

**U.S. ARMY CORPS OF ENGINEERS  
WILMINGTON DISTRICT**

Action Id. SAW-2012-00656 County: Chatham U.S.G.S. Quad: NC-MONCURE

**GENERAL PERMIT (REGIONAL AND NATIONWIDE) VERIFICATION**

Permittee: Strata Solar Development, LLC  
Mike Cohen  
Address: 1119 15/501 Hwy South  
Chapel Hill, NC, 27517  
Telephone Number: 919-960-6015

Size (acres) 57 Nearest Town Brickhaven  
Nearest Waterway Cape Fear River River Basin Upper Cape Fear, North Carolina.  
USGS HUC 3030004 Coordinates: Latitude: 35.56732 Longitude: -79.033179

Location description: Property is located at 3905 Corinth Road, Moncure, Chatham County, North Carolina. Property Identification Number: 0005767. The property is located approximately 500 feet east of the upper Cape Fear River and 1,500 feet south of the Triangle Brick Factory.

Description of area and activity: A solar farm is proposed for this property. Access to the solar farm will be via a pre-existing agricultural road and will require replacement of a damaged 24" CMP culvert with 32 linear feet of new 24" HOPE culvert. This permit (verification) is for the placement of fill in 307 square feet of jurisdictional wetlands for the purpose of placing riprap at the ends of the culvert and a riprap apron at the southern end of the culvert.

Applicable Law:  Section 404 (Clean Water Act, 33 USC 1344)  
 Section 10 (Rivers and Harbors Act, 33 USC 403)

Authorization: Nationwide Permit Number: NWP 39 Commercial and Institutional Developments.

***SEE ATTACHED RGP or NWP GENERAL, REGIONAL AND SPECIAL CONDITIONS***

Your work is authorized by the above referenced permit provided it is accomplished in strict accordance with the attached conditions and your submitted application and attached information dated 05/23/2013. Any violation of the attached conditions or deviation from your submitted plans may subject the permittee to a stop work order, a restoration order and/or appropriate legal action.

This verification will remain valid until the expiration date identified below unless the nationwide authorization is modified, suspended or revoked. If, prior to the expiration date identified below, the nationwide permit authorization is reissued and/or modified, this verification will remain valid until the expiration date identified below, provided it complies with all requirements of the modified nationwide permit. If the nationwide permit authorization expires or is suspended, revoked, or is modified, such that the activity would no longer comply with the terms and conditions of the nationwide permit, activities which have commenced (i.e., are under construction) or are under contract to commence in reliance upon the nationwide permit, will remain authorized provided the activity is completed within twelve months of the date of the nationwide permit's expiration, modification or revocation, unless discretionary authority has been exercised on a case-by-case basis to modify, suspend or revoke the authorization.

Activities subject to Section 404 (as indicated above) may also require an individual Section 401 Water Quality Certification. You should contact the NC Division of Water Quality (telephone 919-807-6300) to determine Section 401 requirements. For activities occurring within the twenty coastal counties subject to regulation under the Coastal Area Management Act (CAMA), prior to beginning work you must contact the N.C. Division of Coastal Management in Morehead City, NC, at (252) 808-2808.

This Department of the Army verification does not relieve the permittee of the responsibility to obtain any other required Federal, State or local approvals/permits.

If there are any questions regarding this verification, any of the conditions of the Permit, or the Corps of Engineers regulatory program, please contact Craig Brown at 919-554-4884 x35 or Craig.J.Brown@usace.army.mil.

Corps Regulatory Official: Craig Brown   
Expiration Date of Verification: 03/18/2017

Date: May 30, 2013

**Determination of Jurisdiction:**

- A.  Based on preliminary information, there appear to be waters of the US including wetlands within the above described project area. This preliminary determination is not an appealable action under the Regulatory Program Administrative Appeal Process (Reference 33 CFR Part 331).
- B.  There are Navigable Waters of the United States within the above described project area subject to the permit requirements of Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act. Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.
- C.  There are waters of the US and/or wetlands within the above described project area subject to the permit requirements of Section 404 of the Clean Water Act (CWA)(33 USC § 1344). Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.
- D.  The jurisdictional areas within the above described project area have been identified under a previous action. Please reference jurisdictional determination issued May 17, 2012. Action ID: **SAW-2012-00656**.

**Basis for Determination:** See Jurisdictional Determination issued on May 17, 2012.

**Remarks:** None

**E. Attention USDA Program Participants**

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

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

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

US Army Corps of Engineers  
 South Atlantic Division  
 Attn: Jason Steele, Review Officer  
 60 Forsyth Street SW, Room 10M15  
 Atlanta, Georgia 30303-8801  
 Phone: (404) 562-5137

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR part 331.5, and that it has been received by the Division Office within 60 days of the date of the NAP. Should you decide to submit an RFA form, it must be received at the above address by (N/A).

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

Corps Regulatory Official: \_\_\_\_\_

  
 Craig Brown

Date of JD: May 17, 2013

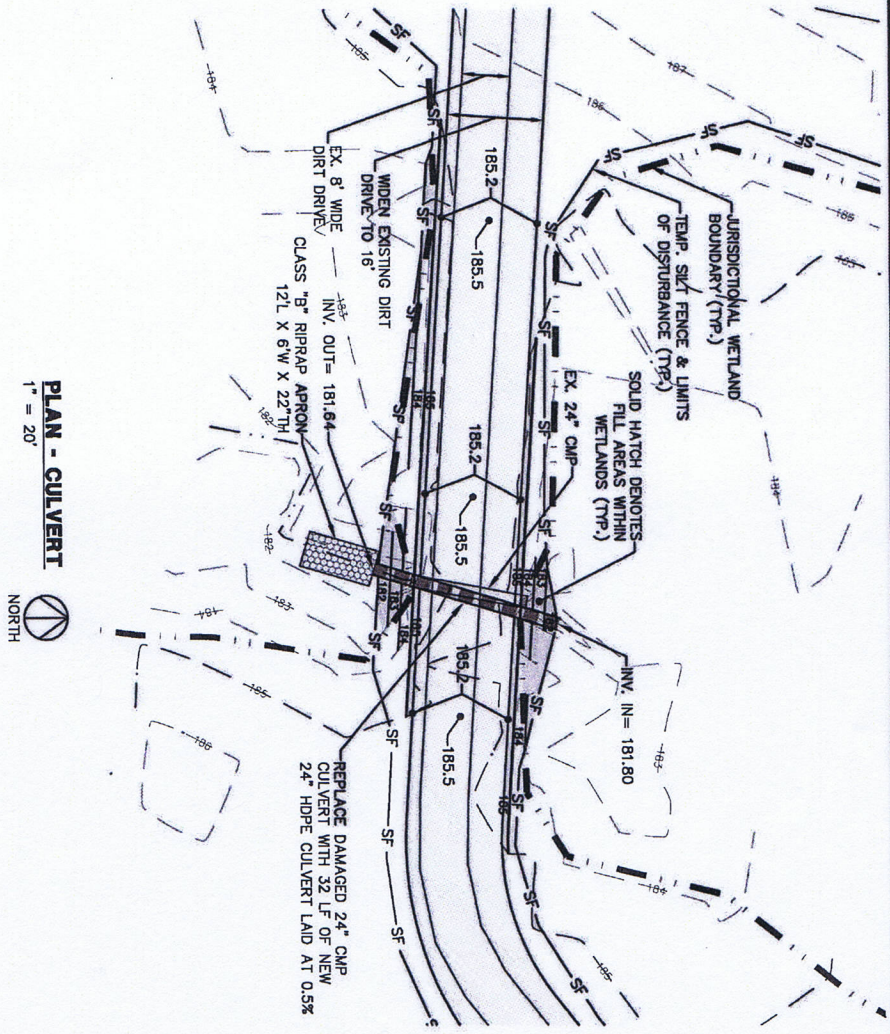
Expiration Date of JD: May 17, 2018

The Wilmington District is committed to providing the highest level of support to the public. To help us ensure we continue to do so, please complete our customer Satisfaction Survey online at <http://per2.nwp.usace.army.mil/survey.html>.

SAW-2012-00656

Copy furnished:

Agent: ECS Carolinas, LLP  
Ryan Conchilla  
Address: 9001 Glenwood Avenue  
Raleigh, NC, 27617-7505  
Telephone Number: 919-861-9910



**PLAN - CULVERT**  
1" = 20'



PROPOSED EARTHWORK INSIDE WETLAND:  
 FILL: 4.9 CUBIC YARDS  
 RIPRAP: 4.9 CUBIC YARDS  
 TOTAL: 9.8 CUBIC YARDS  
 TOTAL AREA OF WETLAND IMPACT = 307.1 SF (0.007 AC)

**NOTES:**

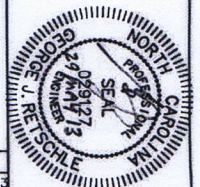
1. SURVEY PROVIDED BY STEWART PROCTOR.
2. DISTURBANCE AT THE WETLAND CROSSING SHALL BE MINIMIZED TO THE EXTENT PRACTICABLE FOR INSTALLATION OF THE CULVERT.
3. ALL CONSTRUCTION SHALL BE CONDUCTED IN ACCORDANCE WITH NODENR STANDARDS.
4. ALL TEMPORARY EROSION CONTROL MEASURES SHALL BE MAINTAINED IN PROPER WORKING CONDITION THROUGHOUT CONSTRUCTION.
5. INSTALL TEMPORARY SILT FENCE STONE OUTLETS AT LOW POINTS IN SILT FENCE AS NECESSARY.
6. ADDITIONAL EROSION CONTROL MEASURES AND/OR MODIFICATIONS TO PROPOSED MEASURES MAY BE NECESSARY BASED UPON ACTUAL SITE CONDITIONS.

1119 US 15, 501 Hwy South, Suite 101  
 Chapel Hill, NC 27516  
 919-960-8015  
 www.stratasolar.com



**STRATA SOLAR**

**MONCURE FARM  
 SOLAR ELECTRIC POWER PLANT  
 TRIBUTARY CROSSING EXHIBIT  
 CHATHAM COUNTY, NC**



NUM	REVISION	DATE	ISSUED	DATE
2	REVS PER ECS	17 MAY 13	ECS	17 MAY 13
3	REVS PER ECS	29 MAY 13	ECS	29 MAY 13

**BALLENTINE ASSOCIATES, PA**  
 261 PRODUCE ROAD, CHAPEL HILL, NC 27514  
 (919) 948-1948 (919) 948-4786

SCALE: AS NOTED  
 DATE: 25 MAR 13  
 JOB NUMBER: 112006.07  
 DRAWN BY: SJB  
 REVIEWED BY: G.J.R.

**EXHIBIT 1**

Action ID Number:

SAW-2012-00656

County: Chatham

Permittee:

Strata Solar Development, LLC  
Mike Cohen

Project Name:

Moncure Farm/Ruth Jones; 3905 Corinth Road, Chatham County; PIN 5767

Date Verification Issued: May 30, 2013

Project Manager: Craig Brown

Upon completion of the activity authorized by this permit and any mitigation required by the permit, sign this certification and return it to the following address:

US ARMY CORPS OF ENGINEERS  
WILMINGTON DISTRICT  
Attn: Craig Brown  
Raleigh Regulatory Field Office  
3331 Heritage Trade Drive, Suite 105  
Wake Forest, North Carolina 27587

Please note that your permitted activity is subject to a compliance inspection by a U. S. Army Corps of Engineers representative. If you fail to comply with this permit you are subject to permit suspension, modification, or revocation.

I hereby certify that the work authorized by the above referenced permit has been completed in accordance with the terms and condition of the said permit, and required mitigation was completed in accordance with the permit conditions.

\_\_\_\_\_  
Signature of Permittee

\_\_\_\_\_  
Date