



Chimney Rock Village (CRV) of Rutherford County, NC is currently working with USDA-NRCS to implement the Emergency Watershed Protection (EWP) Program. The watershed impairments that EWP can address are limited to those that create an emergency by impairing flows and threatening lives, public health, or property such as houses, buildings, roads, utilities, structures, and dams. The program is designed to help people and conserve natural resources by relieving imminent hazards to life and property caused by floods, fires, windstorms, and other natural occurrences. EWP funded measures must also be economically, environmentally and socially defensible; be designed and implemented according to sound technical standards; and conserve natural resources. In CRV, EWP will assist residents and businesses to stabilize stream banks, damaged/eroded due to Hurricane Helene. **The damage must be an imminent threat to life and/or property if not addressed. Properties of greatest concern are homes, businesses, utilities, bridges and access roads.** A site visit will be conducted to verify and document the damage. This is only the assessment stage and does not guarantee the site will be recommended for the program.

- Please return this form to Penny Martinez at the following: pmartinez@frcnc.gov
- For questions call Penny at 828-289-5672

Owner Name (First, Last)

Full address of stream bank erosion location

Phone Number

Email

1. Is there a stream on the property or along property line? Yes No
2. Was stream bank erosion caused by or made worse because of Hurricane Helene? Yes No
3. Are there any structures within 25 feet of stream bank erosion? Identify all:
 - House or building
 - Utilities
 - Septic System
 - Water System or Well
 - Bridge
 - Road (main or access), not a driveway
 - None
4. Is there a bridge or road crossing downstream which could be impacted if bank is not stabilized (further than 25 ft)? Yes No
5. Is there debris in the stream channel at this location? Yes No

RIGHT OF ENTRY/HOLD HARMLESS AGREEMENT

DATE: _____

Rutherford County, NC Chimney Rock Village (CRV)

USDA Natural Resources Conservation Service

Hurricane Helene — Emergency Watershed Protection (EWP) Program

Please return this form to Penny Martinez at the following: pmartinez@frcnc.gov

RIGHT OF ENTRY PERMIT NO. (Ten-Digit PIN): TBD

PROPERTY ADDRESS: _____

Example:
123 Elm St, Anytown, NC 12345

NAME(s) (OWNERS OR OWNERS' AUTHORIZED AGENT):

TELEPHONE NO: _____

EMAIL: _____

RIGHT OF ENTRY: I certify that I am the owner or the owner's authorized agent of the above-described property, and that I have the legal authority to enter into this Agreement. I grant freely and without coercion the right of access and entry to said property to representatives of the United States Department of Agriculture (USDA), Natural Resource Conservation Service (NRCS), CRV and *Rutherford County, NC*, its agents, contractors (e.g., administrative, engineering, construction services) and subcontractors, to inspect the property for purposes of executing an emergency debris removal and/or bank/slope repair and stabilization project under NRCS Emergency Watershed Protection (EWP) program.

I understand that this Agreement/Permit is not an obligation upon the government to perform or execute any project.

HOLD HARMLESS: I agree to hold harmless the United States Government, USDA, NRCS, *CRV and Rutherford County, NC*, and any of their agencies, agents, contractors (e.g., administrative, engineering, construction services), and subcontractors, for damages of any type whatsoever (present or future), either to the above-described property and/or any improvements on, or a part of the property, or to persons situated thereon. I release, discharge, and waive any action, either legal or equitable, that might arise by reason of any action of the above entities while performing the emergency debris removal and/or bank/slope repair and stabilization project on the property, and release, discharge, and waive any action, either legal or equitable, that might arise by reason of any future damages that may occur on and around the project site and property. I understand any designed and installed EWP structures are considered temporary emergency measures and are

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not designed to provide permanent protection against future storm events. I understand future storm damages may occur and not be eligible for disaster relief funding. I will mark sewer lines, septic tanks, water lines and utilities located on the property. I will assume all operations and maintenance responsibilities for any EWP structures placed on my property and agree to follow all guidance supplied with technical documents provided.

RIGHT OF ENTRY PERMIT NO. (Ten-Digit PIN): _____

DUPLICATION OF BENEFITS: Owner (has, has not) and (will, will not) receive(d) any compensation for the execution/performance of this project from any other source including Small Business Administration (SBA), Federal Emergency Management agency (FEMA) individual and family grant program or any other public assistance program. Owner understands that all disaster related funding, including that for debris removal, placement and construction of the emergency repairs on private property, is subject to audit.

This Agreement/Permit shall remain in effect for a period of no less than one year from the execution date.

SIGNED: All owners/agents must sign below.

Printed Name (1): _____ Signature: _____ Printed Name (2): _____ Signature: _____
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Witness (REQUIRED – Does <u>not</u> have to be a notary public) Printed Name: _____ Signature: _____
