

Clearing the Air about Clearing the Land

Dougherty County Public Works

If you or someone you know is planning to perform any Land Disturbing Activities on his/her property within the unincorporated areas of Dougherty County, there are a few things that should be considered before beginning. In some cases, Dougherty County Public Works may require the property owner to obtain a Land Disturbance Activity (LDA) Permit.

As a Local Issuing Authority (LIA), Dougherty County Public Works is responsible for enforcing Federal, State, and Local laws concerning Erosion, Sedimentation and Pollution control. The primary purpose of these laws is to protect the quality of one of our most important natural resources, our water, whether it be surface water or groundwater.

Below, we'll cover a few commonly asked questions to help determine if an LDA Permit is required.

What defines a 'Land Disturbing Activity'?

According to Dougherty County's Code of Ordinances, it means *"Any activity on property that results in a change in the existing soil cover (both vegetative and nonvegetative) and/or the existing soil topography. Land disturbing activities include, but are not limited to, development, redevelopment, demolition, construction, reconstruction, clearing, grading, filling, and excavation."*

When do I need to obtain an LDA Permit?

Prior to any land disturbing activities, every person will be required to obtain a land disturbance permit from the Dougherty County Public Works Department in the following cases:

- (1) Land disturbing activity disturbs one (1) or more acres of land;
- (2) Land disturbing activity of less than one (1) acre of land **if** such activity is part of a larger common plan of development that affects one (1) or more acre of land;
- (3) Land disturbing activity of less than one (1) acre of land, **if** in the discretion of the county public works department such activity poses a unique threat to water (within 200 feet of the banks of "State Waters"), or public health or safety;
- (4) The creation and use of borrow pits.

What items do I need in order to obtain an LDA Permit?

- (1) A completed LDA Permit form, submitted to Dougherty County Public Works.
- (2) A Georgia Soil and Water Conservation Commission (GSWCC) Erosion, Sedimentation and Pollution Control (ES&PC) Plan Checklist.

- (3) A copy of the National Pollutant Discharge Elimination System (NPDES) general permit. (The original copy will be submitted to the Georgia Environmental Protection Division (EPD))
- (4) A copy of the Notice of Intent (NOI). (The original copy will be submitted to the Georgia EPD)
- (5) Other items that could be required depending on the type of project include, but are not limited to, Topographical and Boundary surveys, Grading and Drainage Plans, Hydrological calculations for the site, a copy of the Georgia Department of Transportation (GDOT) permit (if required by GDOT), and a copy of septic tank approval from the City of Albany/Dougherty County Planning & Development Services (if applicable).

What would happen if I performed a qualifying land disturbing activity without an LDA Permit?

The County will issue a "Stop Work Order" to the owner/operator, which would be in effect immediately. This means that all work would be ceased, except that which is directed at addressing any violations or bringing the site within compliance. Failure to do so in a timely manner can result in civil, criminal, or monetary penalties.

How much does an LDA Permit cost?

- (1) \$80 per disturbed acre for the NPDES Permit. (\$40/acre to the Georgia EPD and \$40/acre to Dougherty County)
- (2) \$100 for the LDA Permit (issued by Dougherty County)
- (3) The cost for any Design, Engineering, Surveying or the Erosion, Sedimentation & Pollution Control (ES&PC) Plan can vary greatly, depending on the size and scope of the project.

Are there any exemptions for LDA Permits?

According to Georgia Law, the following activities are exempt from LDA permitting:

- (1) Surface Mining
- (2) Granite Quarrying
- (3) Minor land disturbing activities (i.e. home landscaping, fences, & other activities that result in minor soil erosion)
- (4) Construction of single family residences (if the project disturbs less than 1 acre and is not part of a common development)
- (5) Agricultural Operations (i.e. cultivation/harvest of crops, farm ponds, and livestock, dairy or poultry operations)
- (6) Forestry practices
- (7) NRCS/USDA projects

(8) Projects less than 1 acre

(9) Road Construction and Utility projects financed by GDOT, City, or County governments.

(10) Utility projects conducted by EMCs, Public Utilities, or cable providers.

Note: Even exempted activities must conform to minimum Best Management Practices (BMP) for erosion, sediment, and pollution control.

If you have any questions, or if you are unsure if a permit is required for your project, **please contact Dougherty County Public Works at (229) 430-6120.** We would be glad to answer any questions you may have in order to help you avoid any unexpected delays or expenses.

