



Erosion Control and Stormwater Sworn Declaration of Exemption for Farm Related Land Disturbing Activity

Pursuant to NCGS 113A-52.01

Date: _____

CONTACT INFORMATION

Property Owner(s) _____

Mailing Address: _____

Phone: _____ Email: _____

PROPERTY INFORMATION

Parcel LRK or PIN _____

For multiple parcels, 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. 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 purpose 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:

- _____ Forages and sod crops, grains and feed crops, tobacco, cotton, and peanuts.
- _____ Dairy animals and dairy products.
- _____ Poultry and poultry products.
- _____ Livestock, including beef cattle, llamas, sheep, swine, horses, ponies, mules, and goats.
- _____ Bees and apiary products.
- _____ Fur producing animals.
- _____ 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 NCGS i66A-i9.30(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 Sass., 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 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 Foxfire Village 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(s)

Date

NORTH CAROLINA MOORE 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: