

**Information about DENR Permit Requirements
Related to Trailer Location for FEMA Temporary Housing Trailer Recipients
In Response to Hurricane Irene**

There are three types of state permits or approvals that may be needed to put a trailer on a property in one of the coastal counties. The Department of Environment and Natural Resources (DENR) is working with FEMA and the U.S. Army Corps of Engineers to streamline the approval process. Please review the information below. If you have questions or need help, contact information is provided at the end of this document.

1 – Clean Water Act Permit and Water Quality Certification

If FEMA provides a temporary housing trailer for your property, FEMA will work with you to find the most practical location for the trailer. If your trailer is placed in an area that is a wetland (even though it is sometimes dry) you may need a **federal Clean Water Act permit** from the Corps of Engineers. FEMA and the Corps of Engineers will make that decision when the location for the trailer has been selected. If you need a Clean Water Act permit, federal law also requires that you get a Water Quality Certification from the state Division of Water Quality in DENR.

In most cases involving FEMA trailer placement, the Corps of Engineers will be using one of three nationwide permits to meet permitting requirements under the Clean Water Act: Nationwide Permit 3 (Maintenance); Nationwide Permit 18 (Minor Discharges) or Nationwide Permit 45 (Repair of Uplands Damaged by Discrete Events). DENR's Division of Water Quality has already issued a General Water Quality Certification that matches up to each of the nationwide permits. FEMA or the Army Corps of Engineers can provide a copy of the appropriate Water Quality certification. You can also call the closest DENR-DWQ office and request a copy of the certification (contact information is at the end of this document) or find the certifications on the DENR-DWQ website at:

<http://portal.ncdenr.org/web/wq/swp/ws/401/certsandpermits/gcs>.

The state Water Quality Certification is intended to provide protection for the waterway from sediment and other pollutants. If you have any questions about what the certification requires on your site, please contact the Division of Water Quality.

2 - Streamside Buffer Approvals

If your temporary trailer is within 50-feet of a stream, streamside buffer rules may apply. DENR-DWQ will assume that buffer impacts will be temporary. No written approval is needed. However, you will need to take certain steps to reduce impacts to the stream and the vegetation growing along it. You will also need to be sure that the buffer is restored after the trailer is removed.

If you are in an area with streamside buffer requirements, temporary buffer impacts for installation of a FEMA trailer will be allowed under the following conditions:

- Disturbance of the protected streamside buffer must be minimized as much as possible.
- Upon removal of the temporary FEMA trailer, the protected streamside buffer must be re-stabilized with vegetation. That can be done by restoring the area to the use and condition it was in before the hurricane; planting new trees; or allowing vegetation to grow back naturally. The pre-hurricane use of the area cannot be

changed. If the area was a lawn before the hurricane, you cannot put a shed or other permanent building in the buffer without consulting DWQ directly.

- No waste, spoil, solids or fill of any kind can be placed in the wetlands, waters or streamside areas beyond the footprint of the trailer.
- If erosion occurs and gullies are formed in the buffer after the temporary trailer is placed, the area needs to be stabilized.

The DENR-Division of Water Quality is making these provisions to protect and assist victims of Hurricane Irene, just as the Army Corps of Engineers is expediting Nationwide Permits to ensure rapid assistance to those who are qualified. These special provisions are not to be used for any other purposes, such as permanent fill in wetlands or permanent buffer impacts. If you are planning to change your building size or shape when you re-build your house, and those plans would affect wetlands, streams or buffers, you will need to talk with the Army Corps of Engineers and DENR-DWQ about obtaining approvals for permanent impacts.

3 - Coastal Area Management Act (CAMA) Permits

As long as you obtain any needed permits from the Corps of Engineers and/or DWQ, the placement of your temporary housing trailer will not require a separate CAMA authorization from the Division of Coastal Management. FEMA already has received approval from DCM for the placement of these temporary housing trailers. It should be noted, however, that the repair or replacement of your hurricane-damaged home may require a CAMA permit. DCM staff can help you determine if the repair or replacement of your home will require a CAMA permit.

Questions? Contact us.

DENR –

- Washington Regional Office (both DWQ and DCM) – 252-946-6481. Tell the operator you have questions or concerns about Hurricane Irene impacts and you will be directed to a staff member who can help.
- DENR-DWQ Central Office in Raleigh – 919-807-6300, press “3” to be routed to permanent staff who can respond to your needs.
- DENR-DWQ website: <http://portal.ncdenr.org/web/wq/swp/ws/401/certsandpermits/gcs>
- DENR-DCM website: http://www.nccoastalmanagement.net/contact_dcm.htm

U.S. Army Corps of Engineers

- Washington Office – 910-251-4555

We are committed to giving top priority to victims of Hurricane Irene. Please call us if you have any questions about Nationwide Permits, Water Quality Certifications, Buffer Rules or CAMA authorizations as you work to recover from the hurricane and rebuild your home.