## State of North Carolina

**Department of Environmental Quality**

## Division of Energy, Mineral and Land Resources

**POST-CONSTRUCTION Stormwater Management Permit Application Form**

*This form may be photocopied for use as an original.*

### I. GENERAL INFORMATION

1. Project Name (subdivision, facility, or establishment name - should be consistent with project name on plans, specifications, letters, operation and maintenance agreements, etc.):

2. Location of Project (street address):

City:      County:      Zip:

3. Directions to project (from nearest major intersection):

4. Latitude:     °      ’      ” N Longitude:     °      ’      ” W of the main entrance to the project.

II. PERMIT INFORMATION:

1. a. Specify whether project is (check one): New Modification  Renewal w/ Modification†

†*Renewals with modifications also requires SWU-102 – Renewal Application Form*

b. If this application is being submitted as the result of a **modification** to an existing permit, list the existing permit number      , its issue date (if known)      , and the status of construction: Not Started Partially Completed\*  Completed\* *\*provide a designer’s certification*

2. Specify the type of project:

Low Density High Density Drains to an Offsite Stormwater System Other

3. If this application is being submitted as the result of a **previously returned application** or a **letter from DEMLR requesting a state stormwater management permit application**, list the stormwater project number, if assigned,       and the previous name of the project, if different than currently proposed,       .

4. a. Additional Project Requirements (check applicable blanks; information on required state permits can be obtained by contacting the Customer Service Center at 1-877-623-6748):

CAMA Major Sedimentation/Erosion Control:       ac of Disturbed Area

NPDES Industrial Stormwater 404/401 Permit: Proposed Impacts

b. If any of these permits have already been acquired please provide the Project Name, Project/Permit Number, issue date and the type of each permit:

5. Is the project located within 5 miles of a public airport? No Yes

*If yes, see S.L. 2012-200, Part VI:* <http://portal.ncdenr.org/web/lr/rules-and-regulations>

### III. CONTACT INFORMATION

1. a. Print Applicant / Signing Official’s name and title (specifically the developer, property owner, lessee, designated government official, individual, etc. who owns the project):

Applicant/Organization:

Signing Official & Title:

b. Contact information for person listed in item 1a above:

Street Address:

City:      State:      Zip:

Mailing Address (*if applicable*):

City:      State:      Zip:

Phone: (      )       Fax: (      )

Email:

c. Please check **(one)** the appropriate box. The applicant listed above is:

The property owner (Skip to Contact Information, item 3a)

Lessee\* (Attach a copy of the lease agreement and complete Contact Information, item 2a and 2b below)

Purchaser\* (Attach a copy of the pending sales agreement and complete Contact Information, item 2a and 2b below)

Developer\* (Complete Contact Information, item 2a and 2b below.)

2. a. Print Property Owner’s name and title below, if you are the lessee, purchaser or developer. (This is the person who owns the property that the project is located on):

Property Owner/Organization:

Signing Official & Title:

b. Contact information for person listed in item 2a above:

Street Address:

City:      State:      Zip:

Mailing Address (*if applicable*):

City:      State:      Zip:

Phone: (      )       Fax: (      )

Email:

3. a. (Optional) Print the name and title of another contact such as the project’s construction supervisor or other person who can answer questions about the project:

Other Contact Person/Organization:

Signing Official & Title:

b. Contact information for person listed in item 3a above:

Mailing Address:

City:      State:      Zip:

Phone: (      )       Fax: (      )

Email:

4. Local jurisdiction for building permits:

Point of Contact:      Phone #: (      )

Email:

**IV. PROJECT INFORMATION**

1. In the space provided below, briefly summarize how the stormwater runoff will be treated.

2. a. **If claiming vested rights**, identify the supporting documents provided and the date they were approved:

Approval of a Site Specific Development Plan or PUD Approval Date:

Valid Building Permit Issued Date:

Other:       Date:

b. **If claiming vested rights**, identify the regulation(s) the project has been designed in accordance with:

Coastal SW – 1995  Ph II – Post Construction

3. Stormwater runoff from this project drains to the       River basin.

4. Total Property Area:       acres 5. Total Coastal Wetlands Area:       acres

6. Total Surface Water Area:       acres

7. Total Property Area (4) – Total Coastal Wetlands Area (5) – Total Surface Water Area (6) = Total Project Area+:       acres

*+ Total project area shall be calculated to exclude the following: the normal pool of impounded structures, the area between the banks of streams and rivers, the area below the Normal High Water (NHW) line or Mean High Water (MHW) line, and coastal wetlands landward from the NHW (or MHW) line. The resultant project area is used to calculate overall percent built upon area (BUA). Non-coastal wetlands landward of the NHW (or MHW) line may be included in the total project area.*

8. Project percent of impervious area: (Total Impervious Area / Total Project Area) X 100 =       %

9. How many drainage areas does the project have?      *(For high density, count 1 for each proposed SCM. For low density and other projects, use 1 for the whole property area. If there are multiple receiving streams, provide the drainage areas within the project area to each stream.)*

10. Complete the following information for each drainage area directed to an SCM or low density area identified in Project Information item 9. If there are more than four drainage areas in the project, attach an additional sheet with the information for each area provided in the same format as below.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Basin Information | Drainage Area | Drainage Area | Drainage Area | Drainage Area |
| Receiving Stream Name |  |  |  |  |
| Stream Class \* |  |  |  |  |
| Stream Index Number \* |  |  |  |  |
| Total Drainage Area (sf) |  |  |  |  |
| On-site Drainage Area (sf) |  |  |  |  |
| Off-site Drainage Area (sf) |  |  |  |  |
| Proposed Impervious Area\*\* (sf) |  |  |  |  |
| % Impervious Area\*\* (total) |  |  |  |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Impervious\*\* Surface Area | Drainage Area | Drainage Area | Drainage Area | Drainage Area |
| On-site Buildings/Lots (sf) |  |  |  |  |
| On-site Streets (sf) |  |  |  |  |
| On-site Parking (sf) |  |  |  |  |
| On-site Sidewalks (sf) |  |  |  |  |
| Other on-site (sf) |  |  |  |  |
| Future (sf) |  |  |  |  |
| Off-site (sf) |  |  |  |  |
| Existing BUA\*\*\* (sf) |  |  |  |  |
| Total (sf): |  |  |  |  |

*\* Stream Class and Index Number can be determined at:* [*https://www.deq.nc.gov/about/divisions/water-resources/water-planning/classification-standards/classifications*](https://www.deq.nc.gov/about/divisions/water-resources/water-planning/classification-standards/classifications)

*\*\* Impervious area is defined as the built upon area including, but not limited to, buildings, roads, parking areas, sidewalks, gravel areas, etc.*

*\*\*\* Report only that amount of existing BUA that will remain after development. Do not report any existing BUA that is to be removed and which will be replaced by new BUA. See definition* *15A NCAC 02H .1002(17).*

11. How was the off-site impervious area listed the Section IV, 10 Tables determined? Provide documentation.

**Projects in Union County:** *Contact DEMLR Central Office staff to check if the project is located within a Threatened & Endangered Species watershed that may be subject to more stringent stormwater requirements as per 15A NCAC 02B .0600.*

**V. SUPPLEMENT AND O&M FORMS**

The applicable state stormwater management permit supplement and operation and maintenance (O&M) forms must be submitted for each SCM specified for this project. The latest versions of the forms can be downloaded from <https://www.deq.nc.gov/about/divisions/energy-mineral-and-land-resources/stormwater/stormwater-program/stormwater-design-manual>. For SCMs subject to older design standards or offsite projects, the archived supplement can be found from <https://www.deq.nc.gov/about/divisions/energy-mineral-and-land-resources/stormwater/stormwater-program/stormwater-design-manual/archived-stormwater-design-manual-supplemental-forms>

**VI. CHECKLIST OF SUBMITTAL REQUIREMENTS FOR AN ADMINISTRATIVELY COMPLETE APPLICATION PACKAGE PER 15A NCAC 02H .1042(2)**

**Only complete application packages will be accepted and reviewed by the Division of Energy, Mineral and Land Resources (DEMLR). An administratively complete application package includes all of the items listed below. A detailed application instruction sheet and SCM checklists are available from** <https://www.deq.nc.gov/about/divisions/energy-mineral-and-land-resources/stormwater/post-construction-program/new-permits-permit-modifications>**. The complete application package should be submitted to the appropriate DEMLR Office.** (The appropriate office may be found by locating project on the interactive online map at <https://www.deq.nc.gov/about/divisions/energy-mineral-and-land-resources/stormwater/stormwater-program/post-construction-program>.)

Please **indicate that the following required information have been provided by initialing** in the space provided for each item. All original documents MUST be signed and initialed in **blue ink**. **Download the latest versions for each submitted application package** from <https://www.deq.nc.gov/about/divisions/energy-mineral-and-land-resources/stormwater/stormwater-program>.

**Initials**

1. *Original and one copy* of the Stormwater Management Permit Application Form.
2. *Original* *and one copy* of the signed and notarized Deed Restrictions & Protective Covenants Form or, for major modifications, a copy of the recorded deed restrictions and protective covenants limiting the built-upon area so that it does not exceed the capacity of the SCM(s) or the BUA thresholds. *(if required as* *per Part VII below)*

Deed book:       Page No:       Relevant section:

1. *Original* of the applicable Supplement Form(s) (sealed, signed and dated) **and** O&M agreement(s) for each SCM. *(please refer to Section V for more information)*

\_\_\_\_\_\_\_\_\_\_\_\_

1. Appropriate permit application processing fee per NCGS 143-215.3D(e)(2) *payable to NCDEQ.*

A full list of fee adjustments is available on the DEQ website: <https://www.deq.nc.gov/accessdeq/permit-fees-2023-updates>

(For an Express review, refer to: <https://www.deq.nc.gov/accessdeq/express-permitting> for information on the Express program and the associated fees. Contact the appropriate Coastal regional office Express Permit Coordinator for additional information and to schedule the required application meeting.)

1. A detailed narrative (one to two pages) describing the stormwater treatment/management for the project. This is required in addition to the brief summary provided in the Project Information, item 1.
2. A USGS map identifying the site location. If the receiving stream is reported as class SA \_\_\_\_\_\_\_\_\_\_\_

or the receiving stream drains to class SA waters within ½ mile of the site boundary, include

the ½ mile radius on the map.

1. Sealed, signed, and dated calculations (one copy).
2. Two sets of plans folded to 8.5” x 14” (sealed, signed, & dated), including:

Development/Project name.

Engineer and firm.

Location map with named streets and NCSR numbers.

Legend.

North arrow.

Scale.

Revision number and dates.

Identify all surface waters on the plans by delineating the normal pool elevation of impounded structures, the banks of streams and rivers, the MHW or NHW line of tidal waters, and any coastal wetlands landward of the MHW or NHW lines.

Delineate the vegetated setback landward from the normal pool elevation of impounded structures, the banks of streams or rivers, and the MHW (or NHW) of tidal waters.

Dimensioned property/project boundary with bearings & distances.

Site Layout with all BUA identified and dimensioned.

Existing contours, proposed contours, spot elevations, finished floor elevations.

Details of roads, drainage features, collection systems, and stormwater control measures

(including any applicable SCM planting plans).

Wetlands delineated, or a note on the plans that none exist. (Must be delineated by a qualified person; identify the person who made the determination on the plans.

Existing drainage (including off-site), drainage easements, pipe sizes, runoff calculations.

Drainage areas delineated (included in the main set of plans, not as a separate document).

1. Copy of any applicable soils report with the associated SHWT elevations (Please identify elevations in addition to depths) as well as a map of the boring locations with the existing elevations and boring logs. Include an 8.5”x11” copy of the NRCS County Soils map with the project area clearly delineated. For projects with infiltration SCMs, the report should also include the soil type, expected infiltration rate, and the method of determining the infiltration rate. (**Infiltration Devices submitted to WiRO:** S*chedule a site visit for DEMLR to verify the SHWT*

*Prior to submittal, (910) 796-7378.)*

1. A copy of the most current property deed. Deed book:       Page No:
2. For corporations and limited liability corporations (LLC): Provide documentation from the NC Secretary of State or other official documentation, which supports the titles and positions held by the persons listed in Contact Information, item 1a, 2a, and/or 3a per 15A NCAC 2H.1040(1).

The corporation or LLC must be listed as an active corporation in good standing with the NC Secretary of State, otherwise the application will be returned. <http://www.secretary.state.nc.us/Corporations/CSearch.aspx>

1. If the applicant is not the property owner, a copy of a lease agreement, affidavit, or other \_\_\_\_\_\_\_\_\_\_\_

document showing that the applicant has obtained legal rights to submit a stormwater permit application within the proposed project area;

1. If applicable, a copy of any recorded drainage, maintenance, or operation and maintenance

easements demonstrating ownership interest sufficient to operate the SW system.

Deed book:       Page No:       Relevant section:

1. If a modification to an existing permit:

\_\_\_\_\_\_\_\_\_\_\_\_

* 1. The applicant / permit holder will remain the same and permit has not and will

not expire within the next 180 days.

\_\_\_\_\_\_\_\_\_\_\_\_

* 1. Signed, sealed & dated Designer Certification Forms
  2. Copies of the following documents recorded with the County Register of Deeds

\_\_\_\_\_\_\_\_\_\_\_\_

* + - 1. Deed restrictions and protective covenants limiting the BUA so that it

does not exceed the capacity of the SCM(s) or the BUA thresholds.

\_\_\_\_\_\_\_\_\_\_\_\_

* + - 1. Drainage easements, when applicable.

\_\_\_\_\_\_\_\_\_\_\_\_

* + - 1. Operation & Maintenance Agreement

\_\_\_\_\_\_\_\_\_\_\_\_

* + - 1. Final subdivision plat referencing the Operation & Maintenance Agreement

#### VII. DEED RESTRICTIONS AND PROTECTIVE COVENANTS

For all subdivisions, outparcels, and future development, the appropriate property restrictions and protective covenants are required to be recorded prior to the sale of any lot. If lot sizes vary significantly or the proposed BUA allocations vary, a table listing each lot number, lot size, and the allowable built-upon area must be provided as an attachment to the completed and notarized deed restriction form. The appropriate deed restrictions and protective covenants forms can be downloaded from <https://www.deq.nc.gov/about/divisions/energy-mineral-and-land-resources/stormwater/stormwater-program/post-construction-program/post-construction-forms>. Download the latest versions for each submittal.

In the instances where the applicant is different than the property owner, it is the responsibility of the property owner to sign the deed restrictions and protective covenants form while the applicant is responsible for ensuring that the deed restrictions are recorded.

By the notarized signature(s) below, the permit holder(s) certify that the recorded property restrictions and protective covenants for this project, if required, shall include all the items required in the permit and listed on the forms available on the website, that the covenants will be binding on all parties and persons claiming under them, that they will run with the land, that the required covenants cannot be changed or deleted without concurrence from the NC DEMLR, and that they will be recorded prior to the sale of any lot.

**VIII. CONSULTANT INFORMATION AND AUTHORIZATION**

Applicant: Complete this section if you wish to designate authority to another individual and/or firm (such as a consulting engineer and/or firm) so that they may provide information on your behalf for this project (such as addressing requests for additional information).

Consulting Engineer:

Consulting Firm:

Mailing Address:

City:      State:      Zip:

Phone: (      )       Fax: (      )

Email:

# IX. PROPERTY OWNER AUTHORIZATION *(if Contact Information, item 2 has been filled out, complete this section)*

I, *(print or type name of person listed in Contact Information, item 2a)* , certify that I own the property identified in this permit application, and thus give permission to *(print or type name of person listed in Contact Information, item 1a)*  with *(print or type name of organization listed in Contact Information, item 1a)* to develop the project as currently proposed. A copy of the lease agreement or pending property sales contract has been provided with the submittal, which indicates the party responsible for the operation and maintenance of the stormwater system.

As the legal property owner I acknowledge, understand, and agree by my signature below, that if my designated agent (entity listed in Contact Information, item 1) dissolves their company and/or cancels or defaults on their lease agreement, or pending sale, responsibility for compliance with the DEMLR Stormwater permit reverts back to me, the property owner. As the property owner, it is my responsibility to notify DEMLR immediately and submit a completed Name/Ownership Change Form within 30 days; otherwise I will be operating a stormwater treatment facility without a valid permit. I understand that the operation of a stormwater treatment facility without a valid permit is a violation of NC General Statue 143-215.1 and may result in appropriate enforcement action including the assessment of civil penalties of up to $25,000 per day, pursuant to NCGS 143-215.6.

Signature: Date:

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, a Notary Public for the State of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, County of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, do hereby certify that \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ personally appeared before me this day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_, and acknowledge the due execution of the application for a stormwater permit. Witness my hand and official seal, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

|  |
| --- |
|  |

SEAL

My commission expires

**X. APPLICANT'S CERTIFICATION**

I, *(print or type name of person listed in Contact Information, item 1a)*  , certify that the information included on this permit application form is, to the best of my knowledge, correct and that the project will be constructed in conformance with the approved plans, that the required deed restrictions and protective covenants will be recorded, and that the proposed project complies with the requirements of the applicable stormwater rules under 15A NCAC 2H .1000 and any other applicable state stormwater requirements.

Signature: Date:

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, a Notary Public for the State of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, County of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, do hereby certify that \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ personally appeared before me this day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_, and acknowledge the due execution of the application for a stormwater permit. Witness my hand and official seal, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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|  |

SEAL

My commission expires