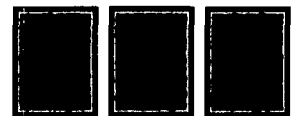


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Administrator

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Copies Requested: 1
Account:
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Printed For: Administrator

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Job Messages

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Document Name: G-B-004_HNP_USACE_Reservoir_Construction_Permit.pdf

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Type: plain
Coating Type: None

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Stapling/Finishing: No Finishing

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Image Adjustments:
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Job Messages

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The online help contains information regarding the fields in this report.

Document title

Harris Plant: Reservoir Construction Permit

Document number

EVC-HNPC-00010

Applies to: Harris Plant – Carolina's

Keywords: Environmental; Environmental Compliance Manual; ESS Organization



DEPARTMENT OF THE ARMY
WILMINGTON DISTRICT, CORPS OF ENGINEERS
P. O. BOX 1890
WILMINGTON, NORTH CAROLINA 28401

Mr. P. W. Howe
Advised

SAWCO77-N-019-006-0441

13 October 1977

Mr. M. A. McDuffie
Carolina Power and Light Company
PO Box 1551
Raleigh, NC 27602

Dear Mr. McDuffie:

In accordance with your written request of 31 May 1977 and the ensuing administrative record, there is inclosed a permit to place fill material in Buckhorn Creek, its tributaries, and adjacent/contiguous wetlands to provide for construction of an earthen dam and associated facilities to establish a makeup water reservoir to support the proposed Shearon Harris Nuclear Power Plant, east of Corinth, in Chatham County, North Carolina.

If any material changes in the location or plans of the structure or work are found necessary on account of unforeseen or altered conditions or otherwise, revised plans should be submitted promptly to the District Engineer so that these revised plans, if found unobjectionable, may be approved before construction begins.

The periodic maintenance dredging clause was not included in this permit as that authorization is limited to those projects accomplished for navigational purposes. Excavation you might later conduct in the makeup water reservoir will not be subject to our regulatory jurisdiction as long as a highland area is used for retention of excavated materials.

Condition (n) of the inclosed permit requires the permittee to notify this office of the commencement and completion dates. Should you require time beyond that allowed to commence or complete your work, please submit a timely written request for permit modification.

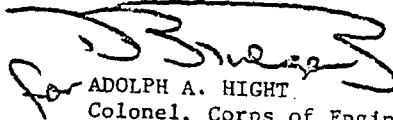
CERTIFIED MAIL - RETURN RECEIPT REQUESTED

SAWCO77-N-019-006-0441
Mr. M. A. McDuffie

13 October 1977

The inclosed Notice of Authorization must be conspicuously displayed at the site of the work.

Sincerely yours,



ADOLPH A. HIGHT
Colonel, Corps of Engineers
District Engineer

- 2 Incl
1. Permit
2. ENG Form 4336

Application No. SAWCO77-N-019-006-0441
Name of Applicant Carolina Power and Light Company
Effective Date See page 4
Expiration Date (if applicable) 31 December 1980

DEPARTMENT OF THE ARMY
PERMIT

Referring to written request dated 31 May 1977 for a permit to:
() Perform work in or affecting navigable waters of the United States, upon the recommendation of the Chief of Engineers, pursuant to Section 10 of the Rivers and Harbors Act of March 3, 1899 (33 U.S.C. 403);

(X) Discharge dredged or fill material into navigable waters upon the issuance of a permit from the Secretary of the Army acting through the Chief of Engineers pursuant to Section 404 of the Federal Water Pollution Control Act (86 Stat. 816, P.L. 92-500);

() Transport dredged material for the purpose of dumping it into ocean waters upon the issuance of a permit from the Secretary of the Army acting through the Chief of Engineers pursuant to Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (86 Stat. 1052; P.L. 92-532);

Carolina Power and Light Company
PO Box 1551
Raleigh, NC 27602
◀ (Here insert the full name and address of the permittee)

is hereby authorized by the Secretary of the Army:
to place fill material to provide for construction of an earthen dam and associated facilities to establish a makeup water reservoir to support the proposed Weyerhaeuser Harris Nuclear Power Plant

◀ (Here describe the proposed structure or activity, and its intended use. In the case of an application for a fill permit, describe the structures, if any, proposed to be erected on the fill. In the case of an application for the discharge of dredged or fill material into navigable waters or the transportation for discharge in ocean waters of dredged material, describe the type and quantity of material to be discharged.)

in Buckhorn Creek, its tributaries, and adjacent/contiguous wetlands

◀ (Here to be named the ocean, river, harbor, or waterway concerned.)

5/2 east of Corinth, Chatham County, North Carolina

◀ (Here to be named the nearest well-known locality—preferably a town or city—and the distance in miles and tenths from some definite point in the same, stating whether above or below or giving direction by points of compass.)

in accordance with the plans and drawings attached hereto which are incorporated in and made a part of this permit (on drawings: give file number or other definite identification marks);

subject to the following conditions:

1. General Conditions:

a. That all activities identified and authorized herein shall be consistent with the terms and conditions of this permit; and that any activities not specifically identified and authorized herein shall constitute a violation of the terms and conditions of this permit which may result in the modification, suspension or revocation of this permit, in whole or in part, as set forth more specifically in General Conditions j or k hereto, and in the institution of such legal proceedings as the United States Government may consider appropriate, whether or not this permit has been previously modified, suspended or revoked in whole or in part.

WNG FORM 1 APR 74 1721 EDITION OF JUNE 1969 IS OBSOLETE.

(ER 1145-2-303)

b. That all activities authorized herein shall, if they involve a discharge or deposit into navigable waters or ocean waters, be at all times consistent with applicable water quality standards, effluent limitations and standards of performance, prohibitions, and pretreatment standards established pursuant to Sections 301, 302, 306 and 307 of the Federal Water Pollution Control Act of 1972 (P.L. 92-500; 86 Stat. 816), or pursuant to applicable State and local law.

c. That when the activity authorized herein involves a discharge or deposit of dredged or fill material into navigable waters, the authorized activity shall, if applicable water quality standards are revised or modified during the term of this permit, be modified, if necessary, to conform with such revised or modified water quality standards within 6 months of the effective date of any revision or modification of water quality standards, or as directed by an implementation plan contained in such revised or modified standards, or within such longer period of time as the District Engineer, in consultation with the Regional Administrator of the Environmental Protection Agency, may determine to be reasonable under the circumstances.

d. That the permittee agrees to make every reasonable effort to prosecute the work authorized herein in a manner so as to minimize any adverse impact of the work on fish, wildlife and natural environmental values.

e. That the permittee agrees to prosecute the work authorized herein in a manner so as to minimize any degradation of water quality.

f. That the permittee shall permit the District Engineer or his authorized representative(s) or designee(s) to make periodic inspections at any time deemed necessary in order to assure that the activity being performed under authority of this permit is in accordance with the terms and conditions prescribed herein.

g. That the permittee shall maintain the structure or work authorized herein in good condition and in accordance with the plans and drawings attached hereto.

h. That this permit does not convey any property rights, either in real estate or material, or any exclusive privileges; and that it does not authorize any injury to property or invasion of rights or any infringement of Federal, State, or local laws or regulations, nor does it obviate the requirement to obtain State or local assent required by law for the activity authorized herein.

i. That this permit does not authorize the interference with any existing or proposed Federal project and that the permittee shall not be entitled to compensation for damage or injury to the structures or work authorized herein which may be caused by or result from existing or future operations undertaken by the United States in the public interest.

j. That this permit may be summarily suspended, in whole or in part, upon a finding by the District Engineer that immediate suspension of the activity authorized herein would be in the general public interest. Such suspension shall be effective upon receipt by the permittee of a written notice thereof which shall indicate (1) the extent of the suspension, (2) the reasons for this action, and (3) any corrective or preventative measures to be taken by the permittee which are deemed necessary by the District Engineer to abate imminent hazards to the general public interest. The permittee shall take immediate action to comply with the provisions of this notice. Within ten days following receipt of this notice of suspension, the permittee may request a hearing in order to present information relevant to a decision as to whether his permit should be reinstated, modified or revoked. If a hearing is requested, it shall be conducted pursuant to procedures prescribed by the Chief of Engineers. After completion of the hearing, or within a reasonable time after issuance of the suspension notice to the permittee if no hearing is requested, the permit will either be reinstated, modified or revoked.

k. That this permit may be either modified, suspended or revoked in whole or in part if the Secretary of the Army or his authorized representative determines that there has been a violation of any of the terms or conditions of this permit or that such action would otherwise be in the public interest. Any such modification, suspension, or revocation shall become effective 30 days after receipt by the permittee of written notice of such action which shall specify the facts or conduct warranting same unless (1) within the 30-day period the permittee is able to satisfactorily demonstrate that (a) the alleged violation of the terms and the conditions of this permit did not, in fact, occur or (b) the alleged violation was accidental, and the permittee has been operating in compliance with the terms and conditions of the permit and is able to provide satisfactory assurances that future operations shall be in full compliance with the terms and conditions of this permit; or (2) within the aforesaid 30-day period, the permittee requests that a public hearing be held to present oral and written evidence concerning the proposed modification, suspension or revocation. The conduct of this hearing and the procedures for making a final decision either to modify, suspend or revoke this permit in whole or in part shall be pursuant to procedures prescribed by the Chief of Engineers.

l. That in issuing this permit, the Government has relied on the information and data which the permittee has provided in connection with his permit application. If, subsequent to the issuance of this permit, such information and data prove to be false, incomplete or inaccurate, this permit may be modified, suspended or revoked, in whole or in part, and/or the Government may, in addition, institute appropriate legal proceedings.

m. That any modification, suspension, or revocation of this permit shall not be the basis for any claim for damages against the United States.

n. That the permittee shall notify the District Engineer at what time the activity authorized herein will be commenced, as far in advance of the time of commencement as the District Engineer may specify, and of any suspension of work, if for a period of more than one week, resumption of work and its completion.

o. That if the activity authorized herein is not started on or before 30th day of September, 19 78 (one year from the date of issuance of this permit unless otherwise specified) and is not completed on or before 31st day of December, 19 80 (three years from the date of issuance of this permit unless otherwise specified) this permit, if not previously revoked or specifically extended, shall automatically expire.

p. That no attempt shall be made by the permittee to prevent the full and free use by the public of all navigable waters at or adjacent to the activity authorized by this permit.

q. That if the display of lights and signals on any structure or work authorized herein is not otherwise provided for by law, such lights and signals as may be prescribed by the United States Coast Guard shall be installed and maintained by and at the expense of the permittee.

r. That this permit does not authorize or approve the construction of particular structures, the authorization or approval of which may require authorization by the Congress or other agencies of the Federal Government.

s. That if and when the permittee desires to abandon the activity authorized herein, unless such abandonment is part of a transfer procedure by which the permittee is transferring his interests herein to a third party pursuant to General Condition v hereof, he must restore the area to a condition satisfactory to the District Engineer.

t. That if the recording of this permit is possible under applicable State or local law, the permittee shall take such action as may be necessary to record this permit with the Register of Deeds or other appropriate official charged with the responsibility for maintaining records of title to and interests in real property.

u. That there shall be no unreasonable interference with navigation by the existence or use of the activity authorized herein.

v. That this permit may not be transferred to a third party without prior written notice to the District Engineer, either by the transferee's written agreement to comply with all terms and condition of this permit or by the transferee subscribing to this permit in the space provided below and thereby agreeing to comply with all terms and conditions of this permit. In addition, if the permittee transfers the interests authorized herein by conveyance of realty, the deed shall reference this permit and the terms and conditions specified herein and this permit shall be recorded along with the deed with the Register of Deeds or other appropriate official.

The following Special Conditions will be applicable when appropriate:

STRUCTURES FOR SMALL BOATS: That permittee hereby recognizes the possibility that the structure permitted herein may be subject to damage by wave wash from passing vessels. The issuance of this permit does not relieve the permittee from taking all proper steps to insure the integrity of the structure permitted herein and the safety of boats moored thereto from damage by wave wash and the permittee shall not hold the United States liable for any such damage.

DISCHARGE OF DREDGED MATERIAL INTO OCEAN WATERS: That the permittee shall place a copy of this permit in a conspicuous place in the vessel to be used for the transportation and/or dumping of the dredged material as authorized herein.

ERECTION OF STRUCTURE IN OR OVER NAVIGABLE WATERS: That the permittee, upon receipt of a notice of revocation of this permit or upon its expiration before completion of the authorized structure or work, shall, without expense to the United States and in such time and manner as the Secretary of the Army or his authorized representative may direct, restore the waterway to its former conditions. If the permittee fails to comply with the direction of the Secretary of the Army or his authorized representative, the Secretary or his designee may restore the waterway to its former condition, by contract or otherwise, and recover the cost thereof from the permittee.

MAINTENANCE DREDGING: (1) That when the work authorized herein includes periodic maintenance dredging, it may be performed under this permit for _____ years from the date of issuance of this permit (ten years unless otherwise indicated); and (2) That the permittee will advise the District Engineer in writing at least two weeks before he intends to undertake any maintenance dredging.

II. Special Conditions (Here list conditions relating specifically to the proposed structure or work authorized by this permit):

a. The permittee will satisfy the NC Department of Human Resources, Division of Health Services, regarding the necessity of obtaining State authorization to impound waters.

b. The permittee will satisfy the NC Division of Earth Resources, Land Quality Section, regarding the necessity to submit and have approved an erosion control plan.

This permit shall become effective on the date of the District Engineer's signature.

Permittee hereby accepts and agrees to comply with the terms and conditions of this permit.

CAROLINA POWER AND LIGHT COMPANY

By: *[Signature]*
PERMITTEE
Sr. Vice Pres., Engineering & Constr.
TITLE

October 6, 1977

DATE

BY AUTHORITY OF THE SECRETARY OF THE ARMY:

[Signature]
ADOLPE A. HIGHT, COL
DISTRICT ENGINEER,
U.S. ARMY, CORPS OF ENGINEERS

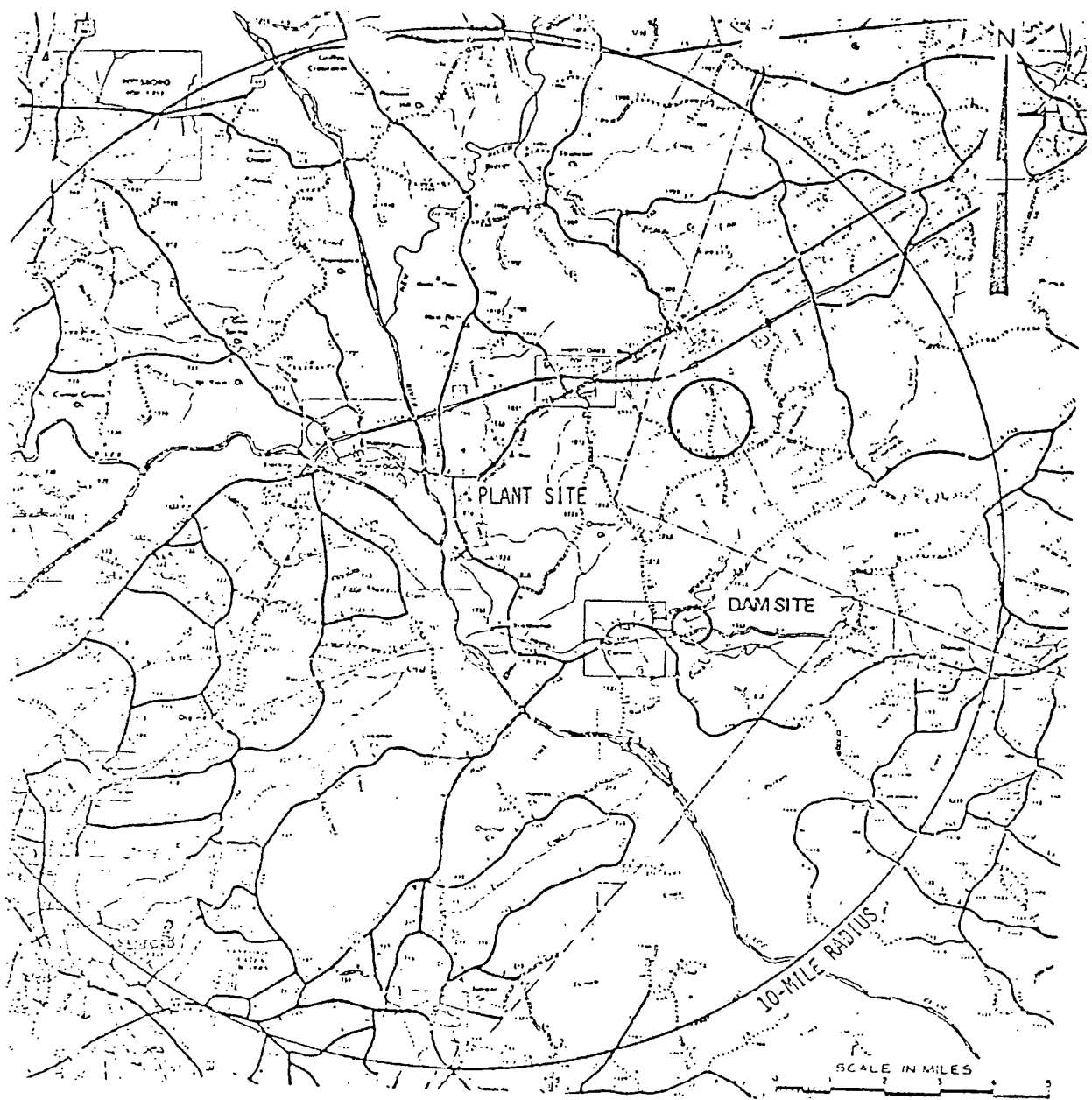
13 October 1977

DATE

Transferee hereby agrees to comply with the terms and conditions of this permit.

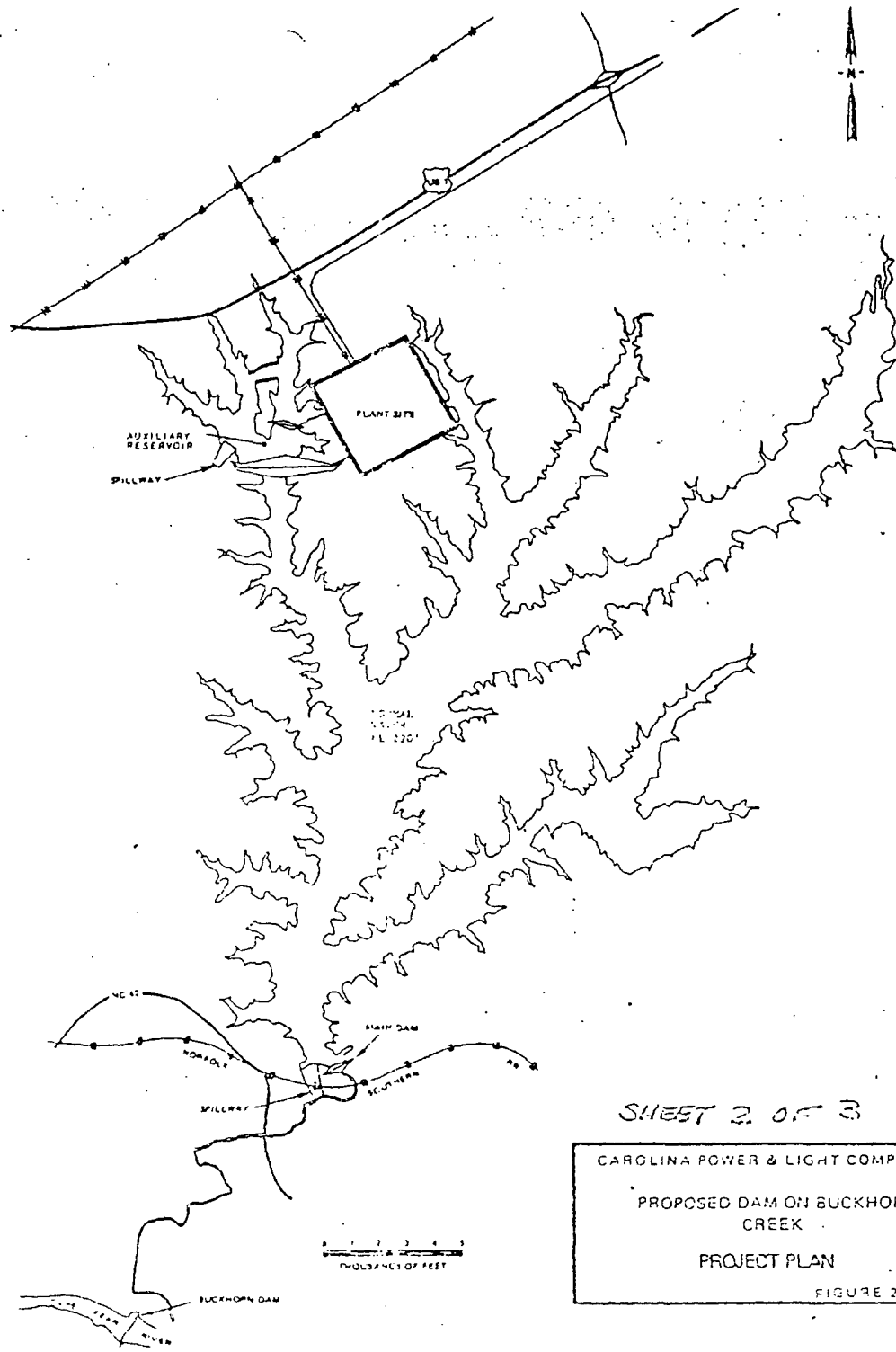
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DATE



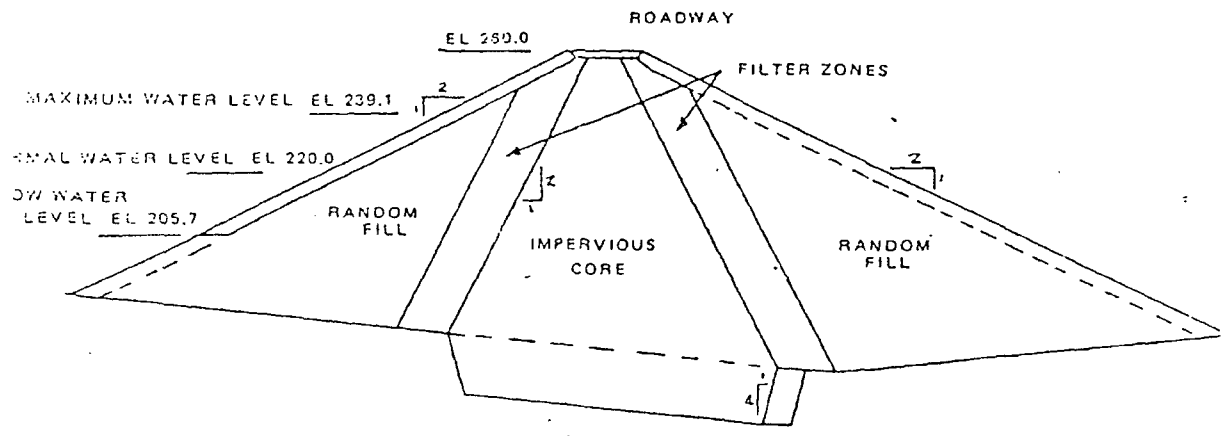
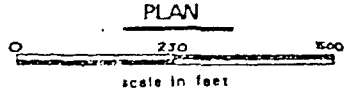
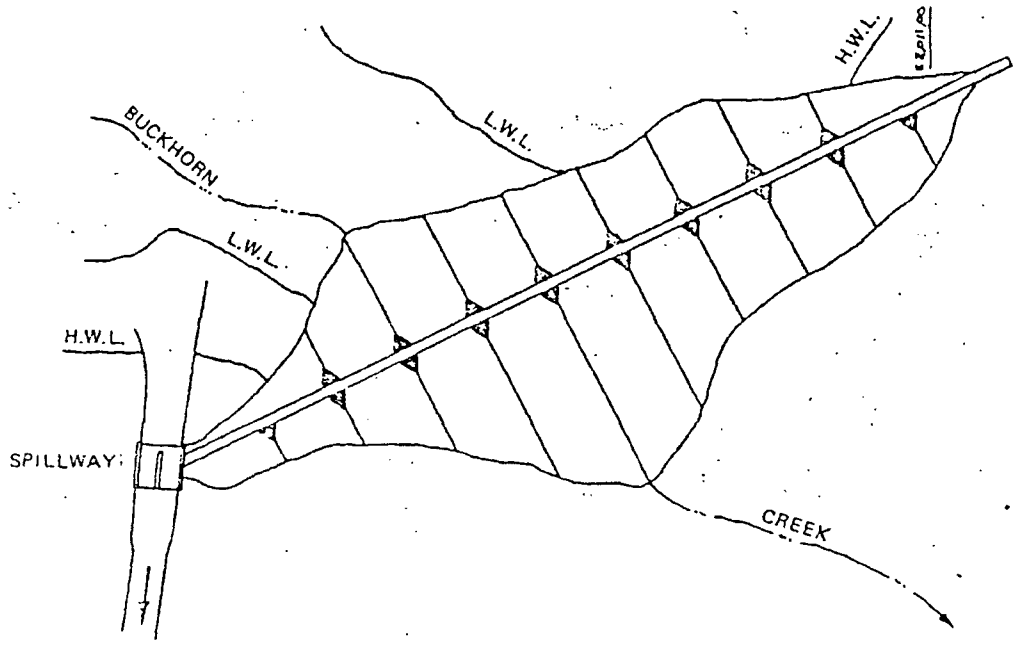
SHEET 1 OF 3

CAROLINA POWER & LIGHT COMPANY
 PROPOSED DAM ON BUCKHORN
 CREEK
 GENERAL LOCATION MAP
 FIGURE 1



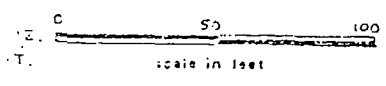
SHEET 2 OF 3

CAROLINA POWER & LIGHT COMPANY PROPOSED DAM ON BUCKHORN CREEK PROJECT PLAN FIGURE 2



TYPICAL SECTION

SHEET 3 OF 3



CAROLINA POWER & LIGHT COMPANY

PROPOSED DAM ON BUCKHORN CREEK

PLAN & SECTION

FIGURE 3

JUL 18 1977

DEPARTMENT OF THE ARMY
Wilmington District, Corps of Engineers
P. O. Box 1890
Wilmington, North Carolina 28401

SAWCO77-N-019-006-0441

14 July 1977

PUBLIC NOTICE

CAROLINA POWER AND LIGHT COMPANY, PO Box 1551, Raleigh, North Carolina 27602, has made application for a Department of the Army permit to PLACE FILL MATERIAL IN BUCKHORN CREEK, ITS TRIBUTARIES, AND ADJACENT/CONTIGUOUS WETLANDS TO PROVIDE FOR CONSTRUCTION OF AN EARTHEN DAM AND ASSOCIATED FACILITIES TO ESTABLISH A MAKEUP WATER RESERVOIR TO SUPPORT THE PROPOSED SHEARON HARRIS NUCLEAR POWER PLANT EAST OF CORINTH in Chatham County, North Carolina.

Associated work proposals have been previously announced by public notices. Public notice No. SAWCO76-N-019-006-1098, dated 2 September 1976, announced the application to place fill material in Watery Branch, Buckhorn Creek and Beaver Dam Creek to allow for relocation of the Norfolk Southern Railway main track east of Corinth. A permit for this activity was issued on 28 October 1976. Public notice No. SAWCO77-N-019-237-0415, dated 2 June 1977, announced the proposal to construct a water intake structure with access channel on the Cape Fear River near Fuquay Springs. Final action is pending.

The following description of the proposed work is taken from data submitted by the applicant. Plans submitted with the application show proposed construction of an earthen dam to span approximately 1,500 feet across the bed alignment and flood plain of Buckhorn Creek. Approximately 476,500 cubic yards of fill material is to be used to construct the dam. The makeup water reservoir is to have a surface area of 4,100 acres at a normal water level elevation of 220 feet above mean sea level. The elevation of the top of the dam is to be 260 feet above mean sea level. The purpose of the work is to construct a dam to provide a makeup water reservoir for operation of a steam electric generating plant. Plans showing the proposed work are included with this public notice.

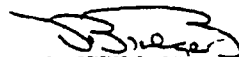
The U.S. Atomic Energy Commission (AEC) acting as the lead Federal Agency, required the preparation of an Environmental Impact Statement to consider the Shearon Harris Plant proposal in accordance with Section 102 (2)(c) of the National Environmental Policy Act of 1969. The Final Environmental Impact Statement was published in March 1974. The earthen dam and makeup water reservoir were addressed in this document.

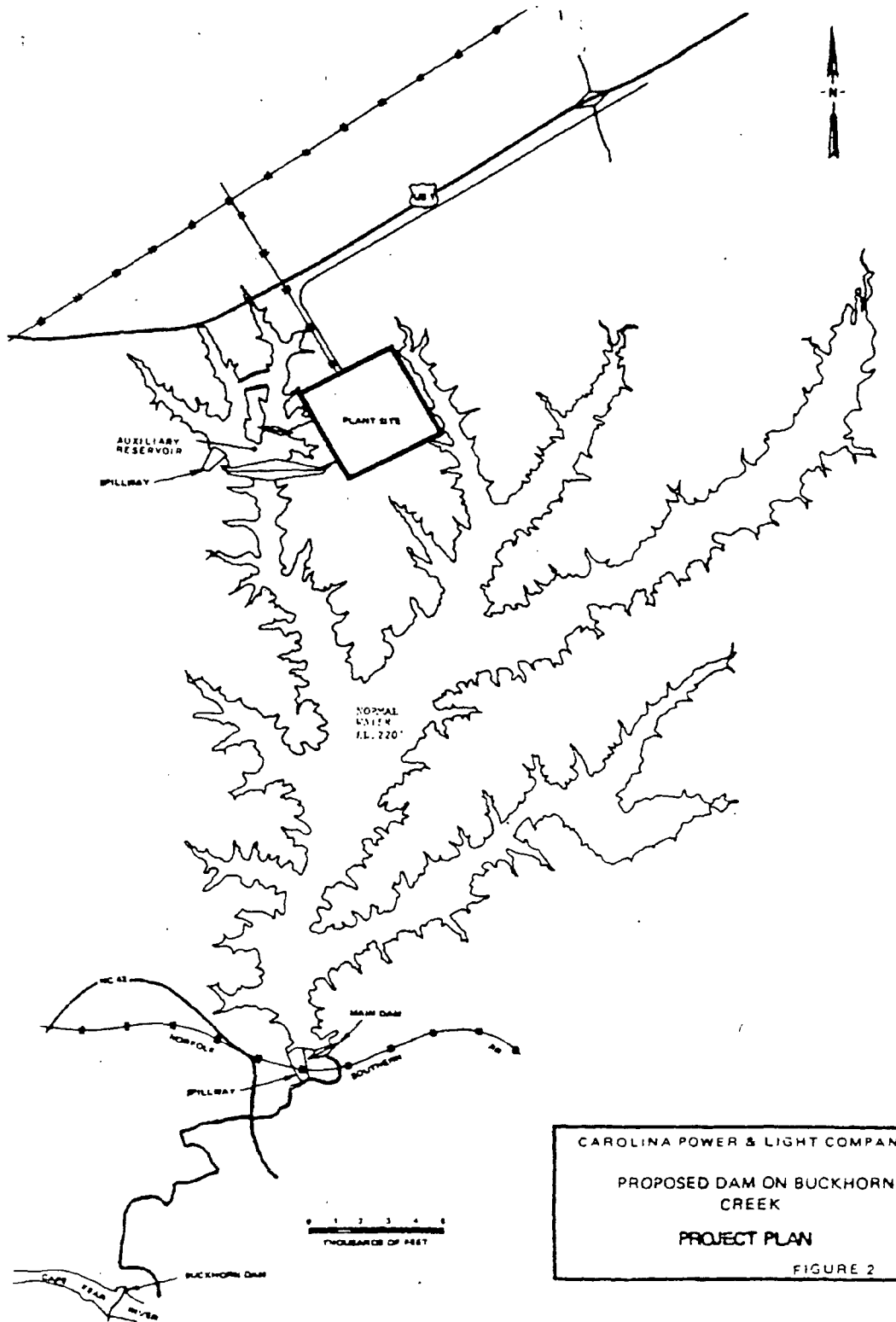
This application is being considered pursuant to Section 404(b) Phase 11 of the Federal Water Pollution Control Act Amendments of 1972 (33 U.S.C. 1344). Any person who has an interest which may be adversely affected by the issuance of a permit may request a public hearing. The request must be submitted in writing to the District Engineer within 30 days of the date of this notice and must clearly set forth the interest which may be adversely affected and the manner in which the interest may be adversely affected by the activity.

The District Engineer has consulted the latest published version of the National Register of Historic Places and this worksite is not located in registered property or property listed as being eligible for inclusion in the Register. Presently unknown archaeological, scientific, prehistorical, or historical data may be lost or destroyed by work to be accomplished under the requested permit.

The decision whether to issue a permit will be based upon evaluation of the probable impact of the proposed activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b) of the Federal Water Pollution Control Act. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered; among those are conservation, economics, esthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use classification, navigation, recreation, water supply, water quality, and in general, the needs and welfare of the people. No permit will be granted unless its issuance is found to be in the public interest.

Written comments pertinent to the proposed work, as outlined above, will be received in this office. ATTN: Mr. Cliff Winefordner, until 4:45 p.m., 15 August 1977.


DENNIS B. BULGER
MAJ. Corps of Engineers
Acting District Engineer



CAROLINA POWER & LIGHT COMPANY
 PROPOSED DAM ON BUCKHORN CREEK
 PROJECT PLAN
 FIGURE 2

May 31, 1977

Colonel Homer Johnstone
Wilmington District
U. S. Army Corps of Engineers
P. O. Box 1890
Wilmington, North Carolina 28401

RE: SECTION 404 PERMIT APPLICATION
SHEARON HARRIS NUCLEAR POWER PLANT

Dear Colonel Johnstone:

Carolina Power & Light Company (CP&L) is preparing to initiate construction activities involving the placement of fill material in the Buckhorn Creek watershed at the Shearon Harris Nuclear Power Plant site in Wake and Chatham Counties, North Carolina.

It is our understanding that these construction activities will require a Section 404 permit to be issued by the Corps of Engineers. Consequently, we have enclosed a Section 404 permit application that identifies the particular construction activities, principally a makeup water reservoir dam on Buckhorn Creek and construction of intake and discharge structures and culverts upstream of makeup water reservoir dam. The application includes drawings depicting placement of fill material for your use in the public notice.

The revised final Environmental Statement related to the construction of the Shearon Harris Nuclear Power Plant - Units 1, 2, 3, and 4 prepared by the U. S. Atomic Energy Commission (now NRC) and published in March, 1974, addresses measures and controls to be used by CP&L to limit adverse effects of construction activities. The comments from numerous state and federal agencies included in this Environmental Statement are an indication of the thorough review the Harris Project has received. We feel that the public notice by the Corps of Engineers of intent to issue a Section 404 permit for the Harris Project should acknowledge the existing Environmental Statement and the extensive review the Project has already received.

In addition, CP&L received certification pursuant to Section 401 of P.L. 92-500 from the N. C. Board of Water and Air Resources (now the Environmental Management Commission) on December 20, 1973, for wastewater discharges from the Shearon Harris Nuclear Power Plant. An application will

Colonel Homer Johnstone

- 2 -

May 31, 1977

be submitted to the N. C. Division of Environmental Management for the National Pollutant Discharge Elimination System permit that will authorize wastewater discharges pursuant to Section 402 of P.L. 92-500. Please note also that a Certificate of Public Convenience and Necessity for the Harris Plant was issued to CP&L by the N. C. Utilities Commission on February 29, 1972.

Should any questions arise during your review of the material provided, please contact us.

The cooperation provided us in this and in other matters is appreciated.

Yours very truly,

ORIGINAL SIGNED BY

M. A. McDUFFIE

M. A. McDuffie

Senior Vice President

Engineering & Construction

MAM/gsm

Enclosure

bcc: Messrs. J. M. Carter
R. E. Jones
W. B. Kincaid
L. I. Loflin
~~W. B. Kincaid~~ R. K. Cathers
J. M. Sell
Sheldon D. Smith
M. F. Thompson, Jr.

Handwritten notes and signatures:
TJC
PB
JRC
OJH
RJC
MS
WJH
JSH

APPLICATION FOR PERMIT TO EXCAVATE AND/OR ...

State of North Carolina
 Department of Natural and Economic Resources
 (Re: GS 113-229)

Department of the Army
 Corps of Engineers, Wilmington Distr
 (Re: River and Harbor Act of 1895)

Please type or print and fill in all blanks. If the information requested is not applicable, so indicate by placing N/A in the blank.

I. Applicant Information:

A. Name McDuffie M. A.
Last First Middle

B. Address Carolina Power & Light Company - P. O. Box 1551
Street, P.O. Box or Route

Raleigh NC 27602 (919) 836-6111
City or Town State Zip Code Phone

II. Location of Proposed Project:

A. County Wake and Chatham

B. 1. City, town, community or landmark New Hill
 2. Is proposed work within city limits? Yes _____ No x

C. Creek, river, sound or bay upon which project is located or nearest named body of water to project Buckhorn Cre and tributaries to Buckhorn Creek upstream of the makeup water reservoir dam locat

III. Description of Operation:

A. 1. Maintenance of existing project N/A 2. New work See Note #1 on Attachment A

B. Purpose of excavation or fill

1. Access channel _____ length _____ width _____ depth _____

2. Boat basin _____ length _____ width _____ depth _____

3. Fill area _____ length _____ width _____ depth _____

4. Other See Note 1 on Attachment A length _____ width _____ depth _____

C. 1. Bulkhead dimensions N/A
 2. Type of bulkhead construction (material) N/A

D. Excavated material (total for project)

1. Cubic yards See Note 2, Att. A 2. Type of material See Note #3 on Attachment A

E. Fill material to be placed below MHW (see also VI. A)

1. Cubic yards N/A 2. Type of material n/A

IV. Land Type, Excavated Material, and Construction Equipment:

A. Does the area to be excavated include any marshland? Yes _____ No x

B. Does the disposal area include any marshland? Yes _____ No _____ N/A

C. Disposal area 1. Location N/A
 2. Do you claim title to disposal area? N/A

D. Fill material source if fill is to be trucked in See Note #3 on Attachment A

E. How will excavated material be entrapped or encased? N/A

F. Type of equipment to be used N/A

G. Will marshland be crossed in transporting equipment to project site? (If yes, explain) No

V. Describe Intended Use of Project Area:

A. 1. Private _____

2. Commercial _____

3. Housing Development or Industrial To construct dam for makeup water reservoir to serve ~~xxxxx~~ steam electric generating plant.

D&F-B1
 2-11-71

- B. 1. Lot size(s) See Note #4 on Attachment A
 2. Elevation of lot(s) above mean high water See Note #4 on Attachment A
 3. Soil type or texture White Store - Creedmoor & Cecil - Appling - Pacolet
 4. Type of building facilities or structures Steam Electric Generating Plant
 5. Method of sewage disposal or treatment Extended aeration treatment process

VI. Pertaining to Fill and Water Quality:

- A. Does the proposed project involve the placement of fill materials below mean high water? Yes ___ No ___
 B. 1. Will any runoff or discharge enter adjacent waters as a result of project activity or planned use of the area following project completion? Yes^x ___ No ___
 2. Type of discharge See Note #5 on Attachment A
 3. Location of discharge See Note #5 on Attachment A

- VII. Present rate of shoreline erosion (if known): N/A
 VIII. List permit numbers and issue dates of previous Department of Army Corps of Engineers or State permits for work in project area, if applicable: Application # SAWCO76-N-019-006-1098; issue date 10/28/

- IX. Length of time required for project activity: Unit #1 in-service date of March, 1984

X. In addition to the completed application form, the following items must be provided:

- A. Attached a copy of the deed (with State application only) or other instrument under which applicant claims title to the affected property. OR if applicant is not claiming to be the owner of said property, then forward a copy of the deed or other instrument under which the owner claims title plus written permission from the owner to carry out the project on his land. (Note: Federal law requires the applicant to be the owner or his designated agent).
 N/A
 B. Attach an accurate work plat drawn to scale on 8½" X 11" white paper (see instruction booklet for details). Note: Original drawings preferred - only high quality copies accepted. See attached Figures 1 - 3.
 C. A copy of the application and plat must be served upon adjacent riparian landowners by registered or certified mail or by publication (G. S. 113-229 (g) (9) and (10)). Enter date served _____
 N/A Such owners have 30 days in which to submit comments to agencies listed below.
 D. List the names and complete addresses of the riparian landowners with property adjoining applicant's tract.
In the area of these construction activities, Carolina Power & Light
Company is the riparian landowner.

DATE May 31, 1977

Applicant's Signature

M. A. McDuffie

Send one completed copy each to: Senior Vice President
 Engineering & Construction

N/A
 Permit Section
 Division of Marine Fisheries
 Department of Natural & Economic Resources
 P. O. Box 27687
 Raleigh, North Carolina 27611
 Ph. 919-829-3767

District Engineer
 Department of the Army
 Wilmington District Corps of Engineers
 P. O. Box 1890
 Wilmington, North Carolina 28401
 (Note: attach Corps cover letter)
 Ph. 919-763-9971 Ext. 565

D&F-B2
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ATTACHMENT A

NOTE NO. 1: Response to Items III.A.2 and III.B.4.

1. Construction of makeup water reservoir dam on Buckhorn Creek.
2. Culvert placements and miscellaneous construction activities (to include intake and discharge structures to be located upstream of makeup water reservoir dam) on Buckhorn Creek and tributaries to Buckhorn Creek upstream of the makeup water reservoir dam location.

NOTE NO. 2: Response to Item III.D.1.

Fill material for makeup water reservoir dam is estimated to be 476,500 cubic yards.

NOTE NO. 3: Response to Items III.D.2 and IV.D.

<u>Fill Material</u>	<u>Description</u>	<u>Source</u>
Impervious Core	Impervious, cohesive soil	Borrow area at site
Rock Fill	Excavated rock	On-site spillway excavation
Filter	Granular material	To be trucked in from Moncure area
Riprap	Rock	To be trucked in from Moncure area

NOTE NO. 4: Response to Items V.B.1 and 2.

Makeup water reservoir will have a surface area of 4100 acres at the normal water level elevation of 220.0 feet above msl. The elevation of the top of the dam will be 260.0 feet above msl.

NOTE NO. 5: Response to Items VI.B.2 and 3.

Runoff from the makeup water reservoir dam construction area will be controlled by implementation of the Erosion and Sedimentation Control Plan to be prepared by CP&L and approved by the N. C. Division of Earth Resources.

PERMIT SUMMARY SHEET

AGENCY: U. S. Army Corps of Engineers

PERMIT FOR: Place fill material for construction of makeup reservoir
and associated facilities

PERMIT NO.: SAWCO77-N-019-006-0441

APPLICATION DATE: May 31, 1977

PERMIT ISSUE DATE: October 13, 1977

PERMIT EXPIRATION DATE: December 31, 1980