

Compliance with the State Sedimentation Pollution Control Act

State law prohibits issuance of a building permit for any development requiring an erosion and sedimentation control plan under the North Carolina Sedimentation Pollution Control Act of 1973 (G.S. § 113A-50 et seq.) unless and until such plan has been approved by the appropriate State agency. Within Onslow County, that agency is the Wilmington regional office of the State Department of Environmental Quality (DEQ), Division of Energy, Mineral and Land Resources, Land Quality Section).

The Act requires approval of an erosion and sedimentation control plan whenever land-disturbing activity on a tract would uncover more than one acre of land. The Land Quality Section has interpreted this one-acre threshold as applicable not just to individual lots or parcels for which a building permit is sought, but to any combination of lots within a subdivision that are owned and being developed by a single developer or builder - whether or not the lots are contiguous.

If you propose development that might disturb more than 1 acre - either on the lot or parcel for which you seek a building permit, or cumulatively on all lots within a subdivision for which you have or will seek building permits - we recommend that you contact the regional office of the Land Quality Section (see contact information below) before submitting a building permit application and confirm whether or not approval of an erosion and sedimentation control plan is required.

Check one of the following boxes and sign below.

I certify that the land-disturbing activity proposed by this application (whether by itself or combined with that being undertaken or proposed to be undertaken under my control elsewhere in the same subdivision)

complies with an erosion and sedimentation control plan approved by the regional office of the NC Land Quality Section under the State Sedimentation Pollution Control Act of 1973. **Attach a copy of a Letter of Approval with Modifications and Performance Reservations from the regional office of the NC Land Quality Section applicable to the subject site.**

does not require approval of an erosion and sedimentation control plan under the State Sedimentation Pollution Control Act of 1973. **Be aware that if the NC Land Quality Section subsequently issues a Notice of Violation stating that such approval is required, we will, pursuant to G.S. 153A-361-363, issue a stop work order and withhold any certificate of occupancy until the Land Quality Section approves a plan, and revoke the building permit if no plan is submitted to the Section by its deadline.**

Applicant's Signature

Date

For more information about the State erosion and sedimentation control regulations, contact:

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