



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, WILMINGTON DISTRICT
WILMINGTON REGULATORY OFFICE
69 DARLINGTON AVENUE
WILMINGTON NORTH CAROLINA 28403

November 22, 2023

Regulatory Program/Division
Raleigh Regulatory Field Office
SAW-2022-00649

David Michaels
Land Acquisition and Development Services, LLC
PO Box 9147
Greensboro, North Carolina 27429
Via Email: dmichaels@windsorcompanies.us

Dear Mr. Michaels:

This letter is in response to the Pre-Construction Notification (PCN) you submitted to the Wilmington District, Raleigh Regulatory Office on August 21, 2023, for a Department of the Army Nationwide permit (NWP) verification. This project has been assigned the file number SAW-2022-00649 and is known as None. This file number should be referenced in all correspondence concerning this project.

A review of the information provided indicates that the proposed work would include the crossing of one stream to access developable portions of the project (Impact S1 and S2), and the partial fill of one wetland to accommodate lot fill due to an adjacent road's alignment (Impact W1). The project area for this determination includes approximately 31 acres which is illustrated on the enclosed site plans/maps. The action/review area is located between Harvey and Oakdale roads, south of Jamestown Parkway,, at Latitude 35.986177 and Longitude -79.922154; in Jamestown, Guilford County, North Carolina.

We have determined that the proposed work is authorized by Nationwide Permit 29 pursuant to authorities under Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. § 403), **and/or** Section 404 of the Clean Water Act (33 U.S.C. § 1344) **and** Section 14 of the Rivers and Harbors Act of 1899 (33 U.S.C. § 408). The proposed work must be accomplished in strict accordance with the general permit conditions, any regional conditions, the special conditions listed in this letter, the application materials, and the enclosed plans "Overall Impact Map for Oakdale Forest" (5pp). If the extent of the project area and/or nature of the authorized impacts to waters are modified, a revised PCN must be submitted to this office for written approval before work is initiated. Any violation of permit conditions or deviation from your submitted plans may subject the permittee to enforcement action.

This verification is valid until March 14, 2026, unless prior to this date the subject NWP(s) is suspended, revoked, or is modified such that the activity no longer complies

with the terms and conditions of this NWP. If you commence or are under contract to commence this activity before the date that the relevant NWP is modified or revoked, you will have 12 months from the date of the modification or revocation of the NWP to complete the activity under the present terms and conditions of this NWP.

Project Specific Special Conditions:

1. Suitable habitat for tricolored bat (*Perimyotis subflavus*) may be present at the site. On September 14, 2022, the USFWS published a proposal in the Federal Register to list the tricolored bat as endangered under the Endangered Species Act (ESA). The permittee understands and agrees that all work associated with the clearing and removal of trees and removal or modification of culverts must be completed prior to the effective date of the final listing in the Federal Register. Work associated with the aforementioned activities not completed by that time must cease and the permittee must contact the Corps' (insert PM contact information here) to determine if additional coordination with the United States Fish and Wildlife Service is required under Section 7 of the Endangered Species Act prior to continuing work.

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.

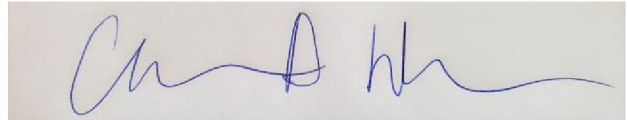
For activities occurring within the twenty coastal counties subject to regulation under the Coastal Area Management Act (CAMA), prior to beginning work you must contact the N.C. Division of Coastal Management in Wilmington, NC, at (910) 796-7215.

This NWP verification does not preclude the necessity to obtain any other Federal, State, or local permits, licenses, and/or certifications, which may be required.

If you have any questions related to this verification or have issues accessing documents referenced in this letter, please contact Christopher Hopper, PM of the Technical Regional Execution Center on behalf of the Raleigh Regulatory Office at (919) 588-9153, by mail at 100 West Oglethorpe St., Savannah, GA 31401, or by email at Christopher.d.hopper@usace.army.mil. If you have any questions related to follow-up actions associated with this permit, such as compliance inspections, please contact

Laura Meyer, PM of the Raleigh Regulatory Office at (919) 634-1595, by mail at 3331 Heritage Trade Drive, Suite 105, Wake Forest, North Carolina 27587, or by email at George.L.Phillips@usace.army.mil. Please take a moment to complete our customer satisfaction survey located at <https://regulatory.ops.usace.army.mil/ords/f?p=136:4>.

Sincerely,



Chris Hopper
Team Lead / Wilmington District Liaison

Enclosures

Cc (w/enclosures)

Brad Luckey, Pilot Environmental (via bluckey@pilotenviro.com)

General Conditions (33 CFR PART 320-330):

1. The time limit for completing the work authorized ends on **date**.

2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit you must obtain the signature of the new owner as outlined in General Condition 29 and forward a copy to this office to validate the transfer of this authorization.

5. You must comply with the conditions specified in the NC Division of Water Resources Individual certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.

6. You must allow a representative from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Compliance Certification Form

Action ID Number: SAW-2022-00649

County: Guilford

Permittee: Land Acquisition and Development Services, LLC, David Michaels

Project Name: None

Date Verification Issued: 11/22/2023

Project Manager: Chris Hopper

Within 30 days of 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: Chris Hopper
Raleigh Regulatory Office
3331 Heritage Trade Drive, Suite 105
Wake Forest, North Carolina 27587
or
Christopher.d.hopper@usace.army.mil**

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, and mitigation (if applicable), authorized by the above referenced permit has been completed in accordance with the terms and conditions of the said permit including any general or specific conditions.

Date Authorized Work Started: _____ **Completed:** _____

Describe any deviations from permit (attach drawing(s) depicting the deviations):

***Note: The description of any deviations on this form does not constitute approval by the Corps.**

Signature of Permittee

Date

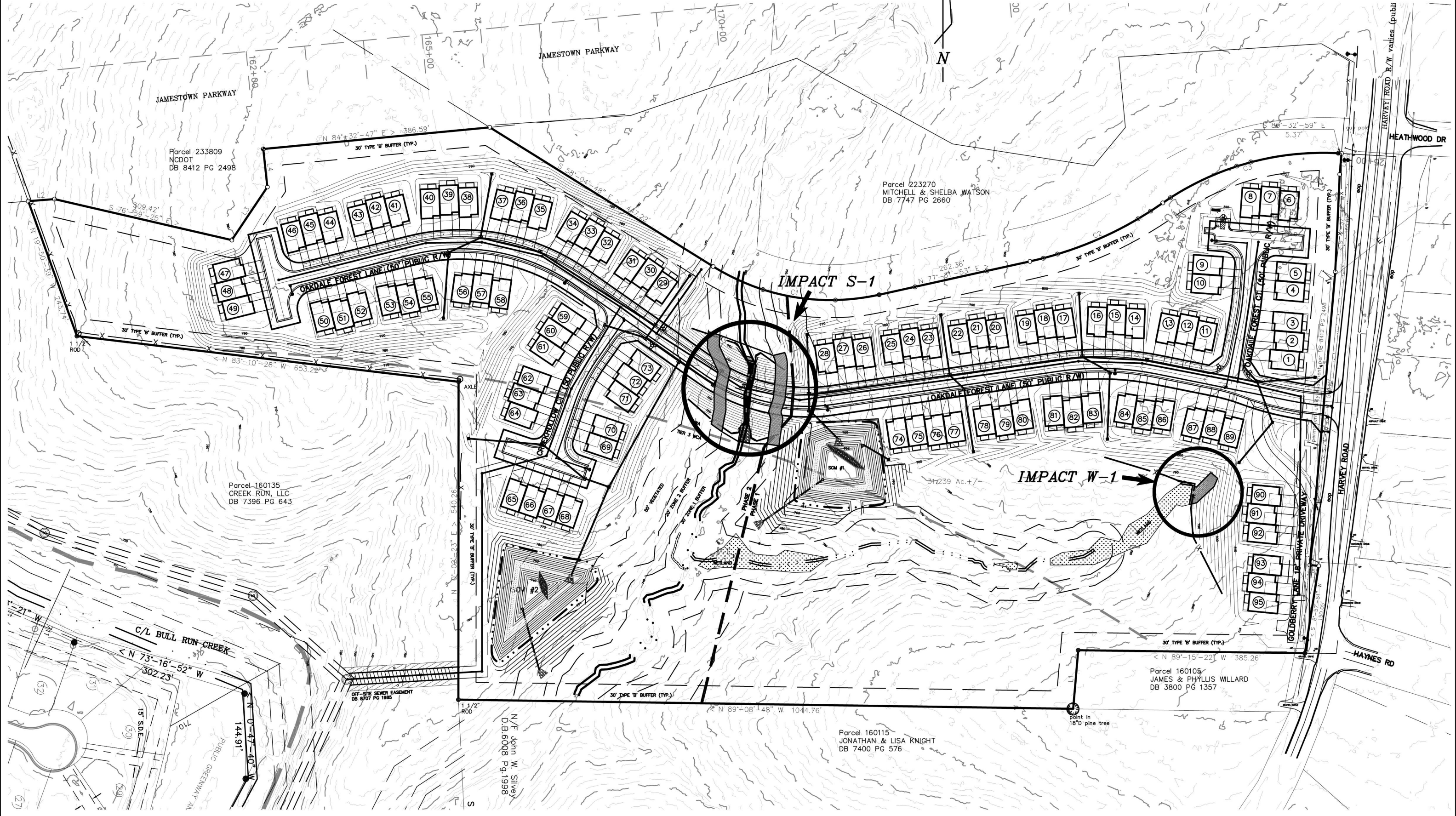
**OVERALL IMPACT MAP
FOR
OAKDALE FOREST
DEVELOPED BY
LAND ACQUISITION AND
DEVELOPMENT SERVICES, LLC**

TOWN OF JAMESTOWN
GUILFORD COUNTY, NORTH CAROLINA

JULY 2023
JOB No. 22-13



SCALE: 1" = 150'



IMPACT S-1
FOR
OAKDALE FOREST
 DEVELOPED BY
LAND ACQUISITION AND
DEVELOPMENT SERVICES, LLC
 TOWN OF JAMESTOWN
 GUILFORD COUNTY, NORTH CAROLINA

JULY 2023
 JOB No. 22-13

IMPACT QUANTITIES

ZONE 1 BUFFER: 0.299 AC (13,040 SF)
 ZONE 2 BUFFER: 0.148 AC (6,464 SF)

PIPE & HEADWALL FOOTINGS:
 0.019 AC (828 SF STREAM)
 108 LF @ 5'-12' WIDTH

RIP-RAP APRON: 0.004 AC (192 SF)
 (30 LF)

TEMP. BYPASS UPSTREAM:
 0.002 AC (73 SF) (6 LF)

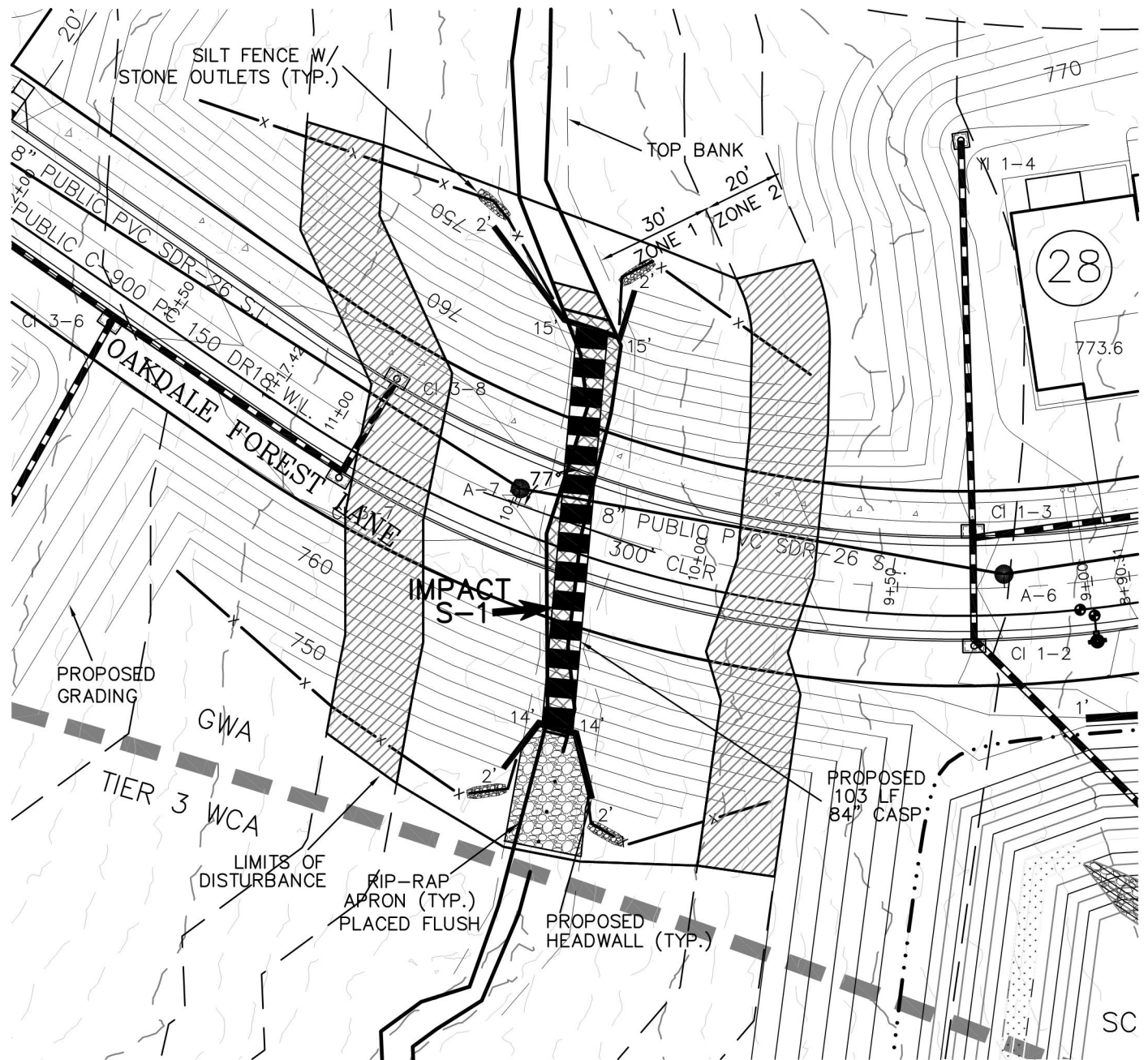
TEMP. BYPASS DOWN STREAM:
 (SEE RIP-RAP APRON)



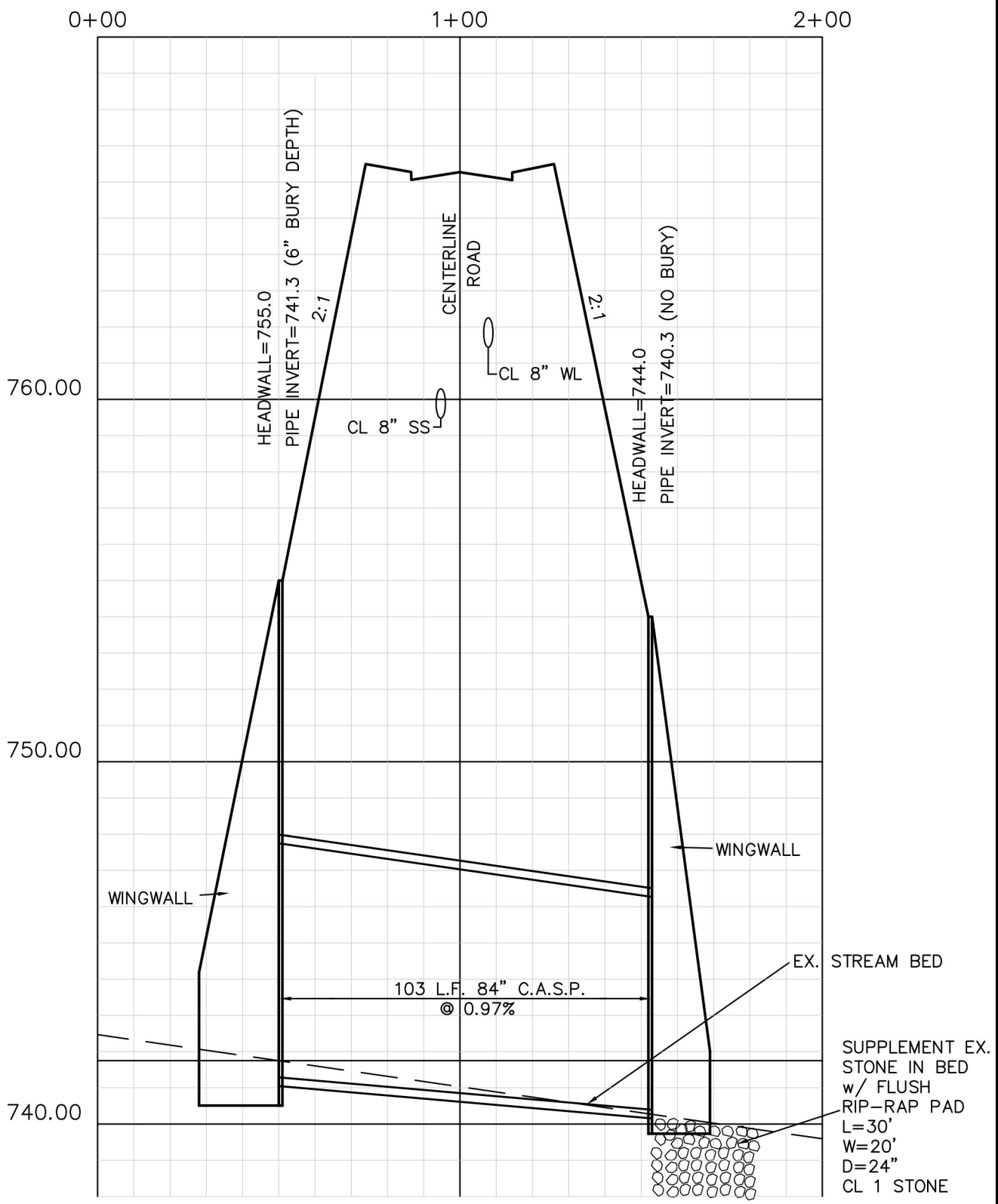
40' 30' 20' 10' 0 40' 80'



SCALE: 1"=40'



IMPACT S-1 CROSS SECTION FOR OAKDALE FOREST LANE



STA 10+36

RIPRAP INSTALLED
FLUSH WITH GRADE

EX. STREAM BED

SUPPLEMENT EX.
STONE IN BED
w/ FLUSH
RIP-RAP PAD
L=30'
W=20'
D=24"
CL 1 STONE



HORZ. SCALE: 1"=40'

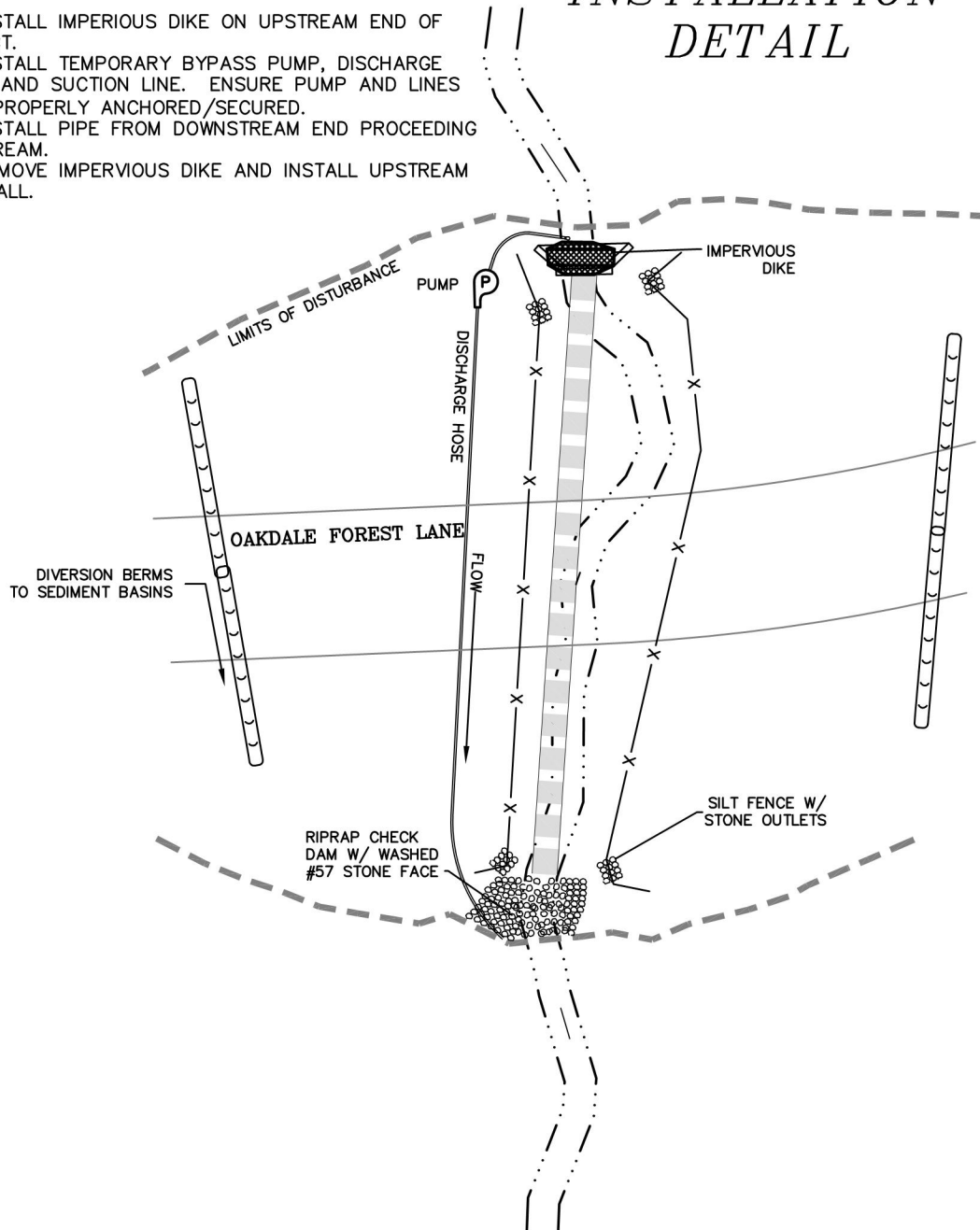


VERT. SCALE: 1"=4'

PIPE INSTALLATION CONSTRUCTION SEQUENCE:

1. INSTALL RIPRAP CHECK DAM WITH WASHED No. 57 STONE FACE.
2. INSTALL RIPRAP ENERGY DISSIPATER BELOW CHECK DAM.
3. INSTALL IMPERIOUS DIKE ON UPSTREAM END OF IMPACT.
4. INSTALL TEMPORARY BYPASS PUMP, DISCHARGE LINE, AND SUCTION LINE. ENSURE PUMP AND LINES ARE PROPERLY ANCHORED/SECURED.
5. INSTALL PIPE FROM DOWNSTREAM END PROCEEDING UPSTREAM.
6. REMOVE IMPERVIOUS DIKE AND INSTALL UPSTREAM ENDWALL.

PIPE INSTALLATION DETAIL



IMPACT QUANTITIES

WETLAND IMPACT: 0.028 AC (1,210 SF)

IMPACT W-1
FOR
OAKDALE FOREST
DEVELOPED BY
**LAND ACQUISITION AND
DEVELOPMENT SERVICES, LLC**
TOWN OF JAMESTOWN
GUILFORD COUNTY, NORTH CAROLINA

JULY 2023
JOB No. 22-13



SCALE: 1"=40'

