

HENDERSON COUNTY STAFF USE ONLY			
Date Received	Fee Paid		Permit Number
SW Program(s):	<input type="checkbox"/> Coastal SA-HQW <input type="checkbox"/> Non-coastal HQW	<input type="checkbox"/> Coastal SA-ORW <input type="checkbox"/> Non-coastal ORW	<input type="checkbox"/> Coastal FW-ORW <input type="checkbox"/> Urbanizing Areas <input type="checkbox"/> Coastal Other <input type="checkbox"/> USMP

Henderson County, North Carolina

**HENDERSON COUNTY STORMWATER FAST TRACK PROCESS:
“AUTHORIZATION TO CONSTRUCT” (ATC) PERMIT APPLICATION FORM**

A. ELIGIBILITY FOR FAST-TRACK PERMITTING

To be considered for a Fast Track ATC Permit, *all* of the items below must be checked. If any item cannot be checked, then the project must apply under the Standard Stormwater Phase II Post-Construction Permitting Process.

- The project and all SCMs (including existing SCMs associated with the project) will meet all applicable requirements of 15A NCAC 02H .1000 - .1062, including the Minimum Design Criteria (MDC), upon project completion.
- The project is *not* proposing an alternative design.
- The project is *not* claiming an exemption from the MDC based on vested rights, a waiver or a Director's Certification.
- The project is *not* out of compliance with an existing stormwater permit or any other environmental permit.
- The project is *not* applying for an offsite permit, an exemption, or a minor modification (as defined in 15A NCAC 02H .1002(25)) to an existing Henderson County stormwater permit.
- The project application bears the signature and seal of a professional licensed pursuant to either Chapter 89A or 89C of the NC General Statutes.
- I understand that at project completion, an application with the as-built stormwater plans (as described in 15A NCAC 02H .1044 must be submitted, and DEQ will review the as-built stormwater plans to confirm compliance with the MDC. Approval of the as-built stormwater plans will be required before the Erosion and Sedimentation Control Plan for the project may be closed out.
- I understand that the Fast Track ATC Permit will expire five years after the date of issuance.

B. GENERAL INFORMATION

1. Project Name: _____
2. Previous Project Name (if applicable): _____
3. Location of Project (street address): _____
 City: _____ County: _____ Zip: _____
4. Directions to project (from nearest major intersection):

5. Latitude: _____ ° _____ ' _____ " N Longitude: _____ ° _____ ' _____ " W of the main entrance to the project.

C. PERMIT INFORMATION

1. Specify whether project is (*check one*):
 - New, no previous application
 - New, replacing a previous Fast Track ATC Permit -- provide previous permit number: **SWA** _____
By choosing this option, you are also requesting that Henderson County rescind the previous Fast Track ATC Permit upon issuance of the new Fast Track ATC Permit.

Major Modification, replacing an existing stormwater permit – provide existing permit number: **SW** _____
 Status of construction? Not Started Partially Completed Completed
Major modifications must be submitted by the original permittee and are allowed only if the SW permit is not expired. Minor modifications must use Standard Permitting Process. By choosing this option, you are also requesting that Henderson County rescind the previous SW Permit upon issuance of the new Fast Track ATC Permit.

Transfer of existing Fast Track ATC Permit – provide existing ATC permit number: **SWA** _____

2. Applicable state stormwater program(s) (check all that apply):

- Coastal SA-HQW Urbanizing Areas (Phase 2)
 Coastal SA-ORW Non-Coastal HQW
 Is any portion of the project within 575 feet of SA-ORW waters? Yes No
 Non-Coastal ORW
 Coastal Freshwater ORW USMP
 Coastal – Other

3. Other Permits (as applicable; write "NA" for those permit types that are not applicable):

	Project Name	Permit/App'l No.	Issue Date	Other Information
CAMA Major	_____	_____	_____	NA
Erosion & Sedimentation Control	_____	_____	_____	Disturbed Area _____ acre
NPDES Industrial Stormwater	_____	_____	_____	NA
404/401 Permit	_____	_____	_____	Proposed Impacts _____ lf/ac

4. Local jurisdiction for building permits: _____

Point of Contact: _____ Phone #: (_____) _____

D. CONTACT INFORMATION

1. Applicant/Financially Responsible Party (may be an Organization): _____

Signing Official Name & Title: _____

Street Address: _____

City: _____ State: _____ Zip: _____

Mailing Address (if different): _____

City: _____ State: _____ Zip: _____

Phone: (_____) _____ Fax: (_____) _____

Email: _____

2. If the Applicant is a Corporation or LLC (Address must match address on file with NC Dept of the Secretary of State):

Name of Registered Agent: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone: (_____) _____ Fax: (_____) _____

Email: _____

3. The Applicant is the (check all that apply):

- Property Owner
- Lessee (Attach a copy of the lease agreement & complete Item 4.)
- Purchaser (Attach a copy of the pending sales agreement & complete Item 4.)
- Developer (Attach a copy of the development agreement & complete Item 4.)

4. If the Applicant is **NOT** the Property Owner (skip to Item 5 if the Applicant IS the Property Owner):

Property Owner Name/Organization: _____

Signing Official & Title: _____

Street Address: _____

City: _____ State: _____ Zip: _____

Mailing Address (if applicable): _____

City: _____ State: _____ Zip: _____

Phone: () _____ Fax: () _____

Email: _____

5. The licensed Design Professional that will be retained for the duration of the project, who may provide information on the Applicant's behalf, and who will prepare and certify the as-built package:

Consulting Engineer/Landscape Architect: _____

Consulting Firm: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone: () _____ Fax: () _____

Email: _____

6. [OPTIONAL] If you would like to designate another person to answer questions about the project:

Name & Title: _____

Organization: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone: () _____ Fax: () _____

Email: _____

E. PROJECT INFORMATION

1. Specify the type of project (check one): Low Density High Density

2. Briefly summarize how the stormwater runoff will be treated/conveyed:

3. Stormwater runoff from this project drains to the _____ River basin(s).

4. Receiving water information (if more than 3 receiving waters, provide additional information on an attached sheet):

	Receiving Water 1	Receiving Water 2	Receiving Water 3
Receiving Stream Name			
Stream Classification			
Stream Index Number			

5. Project area and density information:

Total Property Area	_____ sf
Total Surface Water Area <i>Considered to include:</i> <ul style="list-style-type: none"> • the normal pool of impounded structures; • the area between the banks of streams and rivers; and • the area below the Normal High Water (NHW) line or Mean High Water (MHW) line. 	_____ sf
Total Coastal Wetlands Area <i>Considered to include: coastal wetlands landward from the NHW (or MHW) line.</i>	_____ sf
Total Project Area <i>Excludes the surface water area and coastal wetland area identified above. May or may not be the same as Property Area.</i>	_____ sf
Built-Up Area (BUA) associated with Existing Development <i>“Existing development” means those projects that are built or those projects that have established a vested right under North Carolina law as of the effective date of the state stormwater program or applicable local government ordinance to which the project is subject.</i>	_____ sf
Proposed New BUA <i>Includes proposed new BUA that is not associated with existing development.</i> <i>“BUA” is defined in N.C.G.S. 143-214.7(b2). It includes, but is not limited to: buildings, roads, parking areas, sidewalks, and some gravel areas. The design volume of SCMs must take into account the runoff from build out from all surfaces draining to the SCM in accordance with 15A NCAC 02H .1050(1).</i>	_____ sf
Project Density <i>w/ Existing Development: Project Density = [New BUA]/[Total Project Area – Existing BUA] x 100 or</i> <i>w/o Existing Development: Project Density = [New BUA]/Total Project Area] x 100</i>	_____ %

6. Anticipated construction start date _____

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

If ‘Yes,’ see S.L. 2012-200, Part VI: <http://www.ncleg.net/Sessions/2011/Bills/Senate/PDF/S229v6.pdf> and DEQ Stormwater Design Manual Chapter E-4 Airports.

8. For projects in Union County: *Contact DEMLR Central Office Stormwater staff at 919-707-9200 to determine if the project is located within a Threatened & Endangered Species watershed that may be subject to more stringent stormwater requirements per 15A NCAC 02B .0600.*

F. SUBMITTAL REQUIREMENTS

Submit the application package to Henderson County Water Quality. Only application packages that include all required items listed below will be accepted and reviewed.

Initial each item below to indicate that the required information is provided in the application package:

Initials

- _____ 1. Two original signed hard copies and one electronic copy of this State Stormwater Fast Track Process "Authorization to Construct" (ATC) Permit Application Form.
- _____ 2. Permit application processing fee of \$505 payable to Henderson County.
- _____ 3. Two hard copies and one electronic copy of a USGS map identifying the project location and GPS coordinates for the project. If the receiving water is Class SA or the receiving water drains to Class SA waters within ½ mile of the project boundary, include the ½ mile radius on the map. If the project is within 575 feet of Class SA-ORW waters, include the 575-foot radius on the map.
- _____ 4. Two original signed hard copies and one electronic copy of a site plan depicting the boundary of the project or project phase currently being permitted, including the locations of SCMs, streams, wetlands, and buffers.
- _____ 5. Two hard copies and one electronic copy of a construction sequence that discusses how any future development on the project may be phased.
- _____ 6. A copy of the most current property deed. Deed book: _____ Page No: _____
- _____ 7. [IF APPLICABLE] When the applicant is a corporation or a limited liability corporation (LLC): Provide two hard copies and one electronic copy of documentation from the NC Secretary of State, or other official documentation, which supports the titles and positions held by the persons listed in Section C.2 per 15A NCAC 2H. 1043(3)(b). The corporation or LLC must be listed as an active corporation in good standing with the NC Department of the Secretary of State; otherwise, the application will be returned. <https://www.sosnc.gov/search/index/corp>
- _____ 8. [IF APPLICABLE] When the applicant is a Partnership or other person engaging in business under an assumed name, attach a copy of the Certificate of Assumed Name.
- _____ 9. [IF APPLICABLE] When the applicant is not the property owner: Provide two hard copies and one electronic copy of lease agreements, affidavits, pending sales agreement, development agreement, or other documents showing that the applicant has obtained legal rights to submit a stormwater permit application within the proposed project area.
- _____ 10. [IF APPLICABLE] If modifying an existing permit for completed or partially completed projects, a copy of the designer's certification.

G. CERTIFICATION OF APPLICANT/ FINANCIALLY RESPONSIBLE PARTY

The Applicant, who is also the Financially Responsible Party, identified in Section D of this form must sign and have notarized the following guaranty:

I, *(print or type name of Applicant/Financially Responsible Party)* _____, certify that the information included on this permit application form is, to the best of my knowledge, correct and that:

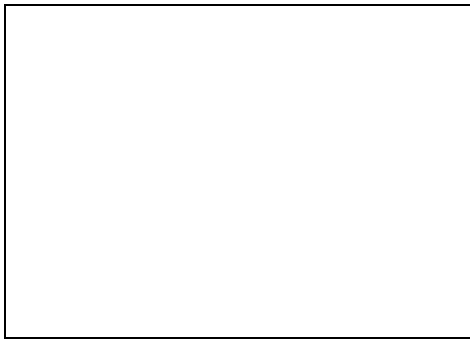
- 1. the design has been or will be completed in accordance with the MDC as set forth in Rules 15A NCAC 02H .1050 through .1062, to the best of my knowledge;
- 2. the completed design meets or will meet the MDC and that the percentage BUA that is the basis for the design shall not be exceeded, to the best of my knowledge; and
- 3. As the applicant, I shall maintain a licensed professional of record for the duration of the project who will prepare and certify the as-built package. If I retain another licensed professional before the project is complete, then I shall provide an updated guaranty with the current licensed professional's seal. A licensed professional shall inform Henderson County if he is no longer associated with this project.

The above information is true and correct to the best of my knowledge and belief and was provided by me under oath I agree to provide corrected information should there be any change in the information provided herein.

Type or print name Title or Authority

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 _____

H. DESIGN PROFESSIONAL'S CERTIFICATION

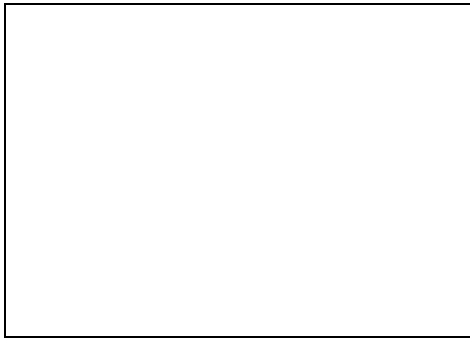
To be completed by the Design Professional identified in Section D.5.

I, _____, attest to the following:

- 1. This application has been reviewed by me and is accurate and complete, to the best of my knowledge;
- 2. The design has been completed in accordance with the MDC as set forth in Rules 15A NCAC 02H .1050 through .1062, as applicable;
- 3. The percentage built-upon area that is the basis for the design will not be exceeded; and
- 4. I have the expertise, education, and experience required to design the SCMs proposed in this application in accordance with the MDC as set forth in Rules 15A NCAC 02H .1050 through .1062.
- 5. I will provide all documents and certified as-built plans in hard copy and electronic format related to this permit to a new Applicant/Property Owner and to Henderson County upon transfer of this permit to a new Applicant/Property Owner.

Note: In accordance with N.C.G.S. 143-215.6A and 143-215.6B, any person who knowingly makes any false statement, representation, or certification in any application shall be guilty of a Class 2 misdemeanor which may include a fine not to exceed \$10,000 as well as civil penalties up to \$25,000 per violation. In addition, any person who knowingly makes any false statement, representation, or certification in any application may be reported to the appropriate NC professional licensing board.

Signature: _____ Date: _____



SEAL

I. PROPERTY OWNER'S AUTHORIZATION (IF APPLICANT IS NOT THE PROPERTY OWNER)

I, *(print or type name of the Property Owner)* _____, certify that I own the property identified in this permit application, and thus give permission to *(print or type name of Applicant)* _____ with *(print or type name of Applicant's organization)* _____ 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 Henderson County Stormwater permit reverts back to me, the property owner. As the property owner, it is my responsibility to notify Henderson County 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 Statute 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

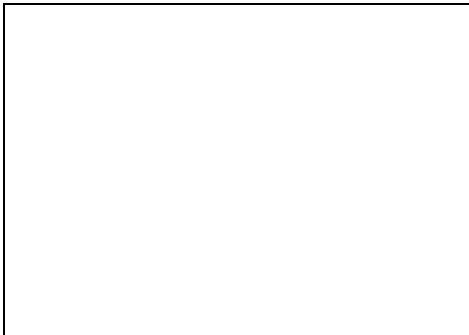
My commission expires _____

J. CERTIFICATION OF CURRENT PERMITTEE (COMPLETE ONLY IF PERMIT TRANSFER IS REQUESTED)

I, *(print or type name of the Current Permittee)* _____, am submitting this request for a transfer of Fast Track ATC permit # SWA_____. With the submission of this transfer request I am providing a copy of the most recent permit, all related documents and as-built plans certified by my design professional in hard copy and electronic format to the Proposed Permittee/Applicant identified in Section G of this application and to Henderson County . I further attest that this request for a permit transfer is accurate and complete to the best of my knowledge. I assign all rights and obligations as permittee to the proposed permittee named in Section G of this form.

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_____