



NORTH CAROLINA
Environmental Quality

February 16, 2021

DWR #17-1487 v4
Wake County

ROY COOPER

Governor

MICHAEL S. REGAN

Secretary

S. DANIEL SMITH

Director

Raleigh-Durham Airport Authority
Attn: Michael Landguth, President
1000 Trade Drive
RDU Airport, NC 27623

(Delivered via email to Michael.Landguth@rdu.com)

Subject: REQUEST FOR ADDITIONAL INFORMATION
Raleigh-Durham Airport Authority-Enhanced Security Perimeter Fencing

Mr. Landguth,

On October 14, 2020, the Division of Water Resources (Division) received your application requesting a Riparian Buffer Authorization pursuant to the Neuse River Riparian Buffer Protection Rules (15A NCAC 02B .0714) from the Division for your project. The Division requested more information on December 12, 2020 and received your response on December 18, 2020. After reviewing the information provided, the Division has determined that your application is incomplete and cannot be processed. **The application is on-hold until the following information is received:**

1. Is any portion of the project on “public lands” or is any funding of the project a “significant expenditure of public moneys” as those terms are defined in the State Environmental Policy Act (SEPA)? [G.S. § 113A-9]
2. Section F of your *Buffer Authorization Application Form* reflects that the project site is in violation of DWR Wetland Rules (15A NCAC 02B .0500), Isolated Wetland Rules (15A NCAC 02B .1300), DWR Surface Water or Wetland Standards, or Riparian Buffer Rules (15A NCAC 02B .0200). As explanation, you cited a February 14, 2020 letter from NCDEQ (signed by Sheila Holman). This communication was not an issuance of a Notice of Violation (NOV). The Division is not aware of any NOVs for the subject site. Please clarify if any NOVs have been issued for the subject site. [15A NCAC 02B .0714 and 15A NCAC 02H .0611(b)(1)(G) and (H)]



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Raleigh Regional Office | 3800 Barrett Drive | Raleigh, North Carolina 27609
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3. To demonstrate avoidance and minimization, please demonstrate why the project's purpose "to provide enhanced security of airport property, and prevent trespassers from entering airport property who are causing damage to many riparian buffers" can not be achieved by designing the fence to terminate before entering the regulated riparian buffer. [15A NCAC 02B .0714 and 15A NCAC 02H .0611(b)(1)(G)].
4. Please provide a vegetation maintenance plan to address how vegetation regrowth will be managed along the fence corridor within the riparian buffer. Please include a description of mechanical or chemical means to be used in vegetation management. [15A NCAC 02B .0714 and 15A NCAC 02H .0611(b)(1)(G) and (H)].
5. Please confirm you are not going to operate vehicles in the riparian buffers, streams or wetlands as part of routine patrols. [15A NCAC 02B .0714 and 15A NCAC 02H .0611(b)(1)(G) and (H)].
6. It remains unclear how fence segments isolated between stream crossings will be patrolled if there are no vehicular crossings of streams. Please clarify. [15A NCAC 02B .0714 and 15A NCAC 02H .0611(b)(1)(G) and (H)].
7. How will you ensure streams are protected from sedimentation and bank destabilization from routine foot patrolling of the buffered areas given the steep topography of some of the riparian areas and the potential for accelerated erosion? Will any infrastructure such as foot bridges be provided? [15A NCAC 02B .0714 and 15A NCAC 02H .0611(b)(1)(G) and (H)].

Pursuant to Title 15A NCAC 02B .0714, the applicant shall furnish all of the above requested information for the proper consideration of the application. Please respond in writing within 30 calendar days of receipt of this letter by sending one (1) copy of all of the above requested information to the 401 & Buffer Permitting Branch, 1617 Mail Service Center, Raleigh, NC 27699-1617 OR by submitting all of the above requested information through this link: <https://edocs.deq.nc.gov/Forms/Supplemental-Information-Form> (note the DWR# requested on the link is referenced above).

If all of the requested information is not received in writing within 30 calendar days of receipt of this letter, the Division will be unable to approve the application and it will be returned. The return of this project will necessitate reapplication to the Division for approval, including a complete application package and the appropriate fee.

Please be aware that you have no authorization under the Water Quality Certification Rules or the Neuse River Riparian Buffer Rules for this activity and any work done within waters of the

state or regulated Riparian Buffers may be a violation of North Carolina General Statutes and Administrative Code.

Please contact Rick Trone at Rick.Trone@ncdenr.gov if you have any questions or concerns.

Sincerely,

DocuSigned by:
Paul Wojoski
949D91BA53EF4E0...

Paul Wojoski, Supervisor
401 and Buffer Permitting Branch

cc: Bob Zarzecki, S&EC via e-mail at bzarzecki@sandec.com
DWR RRO
DWR 401 & Buffer Permitting Unit via Laserfiche