilities, LLC
16 Windy Knoll Circle
Chapel Hill, NC 27516

*Prelim Plat
DEN approval*

Subject: Permit No. WQ0029867 Modification
Briar Chapel Phase 4
Wastewater Collection System Extension
Chatham County

Dear Mr. Mumford:

In accordance with your permit modification application received April 19, 2010, we are forwarding herewith Permit No. WQ0029867 dated May 3, 2010, to Briar Chapel Utilities for the construction and operation of the subject wastewater collection system extension. This permit shall be effective from the date of issuance until rescinded, shall void permit WQ0029867 issued April 14, 2009, and shall be subject to the conditions and limitations as specified therein. This cover letter shall be considered a part of this permit and is therefore incorporated therein by reference. This modification changes the total number of building lots served by gravity sewer from 287 to 321.

Please pay particular attention to Permit Condition 3 that requires that the wastewater collection facilities be properly operated and maintained in accordance with 15A NCAC 02T .0403 or any individual system-wide collection system permit issued to the Permittee. Your attention is also directed to Permit Condition 6 that requires Engineering Certification prior to operation of this collection system extension.

Permitting of this project does not constitute an acceptance of any part of the project that does not meet 15A NCAC 02T; the Division of Water Quality's (Division) Gravity Sewer Minimum Design Criteria adopted February 12, 1996 as applicable; and the Division's Minimum Design Criteria for the Fast-Track Permitting of Pump Stations and Force Mains adopted June 1, 2000 as applicable, unless specifically mentioned herein. Division approval is based on acceptance of the certification provided by a North Carolina-licensed Professional Engineer in the application. It shall be the Permittee's responsibility to ensure that the as-constructed project meets the appropriate design criteria and rules. Failure to comply may result in penalties in accordance with North Carolina General Statute §143-215.6A through §143-215.6C, construction of additional or replacement wastewater collection facilities, and/or referral of the North Carolina-licensed Professional Engineer to the licensing board.

In accordance with the provisions of Article 21 of Chapter 143, General Statutes of North Carolina as amended, and other applicable Laws, Rules, and Regulations, permission is hereby granted to Briar Chapel Utilities for the construction and operation of an additional 462 linear feet of 8-inch gravity sewer, and the continued operation of:

One
North Carolina
Naturally

North Carolina Division of Water Quality
Internet: www.ncwaterquality.org

Raleigh Regional Office
1628 Mail Service Center

Surface Water Protection
Raleigh, NC 27699-1628

Phone (919) 791-4200
FAX (919) 788-7159

Customer Service
877-623-6748

May 3, 2010

- approximately 3,600 linear feet of 4-inch force main to serve the Woods Charter School, and
- approximately 22,450 linear feet of 8-inch gravity sewer, and
- a 371-gallon per minute pump station with duplex pumps, on-site audible and visual high water alarms, and an on-site generator with automatic transfer switch, and
- a 683-gallon per minute pump station with duplex pumps, on-site audible and visual high water alarms, and an on-site generator with automatic transfer switch, and
- approximately 1,800 linear feet of 6-inch force main, and
- approximately 7,000 linear feet of 8-inch force main, and

To serve 321 single family dwellings as part of the Briar Chapel Phase 4 project, and the discharge of 98,500 gallons per day of collected domestic wastewater into the Briar Chapel Utilities' existing sewerage system, pursuant to the application received April 19, 2010, and in conformity with 15A NCAC 02T; the Division's Gravity Sewer Minimum Design Criteria adopted February 12, 1996 as applicable; the Division's Minimum Design Criteria for the Fast-Track Permitting of Pump Stations and Force Mains adopted June 1, 2000 as applicable; and other supporting data subsequently filed and approved by the Department of Environment and Natural Resources and considered a part of this permit. The flow allocation given above includes flow for 73 grinder pump stations permitted under WQ0029992.

The sewage and wastewater collected by this system shall be treated in the Briar Chapel Utilities Wastewater Treatment Facility (Permit # WQ0028552) prior to being land applied by spray irrigation.

Any wastewater flow made tributary to this wastewater collection system extension prior to completion of the Engineer's Certification shall be considered a violation of the permit and shall subject the Permittee to appropriate enforcement actions.

If any parts, requirements, or limitations contained in this permit are unacceptable, you have the right to request an adjudicatory hearing upon written request within 30 days following receipt of this permit. This request must be in the form of a written petition, conforming to Chapter 150B of North Carolina General Statutes, and filed with the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, NC 27699-6714. Unless such demands are made, this permit shall be final and binding.

If you have any questions regarding this permit or require any additional information, please contact Barry Herzberg at (919) 791-4200, or by e-mail to barry.herzberg@ncdenr.gov.

Sincerely,

for Coleen H. Sullins, Director
Division of Water Quality

by S. Daniel Smith
Surface Water Quality Supervisor
Raleigh Regional Office

cc: Chatham County Health Department
Raleigh Regional Office, SWP, APS
Michael Sanchez, PE; John R. McAdams Company, PO Box 14005, RTP, NC 27709
Central Files

NORTH CAROLINA
ENVIRONMENTAL MANAGEMENT COMMISSION
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
RALEIGH
WASTEWATER COLLECTION SYSTEM EXTENSION PERMIT

This permit shall be effective from the date of issuance until rescinded and shall be subject to the following specified conditions and limitations:

1. This permit shall become voidable unless the wastewater collection facilities are constructed in accordance with the conditions of this permit; 15A NCAC 02T; the Division of Water Quality's (Division) Gravity Sewer Minimum Design Criteria adopted February 12, 1996 as applicable; the Division's Minimum Design Criteria for the Fast-Track Permitting of Pump Stations and Force Mains adopted June 1, 2000 as applicable; and other supporting materials unless specifically mentioned herein.
2. This permit shall be effective only with respect to the nature and volume of wastes described in the application and other supporting data.
3. The wastewater collection facilities shall be properly maintained and operated at all times. The Permittee shall maintain compliance with an individual system-wide collection system permit for the operation and maintenance of these facilities as required by 15A NCAC 02T .0403. If an individual permit is not required, the following performance criteria shall be met as provided in 15A NCAC 02T .0403:
 - a. The sewer system shall be effectively maintained and operated at all times to prevent discharge to land or surface waters, and any contravention of the groundwater standards in 15A NCAC 02L .0200 or the surface water standards in 15A NCAC 02B .0200.
 - b. A map of the sewer system shall be developed and shall be actively maintained.
 - c. An operation and maintenance plan shall be developed and implemented.
 - d. Pump stations that are not connected to a telemetry system shall be inspected every day (i.e. 365 days per year). Pump stations that are connected to a telemetry system shall be inspected at least once per week.
 - e. High-priority sewer lines shall be inspected at least once per every six-month period of time.
 - f. A general observation of the entire sewer system shall be conducted at least once per year.
 - g. Inspection and maintenance records shall be maintained for a period of at least three years.
 - h. Overflows and bypasses shall be reported to the appropriate Division regional office in accordance with 15A NCAC 02B .0506(a), and public notice shall be provided as required by North Carolina General Statute §143-215.1C.
4. **This permit shall not be transferable.** In the event there is a desire for the wastewater collection facilities to change ownership, or there is a name change of the Permittee, a formal permit request shall be submitted to the Division accompanied by documentation from the parties involved, and other supporting materials as may be appropriate. The approval of this request shall be considered on its merits and may or may not be approved.

5. Construction of the gravity sewers, pump stations, and force mains shall be scheduled so as not to interrupt service by the existing utilities nor result in an overflow or bypass discharge of wastewater to the surface waters of the State.
6. Per 15A NCAC 02T .0116, upon completion of construction and **prior to operation** of these permitted facilities, the completed Engineering Certification form attached to this permit shall be submitted with the required supporting documents to the address provided on the form. A complete certification is one where the form is fully executed and the supporting documents are provided as applicable. **Gravity sewers installed below the minimum required slope per the Division's Gravity Sewer Minimum Design Criteria shall not be acceptable and shall not be certified until corrected.** If there is an unforeseen obstacle in the field where all viable solutions have been examined, a slope variance can be requested from the Division with firm supporting documentation. This shall be done through a permit modification with fee. Such variance requests will be evaluated on a case-by-case basis. Resolution of such request shall be evident prior to completing and submitting the construction certification.
7. A copy of the construction record drawings shall be maintained on file by the Permittee for the life of the wastewater collection facilities.
8. Failure to abide by the conditions and limitations contained in this permit; 15A NCAC 02T; the Division's Gravity Sewer Design Criteria adopted February 12, 1996 as applicable; the Division's Minimum Design Criteria for the Fast-Track Permitting of Pump Station and Force Mains adopted June 1, 2000 as applicable; and other supporting materials may subject the Permittee to an enforcement action by the Division, in accordance with North Carolina General Statutes §143-215.6A through §143-215.6C.
9. In the event that the wastewater collection facilities fail to perform satisfactorily, including the creation of nuisance conditions, the Permittee shall take immediate corrective action, including those as may be required by this Division, such as the construction of additional or replacement facilities.
10. The issuance of this permit shall not exempt the Permittee from complying with any and all statutes, rules, regulations, or ordinances that may be imposed by other government agencies (local, state and federal) which have jurisdiction, including but not limited to applicable river buffer rules in 15A NCAC 02B .0200, erosion and sedimentation control requirements in 15A NCAC Ch. 4 and under the Division's General Permit NCG010000, and any requirements pertaining to wetlands under 15A NCAC 02B .0200 and 15A NCAC 02H .0500.

11. **Noncompliance Notification:**

The Permittee shall verbally report to a water quality staff member at the Raleigh Regional Office, telephone number 919-791-4200, as soon as possible, but in no case more than 24 hours or on the next working day, following the occurrence or first knowledge of the occurrence of either of the following:

- a. Any process unit failure, due to known or unknown reasons, that renders the facility incapable of adequate wastewater transport, such as mechanical or electrical failures of pumps, line blockage or breakage, etc.; or
- b. Any failure of a pumping station or sewer line resulting in a by-pass directly to receiving waters without treatment of all or any portion of the influent to such station or facility.

Initial voice mail messages or faxed information shall not be considered as the initial verbal report. Overflows and spills occurring outside normal business hours may also be reported to the Division of Emergency Management at telephone number (800) 858-0368 or (919) 733-3300. Persons reporting any of the above occurrences shall file a spill report by completing Part I of Form CS-

SSO (or the most current Division approved form), within five days following first knowledge of the occurrence. This report shall outline the actions taken or proposed to ensure that the problem does not recur. **The Director, Division of Water Quality, may take enforcement action for SSO's that are required to be reported to the Division unless it is demonstrated that:**

1. The discharge was caused by severe natural conditions and there were no feasible alternatives to the discharge; or
2. The discharge was exceptional, unintentional, temporary, and caused by factors beyond the reasonable control of the Permittee and/or owner, and the discharge could not have been prevented by the exercise of reasonable control.

Permit issued this the 3rd Day of May 2010.

**Permit Number WQ0029867
Briar Chapel Utilities, LLC
Briar Chapel Phase 4**

NORTH CAROLINA ENVIRONMENTAL MANAGEMENT COMMISSION

for Coleen H. Sullins, Director
Division of Water Quality
by authority of The Environmental Management Commission

by S. Daniel Smith
Surface Water Quality Supervisor
Raleigh Regional Office

FAST TRACK ENGINEERING CERTIFICATION

Permit No. WQ0029867
Briar Chapel Utilities, LLC
Briar Chapel Phase 4
May 3, 2010

Complete and submit this form to the permit issuing regional office with the following:

- One copy of the project record drawings (plan & profile views of sewer lines) of the wastewater collection system extension.
- Supporting design calculations (selected pumps, system curve, operating point, available storage if portable generator(s) or storage greater than longest past three year outage reliability option selected) for any pump stations permitted as part of this project
- Changes to the project should be clearly identified on the record drawings or in written summary form. **Permit modifications are required for any changes resulting in non-compliance with this permit, regulations or minimum design criteria.**

This project shall not be considered complete nor allowed to operate until the Division has received this Engineer's Certification and all required supporting documentation. **Therefore, it is highly recommended that this certification be sent in a manner that provides proof of receipt by the Division.**

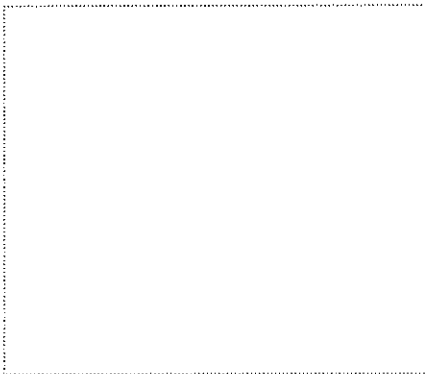
ENGINEER'S CERTIFICATION

Partial

Final

I, _____, as a duly registered Professional Engineer in the State of North Carolina, having been authorized to observe (periodically, weekly, full time) the construction of the subject project for the Permittee hereby state that, to the best of my abilities, due care and diligence was used in the observation of the construction such that the construction was observed to be built within substantial compliance of this permit; 15A NCAC 02T; the Division of Water Quality's (Division) Gravity Sewer Minimum Design Criteria adopted February 12, 1996 as applicable; the Division's Minimum Design Criteria for the Fast-Track Permitting of Pump Stations and Force Mains adopted June 1, 2000 as applicable; and other supporting materials.

**North Carolina Professional Engineer's
Seal, signature, and date:**



**SEND THIS FORM & SUPPORTING DOCUMENTATION
WITH REQUIRED ATTACHMENTS TO THE FOLLOWING ADDRESS**

**RALEIGH REGIONAL OFFICE
1628 MAIL SERVICE CENTER
RALEIGH NC 27699-1628**

The Permittee is responsible for tracking all partial certifications up until a final certification is received. Any wastewater flow made tributary to the wastewater collection system extension prior to completion of this Engineer's Certification shall be considered a violation of the permit and shall subject the Permittee to appropriate enforcement actions.

DWQ use only:

Flow from this project is tributary to: Briar Chapel

NC DENR DWQ Correspondence Regarding
Stormwater Management Permit



North Carolina Department of Environment and Natural Resources

Division of Water Quality
Coleen H. Sullins
Director

Beverly Eaves Perdue
Governor

Dee Freeman
Secretary

April 26, 2010

DWQ # EXP: 05-0732v16
Chatham County

NNP – Briar Chapel, LLC
Attn: Mr. William Mumford, Vice President Newland Communities
16 Windy Knoll Circle
Chapel Hill, NC 27516

*Revised Plat
Stormwater*

Subject Property: Briar Chapel Community Phase 4

APPROVAL OF STORMWATER MANAGEMENT PLAN (SMP) - MODIFICATION

Dear Mr. Mumford:

The Division of Water Quality (DWQ) has reviewed your application dated April 21, 2010 requesting for modification to the previous SMP approval dated August 7, 2006 and subsequent DWQ approval modifications dated October 31, 2007, November 3, 2008 and June 30, 2009. The requested modifications, as shown on the Drainage Area Map and Exhibits (S1 – S3) received by DWQ on April 22, 2010, include:

1. Revised site layout and increase in impervious areas for portions of drainage areas 1 and 3 (draining to wet ponds 1 and 3 respectively);
2. Revised site layout and increase in impervious areas for bypass areas B and F; and
3. Revised site layouts with no change in the amount of impervious area for drainage area 4 (draining to wet pond 4) .

The DWQ has determined that the proposed modifications do not require structural modification to any of the stormwater best management practice (BMP) devices. As a result, the DWQ approves the requested modifications, and accepts the previously approved SMP and BMP devices to satisfy the stormwater condition required by the Individual Water Quality Certification issued on May 9, 2006. You are required to meet the following conditions:

1. The stormwater treatment system, which includes six wet detention ponds, preformed scour holes, and forested filter strips, and the signed and notarized Operation and Maintenance Agreements dated October 17, 2008, as approved by this Office, and the drainage patterns depicted on the plans, must be maintained *in perpetuity*. No changes to the structural stormwater practices shall be made without written authorization from the Division of Water Quality. The stormwater management structures shall have maintenance access and at least 10-foot drainage easement on each side to allow for the ability to maintain the structures, to perform corrective actions and shall provide protection of the structures from potential alterations by future property owners.
2. Stormwater best management practices (BMPs) for future phase developments shall be in accordance with the most current version of the NCDENR Stormwater Best Management Practices Manual at the time of the development.

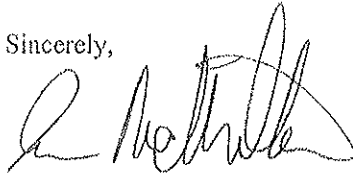
401 Oversight/Express Review Permitting Unit
1650 Mail Service Center, Raleigh, North Carolina 27699-1650
Location: 2321 Crabtree Blvd., Raleigh, North Carolina 27604
Phone: 919-733-1786 \ FAX: 919-733-6693
Internet: <http://h2o.enr.state.nc.us/ncwellands/>

One
North Carolina
Naturally

3. Any further increase in the impervious amount of a bypass area beyond that listed in Attachment A (Briar Chapel Master Impervious Area Summary) will require water quality treatment, and must be approved by the DWQ.
4. The permittee shall ensure that the maximum built upon (BUA) area per lot tabulated in Exhibit F of the recorded *Declaration of Covenants and Restrictions for Briar Chapel* shall be updated to reflect the most current approved BUA amount in Attachment A.
5. The applicant and/or authorized agent shall contact the DWQ Express Review Program in writing at the letterhead address within ten (10) days of the commencement of construction.

This letter completes the review of the Division of Water Quality under Section 401 of the Clean Water Act. If you have any questions, please contact Joseph Gyamfi at 919-715-3473 or Lia M. Gilleski at 919-733-9502.

Sincerely,



Ian McMillan, Acting Supervisor
401 Oversight/Express Review Program

IJM/jg

cc: DWQ Raleigh Regional Office
File Copy
Jeremy Finch, PE, EcoEngineering (John R. McAdams), P. O. Box 14005, RTP, NC
27709