



DEPARTMENT OF THE ARMY
WILMINGTON DISTRICT, CORPS OF ENGINEERS
69 DARLINGTON AVENUE
WILMINGTON, NORTH CAROLINA 28403-1343
February 24, 2017

Regulatory Division

Action ID: SAW-2001-21252

Mr. William S. Mumford
NNP – Briar Chapel, LLC
1312 Briar Chapel Parkway
Chapel Hill, North Carolina 27516

Dear Mr. Mumford:

Reference the Department of the Army (DA) permit issued on October 2, 2006, to Mitch Barron of Newland Communities for impacts associated with the Briar Chapel Development. Also, please reference the modifications to this permit approved in December of 2007 and August of 2009 and February 2011. This development is approximately 1,720 acres in size (including the 131 acre US Steel Tract) and is located west of US Highway 15-501, north of Andrew's Store Road (SR 1528), and south of Mann's Chapel Road (SR 1532), approximately 5 miles south of Chapel Hill, in Chatham County, North Carolina. Coordinates (in decimal degrees) for the site are 35.8251 ° North, 79.1059 ° West. The site contains several unnamed tributaries and adjacent wetlands of Pokeberry Creek, Wilkinson Creek and Bush Creek, in the Cape Fear River Basin (8-Digit Cataloging Unit 03030002).

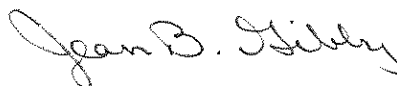
Permanent impacts authorized by this permit and the subsequent modifications total 2,347 linear feet of stream channel and 0.4390 acre of wetland, and temporary impacts totaled 134 linear feet of stream channel. Mitigation was implemented for the unavoidable impacts by payment into the North Carolina Ecosystem Enhancement Program, restoration of stream channel at the Harpers Crossroads Mitigation Site, and on-site preservation of wetlands and streams.

In addition, please reference your permit modification request received by the Corps on July 18, 2016, and subsequent updates received via electronic correspondence dated January 23, 2017. This modification request involves reducing impact amounts at the locations identified within the original permit and/or the subsequent modifications at Impact sites E, L and U, which had permitted impact amounts of 485 linear feet of permanent stream channel impacts. These impacts were due to culverted road crossings. The proposed modification would reduce these impacts by 267 linear feet. Temporary impacts were reduced at five utility crossing sites by 105 linear feet. Additionally, your permit modification request involves new impacts at sites identified as V, W, X, Y and Z. The new total of impacts at these sites are 377 linear feet and 464 square feet of permanent impacts.

The Corps has completed the evaluation of your request and concurs with your request for a change in impacts associated with your referenced DA permit, including the change to plans, as requested. The approved plans for this crossing are attached for your file. No additional mitigation is required for this modification.

Please note that all other permit conditions and exhibits remain in effect as written. Should you have questions, contact Mr. Andrew Williams, Raleigh Regulatory Field Office at telephone (919) 554-4884, Extension 26.

Sincerely,



for Kevin P. Landers Sr.
Colonel, U.S. Army
District Commander

Attachment

Copy Furnished:

Mrs. Jennifer Burdette
NCDEQ
1617 Mail Service Center,
Raleigh, NC 27699-1617

Mr. Perry Isner
Wetlands and Waters, Inc.
2712 Minden Road
Pleasant Garden, NC 27313