

Hurricane Storm Debris Stream Clearing (EWP)

Original September 1996, revised November 1999

In response to Hurricanes Fran and Floyd, it has been determined, in conjunction with the U.S. Army Corps of Engineers, North Carolina Wildlife Resources Commission, and the North Carolina Division of Water Quality, that debris removal from streams, channels, and other drainage ways done under the following conditions will not require a Section 404 Permit or State 401 Water Quality Certification:

1. Removal of debris will be limited to the removal of vegetation and trash, construction and residential material washed into the stream. Excavation of soil or sediment from wetlands or streams is prohibited. Uprooted stumps directly in the channel may be pulled from the ground (no excavation), but shall include no more than minimal amounts of soil attached to the roots. Debris removal is restricted to that associated with Hurricanes Fran or Floyd.
2. Debris shall be disposed of on uplands where practicable.
3. Debris placed in wetlands shall be spread in a manner that does not impede lateral water flow and should be sufficiently anchored (no excavation or fill) so that material will not be displaced back into the stream channel.
4. Equipment used will generally include hydraulic excavators equipped with a mechanical thumb or grapple attachment, loaders, winches mounted on tracted or rubber-tired equipment, portable winches, and chain saws.
5. Heavy equipment working in wetlands must be placed on mats, or other measures must be taken to minimize soil disturbance.
6. Equipment shall operate adjacent to the stream and not within the stream unless prior approval has been granted. Where necessary, trees may be cut for access to work sites, however, mechanized land clearing will not occur in wetlands at any time. Crossing a stream to access the opposite bank is permissible, but the crossing sites shall be selected to minimize damage to the streambank and aquatic habitat.
7. No activity may cause a hazard to navigation.
8. In the event of a spill of petroleum products or any other hazardous waste, it should be reported to the N. C. Division of Water Quality at (919) 733-5083, Ext. 526 or (800) 6627956 and provisions of the North Carolina Oil Pollution and Hazardous Substances Control Act will be followed.
9. The contractee will be responsible for inspection and will ensure that the previously listed conditions are met.
10. A representative of the Division of Water Quality will periodically inspect the work for compliance with these conditions and to ensure that water quality and wetland standards are not being violated. Deviations from these conditions or violations of water quality standards will likely result in the cessation of work until the problem is resolved.
11. Neuse River Buffer Rules (15A NCAC 2B .0233) must be complied with for activities in a 50-foot wide buffer zone adjacent to all streams.