

CAMA MINOR DEVELOPMENT PERMIT



as authorized by the State of North Carolina, Department of Environmental Quality and the Coastal Resources Commission for development in an area of environment concern pursuant to Section 113A-118 of the General Statutes, "Coastal Area Management"

Issued to the City of New Bern authorizing development in the Estuarine Shoreline (AECs) at 604 S. Glenburnie Road, in New Bern, Craven County as requested in the permittee's application, dated January 16, 2020. This permit, issued on January 29, 2020, is subject to compliance with the application and drawing received by DCM on January 24, 2020 (where consistent with the permit), all applicable regulations and special conditions and notes set forth below. Any violation of these terms may subject the permittee to a fine, imprisonment or civil action, or may cause the permit to be null and void.

This permit authorizes: a parking lot, a restroom facility, a picnic shelter, and a paved water access path.

- (1) All proposed development and associated construction must be done in accordance with the permitted site drawing, received by DCM on January 24, 2020.
- (2) All development shall be performed in accordance with the NC Division of Water Resources' Neuse River Basin Riparian Buffer rules.
- (3) This permit does not authorize the excavation or filling of any wetlands or open water areas, even temporarily.
- (4) All construction shall conform to the N.C. Building Code requirements and all other local, State and Federal regulations, applicable local ordinances and FEMA Flood Regulations.
- (5) Any change or changes in the plans for development, construction, and/or land use activities will require re-evaluation and modification of this permit.
- (6) A copy of this permit shall be posted or available on site throughout the construction process. Contact this office at (252)808-2808 for a final inspection at completion of work.

(Additional Permit Conditions on Pages 2 and 3)

This permit action may be appealed by the permittee or other qualified persons within twenty (20) days of the issuing date. This permit must be on the project site and accessible to the permit officer when the project is inspected for compliance. Any maintenance work or project modification not covered under this permit, require further written permit approval. All work must cease when this permit expires on:

December 31, 2023

In issuing this permit it is agreed that this project is consistent with the local Land Use Plan and all applicable ordinances. This permit may not be transferred to another party without the written approval of the Division of Coastal Management.

Brad Connell

Brad Connell
NCDCM FIELD REPRESENTATIVE
400 Commerce Avenue
Morehead City, NC 28557

X *Iharon Warren*

PERMITTEE

(Signature required if conditions above apply to permit)

Name: New Bern
Minor Permit # 04-20
Date: January 29, 2020
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- (7) All unconsolidated material resulting from associated grading and landscaping shall be retained on site by effective sedimentation and erosion control measures. Disturbed areas shall be vegetated and stabilized (planted and mulched) within 14 days of construction completion.
- (8) The amount of impervious surface/coverage on this property shall not exceed 30% within 75 feet of the Normal Water line contiguous with the Neuse River and Bachelor Creek.
- (9) Pursuant to 15A NCAC, Subchapter 7J.0406(b), this permit may not be assigned, transferred, sold or otherwise disposed of to a third-party.
- (10) If a court of competent jurisdiction determines that a party other than the permittee has legal rights to any part of the area approved under this permit, this permit shall be null and void as to the area the court determines is not owned by the permittee. This condition shall take effect on the date such court judgment becomes final. In such event, the permittee shall consult DCM prior to initiating or continuing any further development under this permit.

SIGNATURE: X *Harri Warren*
PERMITTEE

DATE: X 1-30-20

**BUFFER AUTHORIZATION CERTIFICATE FOR CERTAIN CAMA MINOR PERMITS IN THE
NEUSE AND TAR-PAMLICO RIVER BASINS**

A riparian buffer authorization is required for activities designated as "Allowable" within the Tar-Pamlico & Neuse River basins per Division of Water Resources (DWR) regulations 15A NCAC 02B .0259 & .0233. The riparian buffer begins at the most landward limit of either the normal water line (NWL), normal high water line (NHWL) or the coastal wetland line and extends 50 feet landward measured horizontally on a line perpendicular to the surface water.

Certain activities permitted under a Coastal Area Management Act (CAMA) Minor Development Permit have a Buffer Authorization from DWR as long as they comply with all conditions of this Certificate. If any condition of this certification cannot be met or if the project falls outside the activities listed below, then the applicant is required to submit an application and receive written concurrence from DWR prior to beginning any work. A Pre-Construction Notification (PCN) application for requesting buffer authorization and the corresponding 'Help' document may be obtained on the DWR web site: http://portal.ncdenr.org/web/wq/swp/ws/401/riparianbuffers/authorizations_variances

Those activities covered by your Coastal Area Management Act (CAMA) permit have received Buffer Authorization as long as the project is constructed in a manner that meets the "no practical alternatives" and diffuse flow is maintained and the project continues to meet all of the conditions listed below. Failure to obtain or failure to comply with this Buffer Authorization may subject the property owner & the party (contractor) performing the construction &/or land clearing to a civil penalty by DWR of up to \$25,000 per day per violation.

- Any activity listed as **Exempt** in the Table of Uses in 15A NCAC 02B .0259(6) & 15A NCAC 02B .0233(6)

 - **Allowable activities as described below:**
 - Bridges
 - Clearing and grading in Zone 2 only provided that all disturbed areas are re-vegetated immediately and Zone 1 is not compromised, which includes maintaining diffused flow of storm water runoff through Zone 1
 - Decks in Zone 1 and 2 provided that they are open, uncovered wood-slatted decks with a finished floor elevation of at least 8 feet and the area under the deck remains vegetated
 - Driveway crossing on single family residential (SFR) lots that disturb greater than 25 linear feet or 2,500 square feet of riparian buffer
 - Greenway/Hiking trails
 - Non-electric utilities lines non-perpendicular crossings in Zone 2 only
 - Non-electric utility lines perpendicular crossings that disturb greater than 40 linear feet of riparian buffer and with a maintenance corridor of greater than 10 feet
 - Non-electric utility lines perpendicular crossings that disturb greater than 40 linear feet but less than 150 linear feet of riparian buffer and with a maintenance corridor of equal to or less than 10 feet
 - Overhead electric utility line perpendicular crossings that disturb greater than 150 linear feet of buffer
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- Periodic maintenance of modified natural streams (canals) and a grassed travelway on one side of the surface water when alternative forms of maintenance access are not available
- Playground equipment installed on lands other than SFR lots or that requires the removal of vegetation
- Protection of existing structures, facilities, and streambanks when this requires additional disturbance of buffer
- Railroad crossings that impact greater than 40 linear feet but equal to or less than 150 linear feet or 1/3 of an acre of buffer
- Road crossings that impact greater than 40 linear feet but equal to or less than 150 linear feet or 1/3 of an acre of buffer
- Streambank Stabilization
- Temporary roads that disturb greater than 2,500 square feet provided that vegetation is restored within 6 months of initial disturbance
- Temporary roads used for bridge construction or replacement provided that restoration activities are conducted immediately after construction.
- Temporary sediment and erosion control devices in Zones 1 and 2 to control impacts associated uses approved by DWR or the Division of Coastal Management (DCM).
- Water dependent structures as defined in 15A NCAC 2B .0202
- Underground electric utility line perpendicular crossings that disturb greater than 40 linear feet of buffer

Any structure (including but not limited to: house, commercial building, gazebo, deck, garage, shed, etc) or activity except as described above which is located within the riparian buffer is not covered by this authorization.

Pre-project site conditions: bulkhead and lawn grasses

By your signature below, you agree to be held responsible for meeting all of the above listed conditions and verify that all information is complete and accurate. Questions regarding this process should be directed to wetland/buffer staff of DWR or DCM staff.

X Ihaki Warren
Agent or Applicant Printed Name
Signature

X Ihaki Warren
Agent or Applicant Signature

Brad Connell

Permit Officer's

January 29, 2020

Issue Date

CAMA MINOR PERMIT #: 04-20