



## Streamflow Rehabilitation Assistance Program

### Recommendations on Permits for StRAP Projects

The StRAP contract states, *“The Grantee shall be responsible for obtaining necessary landowner authorization for site access and all permits needed to complete the planned work.”* This document is only a general reference guide to assist you and should not be treated as definitive instructions on which permits are required.

#### **When are permits (likely) necessary?**

- Removing Vegetative Stream Debris: permits may not be required if there is no impact to the streambed or banks.
  - Grantees should confirm if permits are required before beginning work.
- Sediment Removal: permits are required.
  - Contact US Army Corp of Engineers and Division of Water Resources.
- For more information, consult with the following organizations to learn what permits the project may need.

**Floodplain Manager**- The local floodplain manager can provide guidance on permits, rules, and local ordinances related to stream projects.

- The floodplain manager can advise if a [No-Rise Certification](#) hydraulic analysis will be necessary for the project.
  - Due to their minimal disturbance of streambed and bank, stream debris removal projects may be granted a [no-rise certification without needing an analysis](#). The floodplain manager can provide additional guidance.
- Contact the local [floodplain manager](#) for assistance.

**NC Division of Water Resources (DWR)**- DWR can provide resources on permitting related to stream projects. For general guidance, contact NC DWR or view their [FAQ document on permitting](#).

- DWR can provide guidance on if permits related to Section 401 or Section 404 of the Clean Water Act are required. A permit is generally not required for stream debris removal as long as the streambed and banks are not disturbed. NC DWR can provide further guidance.
- DWR may recommend additional communication with the [US Army Corps of Engineers](#) (USACE). Two [USACE Nationwide Permits](#) may apply to StRAP projects: Nationwide Permit 3 (stream clearing activities) and Nationwide Permit 13 (stream restoration activities undertaken with federal funds from the NRCS).
- DWR can provide guidance on the [State Riparian Buffer Rules](#).

**NC Wildlife Resources Commission (WRC)**- WRC can provide guidance on the presence of threatened and endangered species near the project site.

- WRC can also provide guidance on moratoriums associated with waterways designated as Anadromous Fish Spawning Areas (AFSA), Primary Nursery Areas (PNA), and Trout Waters.

**NC Division of Coastal Management**- Coastal counties may require a Coastal Area Management Act (CAMA) permit in situations where a Clean Water Act permit is required.

**Landowner Permissions**- Much of the work funded by StRAP will be done on privately owned land. Grantees should secure permission from all landowners before work begins.