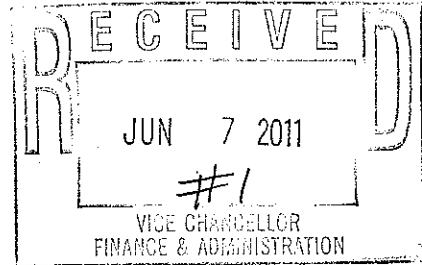




REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
WILMINGTON DISTRICT, CORPS OF ENGINEERS
69 DARLINGTON AVENUE
WILMINGTON, NORTH CAROLINA 28403-1343

May 31, 2011



Regulatory Division

Action ID: SAW-2010-10840

University of North Carolina Chapel Hill
Attn: Richard Mann, Vice Chancellor of Finance and Administration
300 South Building
Chapel Hill, North Carolina 27599

Dear Mr. Mann:

Reference is made to the application of January 4, 2011, including additional information received on February 17 and March 25, 2011 for individual Department of the Army (DA) permit authorization to permanently impact 552 linear feet (lf) of jurisdictional stream channels, temporarily impact 70 lf of jurisdictional stream channels and permanently impact 2.412 acres of adjacent wetlands. These impacts are associated with the proposed construction of Carolina North, an expansion of the existing University of North Carolina Chapel Hill campus, in Chapel Hill, Orange County, North Carolina.

Written comments were received from one state agency, one federal agency, one non-governmental organization and two individuals. All correspondences are enclosed for your records and response, if necessary.

Mr. Sofus Simonsen submitted comments by electronic mail dated April 24, 2011. Specifically, Mr. Simonsen states he lives at the southern end of the current airport property and is concerned regarding stormwater and flooding issues. He also mentioned some dead trees that have fallen onto his property. Please address the stormwater and flooding issues in your response to this letter.

The United States Department of Interior, Fish and Wildlife Services (USFWS) submitted comments by letter dated April 25, 2011. Specifically, the USFWS stated that the action is not likely to adversely affect federally listed species or their critical habitat as defined by the Endangered Species Act. A response to this comment is not necessary.

The North Carolina Wildlife Resources Commission (NCWRC) submitted comments by memorandum dated May 9, 2011. Specifically, the NCWRC stated they support the preferred alternative and the documented efforts to avoid and minimize impacts to the terrestrial and aquatic resources. They also provided seven (7) recommendations regarding further efforts at

avoidance and minimization to terrestrial and aquatic resource impacts that should be addressed in your response to this letter.

Ms. Julie McClintock, representing the Non-Governmental Organization, Friends of Bolin Creek, provided comments via electronic mail dated May 9, 2011. Specific issues mentioned in this correspondence are as follow:

1. The waste water reuse portion of the project, including impacts associated with the route of the force main and the pump station location.
2. Sewell School road Bike Lanes, including the Town of Chapel Hill approval for minor modifications to reduce jurisdictional impacts for these lanes and the effect of any permitted impacts on an off road bike path described in the Development Agreement between UNC and the Town of Chapel Hill.
3. Impacts of Bolin Creek from the Carolina North Project, including effects of proposed transit improvements and increased impervious surfaces on the Bolin Creek and Booker Creek watersheds. Additionally, concerns are expressed for Stream 5A and the effectiveness of the proposed stormwater facilities.
4. Concerns that the Chapel Hill Stormwater Management staff has not assessed or commented on the stream impacts of the proposed project.

Each of these concerns must be addressed in your response to this letter.

Roger and Kimberly Willardson provided comments via electronic mail dated May 9, 2011. They requested a public hearing regarding the proposed payment to the North Carolina Ecosystem Enhancement Program (NCEEP) for the compensatory mitigation of streams and wetlands impacted by this proposed project. While the decision to hold a public hearing resides with the Corps of Engineers, you must provide a response regarding your decision to mitigate through the NCEEP. Also, please be aware that there is an approved mitigation bank located within Cape Fear watershed, cataloging unit 03030002 (which is the watershed of your proposed impacts) that has additional stream and wetland credits released since receipt of your application. The bank is operated by Restoration Systems, Inc. and you can contact them at 919-334-9119. Additionally, you should address their specific concerns regarding soil erosion, flooding and issues regarding the old landfill onsite.

Furthermore, we are still evaluating the proposed phases of this project and may require additional information regarding the proposed phases as well as additional coordination with the North Carolina Division of Water Quality. Also, we have reviewed the alternatives analysis provided in your application and will need additional clarification regarding the impacts for Plan "Revised 2007" as shown on Table D-5 on page 37 of your application. These impacts do not match the proposed impacts of the permit application. The "Revised 2007" impacts are 2.32 acre of wetlands and 203 linear feet of stream, while the permit application requests impacts to 2.412 acre of wetlands and 552 linear feet of stream.

Your response to the comments listed above must be given full consideration before we can make final decision on your application. We need your information to address the concerns/issues raised over the proposed project. You may submit additional information, revise

your plans to help resolve the issues, rebut the issues made or request a decision based on the existing record. We must receive a written response by June 29, 2011 otherwise your application will be withdrawn. If you have questions or comments, please contact me at my Raleigh Regulatory Field Office address, telephone (919) 554-4884 ext. 26.

Sincerely,



Andrew Williams
Regulatory Project Manager
Raleigh Field Office

Enclosure

Copies Furnished (with enclosures):

Ian McMillan
North Carolina Department of Environmental and Natural Resources
Division of Water Quality
Wetlands/401 Unit
1650 Mail Service Center
Raleigh, North Carolina 27699-1650