



Orange County Planning & Inspections Department

131 W. Margaret Lane, Suite 200, Hillsborough, NC 27278

919-245-2575 or planningapps@orangecountync.gov

Erosion Control and Stormwater

Sworn Declaration of Exemption for Farm Related Land Disturbing Activity

Please check all applicable boxes and complete the required documentation.

If completing by hand, please use black or blue ink.

STATE OF NORTH CAROLINA
ORANGE COUNTY

PURSUANT TO N.C.G.S. 113A-52.01

Date: _____

Contact Information

Property Owner(s): _____

Mailing Address: _____

Phone: _____ Email: _____

Property Information

Parcel ID Number (PIN): _____ (For multiple parcel(s) please provide separate affidavits. For a declaration for a portion of a property, please provide an exhibit (Exhibit A) and denote those areas being declared "Agricultural".)

Property Address: _____

Size of Property: _____ Area of Disturbance: _____

Only a portion of the subject parcel is being utilized for agricultural purposes. See attached Exhibit A for a depiction of those areas so designated. (Check box, if applicable.) The area of disturbance above is the area for which an exemption is being claimed.

For exemption from erosion control requirements, I (we) hereby certify and claim proposed land-disturbing activity is undertaken on the subject property is for the purposes described as follows (check all that apply):

(1) Activities , including the production and activities relating or incidental to the production of crops, grains, fruits, vegetables, ornamental and flowering plants, dairy, livestock, poultry, and all other forms of agriculture undertaken on agricultural land for the production of plants and animals useful to man, including:

- a) Forages and sod crops, grains and feed crops, tobacco, cotton, and peanuts.
- b) Dairy animals and dairy products.
- c) Poultry and poultry products.
- d) Livestock, including beef cattle, llamas, sheep, swine, horses, ponies, mules, and goats.
- e) Bees and apiary products.
- f) Fur producing animals.
- g) Mulch, ornamental plants, and other horticultural products. For purposes of this section, "mulch" means substances composed primarily of plant remains or mixtures of such substances.

(2) Activities undertaken on forestland for the production and harvesting of timber and timber products and conducted in accordance with standards defined by the Forest Practice Guidelines

Related to Water Quality (Best Management Practices), as adopted by the North Carolina Department of Agriculture and Consumer Services.

(3) Activities for which a permit is required under the Mining Act of 1971, Article 7 of Chapter 74 of the General Statutes.

(4) For the duration of an emergency, activities essential to protect human life, including activities specified in an executive order issued under G.S. 166A-19.30(a)(5).

(5) Activities undertaken to restore the wetland functions of converted wetlands to provide compensatory mitigation to offset impacts permitted under Section 404 of the Clean Water Act.

(6) Activities undertaken pursuant to Natural Resources Conservation Service standards to restore the wetlands functions of converted wetlands as defined in Title 7 Code of Federal Regulations § 12.2 (January 1, 2014 Edition). (1993 (Reg Sess., 1994), c. 776, s. 2; 1997- 84, s. 1; 2014-100, s. 14.7(k); 2015-263, s. 19; 2016-113, s. 14.)

Certification and Signatures

It is my (our) intent to follow all applicable Best Management Practices for agriculture as recommended by the Orange County Soil and Water Conservation District, the Natural Resources Conservation Service and the Agricultural Extension Agent. By my (our) sworn testimony to the statements I (we) now make, it is my (our) understanding that neither Orange County or the State of North Carolina will pursue any course of action under the Sedimentation Pollution Control Act of 1973 (as amended), as recorded in North Carolina General Statutes Chapter 113A, Article 4, The Sedimentation Pollution Control Act of 1973. This declaration of agricultural activity is for the current proposed land-disturbing activity on this property. I (we) recognize that any non-agricultural activity in the declared Agricultural area is subject to submission and approval of an acceptable Erosion and Sedimentation Control Plan, should it exceed the threshold requirements for the watershed. It is not my (our) intent to develop this property for business, commercial or residential purposes. I (we) hereby claim exemption from regulation by the North Carolina Sediment Control Commission pursuant to NCGS 113A-52.01.

Signature

Signature

Seal

Seal

NORTH CAROLINA
_____ COUNTY

I, a Notary Public of said State and County, do hereby certify that
_____ personally appeared before me this day and acknowledged
the due execution of the foregoing Affidavit.

Witness my hand and notarial seal, this _____ day of _____, 20_____.

Notary Public

My Commission Expires: _____