



NEW HANOVER COUNTY

ENGINEERING

230 Government Center Drive, Suite 160, Wilmington, NC 28403

P: (910) 798-7139 | F: (910) 798-7051 | NHCgov.com

Jim Iannucci, PE, CFM, County Engineer

October 21, 2022

NJP IV-Cape Fear River, LLC
13777 Ballantyne Corporate Place, Suite 250,
Charlotte, North Carolina 28277

Dear Mr. Nick Cassala,

RE: Grading Permit #46-22, River Lights Conventional Phase 7 & 8

This office has reviewed the revised plans for the land disturbing permit. We find it to be acceptable and hereby issue this land-disturbing permit with modifications. **Please read the permit conditions carefully, return the signed original to our office and keep the copy for your records.** A copy of the enclosed land-disturbing permit must be posted at the job site. This letter gives the notice required by GS 113A-61.1(a) and the New Hanover County Erosion and Sedimentation Control Ordinance Article VIII Section 8.20 (A) of our right of periodic inspection to ensure compliance with the approved plan.

As of April 1, 2019, all new construction activities are required to complete and submit an electronic Notice of Intent (eNOI) form requesting a Certificate of Coverage (COC) under the NCG010000 Construction General Permit. The COC **must** be obtained **prior** to the commencement of any land-disturbing activity on the above-named project, according to State Stormwater requirements. The NOI form may be accessed at deq.nc.gov/NCG01. Please direct questions about the NOI form to Paul Clark at Paul.clark@ncdenr.gov. After you submit a complete and correct NOI Form, you will receive a link with payment instructions for the \$100 annual permit fee. After the fee is received, you will receive the COC via email. The \$100 fee will be charged annually until the project receives a final land-disturbance inspection. Once the project is stabilized and receives the final land-disturbance inspection, you should file a Notice of Termination (NOT) with the State to final out the project.

A copy of the enclosed land-disturbing permit, a copy of the approved erosion and sedimentation control plan as well as any approved deviations, records of inspections made during the previous 12 months with the States Certificate of Compliance (COC) number on the reports, and a rain gauge must be posted at the job site as required by 15A NCAC 4B .0118(a), the NCGO1 permit, and the New Hanover County Erosion and Sedimentation Control Ordinance Article VIII Section 8.18 (O).

The land disturbing fee of **\$33,726** is due to be paid to New Hanover County Engineering, to my attention, prior to Plat Recordation.

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A preconstruction meeting is optional prior to land-disturbing activity on this project. Please contact me at (910) 798-7139 if you would like to schedule this meeting in our office. If you choose not to have a preconstruction meeting, **you must contact us with the date the land-disturbing activity will take place onsite and again once the initial erosion control measures are installed.**

New Hanover County's Erosion and Sedimentation Control Program is performance-oriented, requiring protection of existing natural resources and adjoining properties. If, following the commencement of this project, it is determined that the erosion and sedimentation control plan is inadequate to meet the requirements of the Sedimentation Pollution Control Act of 1973 (North Carolina General Statutes 113A-51 through 66), and the New Hanover County Erosion and Sedimentation Control Ordinance Article VIII Section 8.18 (B), this office may require revisions to the plan and its implementation of the revisions to ensure compliance with the Act and Ordinance.

This land-disturbing permit will expire within 1 year following the date of approval, if no land-disturbing activity has been undertaken, as required by the New Hanover County Erosion and Sedimentation Control Ordinance Article VIII Section 8.17 (D). If no activity takes place within one year after work has begun onsite, the permit will expire. Please contact this office to reactivate a permit that has expired.

Acceptance and approval of this erosion control plan is conditioned upon your compliance with Federal and State water quality laws, regulations and rules and local city or county ordinances or rules. This land-disturbing permit approval does not supersede any other permits or approvals. It is the owner's responsibility to have all the permits and approvals that are required, prior to beginning construction.

Please note this approval is based in part on the accuracy of the information provided in the Financially Responsibility Form, which you provided. You are required to file an amended form if there is any change in the information included on the form.

Your cooperation is appreciated,



Beth E. Wetherill C.P.E.S.C.
Erosion Control Specialist

Enclosures: Land-Disturbing Permit
NPDES NCG01 Fact Sheet and Monitoring Form

cc: Kathryn Espinoza PE, McKim & Creed
Brian Chambers AICP, Senior Planner City of Wilmington



Permit GP #46-22

Permit for a Land-Disturbing Activity

New Hanover County
Department of Engineering
230 Government Center Drive - Suite 160
Wilmington, North Carolina 28403
(910) 798-7139

As authorized by the New Hanover County Erosion and Sedimentation Control Ordinance

This permit issued to **NNP IV-Cape Fear River, LLC**, authorizes the development of **112.42 acres** of land at **4410 River Road for River Lights Conventional Phases**

7 & 8 in New Hanover County with modifications. This permit issued on **October 21, 2022**, is subject to compliance with the application and site drawings, all applicable regulations and special conditions and notes set forth below. **Any plan modifications must be approved by this office prior to field changes.**

It is understood by the applicant that a representative of New Hanover County's Engineering Department may inspect the site at any time following the issuance of this Permit. A copy of the approved Soil Erosion Control Plan as well as any approved deviations, this permit, a rain gauge, the Certificate of Coverage (COC) number from the State and copies of the Combined Self-Monitoring and Self-Inspection Reports must be available at all times at the site.

Failure to execute the provisions of this permit and the approved Soil Erosion Plan, or any other provisions of the New Hanover County Soil Erosion and Sedimentation Control Ordinance, may result in immediate legal action by the County to the limits prescribed by the Ordinance. If the measures outlined on the approved Soil Erosion Control Plan and this Permit prove insufficient, additional Erosion Control measures can and will be required which in turn will be considered provisions of this Permit. This Permit does not preclude any other permits or approvals necessary for beginning or completing this development. Approval of an erosion control plan is conditioned on the applicant's compliance with Federal and State laws, regulations, and rules. It is the Permittee's responsibility to obtain all necessary permits and approvals and to ensure the information given for this permit is accurate and updated if ownership or the financially responsible party changes.

SPECIAL CONDITIONS

(THESE CONDITIONS MUST BE FOLLOWED IN ADDITION TO THE PLANS AND SPECIFICATIONS)

*All the soil erosion control measures to be installed as the site is cleared and maintained throughout construction. This project will be built in 2 phases. Phase 1 includes

3 construction entrance, silt fences, silt fence outlets, inlet and outlet protection, 10 lined diversion ditches with wattles or check dams, sediment basins with Faircloth skimmers and coir baffles. Phase 2 includes installation of the storm drain system with inlet and outlet protection and conversion of the sediment basins into final stormwater devices. Note: Additional erosion control measures may be required.

**Note the required separate NCG01 permit that requires concrete washouts and other NCG01 regulations.

*In issuing this permit New Hanover County has relied on the representations of the permit applicant. The county has no jurisdiction to determine any contested property rights or ownership.

***Tree Removal Permits and/or Approvals are required from the City of Wilmington and/or New Hanover County PRIOR to clearing of the site.**

***Silt fence stakes must be steel and will be placed six feet apart without wire reinforcement or eight feet apart with wire reinforcement. Silt fence is not allowed as inlet protection.**

***This permit does not preclude any permits or approvals which may be necessary including but not limited to the City of Wilmington, New Hanover County, NC DEMLR, C.A.M.A., the US Army Corps. of Engineers, DEM Solid Waste, any other agency or any approvals that may be necessary.**

***No sediment shall leave the site in suspension of water.**

***If plan revisions are necessary, you must submit a copy to this office for approval prior to any field changes.**

***If soil is brought onto this site or removed from this site, it must come from or be taken to an approved or permitted site, to be identified to this office prior to being brought onsite or removal from the site.**

***All City and/or County and State drainage and stormwater requirements will be adhered to.**

***If these measures fail to adequately control erosion, more restrictive measures will be required.**

***If any phase of grading ceases for more than 90 calendar days following completion of construction or development the site will be stabilized.**

***All slopes must be stabilized within 21 calendar days of completion of any phase of activity.**

The approval of an erosion control plan is conditioned on the applicant's compliance with Federal and State Water Quality laws, regulations, and rules.

***Note the required rates for seed, lime, fertilizer, and mulch in your seeding specifications.**

***Enclosed is a Combined Self-Monitoring and Self-Inspection Form that meets the requirements of both the NPDES Stormwater Permit for Construction Activities, NCG 010000 reporting and the Land Resources Self-Inspection Program that satisfies the requirements of the Sedimentation Pollution Control Act. These are mentioned below with specific requirements for each program. These reports are the responsibility of the property owner. They require a rain gauge onsite, inspections and reporting every 7 calendar days and within 24 hours of every 1.0-inch rain per 24-hour period and at specific phases of construction. Additional copies of this Combined Construction Inspection Report can be found at <http://portal.ncdenr.org/web/lr/erosion> .**

Reports must be available onsite at all times. If you have questions, please contact New Hanover County Engineering (910) 798-7139 or the Land Quality Section at the NC DEMLR Regional office at (910) 796-7215.

***Note the NPDES information from the State for sites disturbing 1 acre or more and the reporting requirements. All NEW projects permitted after August 3, 2011, must include the following surface water withdrawal locations and stabilization requirement designations on the plan in order to qualify for coverage under the most recent NPDES Construction General Permit. All settling basins must have outlet structures that withdraw water from the surface, with the exception of basins or traps that have a drainage area of less than 1 acre. The NPDES permit also requires ground cover within 15 calendar days on disturbed flat areas and ground cover within 7 calendar days on all areas within HQW Zones, perimeter dikes, swales, ditches, perimeter slopes and all slopes steeper than 3:1. Exceptions include slopes that are 10 feet or less in length and not steeper than 2:1 which must be stabilized within 14 calendar days and slopes greater than 50 feet which must be stabilized within 7 calendar days. It requires inspections of all erosion control measures and reporting every 7 days and within 24 hours of every 1.0-inch rain event in a 24-hour period. This permit also includes other new**

requirements which are listed in the text of the NPDES Stormwater Discharge Permit for Construction Activities, which is included with the original copy of each land-disturbing permit.

***All construction activities are required to complete and submit an electronic Notice of Intent (eNOI) form requesting a Certificate of Coverage (COC) under the NCG010000 Construction General Permit.** The COC must be obtained prior to the commencement of any land- disturbing activity on the above-named project, according to State Stormwater requirements. The NOI form may be accessed at deq.nc.gov/NCG01. Please direct questions about the NOI form to Paul Clark at Paul.clark@ncddenr.gov. After you submit a complete and correct NOI Form, you will receive a link with payment instructions for the \$100 annual permit fee. After the fee is received, you will receive the COC via email. The \$100 fee will be charged annually until the project receives a final land-disturbance inspection. Once the project is stabilized and receives the final land-disturbance inspection, you should file a Notice of Termination (NOT) with the State to final out the project.

***Note the Land Resources Self Inspection Program Requirements.** This program is separate from the NPDES reporting and requires inspection and documentation after each phase of construction. These phases include: Installation of perimeter erosion control measures, Clearing and Grubbing of existing ground cover, Completion of any phase of grading of slopes or fills, Installation of storm drainage facilities, Completion of construction or development, Establishment of permanent ground cover sufficient to restrain erosion and any Deviation from the approved plan.

***Pre-construction meetings are optional. Contact Beth E. Wetherill at (910) 798-7139 to set up a meeting prior to land-disturbing activity onsite. If you do not choose to have a preconstruction meeting prior to starting work on site, you should contact us when activity begins and again when the initial measures have been installed.**

This Permit will expire one year from date of issue if no construction activity begins on site. This permit may not be amended or transferred to another party without approval of this office.

Acknowledgment of receipt of Permit

Owner

By (please print)



Beth E. Wetherill, C.P.E.S.C.
Soil Erosion Specialist/New Hanover County

Signature