

JOSH STEIN  
Governor

D. REID WILSON  
Secretary

WILLIAM E. TOBY VINSON, JR.  
Director



NORTH CAROLINA  
Environmental Quality

April 23, 2025

Lakes of Lockwood POA  
Attn: Dianne Drake, President  
2606 Jessica Lane SW  
Supply, NC 28462

**Subject: Permit Renewal  
Post-Construction Stormwater Management Permit No. SW8010202  
Lakes of Lockwood  
Brunswick County**

Dear Ms. Drake:

The Division of Energy, Mineral and Land Resources received a complete 8-year Permit Renewal Application for the subject permit on April 10, 2025. The Division is hereby notifying you that permit SW8010202 has been renewed, updated, and re-issued on April 23, 2025, as attached. Please be aware that the renewal and re-issuance of this stormwater permit does not imply that the site is currently in compliance.

This permit shall be effective until **May 10, 2033** 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. This permit does not impose new or increased stormwater control requirements; it clarifies the rules and requirements of this program to provide you with a better understanding of your obligations under this permit. Failure to comply with these requirements will result in future compliance problems. Please note that this permit is not transferable except after notice to and approval by the Division.

If any parts, requirements, or limitations contained in this permit are unacceptable, you have the right to request an adjudicatory hearing by filing a written petition with the Office of Administrative Hearings (OAH). The written petition must conform to Chapter 150B of the North Carolina General Statutes and must be filed with the OAH within thirty (30) days of receipt of this permit. You should contact the OAH with all questions regarding the filing fee (if a filing fee is required) and/or the details of the filing process at 6714 Mail Service Center, Raleigh, NC 27699-6714, or via telephone at 919-431-3000, or visit their website at [www.NCOAH.com](http://www.NCOAH.com). Unless such demands are made this permit shall be final and binding.

If you have any questions concerning this permit, please contact Isabel Wright in the Wilmington Regional Office, at (910) 796-7215 or [isabel.wright@deq.nc.gov](mailto:isabel.wright@deq.nc.gov)

Sincerely,

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

Enclosures: Attachment A – Designer's Certification Form  
Attachment B – Built-Upon Area Allocation  
Attachment C – Permitting History  
copy of the Renewal Application Documents

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cc: James Fritschi, Member - Pond Committee; Lakes of Lockwood POA  
Wilmington Regional Office Stormwater File



North Carolina Department of Environmental Quality | Division of Energy, Mineral and Land Resources  
Wilmington Regional Office | 127 Cardinal Drive Extension | Wilmington, North Carolina 28405  
910.796.7215

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

**POST-CONSTRUCTION STORMWATER MANAGEMENT PERMIT**

**OVERALL LOW DENSITY SUBDIVISION DEVELOPMENT WITH AN AREA OF HIGHER  
DENSITY**

In accordance with the provisions of Article 21 of Chapter 143, General Statutes of North Carolina as amended, and other applicable Laws, Rules, and Regulations

PERMISSION IS HEREBY GRANTED TO

*Lakes of Lockwood POA*

*The Lakes of Lockwood*

*Jessica Lane, Lockwood Folly Township, Brunswick County*

FOR THE

construction, operation and maintenance of an overall low density subdivision with two curb outlet swales and an area of higher density treated in one (1) wet detention pond, in compliance with the provisions of 15A NCAC 2H .1000 (hereafter referred to as the "stormwater rules") and as outlined in the application, approved stormwater management plans, supplement, calculations, operation and maintenance agreement, recorded documents, specifications, and other supporting data (the "approved plans and specifications") as attached and/or on file with and approved by the Division of Energy, Mineral and Land Resources (the "Division" or "DEMLR"). The project shall be constructed, operated and maintained in accordance with these approved plans and specifications. The approved plans and specifications are incorporated by reference and are enforceable part of this permit.

This permit shall be effective from the date of issuance until May 10, 2033 and shall be subject to the following specified conditions and limitations. The permit issued shall continue in force and effect until the permittee files a request with the Division for a permit modification, transfer, renewal, or rescission; however, these actions do not stay any condition. The issuance of this permit does not prohibit the Director from reopening and modifying the permit, revoking and reissuing the permit, or terminating the permit for cause as allowed by the laws, rules, and regulations contained in Title 15A NCAC 2H.1000 and NCGS 143-215.1 et.al.

**I. DESIGN STANDARDS**

1. This permit is effective only with respect to the nature and volume of stormwater described in the application and other supporting data.
2. The project shall maintain an overall density level that does not exceed 30%. This permit covers the construction of a total of 1,062,428 square feet of BUA, which includes 801,754 square feet of proposed BUA and 260,674 square feet of future BUA allocation.
3. The wet detention pond has been designed to handle the runoff from 669,254 square feet of impervious area. This stormwater system has been approved for the management of stormwater runoff as described in Condition I.11 of this permit. The runoff from all built-upon area within the permitted drainage area of this project must be directed into the permitted stormwater control measure.

4. The subdivision is permitted for 125 lots, each limited to a maximum amount of built-upon area as indicated in Attachment B of this permit.
5. The drainage areas will be limited to the amount of built-upon area indicated in Conditions I.2, I.3, and I.11 of this permit, and per approved plans. This permit does not currently provide any allocation of built-upon area for future development within the wet detention pond drainage area.
6. A 30' wide vegetative buffer must be provided and maintained adjacent surface waters, measured horizontally from and perpendicular to the normal pool of impounded structures, the top of bank of both sides of streams and rivers and the mean high water line of tidal waters.
7. The low density portion of this project proposes two curb outlet systems. Each designated curb outlet swale or 100' vegetated area shown on the approved plan must be maintained at a minimum of 100' long, maintain 5:1 (H:V) side slopes or flatter, have a longitudinal slope no steeper than 5%, carry the flow from a 10 year storm in a non-erosive manner, and maintain a dense vegetated cover.
8. Within the low density portion of this project, runoff conveyances other than the curb outlet system swales, such as perimeter ditches, must be vegetated with side slopes no steeper than 3:1 (H:V).
9. Within the low density portion of this project, no piping shall be allowed except those minimum amounts necessary to direct runoff beneath an impervious surface such as a road or under driveways to provide access.
10. A vegetated filter strip is not required for this pond as it has been designed for a 90% total suspended solids removal efficiency.
11. The following design criteria have been permitted for the wet detention pond and it must be provided and maintained at the design condition.

a.	Drainage Area, acres:	59.74
	Onsite, ft <sup>2</sup> :	2,602,274
	Offsite, ft <sup>2</sup> :	0
b.	Total Impervious Surfaces, ft <sup>2</sup> :	669,254
	Onsite, ft <sup>2</sup> :	669,254
	Offsite, ft <sup>2</sup> :	0
c.	Average Pond Design Depth, feet:	7.5
d.	TSS removal efficiency:	90%
e.	Design Storm:	1.0"
f.	Permanent Pool Elevation, FMSL:	5.5
g.	Permitted Surface Area @PP, ft <sup>2</sup> :	32,578
h.	Permitted Temporary Storage Volume, ft <sup>3</sup> :	88,001
i.	Temporary Storage Elevation, FMSL:	8.0
k.	Controlling Orifice:	4.0"Ø pipe
l.	Permanent Pool Volume, ft <sup>3</sup> :	166,127
m.	Forebay Volume, ft <sup>3</sup> :	892,039
o.	Maximum Fountain Horsepower:	not allowed
p.	Receiving Stream / River Basin:	Stanbury Creek / Lumber
q.	Stream Index Number:	'59-25-1-17
r.	Classification of Water Body:	"C, SW, HQW"

## II. SCHEDULE OF COMPLIANCE

1. The approved stormwater management system shall be entirely constructed, vegetated and operational for its permitted use prior to the construction of any built-upon surface.
2. The maximum built-upon area assigned to each lot via this permit and the recorded deed restrictions may not be increased or decreased by either the individual lot owner or the permittee unless and until the permittee notifies the Division and obtains written approval from the Division.

3. The permittee shall review each lot for new construction and all subsequent modifications and additions, for compliance with the requirements of the permit. The plans reviewed must include all proposed built-upon area, grading, and driveway pipe placement. The permittee may establish an Architectural Review Board (ARB) or Committee (ARC) to review new and modified lot development plans for compliance with the Covenants and Restrictions, including the BUA limit. However, any approval given by the ARB or ARC on behalf of the permittee does not relieve the permittee of the responsibility to maintain compliance with the overall permitted built-upon area for the project.
4. The permittee is responsible for verifying that the proposed built-upon area on each individual lot, and for the entire project, does not exceed the maximum allowed by this permit. The permittee shall routinely monitor the lots and where a lot is determined to have exceeded the permitted maximum BUA, the permittee shall notify the lot owner of such in writing and shall require remediation within a reasonable time frame to bring the lot into compliance.
5. If the stormwater system was used as an Erosion Control device, it must be restored to design condition prior to operation as a stormwater treatment device, and prior to occupancy of the facility.
6. During construction, erosion shall be kept to a minimum and any eroded areas of the system will be repaired immediately.
7. The modifications approved under this version of the permit require another certification to be provided. The permittee shall cause a certification from an appropriate designer for the system installed to be submitted, certifying that the permitted facility has been installed in accordance with this permit, the approved plans and specifications, and other supporting documentation. Any deviations from the approved plans and specifications must be noted on the Certification. A modification may be required for those deviations.
8. Decorative spray fountains will not be allowed in the stormwater treatment system.
9. Prior to the sale of any lot, deed restrictions must be recorded limiting the built-upon area per lot to the amount as shown in Condition I.2. The recorded statements must follow the form:
  - a. The maximum built-upon area per lot is as described in Attachment B. This allotted amount includes any built-upon area constructed within the lot property boundaries, and that portion of the right-of-way between the front lot line and the edge of the pavement. Built upon area includes, but is not limited to, structures, asphalt, concrete, gravel, brick, stone, slate, coquina and parking areas, but does not include raised, open wood decking, or the water surface of swimming pools.
  - b. The covenants pertaining to stormwater regulations may not be changed or deleted without concurrence of the State.
  - c. Alteration of the drainage as shown on the approved plan may not take place without the concurrence of the State.
  - d. Filling in, piping or altering any vegetated conveyances (ditches, swales, etc.) associated with the development except for average driveway crossings, is prohibited by any persons.
  - e. A 30' vegetated buffer must be maintained between all built-upon area and the Mean High Water line of surface waters.
  - f. All roof drains shall terminate at least 30' from the Mean High Water mark.

10. A copy of the recorded deed restrictions must be submitted to the Division within 30 days of the date of recording the plat, and prior to selling lots. The recorded copy must contain all of the statements above, the signature of the Permittee, the deed book number and page, and the stamp/signature of the Register of Deeds.
11. The permittee shall at all times provide the operation and maintenance necessary to assure the permitted stormwater system functions at the design condition. The approved Operation and Maintenance Plan must be followed in its entirety and maintenance must occur at the scheduled intervals including, but not limited to:
  - a. Semiannual scheduled inspections (every 6 months).
  - b. Sediment removal.
  - c. Mowing and revegetation of side slopes.
  - d. Immediate repair of eroded areas.
  - e. Maintenance of swale and pond side slopes in accordance with approved plans and specifications.
  - f. Debris removal and unclogging of outlet structure, orifice device, catch basins and piping.
  - g. Access to the outlet structure must be available at all times.
  - h. Cleaning and repair of catch basin grates, flumes, and piping.
12. Records of maintenance activities must be kept and made available upon request to authorized personnel of the Division. The records will indicate the date, activity, name of person performing the work and what actions were taken.
13. The facilities shall be constructed, operated and maintained in accordance with the provisions of this permit, the approved plans and specifications, and the supporting documents attached to this permit and on file with the Division.
14. No person or entity, including the permittee, shall alter any component shown in the approved plans and specifications. Prior to the construction of any modification to the approved plans, the permittee shall submit to the Director, and shall have received approval for modified plans, specifications, and calculations including, but not limited to, those listed below. For changes to the project or SCM that impact the certifications, a new or updated certification(s), as applicable, will be required and a copy must be submitted to the appropriate DEQ regional office upon completion of the modification.
  - a. Any modification to the approved plans and specifications, regardless of size including the SCM(s), BUA, details, etc.
  - b. Redesign or addition to the approved amount of BUA or to the drainage area.
  - c. Further development, subdivision, acquisition, lease or sale of any, all or part of the project and/or property area as reported in the approved plans and specifications.
  - d. Altering, modifying, removing, relocating, redirecting, regrading, or resizing of any component of the approved SCM(s), the stormwater collection system and/or vegetative conveyance shown on the approved plan.
  - e. The construction of any allocated future BUA.
  - f. Adding the option to use permeable pavement or #57 stone within the lots as a permeable surface. The request may require a proposed amendment to the deed restrictions and protective covenants for the subdivision to be submitted and recorded.
  - g. The construction of any permeable pavement, #57 stone area, public trails, or landscaping material to be considered a permeable surface that were not included in the approved plans and specifications.
  - h. Other modifications as determined by the Director.

14. Built upon area includes, but is not limited to, structures, asphalt, concrete, gravel, brick, stone, slate, coquina and parking areas, but does not include raised, open wood decking, or the water surface of swimming pools.
15. All stormwater collection and treatment systems must be located in either public rights-of-way, dedicated common areas or recorded drainage easements. The final plats for the project will be recorded showing all such rights-of-way, common areas and easements, in accordance with the approved plans. The permittee shall provide access to the stormwater facilities for inspection and maintenance via appropriate recorded easements to the nearest public right-of-way.
16. The Director may notify the permittee when the permitted site does not meet one or more of the minimum requirements of the permit. Within the time frame specified in the notice, the permittee shall submit a written time schedule to the Director for modifying the site to meet minimum requirements. The permittee shall provide copies of revised plans and certification in writing to the Director that the changes have been made.

### III. GENERAL CONDITIONS

1. **CORRECTIVE ACTIONS REQUIRED.** If the facilities fail to perform satisfactorily, the permittee shall take immediate corrective actions. This includes actions required by this Division and the stormwater rules such as the construction of additional or replacement on-site stormwater systems. These additional or replacement measures shall receive a permit from the Division prior to construction.
2. **PERMIT RENEWAL.** A permit renewal request must be submitted 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 Title 15A NCAC 02H.1045(3).
3. **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.
4. **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 and/or property, in whole or in part, nor the conveyance of common area to a third party constitutes an approved transfer of the permit.
  - a. **TRANSFER REQUEST.** 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, except in the case of an individual residential lot sale that is made subject to the recorded deed restrictions and protective covenants;
    - v. The assignment of declarant rights to another individual or entity;
    - vi. The sale or conveyance of the common areas to a Homeowner's or Property Owner's Association, subject to the requirements of NCGS 143-214.7(c2);

- b. TRANSFER INSPECTION. Prior to transfer of the permit, a file review and site inspection will be conducted by Division personnel to ensure the permit conditions have been met and that the project and the on-site stormwater system complies with the permit conditions. Records of maintenance activities performed to date may be requested. Projects not in compliance with the permit will not be transferred until all permit and/or general statute conditions are met.
5. COMPLIANCE. The permittee is responsible for compliance with the terms and conditions of this permit until the Division approves the transfer request.
- a. APPROVED PLANS AND SPECIFICATIONS. A copy of this permit, approved plans, application, supplement, operation and maintenance agreement, all applicable recorded documents, and specifications shall be maintained on file by the permittee at all times.
  - b. DIVISION ACCESS. The permittee grants Division Staff permission to enter the property during normal business hours to inspect all components of the permitted project.
  - c. 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 procedures as set forth in NCGS 143 Article 21.
  - d. ANNUAL CERTIFICATION. The permittee shall electronically submit to the Division an annual certification completed by either the permittee or their designee confirming the projects conformance with permit conditions
  - e. OBTAINING COMPLIANCE. The Director may notify the permittee when the permitted site does not meet one or more of the minimum requirements of the permit. Within the time frame specified in the notice, the permittee shall submit a written time schedule to the Director for modifying the site to meet minimum requirements. The permittee shall provide copies of modified plans and certification in writing to the Director that the changes have been made.
  - f. OTHER PERMITS. The issuance of this permit does not preclude the permittee from complying with and obtaining any other permits or approvals that are required for this development to take place, as required by any statutes, rules, regulations, or ordinances, which may be imposed by any other Local, State or Federal government agency having jurisdiction. Any activities undertaken at this site that cause a water quality violation or undertaken prior to receipt of the necessary permits or approvals to do so are considered violations of NCGS 143-215.1, and subject to enforcement procedures pursuant to NCGS 143-215.6.

Permit renewed, updated, and reissued this the 23<sup>rd</sup> day of April 2025

NORTH CAROLINA ENVIRONMENTAL MANAGEMENT COMMISSION



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

**Permit Number SW8 010202**