Cape Fear /Jordan Watershed Riparian Buffer Authorization Application

WAKE COUNTY NORTH CAROLINA
Planning and Development Services

919-856-7436
Watershed Management
336 Fayetteville St. • Raleigh, NC 27601
P.O. Box 550 • Raleigh, NC 27602
wake.gov

Parcel Identifier Numbers (PINs): _____ Date: _____

Section A: Project Information

Project Name: _____

Property Address: _____ Zip Code: _____

Project Description: _____

Section B: Applicant and Applicant Agent Information

Applicant Information (to whom correspondence will be mailed)

☐ **Owner** ☐ **Contract Purchaser**

Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Phone: _____ Email: _____

Applicant Agent Information:

If authorizing an agent to act on your behalf, please fill out this section

Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Phone: _____ Email: _____

The undersigned applicant does hereby authorize the Applicant Agent listed above to act on my behalf and take all actions necessary for the processing, issuance and acceptance of this Cape Fear / Jordan Watershed Buffer Authorization and any and all standard and special conditions attached.

Signature: _____ Date: _____

Print Name _____ _____

Section C: Buffer Impact Information

Complete the chart below. List each buffer impact individually.

Buffer Impact ID*	Activity or Impacts [From Table of Uses; Riparian Buffer Rules]	Linear Impact (feet)	Zone 1 Impact (square feet)	Zone 2 Impact (square feet)	Mitigation Required? (Yes or No)
	Total Buffer Impacts:				

***Please use same ID on all plan sheets and narrative.**

Section D: Certification of No Practical Alternatives

I certify that this project meets all the following criteria for a determination of no practical alternatives:

A. The basic project purpose cannot be practically accomplished in a manner that would better minimize disturbance, preserve aquatic life and habitat, and protect water quality;
B. The use or activity cannot practically be reduced in size or density, reconfigured, modified or redesigned to better minimize disturbance, preserve aquatic life and habitat, and protect water quality; and
C. Best management practices shall be used as necessary to minimize disturbance, preserve aquatic life and habitat, and protect water quality.

Further, I certify that, to the best of my knowledge and belief, all information supplied with this application is true and accurate.

_____ **(Seal)** Date: _____

Signature

_____

Print Name

Buffer Authorization Application SUBMITTAL REQUIREMENTS

The following must accompany your application. Failure to do so will result in your application being considered incomplete. For assistance with this application, please contact the Wake County Watershed Management at (919) 856-7436 or email watershedmanagement@wake.gov

☐	**Digital Files** - provide digital files through the Permit Portal
☐	**Recorded Plat or Deed of Property**
☐	**Written Narrative describing the proposal – must include:**

- **Explanation of why this plan for the use or activity cannot be practically accomplished, reduced or reconfigured to better minimize disturbance to the riparian buffer, preserve aquatic life and habitat and protect water quality.**
- **Description of measures taken to avoid or minimize the proposed impacts in designing the project.**
- **Description of measures taken to avoid or minimize the proposed impacts through construction techniques.**

☐	**Stream Determination - necessary for all submittals**
☐	**Jurisdictional Wetland Determination – if applicable**
☐	**Copy of 404 permit/401 certification – if applicable**

Site Plan Plans should be legible and clearly drawn.

All **plan set sheets** should include the following:

- Legend
- Labels
- North Arrow (North oriented toward top of page)
- Property Boundaries
- Scale (Engineering), denoted graphically and numerically
- Existing topography at minimum 2-foot intervals and finished grade
- Setbacks and property boundaries
- Buffer Impact IDs, as specified in Section C: Buffer Impact Information

All **plan sets** should include the following:

- Natural drainage and manmade drainage features, including, water bodies, streams, Cape Fear or Jordan Lake watershed riparian buffer boundaries, floodplain, and wetlands boundaries, and where applicable, note ephemeral streams on site. Show all zones of the Cape Fear or Jordan Lake riparian buffers
- Delineate the boundaries of the uses or land to be utilized for activities. Delineate the location and the dimensions of any proposed disturbance in the riparian buffers
- Existing/Proposed utilities in project area
- Notes for specific uses or activities based on requirements in the Table of Uses for the Neuse Riparian Buffer Rules

- All relevant development plan items that impact, effect or cause buffer disturbance
- Plans for any best management practices proposed to be used to control the impacts associated with the activity

Buffer Authorization APPLICATION INSTRUCTIONS

The following instructions are intended to serve as a guide for completion of the application. Every project is unique and additional information should be provided with this application, as necessary, to completely explain the details of the proposed project.

Section A: Project Information

Project Name: If your project has a formal name please use this. If your project does not have a formal name, please identify your project by the owner name and proposed activity (i.e., Jones Property Access Road, Smith Guest House, etc.) List in parenthesis any other names that have been used to identify the project in the past.

Project Description: Provide a clear, concise description of the primary goals of the proposed project (usually no more than one or two sentences); for example: build a driveway to access a new single family residence. This can be a simple explanation, but it is critically important because the purpose dictates how the no practical alternatives are reviewed.

Section B: Applicant and Applicant Agent Information

If you using an agent or consultant act on your behalf, you must include this information.

Section C: Buffer Impact Information

Buffer Impact ID: The Buffer Impact ID (B1, B2, etc.) must be used to label all corresponding impacts in all documentation and on all plan sheets.

If you have more than six (6) buffer impacts, submit an additional sheet with a table listing the additional impacts and cumulative totals.

Activity or Use: The activity or use listed must correspond with the Table of Uses for the Neuse Riparian Buffer Rules

Linear Impact (feet): The stream impact length should be measured along the centerline of the stream. When proposing a culvert, the impact length is generally greater than the length of the culvert and associated dissipater since the existing stream usually has some sinuosity (curvature) and the impact will go beyond the dissipater to provide a work zone, erosion control etc.

Zone 1 & 2 Impact (square feet): Zone 1 shall begin at the most landward limit of the top of bank or the rooted herbaceous vegetation and extend landward a distance of 30 feet on all sides of the surface water, measured horizontally on a line perpendicular to the surface water. Zone 2 shall begin at the outer edge of Zone 1 and extend landward 20 feet as measured horizontally on a line perpendicular to the surface water. The combined width of Zones 1 and 2 shall be 50 feet on all sides of surface waters.

Mitigation Required? (Yes or No): Refer to the Table of Uses and Activities in the Table of Uses to determine if riparian buffer mitigation is required. Buffer mitigation is required for all uses that are "allowable with mitigation" and in all cases where a minor or major variance are required.

Total Buffer Impacts: Add all of the proposed impacts to calculate the total.

Section D: Certification of No Practical Alternatives

The applicant, or applicant agent, must certify that the project meets all the criteria listed for a determination of no practical alternatives.

Written Narrative

Describe the existing conditions on the site and the general land use in the vicinity of the project at the time of this application. Describe the overall project in detail. Provide an explanation of why this plan for the use or activity cannot be practically accomplished, reduced or reconfigured to better minimize (or eliminate) disturbance to the riparian buffer, preserve aquatic life and habitat and protect water quality. Explain any site specific constraints that may exist on the property that will affect how your project is built.

Avoidance and Minimization

Specifically describe measures taken to avoid or minimize the proposed impacts in **designing** the project. Minimizing and avoiding impacts should be a critical part of the design process. The following are examples of questions that reflect the opportunities for avoidance and minimization of impacts. If the answer is "yes" to any of the below questions then you should provide a specific justification addressing these issues as to why the impacts are necessary.

- Are there any stream crossings at angles less than 75^{o} or greater than 105^{o}?
- Are there any stream crossings that cross two streams above or at the confluence of those streams?
- Is any single stream crossed more than once?
- Can property access routes be moved or reduced to avoid stream, wetland, water, and buffer impacts?
- Can a building, parking lot, etc. be realigned or resized to avoid impacts?
- Can the site layout be reconfigured to avoid impacts?
- Can headwalls or steeper side slopes be used safely to avoid/minimize impacts?
- Can a retaining wall be used safely to avoid/minimize impacts?
- Can cul de sacs be used in place of a crossing?
- Can lots be reshaped or have shared driveways to avoid impacts?

Specifically describe measures taken to avoid or minimize the proposed impacts through **construction** techniques. List all techniques and practices that you plan to use to avoid and minimize impacts from the construction of the project. The following are examples of techniques and practices which should be discussed.

- scheduling issues to avoid certain time-specific impacts aquatic impacts
- erosion control measures
- hand clearing versus use of heavy equipment
- site access from high ground
- pre-fabrication of materials in high ground to minimize time in sensitive environments
- building elevated structures over wetlands or streams to transport equipment
- staging area location

If this application is for a phased project, clearly describe each phase of the project and provide a proposed timeframe for completion of each phase. The site plan should clearly depict the boundaries of each proposed phase.