



December 9, 2014

Mr. Tony Duque
Brownfields Project Manager
N.C. Department of Environment and Natural Resources
Division of Waste Management - Brownfields Program
Mail Service Center 1646, Raleigh, NC 27699-1646

1 JAN 2015
Brownfield
Correspondence

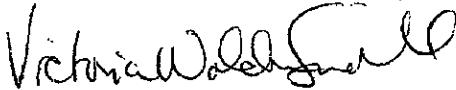
RE: Brownfields Property- Former Burlington Distribution Site
6012 High Point Rd, Greensboro, Guilford County

Dear Mr. Duque:

As the design engineer for Guilford Technical Community College's campus at 6012 High Point Rd. and in accordance with the Brownfields agreement filed on October 31, 2013 and recorded in Guilford County Book 185, Page 93, Guilford Technical Community College is herewith notifying the NC Department of Environment and Natural Resources (NCDENR) of plans to construct a new driveway that will cross a linear wetland, thereby impacting surface waters. The construction is located in the southeast corner of the site, away from contaminated areas, and is required in order to maintain full access to the site and the adjoining industrial property after NCDOT's relocation of High Point Road. Construction includes the installation of a culvert and filling of linear wetlands as approved by the US Army Corps of Engineers (USACE) and NCDENR Division of Water Resources. The property will continue to be used as a community college facility per Section 15a of the agreement. Construction will not intercept groundwater.

Included with this notification, please find copies of the approval from both the USACE and NCDENR Division of Water Resources and approved construction drawings. Should you need additional information, please contact me at 336.310.1481 or via email at tsmall@wsaaeng.com.

Sincerely Yours,
WESTCOTT, SMALL & ASSOCIATES, PLLC


Victoria Waldron Small, PE
Principal

COPY

U.S. ARMY CORPS OF ENGINEERS
WILMINGTON DISTRICT

Action Id: SAW-2014-00179 County: Guilford U.S.G.S. Quad: NC-GUILFORD

GENERAL PERMIT (REGIONAL AND NATIONWIDE) VERIFICATION

Permittee: The Trustees of Guilford Technical Community College

Mitchell Johnson

Address: 601 High Point Road

Jamestown, NC, 27282

Telephone Number: 336-334-4822

Size (acres) 36.95

Nearest Town Jamestown/Greensboro

Nearest Waterway Bull Run

River Basin Deep, North Carolina,

USGS HUC 3030003

Coordinates Latitude: 36.0032

Longitude: -79.90597

Location description: The project site is located at 6008/6012 High Point Road in Greensboro, Guilford County, North Carolina. PINs: 7832210901 & 7832110620.

Description of projects area and activity: The project consists of the construction of a driveway entrance road with a crossing road that feeds parking on the GTCC site and truck access to the other site. This verification authorizes the placement of fill in 0.02 acres of wetland and 70 linear feet of stream impacts for erosion control, fill and pipe placement.

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

Authorization: Nationwide Permit Number: NWP 39 Commercial and Institutional Developments.

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 information dated 01/21/2014. Any violation of the attached conditions or deviation from your submitted plans may subject the permittee to a stop work order, a restoration order and/or appropriate legal action.

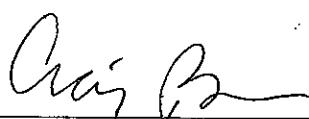
This verification will remain valid until the expiration date identified below unless the nationwide authorization is modified, suspended or revoked. If, prior to the expiration date identified below, the nationwide permit authorization is reissued and/or modified, this verification will remain valid 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 Quality (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 Morehead City, NC, at (252) 808-2808.

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 Craig Brown at 919-554-4884 x35 or Craig.J.Brown@usace.army.mil.



Corps Regulatory Official: _____
Expiration Date of Verification: 03/18/2017

Date: February 4, 2014

Determination of Jurisdiction:

A. Based on preliminary information, there appear to be waters of the US including wetlands within the above described project area. This preliminary determination is not an appealable action under the Regulatory Program Administrative Appeal Process (Reference 33 CFR Part 331).

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 and Section 404 of the Clean Water Act. 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 waters of the US and/or wetlands within the above described project area 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: There are streams within the project area that appear to be relatively permanent waterways (RPW) exhibiting ordinary high water marks & bed and bank features; and/or wetlands that may exhibit wetland criteria as defined in the 1987 Corps Wetland Delineation Manual and appropriate Regional Supplement.

Remarks: None

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.

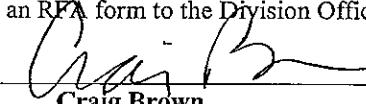
F. Appeals Information (This information applies only to approved jurisdictional determinations as indicated in B and C above).

This correspondence constitutes an approved jurisdictional 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 N/A (Preliminary JD).

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: 

Craig Brown

Date of JD: February 4, 2014

Expiration Date of JD: N/A (Preliminary JD)

SAW-2014-00179

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 online at <http://per2.nwp.usace.army.mil/survey.html>.

Copy furnished:

Agent: Wescott, Small & Associates, PLLC

Michael B. Wescott, PE

Address: 125 S. Elm Street, Suite 606

Jamestown, NC, 27282

Telephone Number: 336-310-1480

NCDWR: Sue Homewood

NCDWR Winston-Salem Regional Office

585 Waughton Street

Winston-Salem, NC 2707

Telephone Number: 336-771-4964

Action ID Number:

SAW-2014-00179

County: Guilford

Permittee:

The Trustees of Guilford Technical Community College
Mitchell Johnson

Project Name:

GTCC Transportation and Welding Building; Jamestown, Guilford County

Date Verification Issued: February 4, 2014

Project Manager: Craig Brown

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: Craig Brown
Raleigh Regulatory Field Office
3331 Heritage Trade Drive, Suite 105
Wake Forest, North Carolina 27587

Please note that your permitted activity is subject to a compliance inspection by a U. S. Army Corps of Engineers representative. If you fail to comply with this permit you are subject to permit suspension, modification, or revocation.

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

**NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND
REQUEST FOR APPEAL**

Applicant: The Trustees of Guilford Technical Community College Mitchell Johnson	File Number: SAW-2014-00179	Date: February 4, 2014
Attached is:	See Section below	
<input type="checkbox"/> INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A	
<input type="checkbox"/> PROFFERED PERMIT (Standard Permit or Letter of permission)	B	
<input type="checkbox"/> PERMIT DENIAL	C	
<input type="checkbox"/> APPROVED JURISDICTIONAL DETERMINATION	D	
<input checked="" type="checkbox"/> PRELIMINARY JURISDICTIONAL DETERMINATION	E	

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <http://www.usace.army.mil/inet/functions/cw/cecw/reg> or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the district engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact: District Engineer, Wilmington Regulatory Division, Attn: Craig Brown Raleigh Regulatory Field Office 3331 Heritage Trade Drive, Suite 105 Wake Forest, North Carolina 27587	If you only have questions regarding the appeal process you may also contact: Mr. Jason Steele, Administrative Appeal Review Officer CESAD-PDO U.S. Army Corps of Engineers, South Atlantic Division 60 Forsyth Street, Room 10M15 Atlanta, Georgia 30303-8801 Phone: (404) 562-5137
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RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

Signature of appellant or agent.	Date:	Telephone number:
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For appeals on Initial Proffered Permits send this form to:

District Engineer, Wilmington Regulatory Division, Attn: Craig Brown, 69 Darlington Avenue, Wilmington, North Carolina 28403

For Permit denials, Proffered Permits and approved Jurisdictional Determinations send this form to:

Division Engineer, Commander, U.S. Army Engineer Division, South Atlantic, Attn: Mr. Jason Steele, Administrative Appeal Officer, CESAD-PDO, 60 Forsyth Street, Room 10M15, Atlanta, Georgia 30303-8801
Phone: (404) 562-5137



North Carolina Department of Environment and Natural Resources

Division of Water Resources

Water Quality Regional Operations

Pat McCrory

Governor

Thomas A. Reeder

Director

John E. Skvarla, III

Secretary

April 7, 2014

DWR # 14-0065

Guilford County

The Trustees of Guilford Technical Community College

Attn: Mitchell Johnson

601 High Point Rd

Jamestown NC 27282

Subject: APPROVAL OF 401 WATER QUALITY CERTIFICATION WITH ADDITIONAL CONDITIONS

GTCC Transportation and Welding Building

Dear Mr. Johnson:

You have our approval for the impacts listed below for the purpose described in your application dated January 15, 2014, received by the Division of Water Resources (Division) January 17, 2014, with subsequent information on March 11, 2014 and April 2, 2014. These impacts are covered by the attached Water Quality General Certification Number 39, the Randleman Buffer Rules and the conditions listed below. This certification is associated with the use of Nationwide Permit Number 39 once it is issued to you by the U.S. Army Corps of Engineers. Please note that you should get any other federal, state or local permits before proceeding with your project, including those required by (but not limited to) Sediment and Erosion Control, Non-Discharge, and Water Supply Watershed regulations.

This approval requires you to follow the conditions listed in the enclosed certification(s) or general permit and the following additional conditions:

1. The following impacts are hereby approved provided that all of the other specific and general conditions of the Certification, General Permit and/or Buffer Rules are met. No other impacts are approved, including incidental impacts.

Type of Impact	Temporary/Permanent	Amount Approved (Units) Approved Impact (units)
Stream	Permanent	70 linear feet
404/401 Wetlands	Permanent Fill	0.02 acres

Winston-Salem Regional Office

Location: 585 Waughtown St. Winston-Salem, North Carolina 27107

Phone: 336-771-5000 | FAX: 336-771-4630 | Customer Service: 1-877-623-6748

Internet: www.ncwaterquality.org

An Equal Opportunity | Affirmative Action Employer

2. This approval is for the purpose and design described in your application. The plans and specifications for this project are incorporated by reference as part of the Certification. If you change your project, you must notify the Division and you may be required to submit a new application package with the appropriate fee. If the property is sold, the new owner must be given a copy of this approval letter and General Certification(s)/Permit/Authorization and is responsible for complying with all conditions.
3. The proposed project must comply with the Town of Jamestown local water supply ordinance approved by the N.C. Environmental Management Commission (EMC) as required under the Randleman Lake Water Supply Watershed: Protection and Maintenance of Riparian Areas (Randleman Buffer Rule) 15A NCAC 02B .0250.

This approval and its conditions are final and binding unless contested.

This Certification can be contested as provided in Articles 3 and 4 of General Statute 150B by filing a written petition for an administrative hearing to the Office of Administrative Hearings (hereby known as OAH) within **sixty (60) calendar days**.

A petition form may be obtained from the OAH at <http://www.ncoah.com/> or by calling the OAH Clerk's Office at (919) 431-3000 for information. A petition is considered filed when the original and one (1) copy along with any applicable OAH filing fee is received in the OAH during normal office hours (Monday through Friday between 8:00am and 5:00pm, excluding official state holidays).

The petition may be faxed to the OAH at (919) 431-3100, provided the original and one copy of the petition along with any applicable OAH filing fee is received by the OAH within five (5) business days following the faxed transmission.

Mailing address for the OAH:

If sending via US Postal Service:

Office of Administrative Hearings
6714 Mail Service Center
Raleigh, NC 27699-6714

If sending via delivery service (UPS, FedEx, etc.):

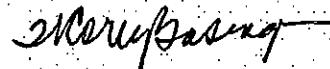
Office of Administrative Hearings
1711 New Hope Church Road
Raleigh, NC 27609-6285

One (1) copy of the petition must also be served to DENR:

Lacy Presnell, General Counsel
Department of Environment and Natural Resources
1601 Mail Service Center
Raleigh, NC 27699-1601

This letter completes the review of the Division of Water Resources under section 401 of the Clean Water Act. Please contact Sue Homewood at 336-771-4964 or Sue.Homewood@ncdenr.gov if you have any questions or concerns.

Sincerely,



W. Corey Basinger
Regional Supervisor
Water Quality Regional Operations
Division of Water Resources

Enclosures: GC 3890
Certificate of Completion

cc: Michael Westcott, Westcott, Small & Assoc. (via email)
Craig Brown, USACE Raleigh Regulatory Field Office (via email)
DWR-WQP WSRO 401 files
DWR-WQP Webscape Unit



North Carolina Department of Environment and Natural Resources

Division of Water Resources

Water Quality Programs

Pat McCrory
Governor

Thomas A. Reeder
Director

John E. Skvarla, III
Secretary

DWR Project No: _____ County: _____

Applicant: _____

Project Name: _____

401 Water Quality Certification Issued Date: _____

Certificate of Completion

Upon completion of all work approved within the 401 Water Quality Certification or applicable Buffer Rules, and any subsequent modifications, the applicant is required to return this certificate to the DWR 401 & Buffer Permitting Unit, 1650 Mail Service Center, Raleigh, NC, 27699-1650. This form may be returned to DWR by the applicant, the applicant's authorized agent, or the project engineer. It is not necessary to send certificates from all of these.

Applicant's Certification

I, _____, hereby state that, to the best of my abilities, due care and diligence was used in the observation of the construction such that the construction was observed to be built within substantial compliance and intent of the 401 Water Quality Certification and Buffer Rules, the approved plans and specifications, and other supporting materials.

Signature: _____ Date: _____

Agent's Certification

I, _____, hereby state that, to the best of my abilities, due care and diligence was used in the observation of the construction such that the construction was observed to be built within substantial compliance and intent of the 401 Water Quality Certification and Buffer Rules, the approved plans and specifications, and other supporting materials.

Signature: _____ Date: _____

If this project was designed by a Certified Professional

I, _____, as a duly registered Professional _____ (i.e., Engineer, Landscape Architect, Surveyor, etc.) in the State of North Carolina, having been authorized to observe (periodically, weekly, full time) the construction of the project, for the Permittee hereby state that, to the best of my abilities, due care and diligence was used in the observation of the construction such that the construction was observed to be built within substantial compliance and intent of the 401 Water Quality Certification and Buffer Rules, the approved plans and specifications, and other supporting materials.

Signature: _____ Date: _____