



Effingham County **Requirements for Land Disturbing Activity Permits**

Land Disturbing Activity (LDA) Permits Required

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. Land disturbing activity is defined as “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.*” Although there are a few exceptions, in general any project disturbing one (1) acre of land or more requires a permit. In unincorporated Effingham County, LDA permits are issued by the Effingham County Planning and Engineering Department.

Land Clearing Claiming Forestry Exemption

Under the Georgia Erosion and Sedimentation Act, forestry land management practices are exempt from the regulations of the Act. However, these activities are required to follow forestry BMPs as put forth by the Georgia Forestry Commission. If land is disturbed for forestry management purposes without an LDA permit having been issued, then the land may not be developed for three years after the completion of such forestry practices, as specified in the Act.

NPDES Permit NOI Required

If your project requires an NPDES construction stormwater permit from the State of Georgia, a copy of the Primary Permittee’s Notice of Intent (NOI) as submitted to EPD shall also be submitted to Effingham County with a copy of the NPDES General Permit Fee Form confirming payment of those fees. In general, construction projects over one (1) acre require a NPDES permit in addition to an LDA permit. The NOI as submitted to the county shall contain all attachments required by the NOI.

The web address for permit and forms is: http://www.gaepd.org/Documents/construction_stormwater.html. If you have any questions regarding the NPDES permit, please contact the Georgia Environmental Protection Division – Coastal District Office at 912-264-7284.

Ponds

If you are constructing a pond of less than one (1) acre in size and the soil is being removed from the site, while an LDA permit is not necessary, it is mandatory you obtain approval by the Effingham County Planning Board prior to any work being done. Contact the Planning and Engineering Department for a pond application.

If you are constructing a pond of less than one (1) acre in size and the soil remains on the property, it is NOT necessary to obtain an LDA Permit or approval by the Planning Board. However, all Best Management Practices (BMPs) should be implemented.

If you are constructing a pond of more than one (1) acre in size and the soil remains on the property, it is mandatory you obtain approval by the Effingham County Planning Board prior to any work being done; contact the Planning and Engineering Department for a pond application. You must also acquire a Land Disturbing Activity Permit (LDA); submit three (3) copies of engineered E & S Control plans for the entire project area for review and approval by the Planning & Engineering office.

If you are constructing a pond of more than one (1) acre in size and the soil is being removed from the site, you must apply for and receive a state mining permit from the Georgia Environmental Protection Division. You are required to rezone your property to an industrial zoning district (I-1). This process requires approval by both the Planning Board and Board of Commissioners.

LDA Permit Fees

LDA permit fees shall be calculated for the entire project area at the rate of \$40.00 per acre disturbed. In addition, a conservation education fee of \$50.00, payable to the Ogeechee River Soil & Water Conservation District, is requested.

LDA plans shall be reviewed and approved by the county engineer before an LDA is issued. The calculation for this fee varies with the type of plan being submitted and reviewed. A Development Plan Review Fee will be rated at either \$175 with an additional \$15 per lot for single family residential subdivisions, \$175 with an additional \$10 per unit for multi-Family Residential subdivisions, or \$350 with an additional \$80 per acre for non-residential plans.

Surety Bond

Projects needing an LDA permit will require the applicant to post a surety bond in the amount of fifteen hundred dollars (\$1,500) per disturbed acre prior to issuing of the permit.

Checklist for Land-Disturbing Activity Permit Application:

- Ogeechee River Soil & Water Conservation District E&S Control Plan Review Sheet
- Three (3) copies of erosion and sedimentation control plans, consisting of narrative and site plan
- Copy of \$50.00 check and form to the Ogeechee SWCD
- Copy of check and form for NPDES fees
- Copy of Primary Permittee's NOI
- LDA Permit Fee (\$40 per disturbed acre.)
- Development Plan Review Fee
- Bond posted, Amount: _____

Inspections

The Planning and Engineering department will periodically inspect the sites of land-disturbing activities for which permits have been issued to determine if the activities are being conducted in accordance with the plan and if the measures required in the plan are effective in controlling erosion and sedimentation. Upon purchasing an LDA permit you will need to contact the Effingham County Erosion and Sedimentation Inspector to schedule an inspection of your BMP installation.

Effingham County B.O.C.
Planning and Engineering Dept.
Erosion and Sedimentation Inspector
Office 912-754-8008
Cell 912-547-9328