

PAT MCCRORY

Governor

DONALD R. VAN DER VAART

Secretary

TRACY DAVIS

Director

December 31, 2015

Mr. T. Gregory, Ludlum, Manager  
Sea View Fishing Pier, LLC  
PO Box 413  
Sneads Ferry, NC 28460

**Subject: State Stormwater Management Permit No. SW8 971115  
Sea View Fishing Pier  
High Density Commercial Infiltration Trench / Chamber Project  
Onslow County**

Dear Mr. Ludlum:

The Wilmington Regional Office received a complete State Stormwater Management Permit Application for Sea View Fishing Pier on November 12, 2015. Staff review of the plans and specifications has determined that the project, as proposed, will comply with the Stormwater Regulations set forth in Session Law 2008-211 and Title 15A NCAC 2H.1000, as applicable. We are forwarding Permit No. SW8 971115 dated December 31, 2015, for the construction, operation, and maintenance of the BMP's and built-upon area associated with the subject project.

This permit shall be effective from the date of issuance until October 18, 2016, and shall be subject to the conditions and limitations as specified therein. Please pay special attention to the conditions listed in this permit regarding the Operation and Maintenance of the BMP(s), recordation of deed restrictions, certification of the BMP's, procedures for changing ownership, transferring the permit, and renewing the permit. Failure to establish an adequate system for operation and maintenance of the stormwater management system, to record deed restrictions, to certify the BMP's, to transfer the permit, or to renew the permit, will result in future compliance problems.

The following modifications are included and covered by this permit:

1. The expansion of the approved built-upon area for additional parking.
2. Replacing the previously approved infiltration basins with infiltration trenches.

If any parts, requirements, or limitations contained in this permit are unacceptable, you have the right to request an adjudicatory hearing by filing a written petition with the Office of Administrative Hearings (OAH). The written petition must conform to Chapter 150B of the North Carolina General Statutes, and must be filed with the OAH within thirty (30) days of receipt of this permit. You should contact the OAH with all questions regarding the filing fee (if a filing fee is required) and/or the details of the filing process at 6714 Mail Service Center, Raleigh, NC 27699-6714, or via telephone at 919-431-3000, or visit their website at [www.NCOAH.com](http://www.NCOAH.com). Unless such demands are made this permit shall be final and binding.

If you have any questions, or need additional information concerning this matter, please contact Christine Hall in the Wilmington Regional Office at (910) 796-7215.

Sincerely,

For Tracy Davis, P.E., Director  
Division of Energy, Mineral and Land Resources

GDS/canh: \\Stormwater\Permits & Projects\1997\971115 HD\2015 12 permit 971115

cc: Weston Lyall, PE, PLS, PLLC  
Onslow County Building Inspections  
Wilmington Regional Office Stormwater File

STATE OF NORTH CAROLINA  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
DIVISION OF ENERGY, MINERAL AND LAND RESOURCES

STATE STORMWATER MANAGEMENT PERMIT

HIGH DENSITY COMMERCIAL DEVELOPMENT

In accordance with the provisions of Article 21 of Chapter 143, General Statutes of North Carolina as amended, and other applicable Laws, Rules, and Regulations

PERMISSION IS HEREBY GRANTED TO

*Sea View Fishing Pier, LLC*

*Sea View Fishing Pier*

*123 & 124 Fishing Pier Lane, North Topsail Beach, Onslow County*

FOR THE

construction, operation and maintenance of two (2) infiltration trenches in compliance with the provisions of Session Law 2008-211 and 15A NCAC 2H .1000, as applicable (hereafter the "stormwater rules") and the approved stormwater management plans and specifications and other supporting data as attached and on file with and approved by the Division of Energy, Mineral and Land Resources (hereafter referred to as the Division or DEMLR) and considered a part of this permit.

This permit shall be effective from the date of issuance until October 18, 2016, and shall be subject to the following specified conditions and limitations:

**I. DESIGN STANDARDS**

1. This permit is effective only with respect to the nature and volume of stormwater described in the application and other supporting data.
2. This infiltration trench or chamber stormwater system has been approved for the management of stormwater runoff as described in Section I.7 of this permit. The stormwater controls labeled Drainage Area 1 and 2 have been designed to handle the runoff from 30,517 and 25,957 square feet of built-upon area, respectively
3. The infiltration system is permitted per the Alternative Design Criteria under Section .1008 (h). The proposed system provides equal or better control, equal or better protection of surface waters and results in no increased potential for nuisance conditions. The infiltration system can store at least 2.5 times the minimum design storm, therefore neither an LS/VFS nor an offline bypass are required.
4. The tract will be limited to the amount of built-upon area indicated in Sections I.2 and I.7 of this permit, and as shown on the approved plans. The built-upon area for the future development within Drainage Area 1 is limited to 1,800 square feet.

5. The runoff from all built-upon area within the permitted drainage area of this project must be directed into the permitted stormwater control system.
6. The project shall provide a minimum 50' wide vegetated buffer adjacent surface waters, measured horizontally from and perpendicular to the normal pool of impounded structures, the top of bank of streams and rivers, and the mean high water line of tidal waters.
7. The following design criteria have been permitted for the infiltration trenches and must be provided and maintained at design condition:

		Drainage Area 1	Drainage Area 2
a.	Drainage Area, acres:	1.30	1.11
	Onsite, subject to 1995 rules, ft <sup>2</sup> :	53,133	40,659
	Onsite, subject to SL 2008-211, ft <sup>2</sup> :	3,525	7,772
	Offsite, ft <sup>2</sup> :	0	0
b.	Total Impervious Surfaces, ft <sup>2</sup> :	30,517	25,957
	Onsite, subject to 1995 rules, ft <sup>2</sup> :	26,992	18,185
	Onsite, subject to SL 2008-211, ft <sup>2</sup> :	3,525	7,772
	Offsite, ft <sup>2</sup> :	0	0
c.	Design Storm		
	subject to 1995 rules, inches:	1.5	1.5
	subject to SL 2008-211, inches:	3.68	3.68
d.	(Approx.) Trench Length, feet:	165.0	122.0
e.	(Approx.) Trench Width, feet:	150.4	68.0
f.	Trench Depth, feet:	1.2	1.2
g.	Bottom Elevation, FMSL	5.8	5.8
h.	Bottom Surface Area, ft <sup>2</sup> :	24,900	24,838
i.	Bypass Weir Elevation, FMSL:	7.0	7.0
j.	Perforated Pipe Diameter, inches:	6	6
k.	Perforated Pipe Length, ft:	5 x 150'	5 x 150'
l.	Permitted Storage Volume, ft <sup>3</sup> :	11,952	11,920
m.	Type of Soil:	Sand	Sand
n.	Expected Infiltration Rate, in/hr:	6.0	6.0
o.	Seasonal High Water Table, FMSL:	3.8	3.8
p.	Time to Draw Down, hours:	0.02	0.02
q.	Receiving Stream/River Basin:	Intercoastal Waterway	
r.	Stream Index Number:	19-39-(0.5)	
s.	Classification of Water Body:	SA	

## II. SCHEDULE OF COMPLIANCE

1. The stormwater management system shall be constructed in its entirety, vegetated and operational for its intended use prior to the construction of any built-upon surface.
2. During construction, erosion shall be kept to a minimum and any eroded areas of the system will be repaired immediately. If the stormwater system is used as an Erosion Control device, it must be restored to design condition prior to operation as a stormwater treatment device, and prior to occupancy of the facility.
3. The permittee shall follow the approved Operation and Maintenance Agreement in its entirety, and shall provide and perform the listed operation and maintenance procedures at the specified intervals to assure the permitted stormwater system functions at optimum efficiency.
4. Records of maintenance activities must be kept for each permitted BMP. The reports will indicate the date, activity, name of person performing the work and what actions were taken.

5. The facilities shall be constructed in accordance with the conditions of this permit, the approved plans and specifications, and other supporting data.
6. All stormwater collection and treatment systems must be located in public rights-of-way, common areas or recorded easements. The final plats for the project will be recorded showing all such required rights-of-way, common areas and easements, in accordance with the approved plans. Access to the stormwater facilities shall be maintained via appropriate easements at all times.
7. Upon completion of construction, prior to issuance of a Certificate of Occupancy, and prior to operation of this permitted facility, a certification must be received from an appropriate designer for the system installed certifying that the permitted facility has been installed in accordance with this permit, the approved plans and specifications, and other supporting documentation. Any deviations from the approved plans and specifications must be noted on the Certification. A modification may be required for those deviations.
8. The permittee shall submit to the Director and shall have received approval for revised plans, specifications, and calculations prior to construction, for any modification to the approved plans, including, but not limited to, those listed below:
  - a. Any revision to any item shown on the approved plans, including the stormwater management measures, built-upon area, details, etc.
  - b. Redesign or addition to the approved amount of built-upon area or to the drainage area.
  - c. Further development, subdivision, acquisition, lease or sale of any, all or part of the project area.
  - d. Filling in, altering, or piping of any vegetative conveyance shown on the approved plan.
  - e. The construction of any future BUA listed on the application.
9. The Director may notify the permittee when the permitted site does not meet one or more of the minimum requirements of the permit. Within the time frame specified in the notice, the permittee shall submit a written time schedule to the Director for modifying the site to meet minimum requirements. The permittee shall provide copies of revised plans and certification in writing to the Director that the changes have been made.

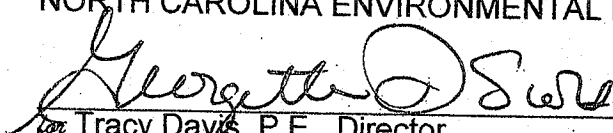
### III. GENERAL CONDITIONS

1. This permit is not transferable to any person or entity except after notice to and approval by the Director. The permittee shall submit a completed and signed Name/Ownership Change Form, accompanied by the supporting documentation as listed on the form, to the Division at least 60 days prior to any one or more of the following events:
  - a. An ownership change including the sale or conveyance of the project area in whole or in part;
  - b. The sale or conveyance of the common areas to a Homeowner's or Property Owner's Association, subject to the requirements of Session Law 2011-256;
  - c. Bankruptcy;
  - d. Foreclosure;
  - e. Dissolution of the partnership or corporate entity;
  - f. A name change of the current permittee;
  - g. A name change of the project;
  - h. A mailing address change of the permittee;

2. Approved plans, application, supplement forms, Operation and Maintenance agreements, design calculations and specifications for this project are incorporated by reference and are enforceable parts of the permit. A copy of the approved plans and specifications shall be maintained on file by the Permittee at all times.
3. Any individual or entity found to be in noncompliance with the provisions of a stormwater management permit or the stormwater rules is subject to enforcement action as set forth in NCGS 143, Article 21.
4. The issuance of this permit does not preclude the Permittee from complying with any and all statutes, rules, regulations, or ordinances, which may be imposed by other government agencies (local, state, and federal) having jurisdiction.
5. The permittee is responsible for compliance with all permit conditions until such time as the Division approves the transfer request.
6. In the event that the facilities fail to perform satisfactorily, the Permittee shall take immediate corrective action, including those as may be required by this Division, such as the construction of additional or replacement stormwater management systems.
7. The permittee grants Division Staff permission to enter the property during normal business hours for the purpose of inspecting all components of the permitted stormwater management facility.
8. The permit issued shall continue in force and effect until revoked or terminated. The permit may be modified, revoked and reissued or terminated for cause. The filing of a request for a permit modification, revocation and reissuance or termination does not stay any permit condition.
9. Unless specified elsewhere, permanent seeding requirements for the stormwater controls must follow the guidelines established in the North Carolina Erosion and Sediment Control Planning and Design Manual.
10. The issuance of this permit does not prohibit the Director from reopening and modifying the permit, revoking and reissuing the permit, or terminating the permit as allowed by the laws, rules and regulations contained in Session Law 2008-211, Title 15A NCAC 2H.1000, and NCGS 143-215.1 et. al.
11. The permittee shall submit a permit renewal application at least 180 days prior to the expiration date of this permit. The renewal request must include the appropriate documentation and the processing fee.

Permit modified and reissued this the 31<sup>st</sup> day of December 2015.

NORTH CAROLINA ENVIRONMENTAL MANAGEMENT COMMISSION



for Tracy Davis, P.E., Director  
Division of Energy, Mineral and Land Resources  
By Authority of the Environmental Management Commission