

Permit Class
NEW

Permit Number
23-19

STATE OF NORTH CAROLINA
Department of Environmental Quality
and
Coastal Resources Commission

Permit

for

X Major Development in an Area of Environmental Concern
pursuant to NCGS 113A-118

X Excavation and/or filling pursuant to NCGS 113-229

Issued to Walnut Island POA, PO Box 73, Grandy, NC 27939

Authorizing development in Currituck County at within a man-made canal leading to Dowdy Bay, along Dolphin Ct. in Walnut Island S/D, as requested in the permittee's application dated 12/11/18, including attached workplan drawings (2), both dated 12/11/18.

This permit, issued on April 22, 2019, is subject to compliance with the application (where consistent with the permit), all applicable regulations, special conditions and notes set forth below. Any violation of these terms may be subject to fines, imprisonment or civil action; or may cause the permit to be null and void.

Excavation

- 1) In order to protect juvenile shrimp and finfish populations, no excavation or filling shall be permitted between April 1 and September 30 of any year without the prior approval of the Division of Coastal Management, in consultation with the NC Division of Marine Fisheries.
- 2) No excavation shall take place outside of the area indicated on the workplan drawings.
- 3) Excavation shall not exceed -4 feet below the normal water level. In no case shall the depth of excavation exceed the depth of connecting waters.
- 4) The temporary placement or double handling of excavated or fill materials within waters or vegetated wetlands is not authorized.

(See attached sheets for Additional Conditions)

This permit action may be appealed by the permittee or other qualified persons within twenty (20) days of the issuing date.

Signed by the authority of the Secretary of DEQ and the Chairman of the Coastal Resources Commission.

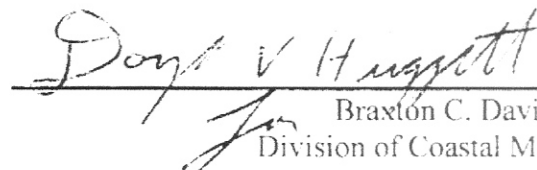
This permit must be accessible on-site to Department personnel when the project is inspected for compliance.

Any maintenance work or project modification not covered hereunder requires further Division approval.

All work must cease when the permit expires on

December 31, 2022

In issuing this permit, the State of North Carolina agrees that your project is consistent with the North Carolina Coastal Management Program.


Braxton C. Davis, Director
Division of Coastal Management

This permit and its conditions are hereby accepted.

Signature of Permittee

ADDITIONAL CONDITIONS

- 5) No excavated or fill material shall be placed at any time in any vegetated wetlands or surrounding waters.
- 6) If the crossing of wetlands with mechanized construction equipment is necessary, temporary construction mats shall be utilized for the areas to be crossed. The temporary mats shall be removed immediately upon completion of construction.

Spoil Disposal

- 7) No spoil material shall be placed within 30 feet of the normal water line.
- 8) All excavated materials shall be confined above normal water line and landward of regularly or irregularly flooded marsh behind adequate dikes or other retaining structures to prevent spillover of solids into any marsh or surrounding waters.
- 9) The spoil disposal area shall be inspected and approved by a representative of the Division of Coastal Management prior to the commencement of any dredging activities.
- 10) The permittee and/or his contractor shall take all necessary precautions to ensure that the spoil material is properly contained during transport to the disposal site.

Maintenance Clause

- 11) The Division of Coastal Management shall be notified in writing at least two (2) weeks in advance of any maintenance work authorized by this permit, and such notification shall include:
 - A. The number of the original permit.
 - B. A statement that no dimensional changes are proposed.
 - C. A copy of the original permit plans with cross-hatching indicating the area to be maintained, the area to be used for spoil disposal, and the estimated amount of material to be removed. The location, design and holding capacity of the spoil disposal site shall be approved by a representative of the Division prior to the initiation of any maintenance dredging activities.
 - D. The date of map revision and the permittee's signature shown anew on the original plan.

General

- 12) This permit shall not be assigned, transferred, sold, or otherwise disposed of to a third party without the written approval of the Division of Coastal Management.
- 13) The permittee shall maintain the authorized work in good condition and in conformance with the terms and conditions of this permit. The permittee is not relieved of this requirement if he or she abandons the permitted activity without having it transferred to a third party.
- 14) The permittee and/or his or her contractor shall meet with a representative of the Division prior to project initiation.

NOTE: This permit does not eliminate the need to obtain any additional state, federal or local permits, approvals or authorizations that may be required.

ADDITIONAL CONDITIONS

- NOTE:** The U.S. Army Corps of Engineers authorized the project by way of Programmatic General Permit 198000291 (Action ID SAW-2019-00494).
- NOTE:** The N.C. Division of Water Resources authorized the proposed project by way of General Water Quality Certification 4144 and assigned the project DWR Project No. 2019-0025 V1.
- NOTE:** Future development of the permittee's property may require a modification of this permit. Contact a representative of the Division at (252) 264-3901 prior to the commencement of any such activity for this determination. The permittee is further advised that many non-water dependent activities are not authorized within 30 feet of the normal water level.
- NOTE:** An application processing fee of \$400 was received by DCM for this project. This fee also satisfied the Section 401 application processing fee requirements of the Division of Water Resources.