



Michael F. Easley, Governor

William G. Ross Jr., Secretary
North Carolina Department of Environment and Natural Resources

Coleen H. Sullins Director
Division of Water Quality

November 5, 2007

Melvin Brinkley, Manager
Snug Harbor Partners, LLC
216 New Berg Dr.
Chapin SC, 29036

**Subject: Permit No. SW8 070688
Snug Harbor – Wastewater Treatment Plant and Wellsites
Low Density Stormwater Project
Carteret County**

Dear Mr. Brinkley:

The Wilmington Regional Office received a complete Stormwater Management Permit Application for Snug Harbor – Wastewater Treatment Plant and Wellsites on August 30, 2007. Staff review of the plans and specifications has determined that the project, as proposed, will comply with the Stormwater Regulations set forth in Title 15A NCAC 2H.1000. We are forwarding Permit No. SW8 070688 dated November 5, 2007, for the construction of the subject project.

This permit shall be effective from the date of issuance until rescinded and shall be subject to the conditions and limitations as specified therein, and does not supercede any other agency permit that may be required.

If any parts, requirements, or limitations contained in this permit are unacceptable, you have the right to request an adjudicatory hearing upon written request within sixty (60) days following receipt of this permit. This request must be in the form of a written petition, conforming to Chapter 150B of the North Carolina General Statutes, and filed with the Office of Administrative Hearings, P.O. Drawer 27447, Raleigh, NC 27611-7447. 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 either David Cox or me at (910) 796-7215.

Sincerely,

Edward Beck
Regional Supervisor
Surface Water Protection Section

ENB/dwc: S:\WQS\STORMWAT\PERMIT\070688.nov07

cc: Myron P. Meadows
Carteret County Inspections
David Cox
Wilmington Regional Office
Central Files

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North Carolina
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STATE OF NORTH CAROLINA
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
DIVISION OF WATER QUALITY
STATE STORMWATER MANAGEMENT PERMIT
LOW DENSITY 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
Melvin Brinkley, Snugg Harbor Partners, LLC
Snugg Harbor Wastewater Treatment Plant & Wellsites
Carteret County
FOR THE

construction, operation and maintenance of a low density development in compliance with the provisions of 15A NCAC 2H .1000 (hereafter referred to as 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 Water Quality and considered a part of this permit.

The Permit shall be effective from the date of issuance until rescinded and shall be subject to the following specific conditions and limitations:

I. DESIGN STANDARDS

1. This permit covers the construction of 46,053 square feet of built-upon area.
2. The overall tract built-upon area percentage for the project must be maintained at 30%, as required by Section .1005 of the stormwater rules.
3. Approved plans and specifications for projects covered by this permit are incorporated by reference and are enforceable parts of the permit.
4. The only runoff conveyance systems allowed will be vegetated conveyances such as swales with minimum side slopes of 3:1 (H:V) as defined in the stormwater rules and approved by the Division.
5. No piping is allowed except that minimum amount necessary to direct runoff beneath an impervious surface such as a road or to provide access.
6. Unless specified elsewhere, permanent seeding requirements for the swales must follow the guidelines established in the North Carolina Erosion and Sediment Control Planning and Design Manual.
7. Roof drains must terminate at least 30 foot from the Mean High Water line.

II. SCHEDULE OF COMPLIANCE

1. Projects covered by this permit will maintain a minimum 30-foot wide vegetative buffer between all impervious areas and surface waters.

2. The permittee is responsible for verifying that the proposed built-upon area does not exceed the allowable built-upon area.
3. 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.
4. Prior to the subdivision and/or sale of this project, in whole or in part, the following deed restrictions must be recorded with the Office of the Register of Deeds:
 - a. The following covenants are intended to ensure ongoing compliance with State Stormwater Management Permit Number SW8 070688, as issued by the Division of Water Quality under NCAC 2H.1000.
 - b. The State of North Carolina is made a beneficiary of these covenants to the extent necessary to maintain compliance with the Stormwater Management Permit.
 - c. These covenants are to run with the land and be binding on all persons and parties claiming under them.
 - d. The covenants pertaining to stormwater may not be altered or rescinded without the express written consent of the State of North Carolina, Division of Water Quality.
 - e. Alteration of the drainage as shown on the approved plans may not take place without the concurrence of the Division of Water Quality.
 - f. Lots within CAMA's Area of Environmental Concern may have the permitted maximum built-upon area reduced due to CAMA jurisdiction within the AEC.
 - g. Construction of additional built-upon area in excess of 46,053 square feet will require a permit modification.
 - h. Construction of additional impervious areas such that low-density requirements are no longer met must be submitted to DWQ and a permit modification must be issued prior to construction. An engineered system will be required to collect and treat the runoff from all built-upon area associated with the project, including that area permitted under the low density option.
 - i. Filling in or piping of any vegetative conveyances (ditches, swales, etc.) associated with this development, except for average driveway crossings, is strictly prohibited by any persons.
 - j. A minimum 30' wide vegetated buffer area shall be provided between surface waters and all impervious surfaces.
5. A copy of the recorded restrictions must be received in this Office within 30 days of the date of sale.

6. Filling in or piping of any vegetative conveyances (ditches, swales, etc.) associated with the permitted development, except for average driveway crossings, is strictly prohibited by any persons.
7. Projects within CAMA's Area of Environmental Concern (AEC) are subject to a reduction of the permitted amount of built-upon area due to CAMA jurisdiction within the AEC.
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 the approved plans, regardless of size.
 - b. Project name change.
 - c. Transfer of ownership.
 - d. Redesign or addition to the approved amount of built-upon area.
 - e. Further subdivision, acquisition, or sale of the project area. The project area is defined as all property owned by the permittee, for which Sedimentation and Erosion Control Plan approval was sought.
 - f. Filling in, altering or piping any vegetative conveyance shown on the approved plan.
9. Swales and other vegetated conveyances shall be constructed in their entirety, vegetated, and be operational for their intended use prior to the construction of any built-upon surface.
10. During construction, erosion shall be kept to a minimum and any eroded areas of the swales or other vegetated conveyances will be repaired immediately.
11. The permittee shall at all times provide the operation and maintenance necessary to operate the permitted stormwater management systems at optimum efficiency to include:
 - a. Inspections
 - b. Sediment removal.
 - c. Mowing, and re-vegetating of the side slopes.
 - d. Immediate repair of eroded areas.
 - e. Maintenance of side slopes in accordance with approved plans and specifications.
12. Within 30 days of completion of the project, the permittee shall certify in writing that the project has been constructed in accordance with the approved plans.
13. The permittee shall submit all information requested by the Director or his representative within the time frame specified in the written information request.

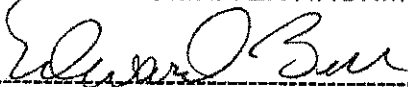
III. GENERAL CONDITIONS

1. Failure to abide by the conditions and limitations contained in this permit may subject the Permittee to an enforcement action by the Division of Water Quality, in accordance with North Carolina General Statutes 143-215.6A to 143-215.6C.
2. The permit issued shall continue in force and effect until revoked or terminated.

3. The permit may be modified, revoked and reissued or terminated for cause. The filing of a request for a permit modification, revocation and re-issuance, or termination does not stay any permit condition.
4. 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 Title 15A of the North Carolina Administrative Code, Subchapter 2H.1000; and North Carolina General Statute 143-215.1 et. al.
5. This permit is not transferable except after notice to and approval by the Director. The Director may require modification or revocation and re-issuance of the permit to change the name and incorporate such other requirements as may be necessary. A formal permit request must be submitted to the Division of Water Quality accompanied by the appropriate fee, documentation from both parties involved, and other supporting materials as may be appropriate. The approval of this request will be considered on its merits, and may or may not be approved. The permittee is responsible for compliance with all permit conditions until the Director approves the transfer.
6. The permittee grants permission to DENR Staff to enter the property for the purpose of inspecting all components of the stormwater management facility.
7. The permittee shall notify the Division of any name, ownership or mailing address changes within 30 days.
8. 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), which have jurisdiction.

Permit issued this the 5th day of November, 2007.

NORTH CAROLINA ENVIRONMENTAL MANAGEMENT COMMISSION



for Coleen H. Sullins, Director
Division of Water Quality
By Authority of the Environmental Management Commission

Permit Number SW8 070688

| OFFICE USE ONLY | | |
|-----------------|----------|---------------|
| Date Received | Fee Paid | Permit Number |
| 6-4-07 | 420.00 | SW8070683 |

SW8070688

State of North Carolina
Department of Environment and Natural Resources
Division of Water Quality

STORMWATER MANAGEMENT PERMIT APPLICATION FORM

This form may be photocopied for use as an original

I. GENERAL INFORMATION

1. Applicants name (specify the name of the corporation, individual, etc. who owns the project):
Snug Harbor Partners, LLC
2. Print Owner/Signing Official's name and title (person legally responsible for facility and compliance):
Brinkley Melvin - Manager
3. Mailing Address for person listed in item 2 above:
216 New Berg Road
City: Chapin State: SC Zip: 29036
Telephone Number: (803) 622-9491
4. Project Name (subdivision, facility, or establishment name - should be consistent with project name on plans, specifications, letters, operation and maintenance agreements, etc.) -
Snug Harbor - Wastewater Treatment Plant and Wellsites
5. Location of Project (street address):
252 Highway 70 E
City: Sea Level County: Carteret
6. Directions to project (from nearest major intersection):
South of US Highway 70 intersection with Salter's Creek bridge. 1/2 mile west of Sea Level
7. Latitude: 34 53' 00" Longitude: 76 24' 50" of project (SEE ATTACHMENT C)
8. Contact person who can answer questions about the project:
Name: Brinkley Melvin Telephone Number: (803) 622-9491

II. PERMIT INFORMATION:

1. Specify whether project is (check one): New Renewal Modification

2. If this application is being submitted as the result of a renewal or modification to an existing permit, list the existing permit number NA and its issue date (if known) _____

3. Specify the type of project (check one):
 Low Density High Density Redevelop General Permit Other

4. Additional Project Requirements (check applicable blanks):
 CAMA Major Sedimentation/Erosion Control 404/401 Permit NPDES Stormwater

Information on required state permits can be obtained by contacting the Customer Service Center at 1-877-623-6748.

III. PROJECT INFORMATION

1. In the space provided below, summarize how stormwater will be treated. Also attach a detailed narrative (one to two pages) describing stormwater management for the project.

The wastewater treatment plant and wellsites will treat the stormwater by grading the site to drain away from the center and towards the wooded buffer zones. The amount of impervious area on both sites is extremely small compared to the overall site, therefore, the stormwater is easily containable.

2. Stormwater runoff from this project drains to the White Oak River basin.

3. Total Project Area: 1,123,422 SF (25.79 Ac) acres 4. Project Built Upon Area: 0.0409 = 4.10%

5. How many drainage areas does the project have? 2

6. Complete the following information for each drainage area. If there are more than two drainage areas in the project, attach an additional sheet with the information for each area provided in the same format as below.

| Basin Information | Wastewater Treatment Plant | Wellsite |
|----------------------------|----------------------------|----------------------|
| Receiving Stream Name | Salters Creek | Salters Creek |
| Receiving Stream Class | SC Waters | SC Waters |
| Drainage Area | 990,721 SF (22.74 AC) | 132,701 SF (3.05 AC) |
| Existing Impervious* Area | 0.00 | 0.00 |
| Proposed Impervious* Area | 38,042 SF (0.87 AC) | 8,011 SF (0.18 AC) |
| % Impervious* Area (total) | 0.0384 = 3.84 % | 0.0603 = 6.00 % |

| Impervious* Surface Area | Wastewater Treatment Plant | Wellsite |
|--------------------------|----------------------------|---------------------------|
| On-site Streets | 7,843 SF (0.18 AC) | 6,406 SF (0.15 AC) |
| On-site Sidewalks | NA | NA |
| Club House & Parking | NA | NA |
| WWTP / Wellsite | 30,199 SF (0.69 AC) | 1,605 SF (0.04 AC) |
| Boat Storage | NA | NA |
| Lots | NA | NA |
| Future Development | NA | NA |
| | Total: 38,042 SF (0.87 AC) | Total: 8,011 SF (0.18 AC) |

* Impervious area is defined as the built upon area including, but not limited to, buildings, roads, parking areas, sidewalks, gravel areas, etc.

IV. DEED RESTRICTIONS AND PROTECTIVE COVENANTS (SEE ATTACHMENT B)

The following italicized deed restrictions and protective covenants are required to be recorded for all subdivisions, outparcels and future development prior to the sale of any lot. If lot sizes vary significantly, a table listing each lot number, size and the allowable built-upon area for each lot must be provided as an attachment.

1. *The following covenants are intended to ensure ongoing compliance with state stormwater management permit number _____ as issued by the Division of Water Quality. These covenants may not be changed or deleted without the consent of the State.*
2. *No more than _____ square feet of any lot shall be covered by structures or impervious materials. Impervious materials include asphalt, gravel, concrete, brick, stone, slate or similar material but do not include wood decking or the water surface of swimming pools.*
3. *Swales shall not be filled in, piped, or altered except as necessary to provide driveway crossings.*
4. *Built-upon area in excess of the permitted amount requires a state stormwater management permit modification prior to construction.*
5. *All permitted runoff from outparcels or future development shall be directed into the permitted stormwater control system. These connections to the stormwater control system shall be performed in a manner that maintains the integrity and performance of the system as permitted.*

By your signature below, you certify that the recorded deed restrictions and protective covenants for this project shall include all the applicable items required above, that the covenants will be binding on all parties and persons claiming under them, that they will run with the land, that the required covenants cannot be changed or deleted without concurrence from the State, and that they will be recorded prior to the sale of any lot.

V. SUPPLEMENT FORMS

The applicable state stormwater management permit supplement form(s) listed below must be submitted for each BMP specified for this project. Contact the Stormwater and General Permits Unit at (919) 733-5083 for the status and availability of these forms.

| | |
|--------------|--|
| Form SWU-102 | Wet Detention Basin Supplement |
| Form SWU-103 | Infiltration Basin Supplement |
| Form SWU-104 | Low Density Supplement |
| Form SWU-105 | Curb Outlet System Supplement |
| Form SWU-106 | Off-Site System Supplement |
| Form SWU-107 | Underground Infiltration Trench Supplement |
| Form SWU-108 | Neuse River Basin Supplement |
| Form SWU-109 | Innovative Best Management Practice Supplement |

VI. SUBMITTAL REQUIREMENTS

Only complete application packages will be accepted and reviewed by the Division of Water Quality (DWQ). A complete package includes all of the items listed below. The complete application package should be

1. Please indicate that you have provided the following required information by initialing in the space provided next to each item.

- Original and one copy of the Stormwater Management Permit Application Form
- One copy of the applicable Supplement Form(s) for each BMP
- Permit application processing fee of \$420 (payable to NCDENR)
- Detailed narrative description of stormwater treatment/management
- Two copies of plans and specifications, including:
 - Development/Project name
 - Engineer and firm
 - Legend
 - North arrow
 - Scale
 - Revision number & date
 - Mean high water line
 - Dimensioned property/project boundary
 - Location map with named streets or NCSR numbers
 - Original contours, proposed contours, spot elevations, finished floor elevations
 - Details of roads, drainage features, collection systems, and stormwater control measures
 - Wetlands delineated, or a note on plans that none exist
 - Existing drainage (including off-site), drainage easements, pipe sizes, runoff calculations
 - Drainage areas delineated
 - Vegetated buffers (where required)

Initials

MPM

MPM

MPM

MPM

MPM

VII. AGENT AUTHORIZATION

If you wish to designate authority to another individual or firm so that they may provide information on your behalf, please complete this section.

Designated agent (individual or firm): Carolina Engineers, PA.

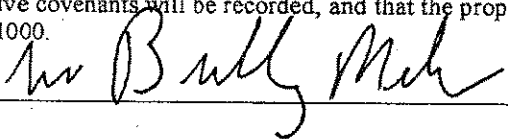
Mailing Address: P.O. Box 1595

City: New Bern State: NC Zip: 28563

Phone: (252) 633-2424 Fax: (252) 633-1370

VIII. APPLICANT'S CERTIFICATION

I, (print or type name of person listed in General Information, item 2) Brinkley Melvin, certify that the information included on this permit application form is, to the best of my knowledge, correct and that the project will be constructed in conformance with the approved plans, that the required deed restrictions and protective covenants will be recorded, and that the proposed project complies with the requirements of 15A NCAC 2H.1000.

Signature:  Date: 5/16/07

