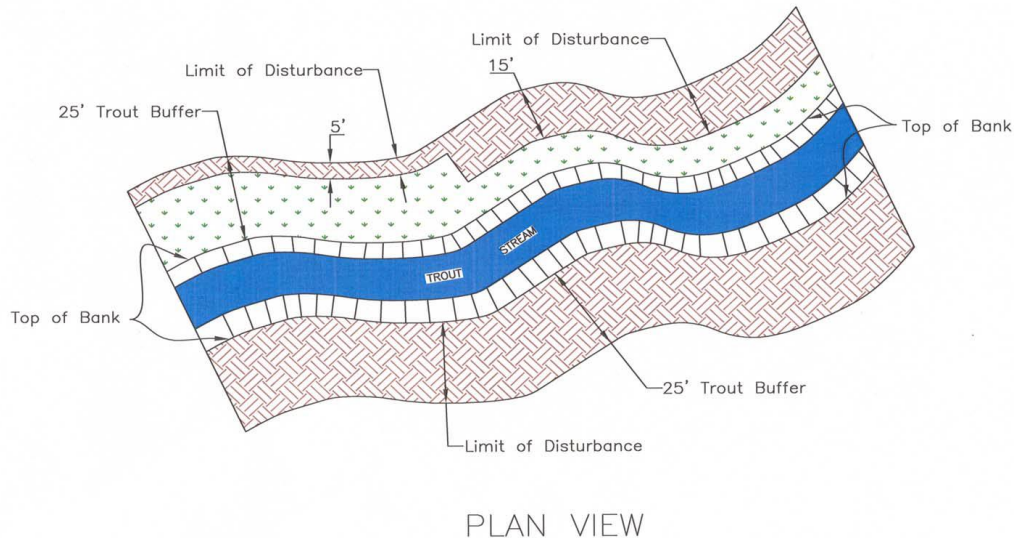


Water

Trout Buffer Variance

What Activities Require This Permit? Any land-disturbing activity occurring on a designated trout stream that will not exceed 100 linear feet of disturbance in each 1,000 linear feet of buffer zone or encroachment that is greater than 10 percent of the linear footage of stream owned within the tract to be distributed. Encroachment means any land-disturbing activity occurring within the buffer zone adjacent to a designated trout stream and measured horizontally from the top of the bank back 25 feet.



What Is The Purpose of This Permit? The buffer zone protects the water quality from the detrimental effects of temperature fluctuation and sedimentation.

Who Issues This Permit? Buncombe County Government: Erosion Control Office

How Much Will This Permit Cost? There is no charge for a Trout Buffer Variance. However, if the project is also linked with a Sedimentation and Erosion Control Plan approval, the application fees for that approval will apply.

What Are My Payment Options for Permit Application Fees? N/A

If Paying by Check, Who do I Make the Check Payable to and Where Do I Send the Check? N/A

Where Can I Get The Application For This Permit? Buncombe County Erosion Control Officer. Information that should be included in the Trout Buffer Variance request is as follows: (1) drawings, blueprints, narratives, etc. (2) Trout Buffer Variance form (3) encroachment amounts such as total encroachment, longest contiguous encroachment and the amount of linear stream owned. (4) watercourse, stream or creek name and its stream classification (This information may be found at the following: <http://ncdenr.maps.arcgis.com/apps/webappviewer/index.html?id=6e125ad7628f494694e259c80dd64265>) (5) current land type (e.g., woodland, pasture, thick undergrowth, etc.) (6) a trout buffer variance should be received prior to submittal and review of the full blown Erosion and Sedimentation Control Plan.

How Long Will It Take To Review My Application? Review time depends on the complexity of the project and staff workload.

Where Do I Submit My Application? N.C. Submittals can be made electronically on-line to jason.guess@buncombecounty.org or mailed to Buncombe County Planning and Development 46 Valley Street Asheville, North Carolina 28801 Attention: Erosion Control Officer.

Water

Trout Buffer Variance

How Long Is My Permit or License or Certificate Valid? Until the work is completed, the site is permanently stabilized and released by an inspector from the Buncombe County Erosion Control Office.

Notes/Comments: It is also important to note, that the buffer zone is measured horizontally from the top of the bank. A trout buffer variance should be received prior to submittal and review of the full blown Erosion and Sedimentation Control Plan.

Legal Authority/Statute Reference:

G.S. 113A-57(1) Mandatory standards for land disturbing activity.
Sedimentation Pollution Control Act of 1973.

Buncombe County Information

Planning and Development
Erosion and Sedimentation Control Office
46 Valley Street
Asheville, NC 28801
Telephone/Fax: (828) 250-4848

Statewide Contact Information:

N.C. Division of Energy, Mineral, and Land Resources
Sediment Program
1612 Mail Service Center
Raleigh, NC 27699-1612
Telephone/Fax: (919) 707-9220