

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

Action Id: SAW-2015-01331

County: New Hanover

U.S.G.S.Quad: Wilmington

GENERAL PERMIT (REGIONAL AND NATIONWIDE) VERIFICATION

Permittee: Jack Carlisle
Hoosier Daddy, LLC
6025 Tarin Road
Wilmington, North Carolina 28409

Agent: Dana Lutheran
Southern Environmental Group, Inc.
5315 South College Road, Suite E
Wilmington, North Carolina 28412

Size (acres)	<u>31.2 acres</u>	Nearest Town	<u>Wilmington</u>
Nearest Waterway	<u>Tributary to Barnards Creek</u>	River Basin	<u>Cape Fear</u>
USGS HUC	<u>03030005</u>	Coordinates	Latitude: <u>34.16842 N</u> Longitude: <u>-77.93702 W</u>

Location description: The project is located within two parcels (R07006-001-005-000 & R07006-002-021-000) situated approximately 0.50 miles north of the intersection of Independence Boulevard and River Road in the City of Wilmington, New Hanover County, North Carolina.

Description of projects area and activity: The project will permanently place fill material within 0.488 acres of jurisdictional non-riparian wetlands and temporarily place fill material within 0.083 acres of jurisdictional wetlands for the purpose of constructing a roadway and side slopes for building pads associated with a residential development.

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

Authorization: Regional General Permit Number or Nationwide Permit Number: NWP 29- Residential Development

SEE ATTACHED NWP GENERAL and REGIONAL 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, specifically, the enclosed plans and drawings titled "Wetland Impact Exhibit; Echo West" dated January 13, 2015. 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 Resources (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 Kyle Dahl at (910) 251-4469.

Corps Regulatory Official

Expiration Date of Verification: March 18, 2017

Date: July 20 2015

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 on Action ID:

Basis For Determination: This site exhibits wetland criteria as defined in the Corps of Engineers 1987 Wetland Delineation Manual and Regional Coastal Plain Supplement. The site contains wetlands directly abutting a tributary to Barnards Creek (a perennial RPW) that flow directly into a TNW. The findings were confirmed during a site visit conducted by Corps regulatory Emily Hughes on October 7, 2014. The attached survey titled "Wetland Impact Exhibit; Echo West" dated January 13, 2015 accurately depicts the geographical extent of on-site wetlands subject to the jurisdictional of Section 404 of the Clean Water Act.

Remarks:

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 **September 20, 2015**.

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

If there are any questions regarding this verification, any of the conditions of the Permit, or the Corps of Engineers regulatory program, please contact me at **910-251-4469 or kyle.j.dahl@usace.army.mil**.

Corps Regulatory Official: _____



Date: **July 20, 2015**

Expiration Date: **July 16, 2020**

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-2015-01331

SPECIAL CONDITIONS
Echo West Subdivision; New Hanover County

In order to compensate for impacts associated with this permit, mitigation shall be provided in accordance with the provisions outlined on the most recent version of the attached Compensatory Mitigation Responsibility Transfer Form. The requirements of this form, including any special conditions listed on this form, are hereby incorporated as special conditions of this permit authorization.



Kyle Dahl

Action ID Number: SAW-2015-01331

County: New Hanover

Permittee: Jack Carlisle , Hoosier Daddy LLC

Project Name: Echo West Subdivision

Date Verification Issued: 7/16/2015

Project Manager: Kyle Dahl

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: Kyle Dahl

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