

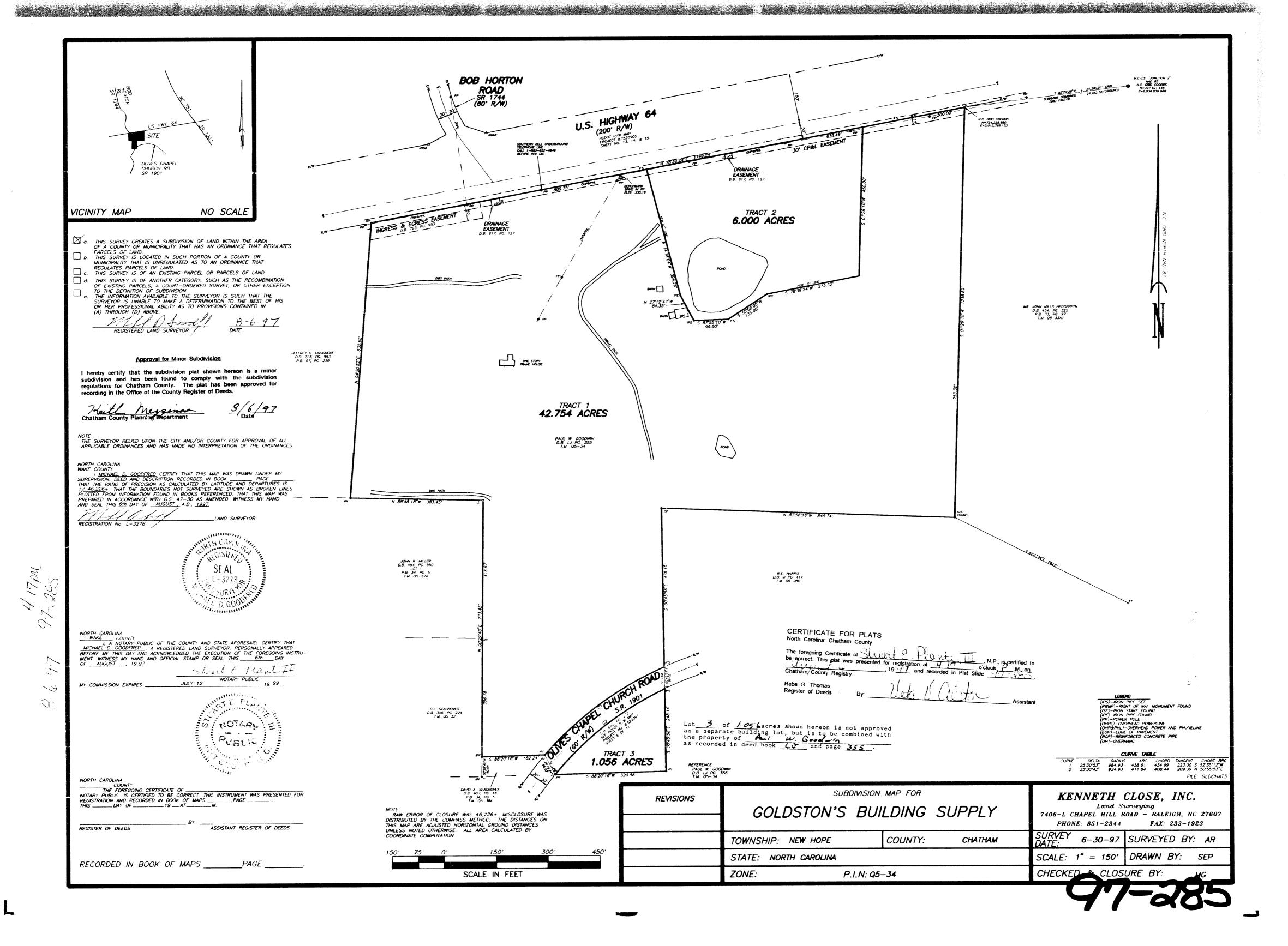




24 JUN '97 ADD FUEL DISPENSER, TANK

PRELIMINARY SITE PLAN

DWG. NO.





Environmental Impact Assessment

for

Builders FirstSource

23 Red Cedar Way, Chatham County, NC

MGA Project # P140022

April 28, 2015

Prepared by:
Karen G. Callaway, PE
Mack Gay Associates, P.A.
1667 Thomas A. Betts Pkwy.
Rocky Mount, NC 27804
252-446-3017
karen@mackgaypa.com

1. Proposed Project Description and Need

1.1. Describe the overall project in detail, including all proposed phases.

Builders FirstSource, a national building supply company, intends to expand its current location at 23 Red Cedar Way. The expansion will include three storage shelters and additional gravel for outdoor storage of building materials. The project will be located on the northern portion of two parcels located adjacent to and directly east of the current facility. The expansion comprises a total of approximately 8 acres out of a total proposed lot area of 18.15 acres. As a part of the project, the developer will record a conservation easement on an additional tract within the same watershed such that the total impervious area is less than 36% of the total acreage. This project will be constructed in one phase all at one time.

1.2. Provide a project location map showing surrounding areas.

See Exhibit "A".

1.3. Provide a project site plan showing existing and proposed facilities.

See Exhibit "A".

1.4. Describe how this project fits into larger plans or connects with adjacent projects.

This project expands the adjacent existing building materials supply business.

1.5. List and describe any public facilities or public benefits provided by the project.

This business fabricates, packages, and sells building materials to contractors, and to a lesser degree, the general public. The convenient location on US Highway 64 and competitive pricing provide positive benefits to a growing community.

1.6. Discuss the land acreage to be disturbed during each phase.

This project will disturb approximately 11 acres during the one and only phase.

1.7. List square footage and height (in stories) of new buildings.

Three one-story buildings of 10,000 square feet each are proposed.

1.8. Describe proposed uses of all buildings and proposed facilities.

The proposed buildings will be used to store building materials. The gravel area will be used to store building materials.

1.9. Show number of parking spaces in parking lots and decks.

No parking spaces are proposed.

1.10. Show areas to be cleared, graded, filled, paved, and landscaped.

- 1.11. Show connections to existing utility and sewer lines or new utilities.

 Electricity is the only utility required and will be connected to the new buildings at the location(s) selected by the power company.
- 1.12. Show wastewater management systems on a map.
 This project will not generate wastewater. The storage buildings contain no restrooms and will have no plumbing.
- 1.13. Show proposed areas of impervious and semi-pervious surfaces. See Exhibit "A"
- 1.14. Show and describe any proposed stormwater control devices.

 See Exhibit "A". Stormwater will be detained and treated with a new wet detention pond constructed at the southern end of the development. All stormwater runoff will be directed to this location via sheet flow and/or underground pipes.

2. Alternative Analysis

- 2.1. Discuss and compare all reasonable development alternatives (site selection, facility layout, utilities, stormwater management, construction methods, open space preservation and any other pertinent alternative considerations).
 Alternative locations were considered but were eliminated because of their close proximity to existing or potential residential development. A wet detention basin was selected for stormwater management because of its efficiency in handling detention, nutrient management, and total suspended solids.
- 2.2. Discuss how the preferred alternative was selected and its benefits relative to other alternatives (including a no-build alternative, if applicable). The current layout was selected to create the most efficient access to the current facility with the least amount of residual impact to the public and the environment. Builders FirstSource is a growing business, and the no-build alternative would create a strain on the current facility the business now occupies.

3. Existing Environment and Project Impacts

- 3.1 Geography
 - 3.1.1. Discuss the geographic setting, geology, and topography of the project area and adjacent areas.

This site is located in Chatham County, North Carolina approximately 3700 linear feet west of the Wake County line on US 64 West. The topography is gently rolling. Soils on the site are Creedmoor-Green (CrB and CrC) as shown on Exhibit "D".

3.1.2. Provide a topographic map of the property and surrounding area, use the county GIS website topography (2' contour interval) data at a scale appropriate for the project size, i.e., 1" = 100', etc.).

See Exhibit "B"

3.1.3. Identify any 100-year floodplains (FEMA Special Flood Hazard Areas) on or adjacent to the property. If present, provide an appropriate-scale map of these flood-prone areas defined by the NC Flood Mapping Program. No 100-year floodplains are located on the subject property or adjacent parcels.

3.1.4. Show areas that will be graded or filled, and provide estimated cut/fill volumes.

See Exhibit "C"

3.1.5. If the project includes pond or dam work, show areas that will be flooded. The existing pond will be filled and a new wet detention pond will be constructed. See Exhibit "A".

3.2. Soils and Prime Farmlands

3.2.1. Identify dominant soils in the project area (County GIS or NRCS website) and show on a map.

Soils on the site are Creedmoor-Green (CrB and CrC) as shown on Exhibit "D".

3.2.2. Discuss any soil constraints (fill, wetland soils, septic suitability, slopes, etc.), and indicate those areas on a map.

The area to be disturbed does not have any soil constraints.

3.2.3. Describe any soil disturbance or contamination expected as a result of this project.

The disturbed areas will be managed to prevent erosion and contain any sediment. A detailed sedimentation and erosion control plan will be submitted to Chatham County and will comply with all Federal, State and Local regulations.

- **3.2.4.** If contamination is expected, discuss containment plans and procedures. No contamination is expected.
- 3.2.5. If soil will be relocated, specify the number of square yards/feet to be moved, and its relocation site.

The plan is to make the site balance and negate the need for import or export.

3.2.6. Describe runoff management plans for the project.

All stormwater runoff will be directed to a wet detention pond via surface sheet flow and/or underground pipes.

3.2.7. If soil disturbance is proposed, describe the off-site impacts expected from this activity.

No off-site impacts are expected as a result of this development.

- 3.2.8. Provide a map of any prime or unique farmland soils in the project or service areas, and include references used to make this determination.

 See Exhibit "E"
- 3.2.9. Describe impacts to prime or unique farmland soils, including acreage estimates of lost farmland soils and retained farmland soils.

Approximately 10 acres of prime farmland soils is being lost due to this development. This land is not currently being used for crop production.

3.3. Land Use

3.3.1. Provide a map showing current use of land on the site and surrounding properties.

See Exhibit "F"

3.3.2. Discuss how the current land use fits into the surrounding area (conservation, development, ecological function, etc).

The current residential use does not fit with the surrounding area. The combination of the building supply business, concrete plant and busy highway do not make the current use desirable.

- **3.3.3. Provide the current zoning of the project site and the surrounding area.**See Exhibit "G"
- 3.3.4. Discuss how the proposed uses fit into the intended land use of the area (conservation, development, ecological function, quality of life).

The proposed use is consistent with Chatham County's long range plans. This area is designated as an Economic Development Center on page 34 of The Chatham Land Conservation and Development Plan.

The proposed use is consistent with the adjacent commercial/industrial uses. High traffic volumes on US Highway 64, proposed NCDOT improvements, and adjacent existing development are not suitable for residential development.

3.3.5. Indicate whether zoning or local land use plans will need to be changed after project completion.

This project has applied for a change in zoning.

4. Existing and Natural Resources

4.1. Show on a map riparian buffers (locations and widths), wetlands, and ponds and watercourses (with name and direction of flow). Also show the special flood hazard areas.

See Exhibit "A"

4.2. Provide a copy of the State and Federal reports regarding wetlands and stream delineations.

See Exhibit "H"

- **4.3. Provide a copy of the County report regarding riparian buffer delineations**See Exhibit "I"
- 4.4. Provide a table of all anticipated temporary and permanent impacts to existing natural water resources and riparian buffers and discuss how the potential impacts will be avoided and minimized through alternative selection design strategies, construction methods, and long-term maintenance procedures. For unavoidable impacts, describe proposed mitigation.

A farm pond will be filled upstream of two wetland pockets and riparian buffer. Neither the wetlands nor the riparian buffer will be impacted. The US Army Corps of Engineers and Chatham County have deemed the pond non-jurisdictional. This pond will be replaced by a wet detention pond to control stormwater runoff. There should be no negative impacts to the natural water resources or riparian buffers.

5. Public Lands and Scenic, Recreational, and State Natural Areas

5.1. Provide a map of County or municipal parks, scenic, recreational, or state natural areas (SNHAs, State or Federal Forests, etc.) on or adjacent to the site/project area.

There are no such known areas on or adjacent to this site.

6. Areas of Archaeological or Historical Value

6.1. Discuss any archaeological or historical studies of the project location; provide relevant references.

The residence located on this property that was built in 1910 is listed as a surveyed property per the North Carolina State Historic Preservation Office HPOWEB GIS Service. This residence was surveyed by the Chatham County Historical Association (CCHA), and the property owner has contacted Mrs. Beverly Wiggins of the CCHA. See Exhibit "J" for photos and email correspondence with Mrs. Wiggins.

6.2. Describe and identify on a map any structures (i.e., walls, buildings, etc.) on the site and provide estimated ages of those structures.

There is a residence built approximately in 1910, a second residence built approximately in 1915 and 5 storage buildings of unknown age located on the subject property. See Exhibit "A".

6.3. Describe all impacts to any archaeological or historical resources in the proposed project area.

All the structures mentioned in 6.2. are planned to be demolished. The property owner is providing access to the Chatham County Historical Association for photographic documentation prior to demolition. Wood from the structures will be salvaged and repurposed prior to demolition. See email correspondence in Exhibit "J".

6.4. Describe plans for demolishing or rebuilding any structures.

There is a residence built approximately in 1910, a second residence built approximately in 1915 and 5 storage buildings of unknown age that will be demolished as part of this project. There are no plans to rebuild the structures.

6.5. Provide photographs of any significant resources, including all structures older than 50-years.

See Exhibit "J".

6.6. Provide relevant correspondence with the Chatham County Historical Association and NC SHPO.

See Exhibit "J".

7. Air Quality

7.1. Describe the project's impacts on ambient air quality.

There should be no impacts to the ambient air quality.

7.2. Describe plans for any open burning during or after construction.

There are no plans for open burning during or after construction.

7.3. Indicate the number of proposed parking spaces, if applicable.

None planned.

7.4. Describe whether the project will increase odor levels, or the likelihood of odor complaints.

This project should not increase odor levels.

7.5. Provide a copy of any required traffic studies.

To date a traffic study has not been required. If NCDOT requires a report as part of this project, we will provide a copy of said report to the County Planning Office.

8. Noise Levels

8.1. Discuss current noise levels; use a benchmark, if possible.

The current use of this property is residential and causes minimal noise.

8.2. Describe any increases in noise levels expected from this project.

This project will increase the noise level similar to the adjacent use.

8.3. Specify the distance at which the increased noise will be heard.

Due to both natural vegetation and planned buffers, noise should be limited to 500' from the site.

8.4. Discuss whether surrounding properties will be affected by noise levels.

Surrounding properties will not be affected by noise levels. The north side of this property is US 64, the west side is the existing building materials supply business, the south is a buffered/protected watershed with no development. The east side is a tract that has an approved plan for a mini-storage, boat and RV storage business. This project will provide a 40-foot Type A bufferyard along the eastern property line.

8.5. If commercial uses are proposed, specify the hours of operation.

Monday through Saturday, 7 a.m. to 3:30 p.m.

9. Light Levels

10.4.

9.1. Describe lighting plans for the project, including how lighting will impact adjacent residents and wildlife.

All lighting will be directed towards the center of the property and will comply with Section 13 of the Chatham County Zoning Ordinance. All fixtures will be full cutoff. There should be no negative impacts to adjacent residents or wildlife.

10. Surface and Groundwater Resources and Watershed Area

10.1. Describe groundwater (aquifers) in the project area.

No data was available concerning the groundwater aquifer.

10.2. Discuss any known groundwater quality issues.

I have not been made aware of any groundwater quality issues.

10.3. Specify and show on a map the river basin in which the project is located. See Exhibit "K"

List the type(s) of Watershed Area(s) on the property and show a map.

The site is located in WS-IV-PA and Jordan Lake watersheds. See Exhibit "L".

10.5. Discuss drinking water sources.

Potable water is not required for this project. There will be no plumbing to the storage buildings. The existing Builders FirstSource facility and the existing residence are served by Chatham County Public Utilities. This project is limited to a maximum impervious footprint of 36% in part because it is located within the Jordan Lake water supply watershed. The

proposed wet detention pond will be designed for detention as well as nutrient management and 90% total suspended solids to protect Jordan Lake.

11. Fish and Aquatic Habitats

11.1. Describe fish and aquatic habitats in and adjacent to the site/project area.

There is an existing pond that will be filled in as part of this project. It will be replaced with a new water quality pond. There is an aquatic habitat located on this parcel, south of the proposed project area. This area will remain undisturbed.

11.2. Discuss impacts to fish and aquatic life and their habitats, including a map showing those habitats.

The only impact to fish and aquatic life is that the existing pond will be filled. This pond will be replaced with a water quality pond. See Exhibit "M"

12. Wildlife and Natural Vegetation

12.1. Describe and provide a map of natural community types on and adjacent to the site/project area.

This site contains a managed upland area, a pine/oak forest area and a bottomland area.

12.2. List the species of dominant plants and animals observed on the site that typify those communities.

Plants: Oaks, pines and various wetland plants Animals: Deer, squirrels, raccoons, and possums

12.3. Evaluate and discuss whether suitable habitat exists for rare, threatened, and/or endangered species, as described by the NC Natural Heritage Program.

The Chatham County GIS does not list this site as one of the areas designated by NC Natural Heritage Program.

12.4. If wildlife will be displaced, discuss any limitations of adjacent areas to support them.

If wildlife were to be displaced as part of this project, the remaining undisturbed portion of this property can support them.

12.5. Identify, list, and describe the distribution of the invasive species present on the site. Consult the NC Botanical Garden's Web page, "Plants to Avoid in the Southeast US" for a list of invasive species common to the region.

I am not aware of any invasive species present on the site.

12.6. If forests will be cleared, discuss the extent of planned deforestation and specify the forestry methods to be used, including BMPs.

Only a small number of isolated trees will be cleared as part of this project. All the necessary erosion and sediment control devices will be installed.

13. Hazardous Materials

13.1. List all hazardous materials to be stored or introduced during construction or operation.

I am not aware of any hazardous materials that will be stored or introduced during construction or operation.

13.2. For each hazardous material, other than in deminimis quantities or for routine housekeeping purposes, describe the procedures to be used to ensure their proper management, storage, and disposal.

n/a

14. References

The Chatham County Zoning Ordinance

The Chatham Plan for Land Conservation and Development

The Chatham County Land Use Strategic Plan

The Inventory of Natural Areas and Wildlife Habitats of Chatham County, NC

The Watershed Protection Map of Chatham County, NC

US Army Corps of Engineers

www.hpo.ncdcr.gov

Chatham County Historical Association

15. Exhibits

Exhibit "A" – Site Plan

Exhibit "B" - Topographic Map

Exhibit "C" – Cut/Fill Area Map

Exhibit "D" – Soils Map

Exhibit "E" – Prime Farmland Map

Exhibit "F" – Land Use Map

Exhibit "G" – Current Zoning Map

Exhibit "H" – ACOE Jurisdictional Determination/Wetland and Stream Map

Exhibit "I" – Buffer Determination by Chatham County

Exhibit "J" – Photos of Residences on Subject Property

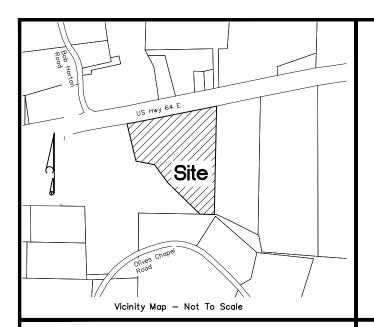
Exhibit "K" – River Basin Map

Exhibit "L" – Watershed Map

Exhibit "M" – Aquatic Life Map

16. State and Federal Permits Required

All permits should be handled by the County.



Preliminary Concept Plan

BUILDERS FIRSTSOURCE

US Highway 64 East, Town of Apex Chatham County, North Carolina

Project Description

Project Description: Builders FirstSource, a national building supply company, intends to expand its current location at 23 Red Cedar Way. The expansion will include three storage shelters and additional outdoor storage for building materials. The project will be located on the northern portion of two parcels located adjacent to and directly east of the current facility. The expansion comprises a total of approximately 8 acres out of a total proposed lot area of 18.15 acres. As a part of the project, the developer will record a conservation easement on an additional tract within the same watershed such that the total impervious area is less than 36% of the total acreage.

Existing Conditions: The site is currently split-zoned R-1 and CD-IL. The developer will be applying for rezoning for the entire site to CD-IL. The site is undeveloped with the exception of two aging wood-frame residential structures and five dilapidated storage structures. The southeastern portion of the property is utilized as a septic spray field for the existing Builders FirstSource facility. The proposed development will not impact the spray field. There is an old farm pond on the site that will be filled as a part of the project. Both Chatham County and the US Army Corps of Engineers have evaluated the pond and deemed it as non-jurisdictional. There are two pockets of wetlands and a buffered stream on the southern portion of the property. These features will not be impacted as a result of the development. Vegetation on the site is described as a combination of managed herbaceous cover, mixed hardwoods and conifers, and

Site Plan: A conceptual site plan is attached and shows the proposed structures, gravel access and storage areas, security fencing, lighting fixture locations, schematic stormwater plan, landscape buffers, and planting details.

Visual Impact of the Project: The project proposes a 20-foot and a 40-foot Type A buffer along US Highway 64 East and a 40-foot Type A buffer along the east side of the property. Existing vegetation within the buffers will be protected and preserved. Each storage shelter is proposed to be one-story with a low-pitched (1:10) metal roof. Siding for the buildings will be either Star Building Systems Signature 200 in Saddle Tan or Signature 300 in Classic Green, both of which will blend in with the proposed and existing vegetation. Therefore, it is projected that the project will have very limited visual impact on the adjacent property owners and public roads.

Lighting: Each building will have two surface mounted fixtures directed to the interior of the site. There will also be six free-standing area fixtures also directed toward the interior of the site. All fixtures will be full cutoff and will meet the requirements of Section 13 of the Chatham County Zonina Ordinance.

Site Information

Total Area of Site: Parcel Identification Number:

18.15 Acres (Proposed) 0712-23-2904

A portion of 0712-13-5591

Property Address:

US Hwy 64 East, Apex, NC

Proposed Building Use: Building Area:

Storage

Pro. Building Footprint:

10,000 SF @ 3 = 30,000 SF

Parking Requirements:

Property Zoned as: R-1/CD-IL

Building Setbacks

Front = 50'

Existing Impervious Area: 0.88 acres - approximate Proposed Impervious Area: 7.64 acres +/-

3 Storage Buildings @ 10,000 SF each = 30,000 SF/0.69 acres Gravel Loading Area = 355,885 SF/6.95 acres +/-

Total Impervious Area (Post-construction)= 35.99% of the site (including offsite Conservation Easement)

Total Disturbed Area: 11.00 Acres +/-

Sheet Index

Cover Sheet

Existing Conditions and Demolition Plan

Site, Lighting and Landscaping Plan

Goldston Apex Properties, LLC

Wake Forest, NC 27587-3734

7728 Grace Cove Lane

Rezoning Map

Owner:

Cover

Ш

Township,

New Hope

Hwy 64, A Chatham

FIRSTSOURC DERS

Preliminary Drawing



Not for Construction

Vertical Scale:	n/a
Horizontal Scale:	n/a
Date: April 13,	2015
Drawn by: LFH	Sheet:
Checked by: KGC	\bigcirc _1
Project: P140022	

Proposed

Legend:

Existina

Overhead Utility Line

Flow Direction of

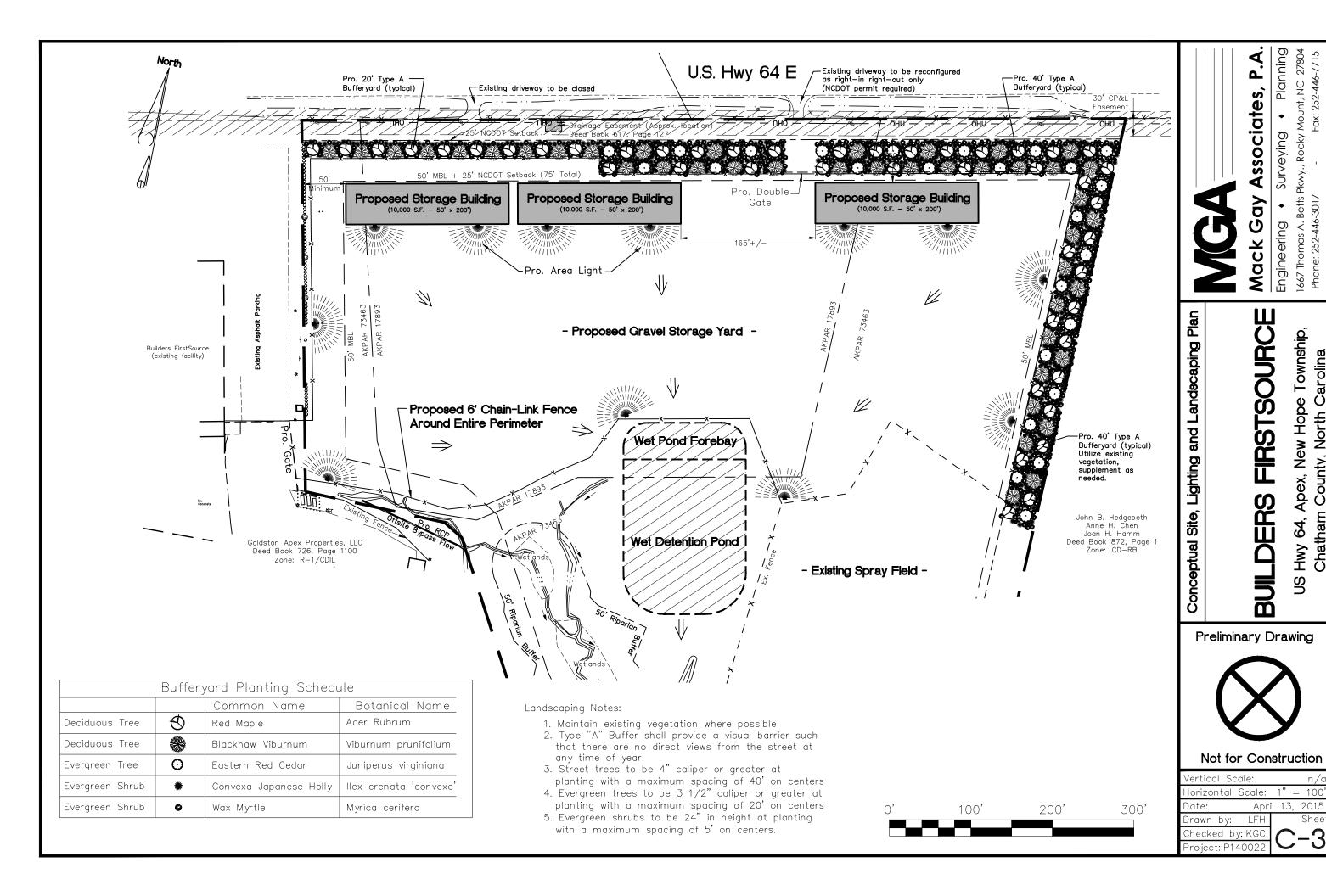


Preliminary Drawing



Not for Construction

Vertical Scale:	n/a
Horizontal Scale:	1" = 100'
Date: April 13,	2015
Drawn by: LFH	Sheet:
Checked by: KGC	\bigcirc



Township,

New Hope

Apex,

64,

2

Carolina

North

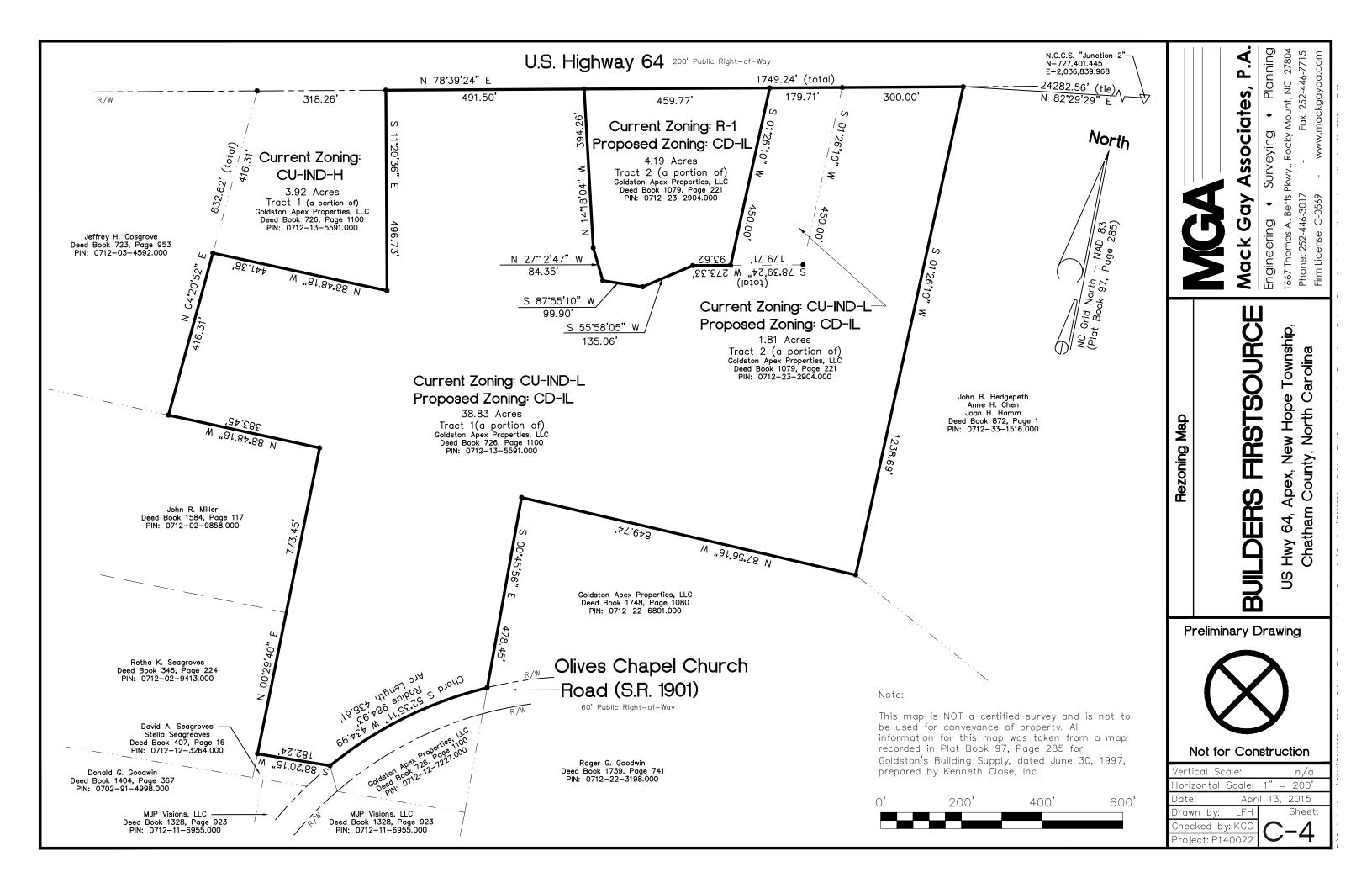
ounty,

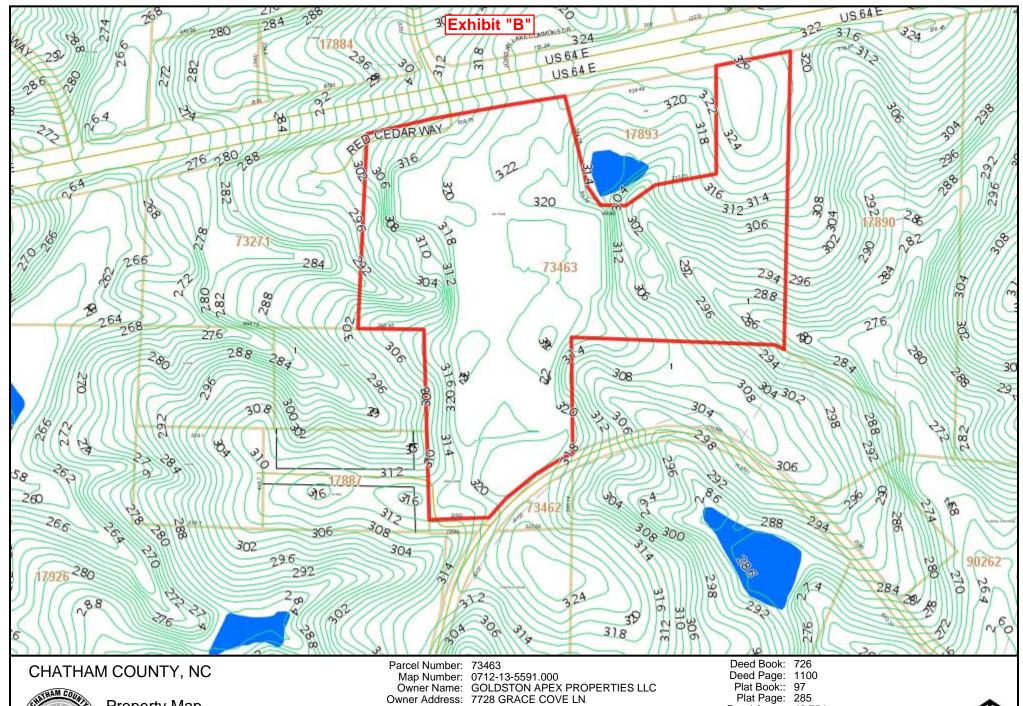
Ŏ

Hwy 64, A Chatham

2015

Sheet:







Property Map

The data provided on this map are prepared for the inventory of real property found within Chatham County, NC and are compiled from recorded plats, deeds, and other public records and data. This data is for informational purposes only and should not be substituted for a true title search, property appraisal, survey, or for zoning verification.

Owner City: WAKE FOREST

Owner State: NC

Owner Zip: 27587-3734

Tax Year:

Description: Q5-34-1

Deed Page: 1100 Plat Book:: 97

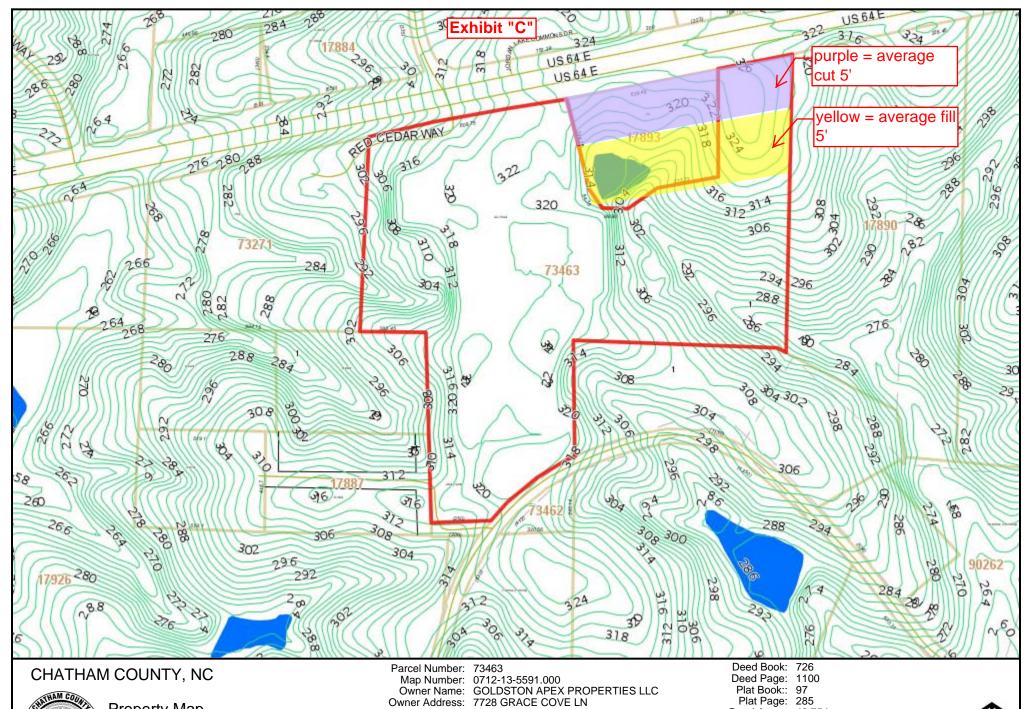
Plat Page: 285 Deed Acres: 42.754

Physical Address: 23 RED CEDAR WAY Improvement Value: 2700281

Land Value: 1534425

Fire District: 107 One Inch = 400 Feet Township Code: 11







Property Map

The data provided on this map are prepared for the inventory of real property found within Chatham County, NC and are compiled from recorded plats, deeds, and other public records and data. This data is for informational purposes only and should not be substituted for a true title search, property appraisal, survey, or for zoning verification.

Owner City: WAKE FOREST

Owner State: NC

Owner Zip: 27587-3734

Description: Q5-34-1

Tax Year:

Plat Book:: 97

Plat Page: 285 Deed Acres: 42.754

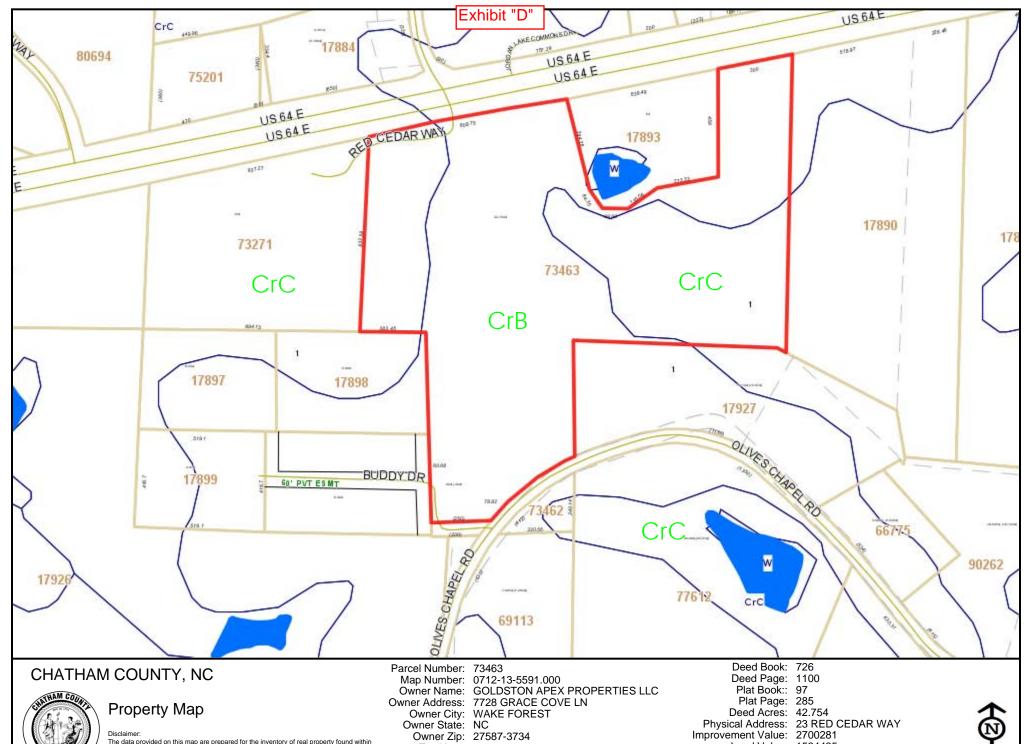
Physical Address: 23 RED CEDAR WAY Improvement Value: 2700281

Land Value: 1534425

Fire District: 107 Township Code: 11

One Inch = 400 Feet







Property Map

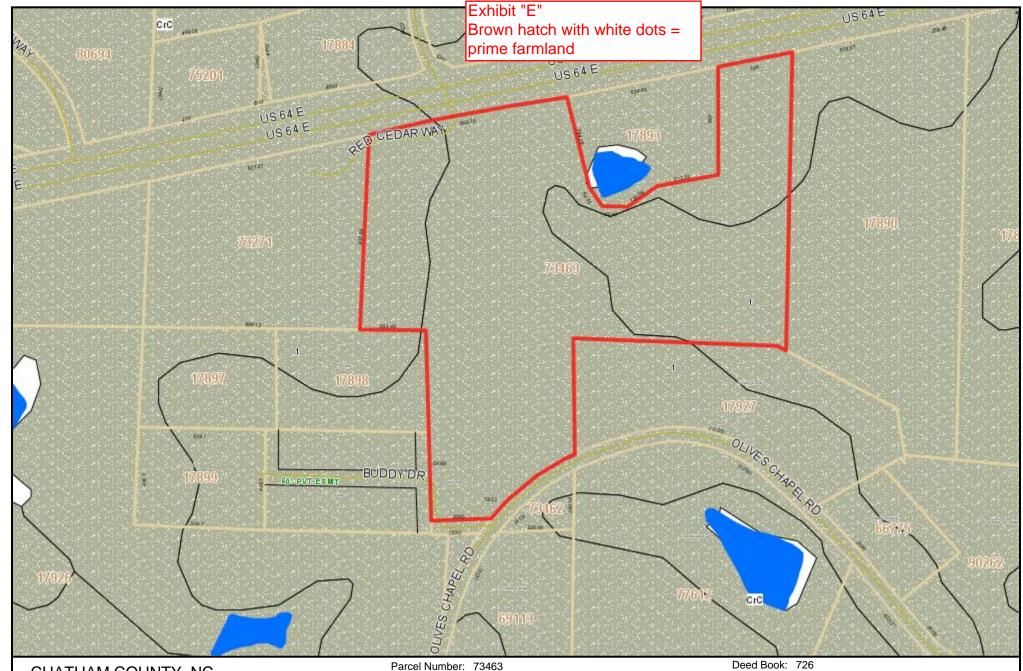
The data provided on this map are prepared for the inventory of real property found within Chatham County, NC and are compiled from recorded plats, deeds, and other public records and data. This data is for informational purposes only and should not be substituted for a true title search, property appraisal, survey, or for zoning verification.

Owner Zip: 27587-3734

Tax Year: Description: Q5-34-1

Land Value: 1534425

Fire District: 107
Township Code: 11 One Inch = 400 Feet



CHATHAM COUNTY, NC



Property Map

The data provided on this map are prepared for the inventory of real property found within Chatham County, NC and are compiled from recorded plats, deeds, and other public records and data. This data is for informational purposes only and should not be substituted for a true title search, property appraisal, survey, or for zoning verification.

Map Number: 0712-13-5591.000
Owner Name: GOLDSTON APEX PROPERTIES LLC
Owner Address: 7728 GRACE COVE LN
Owner City: WAKE FOREST
Owner State: NC

Owner Zip: 27587-3734

Tax Year: Description: Q5-34-1 Deed Page: 1100 Plat Book:: 97

Plat Page: 285
Deed Acres: 42.754
Physical Address: 23 RED CEDAR WAY
Improvement Value: 2700281 Land Value: 1534425

Fire District: 107 Township Code: 11

One Inch = 400 Feet



CHATHAM COUNTY, NC



Property Map

Discairmer:
The data provided on this map are prepared for the inventory of real property found within Chatham County, NC and are compiled from recorded plats, deeds, and other public records and data. This data is for informational purposes only and should not be substituted for a true title search, property appraisal, survey, or for zoning verification.

Map Number: 0712-13-5591.000
Owner Name: GOLDSTON APEX PROPERTIES LLC
Owner Address: 7728 GRACE COVE LN
Owner City: WAKE FOREST
Owner State: NC
Owner Zip: 27587-3734

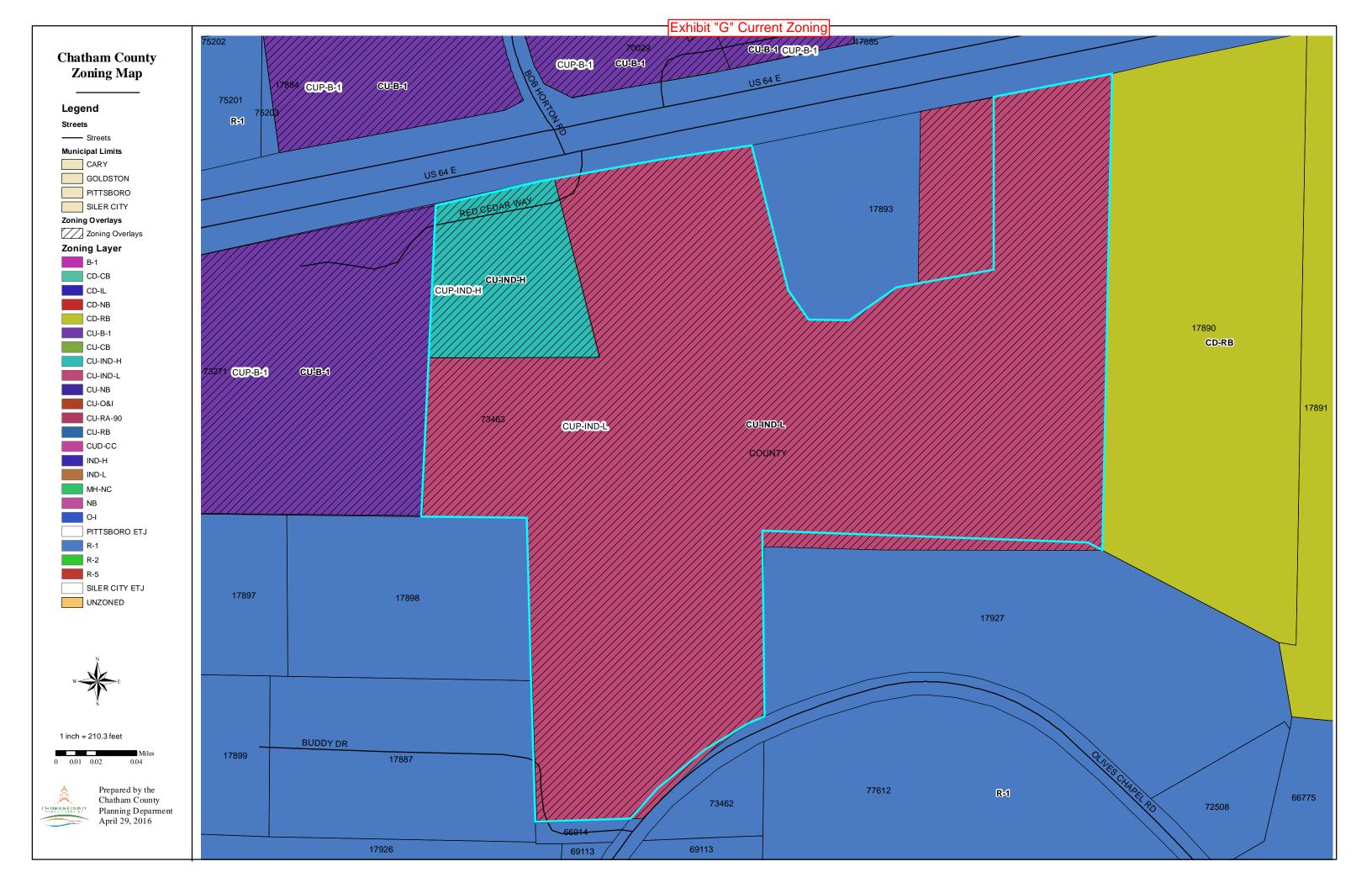
Tax Year:

Description: Q5-34-1

Fire District: 107
Township Code: 11

One Inch = 400 Feet





U.S. ARMY CORPS OF ENGINEERS

WILMINGTON DISTRICT



Action Id. SAW-2014-01332 County: Chatham U.S.G.S. Quad: NC-NEW HILL

NOTIFICATION OF JURISDICTIONAL DETERMINATION

Property Owner:

Address:

Builders FirstSource

Dennis Darling 23 Red Cedar Way

Apex, NC 27523

Telephone Number:

919-363-4956

Size (acres)

5 acres (approximately)

Nearest Town Apex

Nearest Waterway

Haw River

River Basin

Haw. North Carolina.

USGS HUC

3030002

Coordinates

Latitude: 35.737833

Longitude: -78.958607

Location description: The project site is located approximately 750 feet southeast of the US 64, Red Cedar Way intersection, and immediately east of the existing Builders FirstSource property in Chatham County (see attached map).

Indicate Which of the Following Apply:

A. Preliminary Determination

Based on preliminary information, there may be wetlands on the above described property. We strongly suggest you have this property inspected to determine the extent of Department of the Army (DA) jurisdiction. To be considered final, a jurisdictional determination must be verified by the Corps. This preliminary determination is not an appealable action under the Regulatory Program Administrative Appeal Process (Reference 33 CFR Part 331). If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also, you may provide new information for further consideration by the Corps to reevaluate the JD.

B. Approved Determination

- There are Navigable Waters of the United States within the above described property 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.
- There are waters of the U.S. including wetlands on 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.
 - We strongly suggest you have the wetlands on your property delineated. Due to the size of your property and/or our present workload, the Corps may not be able to accomplish this wetland delineation in a timely manner. For a more timely delineation, you may wish to obtain a consultant. To be considered final, any delineation must be verified by the Corps.
 - X The waters of the U.S. including wetlands on your project area have been delineated and the delineation has been verified by the Corps. We strongly suggest you have this delineation surveyed. Upon completion, this survey should be reviewed and verified by the Corps. Once verified, this survey will provide an accurate depiction of all areas subject to CWA jurisdiction on your property which, provided there is no change in the law or our published regulations, may be relied upon for a period not to exceed five years.
 - The waters of the U.S. including wetlands have been delineated and surveyed and are accurately depicted on the plat signed by the Corps Regulatory Official identified below on _____. Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.
- There are no waters of the U.S., to include wetlands, present on the above described project area which are subject to the permit requirements of Section 404 of the Clean Water Act (33 USC 1344). Unless there is a change in the law or our

- published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.
- The property is located in one of the 20 Coastal Counties subject to regulation under the Coastal Area Management Act (CAMA). You should contact the Division of Coastal Management in Morehead City, NC, at (252) 808-2808 to determine their requirements.

Placement of dredged or fill material within waters of the US and/or wetlands without a Department of the Army permit may constitute a violation of Section 301 of the Clean Water Act (33 USC § 1311). If you have any questions regarding this determination and/or the Corps regulatory program, please contact <u>Andrew Williams</u> at <u>919-554-4884 x26 or Andrew.E.Williams2@usace.army.mil.</u>

- C. Basis For Determination: The two (2) streams, identified as SA and SB are relatively permanent waters (RPWs) and are unnamed tributaries to Beaver Creek, an RPW. Beaver Creek is a tributary to Jordan Lake, a traditionally navigable water (TNW) and an impoundment of the Haw River, New Hope Creek and other streams. The Haw River flows from Jordan Lake and is a TNW. The Haw River is a tributary to the Cape Fear River, a navigable water of the United States. The Ordinary High Water Marks (OHWMs) of the 2 unnamed tributaries were indicated by the following physical characteristics: clear natural line impressed on the bank, shelving, and the destruction of terrestrial vegetation. The wetlands, identified as WA and WB meet the hydrophytic vegetation, wetland hydrology, and hydric soil criteria of the 1987 Corps of Engineers Wetland Delineation Manual and the Eastern Mountains and Piedmont Regional Supplement. Wetland WA is contiguous with Stream SA and Wetland WB is contiguous with Streams SA and SB.
- D. Remarks: A pond (approximately 1.2 acres) located immediately upslope of Streams SA and SB and Wetland WA and WB, was determined to be non-jurisdictional.

E. Attention USDA Program Participants

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

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

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

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 **October 21, 2014**.

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: Andrew William

Date: August 23, 2014

Expiration Date: August 23, 2019

The Wilmington District is committed to providing the highest level of support to the public. To help us ensure we continue to do so, please complete our Customer Satisfaction Survey, located online at http://regulatory.usacesurvey.com/.

Copy furnished:

Robert Turnbull Senior Scientist Environmental Services, Inc. 524 South New Hope Road Raleigh, NC 27610

Cherri Smith
Environmental Senior Specialist
North Carolina Division of Water Resources
1628 Mail Service Center
Raleigh, NC 27699-1628





Approximate Jurisdictional Features

Builders First Source Site

Chatham County, North Carolina

Project:	ER14094.00	
Date:	July 2014	
Drwn/Chk	d: KT/RT	
Figure:	1	

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL Applicant: Builders FirstSource File Number: SAW-2014-01332 Date: August 23, 2014 **Dennis Darling** Attached is: See Section below INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission) PROFFERED PERMIT (Standard Permit or Letter of permission) PERMIT DENIAL C APPROVED JURISDICTIONAL DETERMINATION D PRELIMINARY JURISDICTIONAL DETERMINATION E

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

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

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

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

- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final
 authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your
 signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all
 rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the
 permit.
- APPEAL: If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.
- C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.
- D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.
- ACCEPT: You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- APPEAL: If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers
 Administrative Appeal Process by completing Section II of this form and sending the form to the district engineer. This form
 must be received by the division engineer within 60 days of the date of this notice.

	» ··		
E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.			
SECTION II - REQUEST FOR APPEAL or OBJECTIONS	TO AN INITIAL PROFFERED PERMIT		
REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)			
ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.			
POINT OF CONTACT FOR QUESTIONS OR INFORMATION:			
If you have questions regarding this decision and/or the	If you only have questions regarding the appeal process you may		
appeal process you may contact:	also contact:		
District Engineer, Wilmington Regulatory Division,	Mr. Jason Steele, Administrative Appeal Review Officer		
Attn: Andrew Williams	CESAD-PDO		
3331 Heritiage Trade Drive, Suite 105	U.S. Army Corps of Engineers, South Atlantic Division		
Wake Forest, North Carolina 27587	60 Forsyth Street, Room 10M15		
	Atlanta, Georgia 30303-8801		
	Phone: (404) 562-5137		
	of entry to Corps of Engineers personnel, and any government		
consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day			
notice of any site investigation, and will have the opportunit	y to participate in all site investigations.		

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

Signature of appellant or agent.

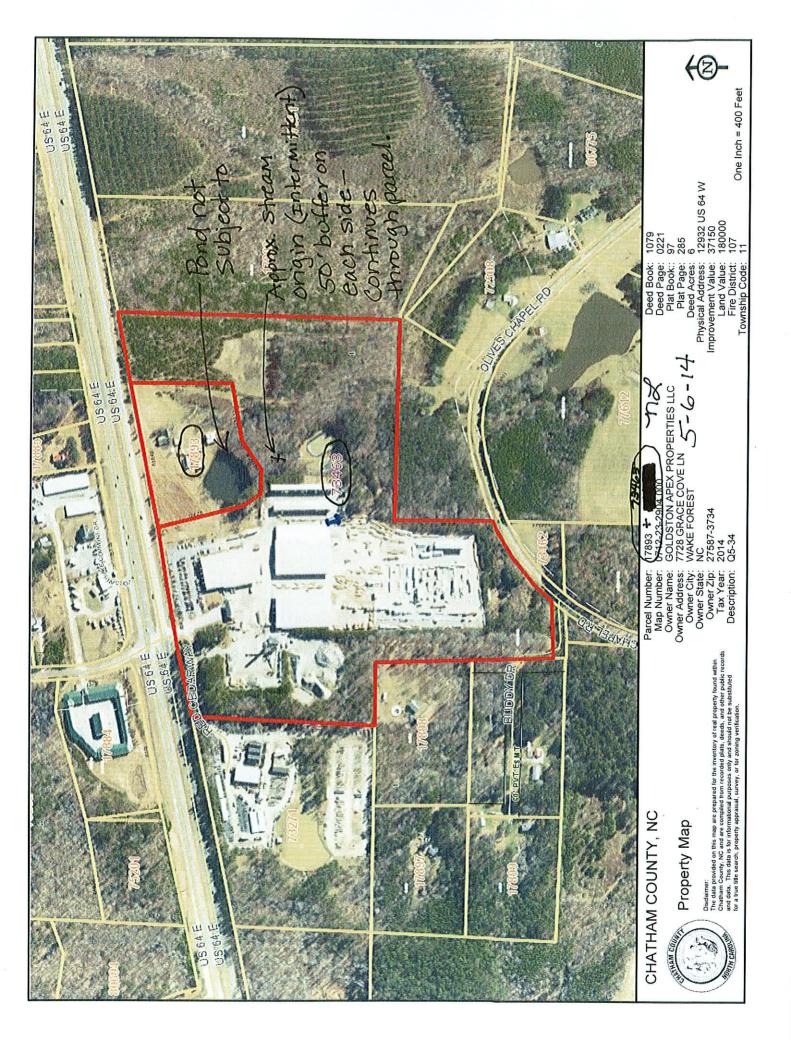
Division Engineer, Commander, U.S. Army Engineer Division, South Atlantic, Attn: Mr. Jason Steele, Administrative Appeal Officer, CESAD-PDO, 60 Forsyth Street, Room 10M15, Atlanta, Georgia 30303-8801 Phone: (404) 562-5137

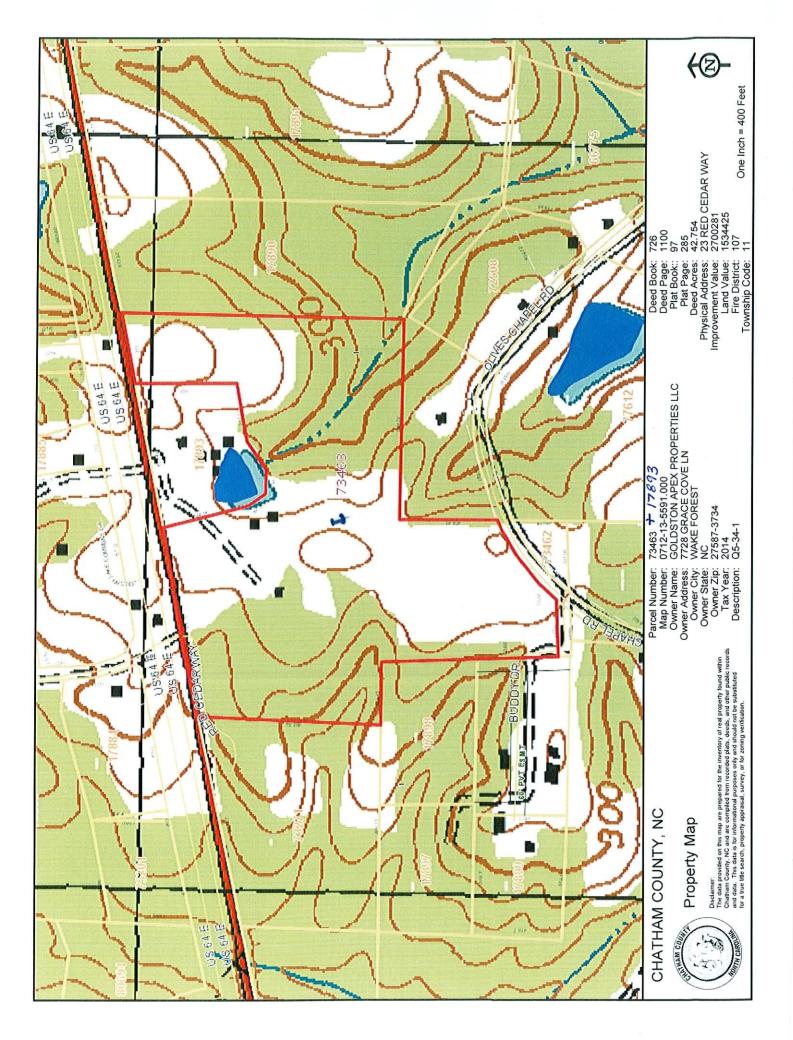
Date:

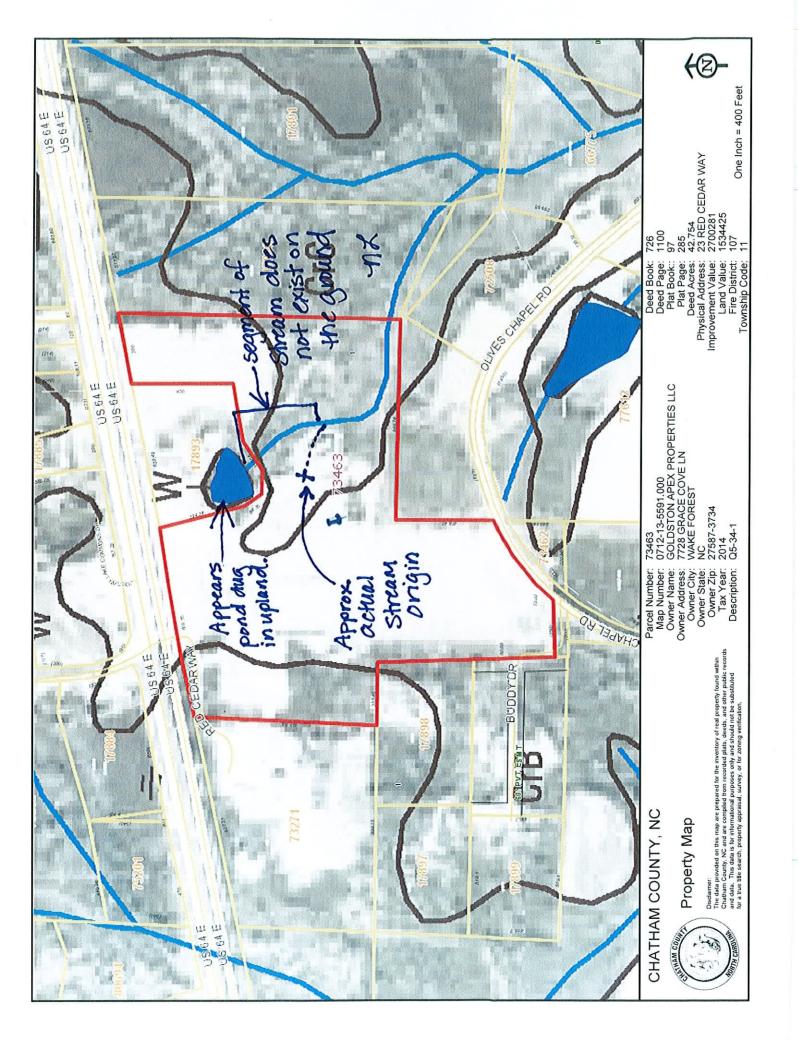
Telephone number:

Planning Department & Environmental Quality Pepartment

FOR OFFICE USE:
Application Date: 4-25-14
Owner Name: James D Goldston TI
Agent Name: Scott Bumgarner
Parcel #: 17893 + 73463
Number of lots proposed: Parent tractacreage:
Received by staff member: N. Landry
Received by staff member: N. Landry Staff member assigned to: N. Landry
Check List:
NA Fee \$ Paid with Cash Check # CC
Completed Tract Information Form
Copy of Plat
Signed Right to Enter Form
Signed Owner's Agent Designation Form
Site Review Completed on (Date): 5-6-14 Initials: 92
Findings: Intermittent Stream (50 foot buffer) Originates on Parcel # 13463 and Continues Howugh parcel. Pond on parcel # 17893 is not Subject to buffer Rules. Defurmination Expires on 5-6-19. Applicant contacted to mail or pickup (date):
Returned to applicant via:
Minor Subdivision Packet to applicant (check one): Yes No Date: Initials:
Sent to Surveyor/Consultant (check one): E-Mail Pickup Date: Initials:
Office Review Completed on (date): Initials:
Minor Subdivision approved (date): Initials:
Field flagging approved by staff:







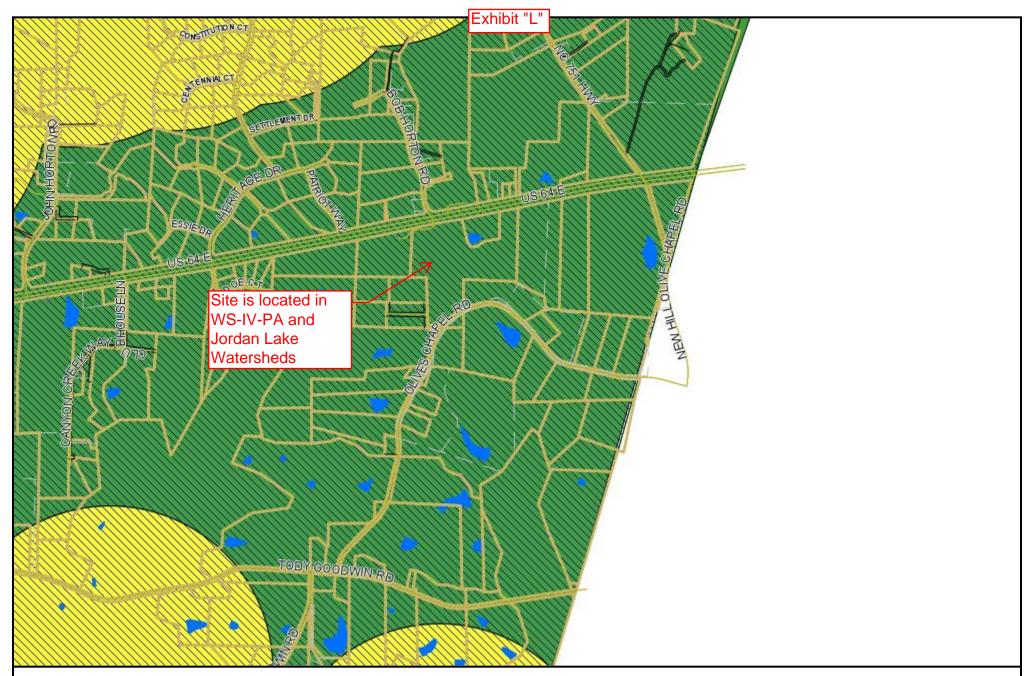
NC DWQ Stream Identification Form Version 4.11 7 2 Wattyde Project/Site: 17839 Date: Longitude: County: Evaluator: 20-5 21.5 Total Points: Stream Determination (circle one) Stream is at least intermittent Ephemeral Intermittent Perennial e.g. Quad Name: if ≥ 19 or perennial if ≥ 30* Moderate Strong A. Geomorphology (Subtotal = Absent Weak 3 1^a. Continuity of channel bed and bank 2 0 $(1) \rightarrow$ 3 2. Sinuosity of channel along thalweg 2 0 3. In-channel structure: ex. riffle-pool, step-pool, 2 3 0 ripple-pool sequence 2 3 0 4. Particle size of stream substrate 2 3 0 5. Active/relict floodplain 3 0 2 6. Depositional bars or benches 3 1 2 0 7. Recent alluvial deposits 3 0 2 8. Headcuts 1 1.5 (0.5)0 9. Grade control 1.5 1 0 10. Natural valley No = 0 Yes = 3 11. Second or greater order channel artificial ditches are not rated; see discussions in manual B. Hydrology (Subtotal = 3 0 12. Presence of Baseflow (2) 3 0 13. Iron oxidizing bacteria 0 1.5 0.5 14. Leaf litter 1 1.5 0 15. Sediment on plants or debris 1.5 0 16. Organic debris lines or piles No = 0Yes (= 3) 17. Soil-based evidence of high water table? C. Biology (Subtotal = 0 3 2 18. Fibrous roots in streambed T 0 2 3 19. Rooted upland plants in streambed 3 1 (2) 0 20. Macrobenthos (note diversity and abundance) 3 0 1 2 21. Aquatic Mollusks 6 1.5 0.5 22. Fish 1.5 0.5 1 (0) 23. Crayfish 1.5 0.5 0 24. Amphibians 1.5 0.5 Ô 25. Algae FACW = 0.75; OBL = 1.5 Other = 0 26. Wetland plants in streambed *perennial streams may also be identified using other methods. See p. 35 of manual. Notes: Pond in upland - no buffer Stream - Scoped above Sketch:

Exhibit J









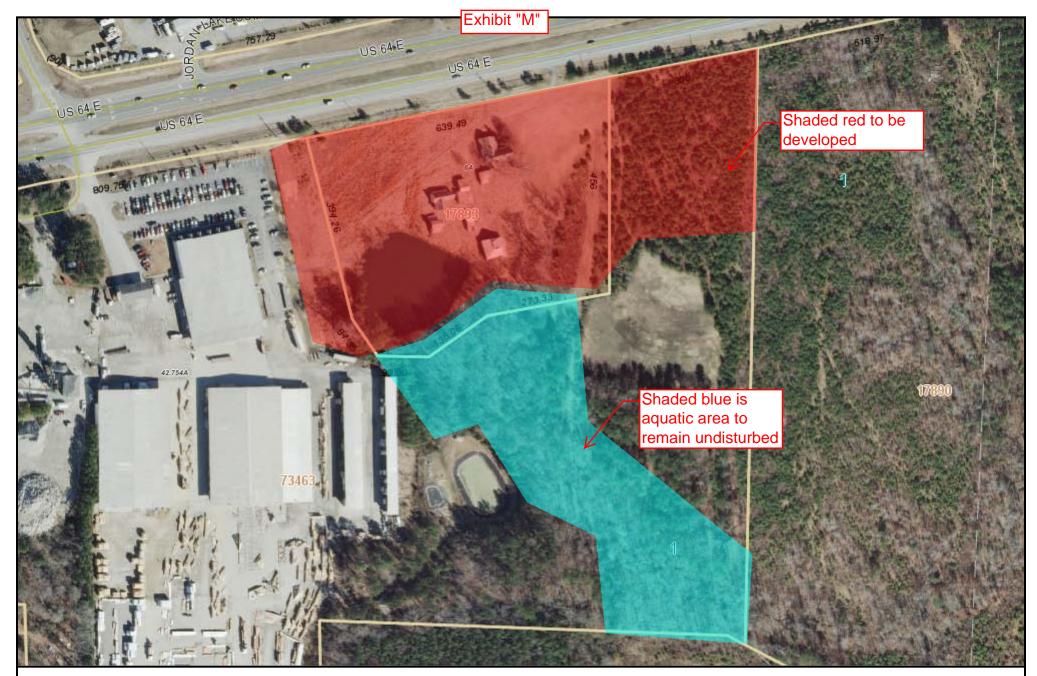
CHATHAM COUNTY, NC



Property Map

Disclaimer:
The data provided on this map are prepared for the inventory of real property found within Chatham County, NC and are compiled from recorded plats, deeds, and other public records and data. This data is for informational purposes only and should not be substituted for a true title search, property appraisal, survey, or for zoning verification.





CHATHAM COUNTY, NC



Property Map

Disclaimer:
The data provided on this map are prepared for the inventory of real property found within Chatham County, NC and are compiled from recorded plats, deeds, and other public records and data. This data is for informational purposes only and should not be substituted for a true title search, property appraisal, survey, or for zoning verification.

