

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

Action Id. **SAW-2017-01448**

County: **New Hanover**

U.S.G.S. Quad: **Wrightsville Beach - NC**

GENERAL PERMIT (REGIONAL AND NATIONWIDE) VERIFICATION

Permittee: **Jeffrey Kentner**
SSG-1, LLC
P.O. Box 12477
Charlotte, North Carolina 28220

Agent: **Kim Williams**
Land Management Group, Inc.
3805 Wrightsville Avenue, Suite 15
Wilmington, North Carolina 28403

Size (acres) **11.4 acres**
Nearest Waterway **Bradley Creek**
USGS HUC **03020302**

Nearest Town **Wilmington**
River Basin **White Oak**
Coordinates Latitude: **34.2186**
Longitude: **-77.8282**

Location description: **The project area is located at 315 Airlie Road (Parcel R05700-006-002-000), located near the City of Wilmington, New Hanover County, North Carolina.**

Description of projects area and activity: **The proposed project involves the permanent placement of fill material in 0.336 acres of jurisdictional wetlands for the purpose of constructing access roads, building pads and stormwater facilities associated with the development of a residential subdivision.**

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

Authorization: Nationwide Permit Number: **29 – Residential Developments & 18 – Minor Discharges**

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 plans titled "Final Site Plan with 0.336 acre of wetland impact" submitted with the Pre-Construction Notification dated May 10, 2017. Any violation of the attached conditions or deviation from your submitted plans may subject the permittee to a stop work order, a restoration order, a Class I administrative penalty, 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 Wilmington, NC, at (910) 796-7215.

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 kyle.j.dahl@usace.army.mil or (910) 251-4469.

Corps Regulatory Official: 

Date: August 3, 2017

Expiration Date of Verification: August 3, 2019

Determination of Jurisdiction:

- A. ☐ There are waters, including wetlands, on the above described project area that may be subject to Section 404 of the Clean Water Act (CWA) (33 USC § 1344) and/or Section 10 of the Rivers and Harbors Act (RHA) (33 USC § 403). This preliminary determination is not an appealable action under the Regulatory Program Administrative Appeal Process (Reference 33 CFR Part 331). However, you may request an approved JD, which is an appealable action, by contacting the Corps district for further instruction. Please note, if work is authorized by either a general or nationwide permit, and you wish to request an appeal of an approved JD, the appeal must be received by the Corps and the appeal process concluded prior to the commencement of any work in waters of the United States and prior to any work that could alter the hydrology of waters of the United States.
- 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 (RHA) (33 USC § 403) and 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.
- C. ☒ There are wetlands within the above described project area that are 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 . Action ID: SAW- .

Basis For Determination: Please see the attached Approved Jurisdictional Determination Form. The enclosed map titled "SSG1 Tract; Preliminary Upland/Wetland Sketch" dated December 2016, accurately depicts the extent of jurisdictional waters subject to jurisdictional under 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 jurisdiction determinations as indicated in B and C above).

This correspondence constitutes an approved jurisdiction 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 10/3/2017.

****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: _____


Kyle Dahl

Date of JD: **August 3, 2017**

Expiration Date of JD: **August 3, 2022**

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://corpsmapu.usace.army.mil/cm_apex/f?p=136:4:0.

SAW-2017-01448

**SPECIAL CONDITIONS
Airlie at Wrightsville Sound**

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-2017-01448 County: New Hanover

Permittee: Jeffrey Kentner; SSG-1, LLC

Project Name: Airlie at Wrightsville Sound

Date Verification Issued: August 3, 2017

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
69 Darlington Avenue, Wilmington, NC 28403

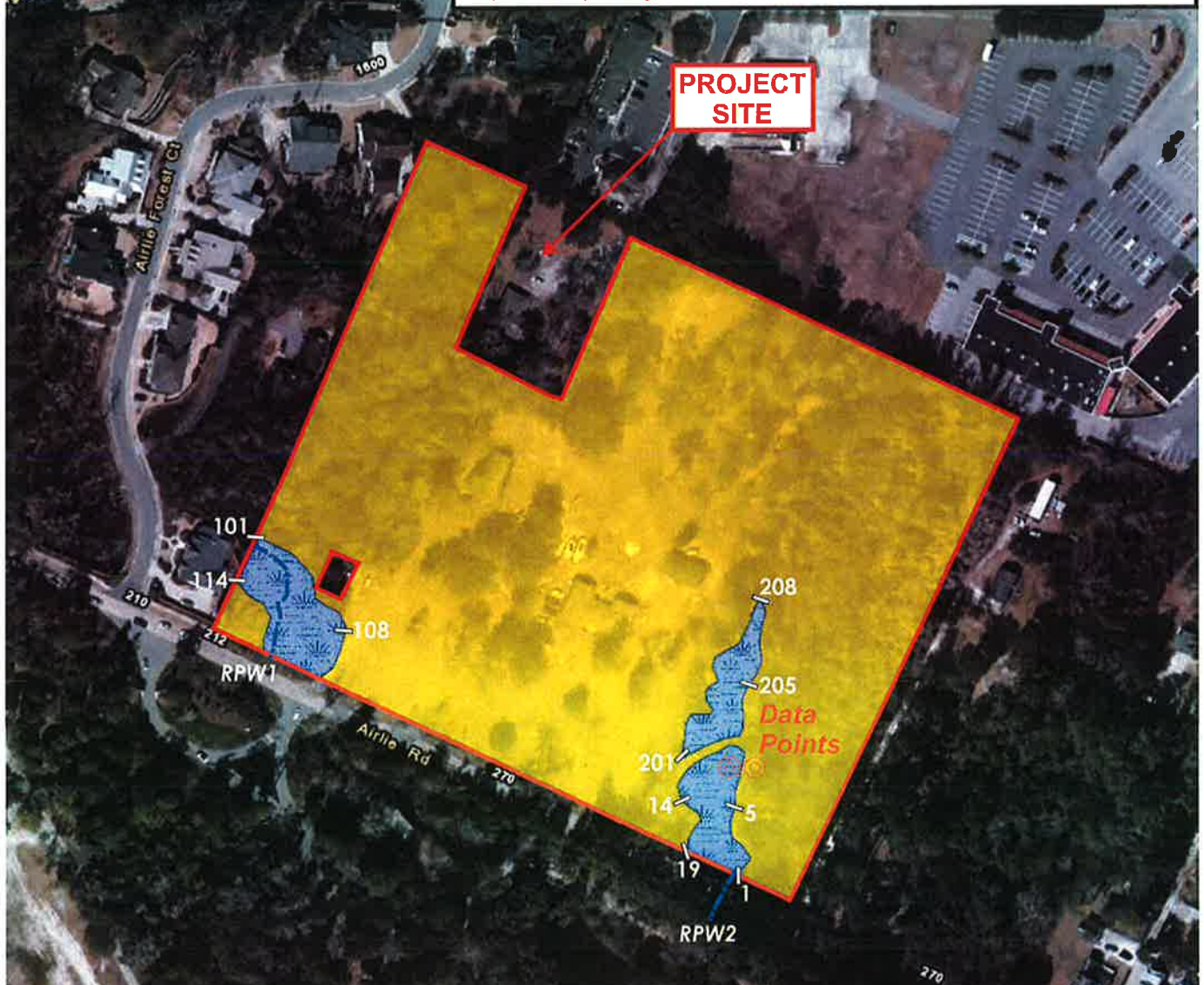
Please note that your permitted activity is subject to a compliance inspection by a U. S. Army Corps of Engineers representative. Failure to comply with any terms or conditions of this authorization may result in the Corps suspending, modifying or revoking the authorization and/or issuing a Class I administrative penalty, or initiating other appropriate legal action.

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

NOTE: This is not a survey. All boundaries and distances are considered approximate. This represents a preliminary sketch prepared from field notes. A survey of delineated areas and review and approval by the US Army Corps of Engineers is recommended prior to specific site planning.



LEGEND

- Project Area ~ **11.4 ac**
- Areas considered to be uplands ~ **10.8 ac or 95%**
- Areas considered to be jurisdictional wetlands as regulated by the U.S. Army Corps of Engineers ~ **0.6 ac or 5%**
- Areas considered to be Waters of the US (relatively permanent waters) as regulated by the U.S. Army Corps of Engineers ~ **240-linear feet**

RE, DeLorme, MapmyIndia, © OpenStreetMap contributors, Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus, USDA, AeroGRID, IGN, and the GIS User Community

L:\WETLANDS\2016 WETLANDS FILES\01-16-352 ---- SSG-1 Property, Richard Collier\MAPS

***Boundaries are approximate and are not meant to be absolute.**

Map Source: 2010 GIS World Imagery



SCALE 1" = 200'

SSG1 Tract
New Hanover County, NC

December 2016
LMG # 01-16-352



LMG
LAND MANAGEMENT GROUP INC.
Environmental Consultants

www.lmggroup.net

3805 Wrightsville Avenue

Wilmington, NC 28403

Phone: 910.452.0001 Fax: 910.452.0060

Figure 7
Preliminary
Upland/Wetland Sketch