

The applicant must demonstrate through their Environmental Impact Assessment (EIA) and design documents that each of the required elements outlined in the UDC Sec. 40.10.701 have been systematically and fully evaluated such that the RPATAC is able to consider and act on the applicant's proposal.

The Department may confer with appropriate RPATAC agencies to ascertain whether the application is complete. If there are any missing or incomplete items, the Department shall issue a report that includes those comments received from applicable RPATAC agencies along with the Department's determination of status (UDC Sec. 40.31.150). A public hearing will be scheduled only after the submission is determined to be complete by the Department.

RPATAC seeks assurance that applications can be executed in agreement with the proposal presented at the public hearing. To that end, the applicant must demonstrate that the proposed methodologies to offset the environmental impacts are functionally feasible using sound engineering means and methods and be guided by applicable codes and standards. For example, stormwater management calculations are required to demonstrate the ability to capture and retain the volumes assumed in the water budget calculations utilizing the National Oceanic and Atmospheric Administration (NOAA) Curve C rainfall distributions. The responsible qualified professional(s) shall attend the public hearing to address questions or issues that may arise concerning the technical documents.

III. REQUIRED INFORMATION

1.0 Environmental Impact Assessment Report Requirements. All technical documents upon which the application relies shall be incorporated into the EIA. At the discretion of RPATAC, new technical documents distributed for the first time during the public hearing may not be considered by RPATAC. To demonstrate the requirements for a complete EIA, as required by UDC Sec. 40.10.701, the following shall accompany any submission:

- 1.1. The Department's exploratory review report, identifying the status of the application as Conditionally Approved.
- 1.2. Exploratory Plan, including a certification that it accurately represents existing and proposed site conditions.
- 1.3. Landscape Plan, including a certification that accurately accounts for existing and proposed site conditions.
- 1.4. Resource Mapping, clearly depicting all UDC Article 10 natural resources, based upon current data:
 - 1.4.1. Protected lands shall be calculated per UDC Table 40.05.420.
 - 1.4.2. Vegetation shall be delineated using the outer dripline within 1-year prior to the submission date of the exploratory application to the Department of Land Use. This requirement includes, but is not limited to forest, specimen trees, wetlands, and brush areas.

Applications proposing groundwater recharge, or as may be relevant to the mitigation of the resource, shall also include:

- 1.5. Climatic Water Balance, prepared consistent with the DSSR and in accordance with the Delaware Ground-Water Recharge Design Manual.
- 1.6. Stormwater Management Report, when stormwater management facilities are proposed to serve a dual purpose of satisfying water budget needs (mitigation) and stormwater

management requirements.

- 1.7. Subsurface exploration of soils and geology, prepared consistent with the DSSR and in accordance with the Delaware Ground-Water Recharge Design Manual.

2.0 Required Information for Proposed Mitigation. When mitigation is utilized to offset an environmental impact, the application shall differentiate between the mitigation provided per the requirement of the Code and Regulation versus those mitigation activities proposed to support a positive recommendation of the variance request. Mitigation strategies, where applicable, shall:

- 2.1. Demonstrate feasibility-level performance. For example, if utilizing stormwater infiltration to augment groundwater recharge, the application must demonstrate the ability for the proposed management facility to receive the calculated runoff, have a suitable discharge point, suitable area for maintenance, and landscape treatments.
- 2.2. Identify the responsible party for future maintenance and operation.
- 2.3. Comply with the Delaware Sediment and Stormwater Regulations, for example, Sections 11.1.3 and 12.1.
- 2.4. Demonstrate no net negative impact upon a protected resource due to the mitigation strategy.
- 2.5. Demonstrate no negative effect on neighboring properties.

3.0 Required Certification by the Responsible Qualified Professional. Technical documents shall be signed and sealed by the responsible qualified professional.

I, the undersigned, hereby certify that I am a qualified professional with a background in the applicable environmental discipline and registered in the State of Delaware and it is my opinion that, to the best of my knowledge, each element *New Castle County Code* chapter 40 (the UDC), article 10, was considered and addressed in accordance with all applicable regulations, codes, standards, guidelines, and policies.

Signature and Seal of Professional

Date

When the application proposes groundwater recharge, the EIA shall be certified by a PE or PG qualified in hydrogeology.

I, the undersigned, hereby certify that I am a Professional Engineer or Professional Geologist with a background in hydrogeology registered in the State of Delaware and it is my opinion that, to the best of my knowledge, each element of the *New Castle County Code* chapter 40 (the UDC), article 10, was considered and addressed in accordance with all applicable regulations, codes, standards, guidelines, and policies.

Signature and Seal of PE or PG

Date