



18 January 2022

Express Permitting Plan Review Guidelines for Erosion and Sedimentation Control

The express permitting option for submitting an erosion and sediment control plan requires a scheduled **application review meeting** in which the application will be reviewed with the owner/engineer and a determination will be made as to its completeness and acceptability into the program. If the application is considered complete and accepted, including the appropriate application fee (express permit amount and the normal acreage fee), the erosion and sediment control plan application review will be conducted within three (3) working days and a final written decision (i.e. an approval, approval with modifications or disapproval) will be made. NOTE: The application review time may be negotiated between the parties, up to a maximum of 10 working days, because of the size or complexity of the project. Projects that are typically accepted for an express review include those located outside of high-quality watersheds or trout buffers and those whose applicable 401/404 certifications/permits or buffer authorizations are submitted at the meeting.

If the application review reveals plan deficiencies that require additional information or revisions to the submitted plan, the applicant and/or their consultant have five (5) working days in which to respond. If the additional information is provided within that time, the three-day review begins upon receipt of the additional information/revisions and the original application fee (express permit and acreage amounts) is considered sufficient.

If the additional information is not provided within five (5) working days, the application may be automatically disapproved at the end of the five working day period, or the express staff may move it to the normal plan review process in lieu of disapproval. Review fees are not refundable.

If the applicant determines that the additional information/revisions cannot be submitted within 5 days, the applicant can withdraw the application and resubmit all the required information/items under the express program, with appropriate fees, when revisions are complete. The applicant may also request that the application review be performed under the normal review process to avoid disapproval under the express program.

If the additional information is provided after five working days, it will only be considered an express permit (3 working day review) with the inclusion of a supplemental application fee of 50% of the original express permit amount (that will not include the normal acreage fee). If the supplemental fee is not provided, the additional information will be handled under the normal plan review process and time frames.

Participation in an express review is dependent upon office staff availability. Express reviews may be deferred to the Regional Office One-Stop Permit Coordinator and processed by another regional office.

Below is a list of items needed under the express review program.



Items Needed for Express Permitting Application Meeting for Erosion and Sedimentation Control*:

1. A completed, notarized and signed Express Financial Responsibility/Ownership Form (FRO) - include any pertinent deed and easement information as well as latitude and longitude of the project. If the landowner is different from the financially responsible party, a signed and dated agreement between the landowner and the builder must also be provided; the title of the signature authority is to be included.
2. Two Checks - one for the express review fee of \$250.00/acre and one for the regular acreage fee of \$100.00/acre. The express review fee is \$250.00 per acre, up to 8 acres. Over 8 acres is a fixed \$2000.00 express fee + \$100.00/acre. Make both checks payable to: NCDEQ. For example, a 9-acre site would be \$2,000.00 (i.e. over 8 acres, a fixed \$2,000.00 express fee) + \$900.00 (i.e., 9 acres @ \$100.00/acre) = \$2,900.00. There is no monetary ceiling on the size of the application. Both fees are rounded up to the next whole acre.
3. A completed application checklist.
4. Two copies of the erosion control plan (additional copies or sizes may be required by some regional offices; please contact your coordinator prior to submittal).
5. A narrative, all pertinent design calculations, construction details and a detailed construction schedule.

*Any of the above mentioned documents may be found on-line at <https://deq.nc.gov/about/divisions/energy-mineral-land-resources/erosion-sediment-control> or by contacting the One Stop Permit/Express Coordinator serving your area through the following link: <https://deq.nc.gov/permits-rules/permit-assistance-and-guidance/permit-assistance>

****Please Note:** Phasing may be required on large projects and will be at the discretion of the review engineer.

