

CITY OF ST. MARYS

LAND DISTURBING ACTIVITY PERMITTING

REQUIREMENTS

The Georgia Erosion and Sedimentation Act of 1975 (OCGA § 12-7-7a) prohibits land-disturbing activities from being conducted in the state without the operator first securing a permit from the local issuing authority.

The City of St. Marys is the local issuing authority for land disturbance permits for all activities that require such permitting within the jurisdictional boundaries of St. Marys. In order to continue servicing the public as a local issuing authority, we are required to inspect and enforce all land disturbance activities over one acre, all land disturbance within a common development and any land disturbance within 200 feet of state waters regardless of the disturbed acreage.

Who is required to obtain a Land Disturbing Activity (LDA) Permit?

Anyone involved in land-disturbing activity. The State defines a land disturbing activity as:

"Land-disturbing activity" means any activity which may result in soil erosion from water or wind and the movement of sediments into state water or onto lands within the state, including, but not limited to, clearing, dredging, grading, excavating, transporting, and filling of land but not including agricultural practices as described in paragraph (5) of Code Section 12-7-17"

A few examples of activities that are exempted from this permitting requirement:

- Surface mining, as the same is defined in O.C.G.A. § 12-4-72, the "Georgia Surface Mining Act of 1968";
- Such minor land-disturbing activities as home gardens and individual home landscaping, repairs, maintenance work, fences, and other related activities which result in minor soil erosion;
- Construction of a single family residence that is less than 1 acre and not part of a larger common development or within 200 feet of the bank of any state waters
- Agricultural operations as defined in O.C.G.A. § 1-3-3,
- Forestry land management practices

What is a larger common development?

The State defines larger common plan of development as:

"Larger common plan of development or sale" means a contiguous area where multiple separate and distinct construction activities are occurring under one plan of development or sale. For purposes of this paragraph, "plan" means an announcement; piece of documentation such as a sign, public notice or hearing, sales pitch, advertisement, drawing, permit application, zoning request, or computer design; or physical demarcation such as boundary signs, lot stakes, or surveyor markings, indicating that construction activities may occur on a specific plot.

How does this affect obtaining a Building Permit?

After the Land Disturbance Activity Permit is issued, a building permit application can be submitted to the City for approval. However, if the Contractor wishes, the City will perform a preliminary review prior to the Land Disturbing Activity Permit being issued.

Where do I apply for a Land Disturbance Activity Permit?

Permit applications may be obtained at the City of St. Marys Community Development office. The application can be downloaded from the Community Development's Document Center [here](#).

What submittals are required for a Land Disturbance Activity Permit?

No permit shall be issued unless a site specific erosion, sedimentation and pollution control plan has been approved by the Georgia Soil and Water Conservation Commission and a copy of the NPDES Notice of Intent as required by the Georgia EPD. If the permit is denied, the reason for denial shall be furnished to the applicant.

The City of St. Marys will submit the applicant's Erosion, Sedimentation and Pollution Control Plans to the Georgia Soil and Water Conservation Commission for review and approval.

The following items are required to be submitted to the City of St. Marys:

- The completed Land Disturbance Activity Permit application.
- Four copies of the applicant's erosion, sedimentation and pollution control plans.
- Proof that the applicant has met all the education and training certification requirements, dependent on his or her level of involvement with the process (Level 1A Blue Card or higher)
- Proof that the applicant has received approval from the Georgia EPD the NPDES Notice of Intent (NOI) General Permit which can be obtained online at the Georgia EPD GEOS website.
- Proof of property ownership or authorization of the property owner to file for the Land Disturbance Activity Permit.
- Any Fees applicable.

What fees are required for a Land Disturbance Activity Permit?

All applicable fees shall be paid prior to issuance of the land disturbance permit.

- Land Disturbance Activity Permit Review Fee - When the plans are initially submitted.
 - Single lot application - \$50
 - Two concurrent Lots (single application) - \$100
 - Three or more Concurrent Lots (single application) - \$150
- In addition to the Land Disturbance Activity Permit Review fees, fees will also be assessed pursuant to O.C.G.A. § 12-5-23(5)(a), provided that such fees shall not exceed \$80.00 per acre of land-disturbing activity, and these fees shall be calculated and paid by the primary permittee as defined in the state general permit for each acre of land-

disturbing activity included in the planned development or each phase of development. The fee for primary permittee is \$40 per disturbed acre to the City of St. Marys and \$40 per disturbed acre to the State of Georgia.

What is required when I have completed all site work?

After the City issues a Certificate of Occupancy, the Permittee should submit to the Georgia EPD a Notice of Termination for their NPDES Permit.

All Notices of Termination (NOT) shall be submitted to Georgia EPD using the Georgia EPD (GEOS) electronic submittal service and a copy of the NOT to the City of St. Marys Community Development Office.

Without a NOT the permittee will remain responsible for all storm water discharge from the permitted site.

Additional Information

- Georgia State Law reference— [Control of Soil Erosion and Sedimentation](#)
- Georgia EPD NPDES Construction Storm Water General Permits - <https://epd.georgia.gov/npdes-construction-storm-water-general-permits>
- Georgia EPD - [Fact Sheet for Construction General Permit - May 2018](#)
- Georgia EPD On-line System (GEOS) - [GEOS](#)
- Georgia Soil and Water Conservation Commission - <https://gaswcc.georgia.gov/>
- GSWCC Education and Certification Program - [education-and-certification](#)
- City of St. Marys Community Development Office - [COSM - Community Development](#)