Energy, Mineral
and Land Resources
ENVIRONMENTAL QUALITY

ROY COOPER
Governor
MICHAEL S. REGAN
Secretary
TRACY DAVIS
Director

May 3, 2017

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
Woodlake CC Corp.
c/o National Corporate Research, Ltd.
212 South Tryon Street; Suite 1000
Charlotte, North Carolina 28281

RE: **Approval to Temporary Breach Woodlake Dam**
State Dam ID: MOORE-040
Moore County

Dear Sir or Madam:

This letter is in response to your submission received on May 1, 2017 of plans, specifications, and design data to breach the subject dam in compliance with the Dam Safety Law of 1967. The plans, specifications and design data submitted to this office were prepared under the supervision of Mr. Robert T. Indri, PE.

This letter constitutes approval of your proposal to breach the subject dam according to the plans and specifications submitted to this Division on May 1, 2017 with the following stipulations:

1. Project construction shall be supervised by Mr. Robert T. Indri, PE. Mr. Robert T. Indri, PE, shall be responsible for field observation of construction as necessary to ensure compliance with the approved plans and specifications [GS 143-215.29].

2. The impoundment shall be completely drained and remain in a drained state at all times until an approval to impound is issued by this Division.

3. During construction, this Division may require such progress reports as are deemed necessary in addition to the ongoing submittal of weekly written status reports as required by the Consent Judgment dated March 15, 2017.

4. In accordance with GS 143-215.29 and NCAC 15A-2K .0203, .0212, .0215, and .0216, within 30 days of completion of the project, Mr. Robert T. Indri, PE shall inspect the completed work and upon finding (a) that the work has been done as specified, (b) that the temporary breach has been sufficiently stabilized to restrain accelerated erosion, and (c) the remains of the dam are safe, shall file with this Division two sets of record drawings and a certificate stating that the work has been completed in accordance with the approved plans and other requirements, and the remains of the dam are safe.

5. This approval does not convey the right to access the private property of others. Any required access to perform the approved work must be secured prior to initiation of construction activities. You must notify Mr. Brad Cole, PE, Chief of Regional Operations, Land Quality Section, 512 N Salisbury Street, Raleigh, North Carolina 27604, telephone number (919) 707-9221 before the start of construction.

The engineer-of-record or his qualified representative shall provide continuous on-site observations from the time construction commences until the time construction concludes. Weather forecasts shall be monitored by the engineer-of-record or his qualified representative to ensure that no accidental breach of the dam occurs during a rain event while construction is underway. All safeguards shall be taken to ensure that the reservoir is completely drained and remains in a drained state during and after construction. If a rain event should occur during construction, all resources shall be implemented to ensure that the reservoir stays in a drained state. Should a rain event be forecasted, or other conditions of concern arise, the owner or their representative shall take immediate steps to: (a) drain the reservoir, (b) notify their engineer, and (c) notify this Division of the conditions at the site.

The Army Corps of Engineers and the Division of Water Resources of this Department should be contacted to determine if additional permits are required. Also, the erosion and sediment control program having jurisdiction should be contacted to determine permit requirements. In any case, sediment must be prevented from entering the waters of the state or flowing onto neighboring property.

Please contact Mr. Nick Mills at the Fayetteville Regional Office at (910) 433-3300 or a staff member of the Dam Safety Program in the Raleigh Central Office at telephone number (919) 707-9220.

Sincerely,

Tracy E. Davis, PE, CPM

TED/bsc

cc: Mr. Robert T. Indri, PE, Schnabel Engineering South, P.C.
Ms. Julie Watson, Woodlake CC Corp
Ms. Carolyn McLain, Esq., NC Attorney General's Office
Mr. John Payne, Esq., NC Attorney General's Office
Mr. Doug Ansel, Esq., DEQ Office of General Counsel
Mr. Toby Vinson, PE, DEMLR Chief of Program Operations
Mr. Brad Cole, PE, DEMLR Chief of Regional Operations
Mr. Nick Mills, DEMLR Fayetteville Regional Office
Fayetteville Regional Office Surface Water Protection Regional Supervisor

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