

**TABLE 1—PERMITTEE REQUIREMENTS**

**Current Land-Disturbing Activities within a Common Development Constructed and Completed Prior to August 1, 2000.  
(The effective date of the NPDES Permit GAR100000 was August 1, 2000)**

Case	Type Permittee	Local LDA Permit and Fees*	NPDES Permit	NPDES Permit Fees	ES&PC Plan Required	§12-7-17 Exemption #4	§12-7-17 Exemption #8	State-Mandated Buffer Variances	Comment
Purchased Remaining Undeveloped Lot(s) to Construct a Single-Family Residence < 1 AC – LDA permit and NPDES permit are <u>not</u> required	N/A	NO	NO	NO	YES	YES	N/A	YES, If Applicable 25-ft – non-trout waters 25-ft – 50-ft – trout waters	As per Exemption #4 – first order trout waters (primary and secondary) minimum 25-ft buffer; primary trout waters (excluding first order trout waters) minimum 50-ft buffer; and secondary trout waters minimum 25-ft buffer.
Purchased Remaining Undeveloped Lot(s) to Construct a Single-Family Residence ≥ 1 AC – permittees can be the homeowner and/or the contractor	Primary	YES	YES	YES	YES	N/A	N/A	YES, If Applicable 25-ft – non-trout waters 50-ft – trout waters	
Building an Addition onto an Existing Single-Family Residence < 1 AC - LDA permit and NPDES permit are <u>not</u> required	N/A	NO	NO	NO	YES	YES	NA	YES, If Applicable 25-ft – non-trout waters 25-ft – 50-ft – trout waters	As per Exemption #4 – first order trout waters (primary and secondary) minimum 25-ft buffer; primary trout waters (excluding first order trout waters) minimum 50-ft buffer; and secondary trout waters minimum 25-ft buffer.
Building a Screen Porch on <u>Existing Slab/Foundation within State-Mandated Buffers</u> – no land-disturbing activities; therefore, LDA permit and NPDES permit are <u>not</u> required	N/A	NO	NO	NO	NO	N/A	N/A	N/A	If no land disturbance—LDA permits and NPDES permit are not required. A buffer variance would not be required if the buffer is not disturbed. If grading/construction equipment is used around structure within the buffer, the contractor must use matting—can <u>not</u> disturb the soil.
Building a Detached Garage on Existing Developed Lot within 200 ft of a <u>perennial stream</u> < 1 AC – LDA permit is required; however, a NPDES permit is <u>not</u> required  * Local Land-Disturbing Activity (LDA) Permits and Fees are only applicable when there is a certified Local Issuing Authority	Primary LDA Permits Only	YES	NO	NO	YES	N/A	YES	YES, If Applicable 25-ft – non-trout waters 50-ft – trout waters	Exemption 4 is <u>not</u> applicable because this is <u>not</u> the construction of single-family residence.  As per Exemption #8 – if less than 1 AC but within 200 ft of a perennial waterbody, a LDA permit and ES&PC Plan are required.  A LDA permit and ES&PC Plan would <u>not</u> be required if the < 1 AC project was not within 200 ft of a perennial waterbody – however, an ES&PC Plan is recommended.

**TABLE 2—PERMITTEE REQUIREMENTS**

**Current Land-Disturbing Activities within a Common Development with a Notice of Termination or Abandoned After August 1, 2000.  
(The effective date of the NPDES Permit GAR100000 was August 1, 2000)**

Case	Type Permittee	Local LDA Permit and Fees*	NPDES Permit	NPDES Permit Fees	ES&PC Plan Required	§12-7-17 Exemption #4	§12-7-17 Exemption #8	State-Mandated Buffer Variances	Comment
Purchased Remaining Undeveloped Lot(s) to Construct a Single-Family Residence < 1 AC – LDA permit and NPDES permit are required - permittees can be the homeowner and/or the contractor	Tertiary	YES	YES	NO	YES	N/A	N/A	YES, If Applicable 25-ft – non-trout waters 50-ft – trout waters	Exemption #4 is not applicable because the project is located within a Common Development that required coverage under the NPDES Permits.
Purchased Remaining Undeveloped Lot(s) Construct a Single-Family Residence ≥ 1 AC – LDA permit and NPDES permit are required - permittees can be the homeowner and/or the contractor	Tertiary	YES	YES	NO	YES	N/A	N/A	YES, If Applicable 25-ft – non-trout waters 50-ft – trout waters	
Building an Addition onto an <u>Existing</u> Single-Family Residence < 1 AC - LDA permit and NPDES permit are <u>not</u> required – the existing lot has been already been developed; therefore, a tertiary permittee would not be applicable	N/A	NO	NO	NO	YES	YES	N/A	YES, If Applicable 25-ft – non-trout waters 25-ft – 50-ft – trout waters	As per Exemption #4 – first order trout waters (primary and secondary) minimum 25-ft buffer; primary trout waters (excluding first order trout waters) minimum 50-ft buffer; and secondary trout waters minimum 25-ft buffer.
Building a Screen Porch on <u>Existing</u> Slab/Foundation within <u>State-Mandated Buffers</u> – no land-disturbing activities; therefore, LDA permit and NPDES permit are <u>not</u> required	N/A	NO	NO	NO	NO	N/A	N/A	N/A	If no land disturbance—LDA permits and NPDES permit are not required. A buffer variance would not be required if the buffer is not disturbed. If grading/construction equipment is used around structure within the buffer, the contractor must use matting—can <u>not</u> disturb the soil.
Building a Detached Garage on Existing Developed Lot within 200 ft of a <u>perennial</u> stream < 1 AC – LDA permit is required; however, a NPDES permit is <u>not</u> required  * Local Land-Disturbing Activity (LDA) Permits and Fees are only applicable when there is a certified Local Issuing Authority	Primary LDA Permits Only	YES	NO	NO	YES	N/A	YES	<b>YES, If Applicable</b> <b>25-ft – non-trout waters</b> <b>50-ft – trout waters</b>	Exemption 4 is <u>not</u> applicable because this is <u>not</u> the construction of single-family residence.  As per Exemption #8 – if less than 1 AC but within 200 ft of a perennial waterbody, a LDA permit and ES&PC Plan are required.  A LDA permit and ES&PC Plan would <u>not</u> be required if the < 1 AC project was not within 200 ft of a perennial waterbody – however, an ES&PC Plan is recommended

**TABLE 3—PERMITTEE REQUIREMENTS**

**Active Common Developments (Valid Notice of Termination Has Not Been Submitted) with Existing Primary Permittees**

Case	Type Permittee	Local LDA Permit and Fees*	NPDES Permit	NPDES Permit Fees	ES&PC Plan Required	§12-7-17 Exemption #4	§12-7-17 Exemption #8	State-Mandated Buffer Variances	Comment
Purchased Remaining Undeveloped Lot(s) to Construct a Single-Family Residence < 1 AC – LDA permit and NPDES permit are required - permittees can be the homeowner and/or the contractor	Secondary	YES	YES	NO	Provided by the Primary Permittee	N/A	N/A	YES, If Applicable 25-ft – non-trout waters 50-ft – trout waters	Exemption #4 is applicable to the construction of single-family residences < 1 AC not located within an active Common Development.  Exemption 8 applies to stand alone construction sites < 1 AC not located within an active Common Development.
Purchased Remaining Undeveloped Lot(s) Construct a Single-Family Residence ≥ 1 AC – LDA permit and NPDES permit are required – permittees can be the homeowner and/or the contractor	Secondary	YES	YES	NO	Provided by the Primary Permittee	N/A	N/A	YES, If Applicable 25-ft – non-trout waters 50-ft – trout waters	
Building an Addition onto an <u>Existing</u> Single-Family Residence < 1 AC - LDA permit and NPDES permit are required – permittees can be the homeowner and/or the contractor. Primary Permittee has not filed a NOT; the permittee would be Secondary	Secondary	YES	YES	NO	Provided by the Primary Permittee	N/A	N/A	YES, If Applicable 25-ft – non-trout waters 50-ft – trout waters	<b>Primary Permittee has not filed a NOT; therefore, the permittee would be Secondary</b>  <b>NOTE – permit coverage is not required for minor land-disturbing activities such as home gardens and individual landscaping, repairs, maintenance work, fences and other activities resulting in minor soil erosion.</b>
Building a Screen Porch on <u>Existing</u> Slab/Foundation within <u>State-Mandated Buffers</u> – no land-disturbing activities; therefore, LDA permit and NPDES permit are <u>not</u> required	N/A	NO	NO	NO	NO	N/A	N/A	N/A	If no land disturbance—LDA permits and NPDES permit are not required. A buffer variance would not be required if the buffer is not disturbed. If grading/construction equipment is used around structure within the buffer, the contractor must use matting—can <u>not</u> disturb the soil.
Building a Detached Garage on Existing Lot within 200 ft of a <u>perennial</u> stream < 1 AC – permittees can be the homeowner and/or the contractor. Primary Permittee has not filed a NOT; the permittee would be Secondary	Secondary	YES	YES	NO	Provided by the Primary Permittee	N/A	N/A	YES, If Applicable 25-ft – non-trout waters 50-ft – trout waters	<b>Primary Permittee has not filed a NOT; therefore, the permittee would be Secondary</b>

**TABLE 4—PERMITTEE REQUIREMENTS**  
**Single Family Homes (Not Part of a Common Development)**

Case	Type Permittee	Local LDA Permit and Fees*	NPDES Permit	NPDES Permit Fees	ES&PC Plan Required	§12-7-17 Exemption #4	§12-7-17 Exemption #8	State-Mandated Buffer Variances	Comment
<b>Purchased Property to Construct a Single-Family Residence &lt; 1 AC – LDA permit and NPDES permit are <u>not</u> required</b>	N/A	NO	NO	NO	YES	YES	N/A	YES, If Applicable 25-ft – non-trout waters 25-ft – 50-ft – trout waters	As per Exemption #4 – first order trout waters (primary and secondary) minimum 25-ft buffer; primary trout waters (excluding first order trout waters) minimum 50-ft buffer; and secondary trout waters minimum 25-ft buffer.
<b>Purchased Property to Construct a Single-Family Residence ≥ 1 AC – permittees can be the homeowner and/or the contractor</b>	Primary	YES	YES	YES	YES	N/A	N/A	YES, If Applicable 25-ft – non-trout waters 50-ft – trout waters	
<b>Building an Addition onto an Existing Single-Family Residence &lt; 1 AC - LDA permit and NPDES permit are <u>not</u> required</b>	N/A	NO	NO	NO	YES	YES	N/A	YES, If Applicable 25-ft – non-trout waters 25-ft – 50-ft – trout waters	As per Exemption #4 – first order trout waters (primary and secondary) minimum 25-ft buffer; primary trout waters (excluding first order trout waters) minimum 50-ft buffer; and secondary trout waters minimum 25-ft buffer.
<b>Building a Screen Porch on <u>Existing Slab/Foundation</u> within <u>State-Mandated Buffers</u> – no land-disturbing activities; therefore, LDA permit and NPDES permit are <u>not</u> required</b>	N/A	NO	NO	NO	NO	N/A	N/A	N/A	If no land disturbance—LDA permits and NPDES permit are not required. A buffer variance would not be required if the buffer is not disturbed. If grading/construction equipment is used around structure within the buffer, the contractor must use matting—can <u>not</u> disturb the soil.
<b>Building a Detached Garage on an Existing Lot within 200 ft of a <u>perennial</u> stream &lt; 1 AC – LDA permit is required; however, a NPDES permit is <u>not</u> required</b>  * Local Land-Disturbing Activity (LDA) Permits and Fees are only applicable when there is a certified Local Issuing Authority	Primary LDA Permits Only	YES	NO	NO	YES	N/A	YES	YES, If Applicable 25-ft – non-trout waters 50-ft – trout waters	Exemption 4 is <u>not</u> applicable because this is <u>not</u> the construction of single-family residence.  As per Exemption #8 – if less than 1 AC but within 200 ft of a perennial waterbody, a LDA permit and ES&PC Plan are required.  A LDA permit and ES&PC Plan would <u>not</u> be required if the < 1 AC project was not within 200 ft of a perennial waterbody – however, an ES&PC Plan is recommended.

**TABLE 5—PERMITTEE REQUIREMENTS**  
**Commercial Stand Alone Sites (Not Part of a Common Development)**

Case	Type Permittee	Local LDA Permit and Fees*	NPDES Permit	NPDES Permit Fees	ES&PC Plan Required	§12-7-17 Exemption #4	§12-7-17 Exemption #8	State-Mandated Buffer Variances	Comment
<p><b>Purchased Property to Construct a Commercial Facility &lt; 1 AC within 200 ft of a perennial stream – LDA permit is required; however, a NPDES permit is <u>not</u> required</b></p> <p><b>* Local Land-Disturbing Activity (LDA) Permits and Fees are only applicable when there is a certified Local Issuing Authority</b></p>	Primary LDA Permits Only	YES	NO	NO	YES	N/A	YES	<p>YES, If Applicable</p> <p>25-ft – non-trout waters</p> <p>50-ft – trout waters</p>	<p>Exemption 4 is <u>not</u> applicable because this is <u>not</u> the construction of single-family residence.</p> <p>As per Exemption #8 – if less than 1 AC but within 200 ft of a perennial waterbody, a LDA permit and ES&amp;PC Plan are required.</p> <p>A LDA permit and ES&amp;PC Plan would <u>not</u> be required if the &lt; 1 AC project was not within 200 ft of a perennial waterbody – however, an ES&amp;PC Plan is recommended.</p> <p>NOTE - Local E&amp;SC Ordinances (Exemption #8) may be more stringent and require <u>LDA permits</u> for projects less than 1 AC and not within 200 ft of a perennial stream that are not specifically exempt (e.g., poultry houses, city and county roads).</p> <p>NPDES permit requirements are not applicable to Stand Alone projects &lt; 1 AC</p>
<p><b>Purchased Property to Construct a Commercial Facility ≥ 1 AC – permittees can be the owner and/or the contractor</b></p>	Primary	YES	YES	YES	YES	N/A	N/A	<p>YES, If Applicable</p> <p>25-ft – non-trout waters</p> <p>50-ft – trout waters</p>	<p>NPDES permit requirements are not applicable to Stand Alone projects &lt; 1 AC; however, local E&amp;SC Ordinances (Exemption #8) may be more stringent and require <u>LDA permits</u> for projects less than 1 AC and not within 200 ft of a perennial stream that are not specifically exempt (e.g., poultry houses, city and county roads).</p>

\* Local Land-Disturbing Activity (LDA) Permits and Fees are only applicable when there is a certified Local Issuing Authority (LIA).