

How does the EEP work?

- Find and restore degraded stream reaches, buffers and wetlands
- Verify success of restoration
- Count as mitigation credits
- Sells mitigation credits to developers
- New Fees effective around Nov 2007



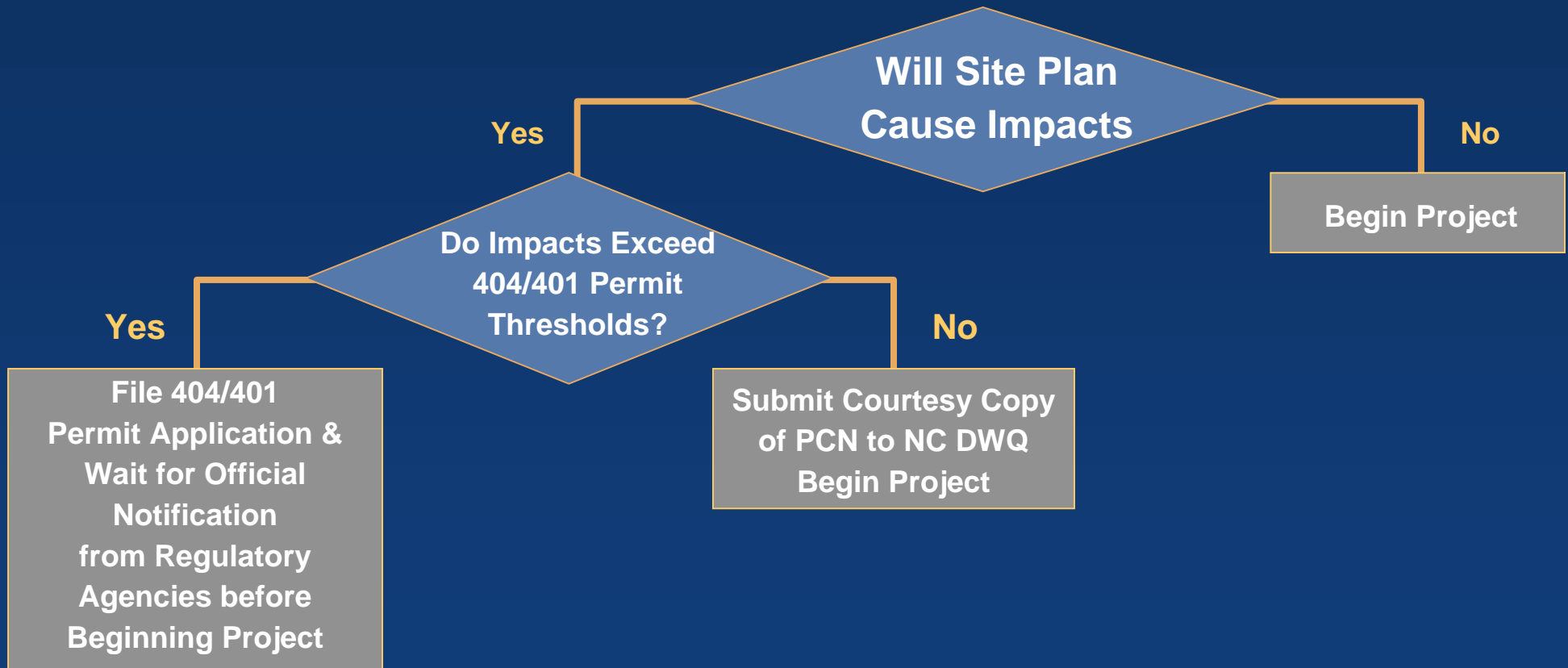
Mitigation Type	Stream	Riparian Wetland	Non-riparian Wetland
Mitigation Unit	linear foot	acre	acre
Fee 1	\$323	\$59,600	\$43,000
Fee 2	\$244	\$33,696	\$22,113

How does the EEP work? *(cont'd)*

- Consolidate mitigation for many small projects
- Create large-scale watershed restoration projects
- EEP is not required to accept requests for mitigation



Wetland-Stream Permitting Decision Flow Chart



How are the permits different?

Nationwide Permit

- Projects with minimal impacts
- 49 different types
- Benefits:
 - ACOE review only
 - No Public Notice
 - No Abutter Notification
 - Specified review period
 - Cannot exceed 60 days

Individual Permit

- Projects with larger impacts (typically >1ac.)
- Drawbacks:
 - Review by multiple federal agencies (ACOE, EPA, FWS, NMFS)
 - 30-day Public Notice Period
 - Abutter Notification
 - Unlimited review period
 - Often exceeds one year

What are the Most Commonly Used NWP's?

NWP 12- Utility Line Activities	A NWP is required if impacts of ... <ul style="list-style-type: none">■ 1/10 to 1/2 acre of “Waters of the U.S.”
NWP 14- Linear Transportation Projects	A NWP is required if impacts of ... <ul style="list-style-type: none">■ 1/10 to 1/2 acre of non-tidal “Waters of the U.S.”■ 1/10 to 1/3 acre of tidal “Waters of the U.S.”



- NWP 18 is for minor discharges of less than 1/10 acre
- These permits took effect March 19th, 2007
- http://www.saw.ACOE.army.mil/WETLANDS/Notices/NWP07/NWP%20Table_2007_final.pdf

What are the Most Commonly Used NWPs?

NWP 29- Residential Developments

NWP 39-Commercial & Institutional Developments

A NWP is required if impacts of ...

- **1/10 to 1/2 acre of non-tidal “Waters of the U.S.”**
- **Including the loss of**
 - **300 linear feet of stream**
 - **greater than 300 linear feet of impact requires IP**



- These permits took effect March 19th, 2007
- New 2007 Regulations moved the Residential aspect of “old” NWP 39 to “new” NWP 29

When do I have to file for an Individual Permit?



- Thresholds vary by impact type
- An IP is necessary if the impacts will exceed the maximum thresholds for the NWP
- ACOE Fees: \$10 for individuals and \$100 for businesses

What are Regional General Permits?

- Specific to the local district office of the ACOE
- The Wilmington District of the ACOE has 12 types of RGPs based on activity (task specific)
 - Example:**
 - GP197800056 Piers, Docks, Boathouses
 - GP198200031 NCDOT Bridges
- RGPs were created to “fill the holes” between NWP and IP
- There is no specific timeline for notification associated with this permit

Do I need an CAMA Permit?

Required if your site meets all of the following conditions:

- Within one of the 20 coastal counties
- Considered “development” under CAMA
- Affects an Area of Environmental Concern (AEC)
 - Estuarine and Ocean Systems
 - Ocean Hazard Systems
 - Public Water Supplies
 - Natural and Cultural Resource Areas



CAMA Minor and Major Permits

- **Major Permit is necessary if your project involves development in an AEC and any of the following:**
 - another state or federal permit, license or authorization (such as a Corps or DWQ wetland/stream permit);
 - excavation or drilling for natural resources on land or under water;
 - construction of one or more buildings that cover more than 60,000 square feet on a single parcel of land;
 - alteration of more than 20 acres of land or water.
- **General Permits are used for routine projects that pose little threat to the environment**
- **Minor Permits are for projects that do not need a General Permit or a Major Permit**

CAMA Permit Exemptions

- **Your activity may qualify for an exemption from a CAMA permit if:**
 - Public Road Maintenance
 - Utility Maintenance under existing permits
 - Energy Facilities covered by other laws
 - Agricultural and Forestry Production
 - Emergency Maintenance
 - Accessory Building Construction



What other types of permits do I need?

- Other potential permits required may include:
 - Stormwater Permit
 - Erosion Control Plan
 - Isolated Wetland/Stream Permit (State)
 - Buffer Permit (State)
 - NC DOT Permits
 - FEMA Permit (Local)

Points To Remember

- **Check & Verify BEFORE you Impact**
- **Design for Nationwide Permit Thresholds**
 - Avoid, Minimize, Mitigate
 - IP = more time and more money
- **Make sure you have all the necessary permits (local/state/federal)**
- **Uncertain? Hire a professional**



Questions?



The Solutions Are In The Details

Wetland & Stream Permitting in North Carolina

Ingeborg Hegemann, PWS

BSC Group

701 Corporate Center Drive, Suite 163

Raleigh, NC 27607

919-854-0811