

15A NCAC 05H .1617 VISUAL IMPACT MITIGATION

(a) The permittee shall mitigate visual impacts using visual screening. "Visual Screening" shall include existing natural vegetation, vegetated earthen berms, or tree plantings at staggered spacing to be installed and maintained between any disturbed land and any adjoining property containing occupied dwellings within view of the disturbed land.

(b) The Commission, upon written request by the applicant or permittee submitted pursuant to Rule .0301 of this Subchapter, may grant a variance to the visual impact mitigation requirements. The Commission shall consider factors such as:

- (1) zoning of the area;
- (2) surface use agreements;
- (3) land use;
- (4) topography; and
- (5) configuration of the well pad.

*History Note: Authority G.S. 113-391(a)(4);
Eff. March 17, 2015.*