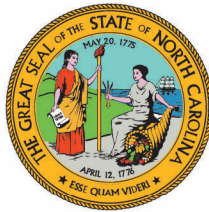


ROY COOPER
Governor

ELIZABETH S. BISER
Secretary

WILLIAM E. TOBY VINSON, JR.
Interim Director



NORTH CAROLINA
Environmental Quality

September 18, 2023

Brookside Christian Academy
Attn: Meredith Gordon, President/Secretary
804 W. Broad Street
Dunn, NC 28334

**Subject: Fast Track Authorization to Construct (ATC) Permit No. SWA000221
Brookside Christian Academy
Harnett County**

Dear Mrs. Gordon:

The Division of Energy, Mineral and Land Resources received a complete "Authorization to Construct" (ATC) Permit Application Form for the subject project on September 13, 2023 to be permitted under the Post-Construction State Stormwater Fast Track Process. Staff have reviewed the application materials and have determined that the project, as proposed, complies with the Stormwater Regulations set forth in Rule 15A NCAC 02H.1043. We are hereby forwarding Authorization to Construct Permit No. SWA000221 dated September 18, 2023, for the construction of the stormwater control measures (SCMs) and built-upon area associated with the subject project.

This Authorization to Construct Permit does not constitute an approval of the project at its completion. Approval of this project at completion will be based on Division review and approval of the final permit application completed by a North Carolina licensed professional. It shall be the Permittee's and the licensed professional's responsibility to ensure that the as-built project meets the appropriate stormwater rules. Failure to comply may result in penalties in accordance with North Carolina General Statute §143-215.6A through §143-215.6C and/or referral of the licensed professional to the appropriate North Carolina licensing board.

This Authorization to Construct Permit shall be effective from the date of issuance until September 18, 2028 and does not supersede any other agency permit that may be required. The project shall be subject to the conditions and limitations as specified therein. Failure to comply with these requirements will result in future compliance problems. Please note that this Authorization to Construct Permit is not transferable except after notice to and approval by the Division. The Division may require rescission and/or revocation and reissuance of this permit.

This project will be kept on file at the Fayetteville Regional Office. If you have any questions concerning this permit, please contact Jim Farkas in the Central Office, at (919) 707-3646 or postconstruction@deq.nc.gov.

Sincerely,

Original signed by James Farkas

For William E. Toby Vinson, Jr., Interim Director
Division of Energy, Mineral and Land Resources

Enclosures: Attachment A – Fast Track Construction Commencement Form
Application Documents

DES/jf: \\WaterResources\DEMLR - Stormwater\SW Permits\SWA000221

cc: Fleet Temple, PE; Fleet Temple Engineering, PLLC



North Carolina Department of Environmental Quality | Division of Energy, Mineral and Land Resources
512 North Salisbury Street | 1612 Mail Service Center | Raleigh, North Carolina 27699-1612
919.707.9200

Stephen Hodges, City of Dunn Building Inspections
NCDOT District Engineer
Tim LaBounty, DEMLR
Fayetteville Regional Office Stormwater File

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

POST-CONSTRUCTION STORMWATER FAST TRACK PROCESS:
AUTHORIZATION TO CONSTRUCT (ATC) PERMIT

In compliance with the provisions of Article 21 of Chapter 143, General Statutes of North Carolina as amended, and other applicable Laws, Rules and Regulations promulgated and adopted by the North Carolina Environmental Management Commission, including 15A NCAC 02H.1000 ("stormwater rules"),

PERMISSION IS HEREBY GRANTED TO

Brookside Christian Academy

Brookside Christian Academy

2004 US 301 N., Dunn, Harnett County

FOR THE

construction of a fast track project and its associated stormwater control measures (SCMs) as outlined in the approved Fast-Track application, site plan, and supporting documentation (the "preliminarily approved documentation") as attached and/or on file with the Division of Energy, Mineral and Land Resources (the "Division" or "DEMLR"). The preliminarily approved documentation is incorporated by reference and are enforceable parts of this permit. This project is discharging to receiving waters designated as Stony Run, a class C;Sw water in the Cape Fear River Basin and is to be designed in compliance with the provisions of 15A NCAC 02H.1000 and the minimum design criteria (MDC) specified therein (the "stormwater rules") and enforced by the Division.

This permit shall be effective from the date of issuance until September 18, 2028, and shall be subject to the following specified conditions and limitations:

1. **COMPLIANCE WITH THE STORMWATER RULES.** The project and all SCMs (including existing SCMs associated with the project) shall meet all applicable requirements of 15A NCAC 02H .1000 through .1062, including the Minimum Design Criteria (MDC), upon project completion. This includes the following Sections of 15A NCAC 02H .1000:
 - [.1003](#) Requirements that Apply to All Projects
 - [.1017](#) NPDES MS4 and Urbanizing Areas: Post-Construction Requirements
 - [.1043](#) Fast Track Permitting Process: Authorization to Construct
 - [.1044](#) Fast Track Permitting Process: Final Permit
 - [.1045](#) Requirements for Permit Transfers and Permit Renewals
 - [.1050](#) MDC for All Stormwater Control Measures
 - [.1051-.1062](#) MDC for Specific Stormwater Control Measures, as applicable
2. **HIGHLIGHT OF SPECIFIC RULE REQUIREMENTS.** The project shall comply with all applicable provisions of the stormwater rules listed above. Some specific rule requirements to be aware of include:
 - a. **HIGH DENSITY REQUIREMENTS.** The information provided in the application indicates that this is a high density project and, as such, shall comply with all applicable high density requirements of the stormwater rules.

- b. PROJECT AREA. The attached site plan depicts this project as a single project with a project area of 577,553 square feet. The locations of all SCMs, streams, wetlands, buffers, and vegetated setbacks are shown on the site plan.
 - c. VEGETATED SETBACKS. A vegetated setback shall be provided adjacent to surface waters per the requirements of Rule 15A NCAC 02H .1003(4) , G.S. 143-214.7(b2)(2) as amended by Session Law 2018-145 and other applicable stormwater rules to which the project is subject.
 - d. RECORDED DOCUMENT REQUIREMENTS. The stormwater rules require the following documents to be recorded and must be submitted to obtain the final permit as stated in 15A NCAC 02H.1044:
 - i. Deed restrictions and protective covenants;
 - ii. Access and/or easements;
 - iii. Operation and maintenance agreement;
 - iv. If a final plat is recorded, it must include a reference to the recorded operation and maintenance agreement;
 - v. Deeds for individual lots with a reference to the deed restrictions and protective covenants.
 - e. OPERATION AND MAINTENANCE. During the term of the ATC, all operation and maintenance for the project shall follow the Erosion Control Plan requirements until the Sediment-Erosion Control devices are converted to SCMs. Once the devices are converted to SCMs, the permittee shall provide and perform the operation and maintenance necessary, as listed in the recorded operation and maintenance agreement, to assure that all components of the permitted on-site stormwater system function at the intended design condition.
 - f. NO ALTERNATIVES TO THE MDC. The project shall not propose an alternative design, nor shall it claim an exemption from the MDC based on vested rights, a waiver or a Director's Certification.
3. ATC PERMIT ADMINISTRATION. In accordance with 15A NCAC 02H .1043 and .1044, the following administrative procedures shall apply:
- a. PROJECT AREA CHANGES. If the project area changes, then this ATC permit shall be rendered null and void and the project must either apply for a new ATC or standard permit.
 - b. LICENSED PROFESSIONAL. A licensed professional of record must be maintained for the duration of the project and who will prepare, certify, and submit the as-built package to obtain the final permit. If another licensed professional is retained before the project is complete, then an updated guaranty must be submitted. The original licensed professional is required to inform the Division that they are no longer associated with the project.
 - c. CHANGES TO THE PROJECT NAME, PERMITTEE NAME OR CONTACT INFORMATION: The permittee shall submit a completed Permit Information Update Application Form to the Division within 30 days to making any one of these changes.
 - d. TRANSFER. This permit is not transferable to any person or entity except after notice to and approval by the Director. Neither the sale of the project, in whole or in part, nor the conveyance of common area to a third party constitutes an approved transfer of the ATC stormwater permit. The permittee is responsible for compliance with all permit conditions until such time as the Division approves the transfer request. If the project is sold without notification to DEMLR, then this ATC permit shall be rendered null and void, the project will be out of compliance, and construction will not be allowed until a new standard permit application is submitted and approved for the project.

- e. **TRANSFER REQUEST.** To transfer this permit, either submit a new ATC application form (with all required items) or apply for a standard stormwater permit through the standard permitting process. Full or partial designers' certifications must be completed and submitted with the new ATC application or the new standard permit application for any SCMs that were already completed under the ATC. The transfer request must include the appropriate application, documentation and the processing fee as outlined in 15A NCAC 02H.1045(2). This request must be submitted within 90 days of the permit holder meeting one or more of the following:
 - i. A natural person who is deceased;
 - ii. A partnership, limited liability corporation, corporation, or any other business association that has been dissolved;
 - iii. A person or entity who has been lawfully and finally divested of title to the property on which the permitted activity is occurring or will occur through foreclosure, bankruptcy, or other legal proceeding.
 - iv. A person or entity who has sold the property, in whole or in part, on which the permitted activity is occurring or will occur;
 - f. **RENEWAL.** This ATC permit may be renewed by providing a renewal application with all required items at least 180 days prior to the expiration date of this permit. The renewal request must include the appropriate application, documentation and the processing fee as outlined in 15A NCAC 02H.1045(3).
 - g. **EXPIRATION.** If the ATC permit expires, the project shall be considered out of compliance, and thus shall be disqualified from renewal through the fast track permitting process. In this case, the permittee shall obtain a permit through the standard permitting process to complete the project. Full or partial designer certifications must be completed and submitted with the standard permit application for any SCMs that were already completed under the ATC.
4. **DOCUMENTATION AND INSPECTION.** The ATC application and required items and technical design documents shall be available upon request by the Division throughout the life of this permit. A copy of the ATC application and permit shall be maintained on file by the Permittee at all times. In addition, the permittee grants Division staff permission to enter the property during normal business hours to inspect the project and all components of the stormwater management facility.
 5. **COMMENCEMENT OF CONSTRUCTION.** DEMLR shall be notified at least 48 hours in advance of constructing the approved project by submitting the completed Construction Commencement Form found in Attachment A.
 6. **FINAL FAST-TRACK PERMIT APPLICATION.** Within 45 days of completion of the project, a Final Fast Track Stormwater Permit Application and all required items shall be submitted to DEMLR in accordance with Rule 15A NCAC 02H .1044(3). Approval of the as-built stormwater plans shall be required before the Erosion and Sedimentation Control Plan for the project may be closed out.
 7. **ENFORCEMENT.** Any individual or entity found to be in noncompliance with the provisions of a stormwater management permit or the requirements of the stormwater rules is subject to enforcement action as set forth in NCGS 143, Article 21. Any of the following actions shall be considered a violation of the stormwater rules and are grounds for enforcement action in accordance with NCGS 143-215.6A:
 - a. Failure to abide by the conditions contained in this permit.
 - b. Knowingly making false statement, representation, or certification regarding this project.
 - c. Failure to maintain a licensed professional of record for the duration of the project.
 8. **DIRECTOR'S AUTHORITY.** The Director may modify, revoke, reissue or terminate this permit for cause as allowed by 15A NCAC 02H.1000 and NCGS 143-215.1.

9. OTHER REQUIREMENTS AND/OR PERMITS. The issuance of this permit does not preclude the permittee from obtaining and complying with any and all other permits or approvals that are required in order for this development to take place, as required by any statutes, rules, regulations, or ordinances, which are imposed by any other Local, State or Federal government agency having jurisdiction.

Permit issued this the 18th day of September 2023.

NORTH CAROLINA ENVIRONMENTAL MANAGEMENT COMMISSION

Original signed by James Farkas

For William E. Toby Vinson, Jr., Interim Director
Division of Energy, Mineral and Land Resources
By Authority of the Environmental Management Commission

ATC Permit Number SWA000221

Attachment A

Fast Track Construction Commencement Form

ATC Permit No. SWA000221
Brookside Christian Academy
Harnett County

Complete and submit this form (**NO SUBSTITUTES**) to the Fayetteville Regional Office

The undersigned hereby notifies the agency below that the construction of this project is expected to commence on _____ (mm/dd/yyyy) and is expected to be completed by _____ (mm/dd/yyyy). **I understand that this project shall not be considered complete until the Division has received the final Fast-Track Stormwater Permit Application Form and all required supporting documentation.**

Signature of Permit Holder

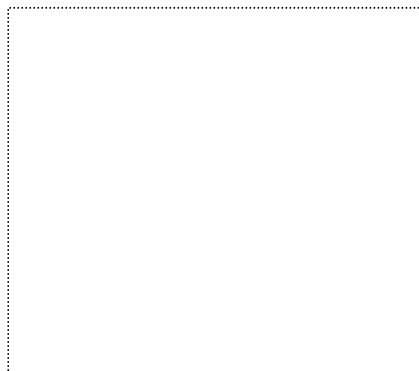
Title (if any)

Date

Designer's Certification

I, _____, as a duly registered Licensed Professional in the State of North Carolina, having been authorized to observe (periodically, weekly, full time) the construction of the subject project on behalf of the Permittee. I hereby state that, to the best of my abilities, due care and diligence will be used such that the project and all stormwater control measures (SCMs) shall be constructed to meet all applicable requirements of 15A NCAC 02H Section .1000-.1062, including the Minimum Design Criteria (MDC).

North Carolina Licensed Professional Seal, signature, and date:



It is highly recommended that this notification be sent in a manner that provides proof of receipt by the Division. The Division does not acknowledge receipt of Fast Track Construction Commencement Notification Forms.

Submit this form to the following Office:

*Division of Energy, Mineral and Land Resources c/o Melissa Joyner
Post-Construction Stormwater Management Program
Fayetteville Regional Office
225 Green Street, Suite 714
Fayetteville, NC 28301-5095*