



The purpose of this bulletin is to make the owner/developer aware of potential environmental requirements. Specific questions regarding these requirements should be directed to the person or agency listed. The owner/developer remains responsible for satisfying all local, state, and federal requirements.

STORMWATER MANAGEMENT / WATERSHED PROTECTION

Watershed protection regulations protect designated drinking water supply reservoirs and surface waters from activities that could degrade water quality. The designated water supply watershed map, available at the Guilford County Planning & Development Department or their website, delineates the protected areas within the county. If a property lies within unincorporated Guilford County and development is planned, the Guilford County watershed protection regulations apply. Development includes activities which alters the land or increases built-upon area, such as buildings, pavement, gravel, etc. For further information refer to the *Watershed Protection Bulletin*, which can be obtained at the Guilford County Planning & Development Department or from the Guilford County website (www.co.guilford.nc.us/watershed_cms/bulletins_ws.html).

EROSION CONTROL

Erosion control measures are required when land-disturbing activities expose the soil and subject it to accelerated erosion. The Guilford County soil erosion and sedimentation control regulations outline the requirements that were established to protect the environment from accelerated erosion and sedimentation, prevent water pollution, and minimize adverse effects to public and private property.

An in-depth bulletin outlining the soil erosion and sedimentation control regulations can be obtained in the lobby of the Guilford County Planning & Development Department or at www.co.guilford.nc.us/planning_cms/erosion.html. For further information, contact:

Erosion Control
Guilford County Planning & Development
P. O. Box 3427
Greensboro, NC 27402
Phone # (336) 641-3803

DAM SAFETY

If a dam or any kind of structure that impounds water is being constructed, repaired, altered, or removed, the owner must follow the regulations outlined in the Dam Safety Law of 1967. Abiding by the Dam Safety Law will ensure that the health, safety, and welfare of the general public will not be compromised.

REQUIREMENTS

The Dam Safety Law requires that a statement addressing the location, name of stream, county, height of dam, purpose, and impoundment capacity be filed with the North Carolina Department of Environment and Natural Resources (NCDENR) ten days before construction begins. A special form should be utilized for this purpose and it can be located on NCDENR's website (www.dlr.enr.state.nc.us/pages/damsafetyprogram.html). Submit the completed form to:

State Dam Safety Engineer
NCDENR - Division of Land Resources
Land Quality Section
1612 Mail Service Center
Raleigh, NC 27699-1612
Phone # (919)733-4574

Once the statement is filed, a ruling will be made on whether the dam falls under the Dam Safety Law or if it is exempt. A dam is not exempt if it is 15 feet in height or greater as measured from the highest point on the crest of the dam to the lowest point on the downstream toe and will impound 10 acre-feet or more at the highest point on the crest of the dam. Also, if the dam is considered to be a high hazard dam, regardless of height or impoundment capacity, it will not be exempt.

FEES

Submitting a statement does not require a fee. If the dam is ruled to fall under the Dam Safety Law, an application must be submitted. Processing and application fees can be viewed at the above noted web address or can be obtained by inquiring with the above noted office.

PROCESSING TIME

A ruling on the statement will be made within 10 days after it is received. If an application is required, allow sixty days for review once all information has been submitted.

PENALTY

Failure to notify NCDENR can result in civil penalties, stop work orders that can idle equipment and labor, and non-compliance orders that can result in costly remedial actions.

SECTION 404 PERMIT & 401 WATER QUALITY CERTIFICATION

If land disturbance occurs adjacent to and including waters, permitting may be required. Waters include, but are not limited to the following: seeps, springs, intermittent and perennial streams, creeks, rivers, ponds, lakes, wetlands, bogs, marshes, and swamps. Following the procedures set forth by the regulatory agencies lessens the negative impact on water quality and usage.

REQUIREMENTS

The U.S. Army Corps of Engineers (USACE) requires notification for any disturbance to waters of the United States. The Division of Water Quality (DWQ) also requires notification. Notification is accomplished by submitting a pre-construction application to the USACE and DWQ. An application can be obtained from the North Carolina Department of Environment and Natural Resources' website, http://h2o.enr.state.nc.us/ncwetlands/documents/PCN_new2_000.pdf.

The notification process determines if a Section 404 Permit and a 401 Water Quality Certification are required. Section 404 Permit is a generic term for either a Nationwide Permit or an Individual Permit. Any activity that requires a USACE's 404 Permit, will also require a 401 Water Quality Certification from DWQ. Notifications and questions regarding these procedures shall be directed to:

NCDENR - Division of Water Quality
401 Oversight and Express Permits Unit
1650 Mail Service Center
Raleigh, NC 27699-1650
Phone # 919-733-1786

US Army Corps of Engineers
Raleigh Regulatory Field Office
3331 Heritage Trade Dr., Suite 105
Wake Forest, NC 27587
Phone # 919-554-4884 Ext. 26

More specifics on who to contact for the USACE can be found at the following web address: www.saw.usace.army.mil/WETLANDS/where/imap2/index.html. The DWQ Regional Office can also be of assistance in interpreting these laws. Their contact information is below:

NCDENR – Division of Water Quality
585 Waughtown Street
Winston-Salem, NC 27107
Phone # (336) 771-5000

FEES

No fee is required by the USACE for the Section 404 Permit. The most current 401 Water Quality Certification fee schedule can be found at the following web address: http://h2o.enr.state.nc.us/ncwetlands/rd_wetlands_fees.htm

PROCESSING TIME

Allow 30 days for the USACE to review the notification and issue the appropriate permit. DWQ requires 60 days for the review of a complete application.

PENALTY

Civil penalties of up to \$25,000 per day per violation can be assessed by DWQ. Restoration actions and/or stop work orders can also be very costly due to additional work or idle equipment and labor.