



NORTH CAROLINA
Environmental Quality

ROY COOPER

Governor

MICHAEL S. REGAN

Secretary

BRIAN WRENN

Director

November 25, 2020

**LETTER OF APPROVAL WITH MODIFICATIONS AND
PERFORMANCE RESERVATIONS**

New Hanover County
ATTN: Kevin Caison, Facilities Project Manager
200 Division Drive
Wilmington, NC 28401

RE: Project Name: The Healing Place of New Hanover County
Acres Approved: 6.6
Project ID: NEWHA-2021-004
County: New Hanover
City: Wilmington
Address: 1000 Medical Center Drive
River Basin: Cape Fear
Steam Classification: Other
Submitted By: Ed Sconfiencza, The Site Group, PLLC
Date Received by LQS: November 13, 2020, November 23, 2020 and November 24, 2020
Plan Type: Group Home Residential

Dear Mr. Caison:

This office has reviewed the subject erosion and sedimentation control plan and hereby issues this Letter of Approval with Modifications and Performance Reservations. A list of the modifications and reservations is attached. This plan approval shall expire three (3) years following the date of approval, if no land-disturbing activity has been undertaken, as is required by Title 15A NCAC 4B .0129. Should the plan not perform adequately, a revised plan will be required (G.S. 113A-54.1)(b).

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. After the form is reviewed and found to be complete, 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. You MUST obtain the COC prior to commencement of any land disturbing activity. The eNOI form may be accessed at deq.nc.gov/NCG01. Please direct questions about the eNOI form to Annette Lucas at Annette.lucas@ncdenr.gov or Paul Clark at Paul.clark@ncdenr.gov. If the owner/operator of this project changes in the future, the new responsible party is required to apply for his/her own COC.



Title 15A NCAC 4B .0118(a) and the NCG01 permit require that the following documentation be kept on file at the job site:

1. The approved E&SC plan as well as any approved deviation.
2. The NCG01 permit and the COC, once it is received.
3. Records of inspections made during the previous 12 months.

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 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 Statute 113A-51 through 66), this office may require revisions to the plan and implementation of the revisions to ensure compliance with the Act.

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 note that this approval is based in part on the accuracy of the information provided in the Financial Responsibility Form, which you provided. This permit allows for a land-disturbance, as called for on the application plan, not to exceed the approved acres. Exceeding the acreage will be a violation of this permit and would require a revised plan and additional application fee. You are requested to file an amended form if there is any change in the information included on the form. In addition, it would be helpful if you notify this office of the proposed starting date for this project. Please notify us if you plan to have a preconstruction conference.

Your cooperation is appreciated.

Sincerely,

Rhonda Hall

Rhonda Hall
Assistant Regional Engineer
Land Quality Section

Enclosures: Modifications Required for Approval
NPDES NCG01 Fact Sheet

cc: Ed Sconfienca, The Site Group, PLLC
1111 Oberlin Road, Raleigh, NC 27605-1136

Wilmington Regional Office file

MODIFICATIONS AND PERFORMANCE RESERVATIONS

Project Name: The Healing Place of New Hanover County
Project ID: NEWHA-2021-004
County: New Hanover

1. This plan approval shall expire three (3) years following the date of approval, if no land-disturbing activity has been undertaken, as is required by Title 15A NCAC 4B .0129.
2. The developer is responsible for the control of sediment on-site. If the approved erosion and sedimentation control measures prove insufficient, the developer must take those additional steps necessary to stop sediment from leaving this site (NCGS 113A-57(3)). Each sediment storage device must be inspected after each storm event (NCGS 113A-54.1(e)). Maintenance and/or clean out is necessary anytime the device is at 50% capacity. All sediment storage measures will remain on site and functional until all grading and final landscaping of the project is complete (15A NCAC 04B .0113).
3. Any and all existing ditches on this project site are assumed to be left undisturbed by the proposed development unless otherwise noted. The removal of vegetation within any existing ditch or channel is prohibited unless the ditch or channel is to be regarded with side slopes of 2 horizontal to 1 vertical or less steep (15A NCAC 04B .0124 (d)). Bank slopes may be mowed, but stripping of vegetation is considered new earth work and is subject to the same erosion control requirements as new ditches (NCGS 113A-52(6)).
4. The developer is responsible for obtaining any and all permits and approvals necessary for the development of this project prior to the commencement of this land disturbing activity. This could include our agency's Stormwater regulations and the Division of Water Resources' enforcement requirements within Section 401 of the Clean Water Act, the U.S. Army Corps of Engineers' jurisdiction of Section 404 of the Clean Water Act, the Division of Coastal Management's CAMA requirements, the Division of Solid Waste Management's landfill regulations, the Environmental Protection Agency and/or The U.S. Army Corps of Engineers jurisdiction of the Clean Water Act, local County or Municipalities' ordinances, or others that may be required. This approval cannot supersede any other permit or approval; however, in the case of a Cease and Desist Order from the Corps of Engineers, that Order would only apply to wetland areas. All highland would still have to be in compliance with the N.C. Sedimentation Pollution Control Act.
5. If any area on site falls within the jurisdiction of Section 401 or 404 of the Clean Water Act, the developer is responsible for compliance with the requirements of the Division of Water Resources (DWR), the Corps of Engineers and the Environmental Protection Agency (EPA) respectively. Any erosion control measures that fall within jurisdictional wetland areas must be approved by the aforementioned agencies prior to installation. The Land Quality Section must be notified of a relocation of the measures in question to the transition point between the wetlands and the uplands to assure that the migration of sediment will not occur. If that relocation presents a problem or contradicts any requirements of either DWR, the Corps, or the EPA, it is the responsibility of the developer to inform the Land Quality Section regional office so that an adequate contingency plan can be made to assure sufficient erosion control remains on site. Failure to do so will be considered a violation of this approval (NCGS 113A-54.1(b)).

Letter of Approval with Modifications and Performance Reservations

New Hanover County

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6. Any borrow material brought onto this site must be from a legally operated mine or other approved source. Any soil waste that leaves this site can be transported to a permitted mine or separately permitted construction sites without additional permits under NCGS 74-49(7)(d). Disposal at any other location would have to be included as a permit revision for this approval.
7. This permit allows for a land disturbance, as called for on the application plan, not to exceed **6.6** acres. Exceeding that acreage will be a violation of this permit and would require a revised plan and additional application fee. Any addition in impervious surface, over that already noted on the approved plan, would also require a revised plan to verify the appropriateness of the erosion control measures and stormwater retention measures (NCGS 113A-54.1(b)).
8. The construction detail for the proposed silt fence requires reinforcing wire and **steel** posts a maximum of eight (8) feet apart. Omission of the reinforcing wire is a construction change that necessitates more posts for support, i.e., the spacing distance needs to be reduced to no greater than six (6) feet apart (E&SC Planning & Design Manual 6.63, Rev. 6/06).
9. Because the sediment traps and basins are shown on the plan as the primary sedimentation and erosion control devices on this project, it is necessary that the traps and basins and their collection systems be installed before any other grading takes place on site, and that every structure that receives more than one acre of drainage is built so that each dewater only from the surface (NCG010000). If that proves to be impractical, a revised plan must be submitted and approved that addresses erosion and sediment control needs during the interim period until the traps and basins are fully functioning (113A-54.1(b)).
10. A graveled construction entrance must be located at each point of access and egress available to construction vehicles during the grading and construction phases of this project. Access and egress from the project site at a point without a graveled entrance will be considered a violation of this approval. Routine maintenance of the entrances is critical (113A-54.1(b)).
11. As a condition of the NPDES General Stormwater Permit (NCG010000), the financially responsible party shall comply with the NCG01 Ground Stabilization And Materials Handling requirements that became effective April 1, 2019. The NCG01 Ground Stabilization And Materials Handling standard detail can be printed from the deq.nc.gov/NCG01 website.
12. As a condition of the NPDES General Stormwater Permit (NCG010000), the financially responsible party shall comply with the NCG01 Self-Inspection, Recordkeeping and Reporting requirements that became effective April 1, 2019. The NCG01 Self-Inspection, Recordkeeping and Reporting standard detail can be printed from the deq.nc.gov/NCG01 website.
13. As a part of routine monitoring of the approved land-disturbing activity, the financially responsible party shall assure inspections of the area covered by the approved plan after each phase of the plan has been completed and after establishment of temporary ground cover in accordance with North Carolina General Statute 113A-54.1(e).

Ref: G.S. 113A-54.1 through G.S. 113A-57
Sections 15A NCAC 04A.0101 through 15A NCAC 04E.0504
General Permit NCG 010000 NPDES for Construction Activities