

Options for Covering Homebuilding Lots & Development Phases Under the NCG01 Permit

Homebuilders and other owners/operators are not required to obtain a separate Certificate of Coverage (COC) under the NCG01 permit for every lot, group of lots, or phase of a development project where they are disturbing land. There are three important principles about the process of obtaining Erosion and Sediment Control (E&SC) Plan approvals and NCG01 COCs to remember:

1. The owner/operator must obtain an E&SC Plan approval in his or her own name rather than be covered under an E&SC Plan that was issued to a previous owner/operator.
2. The entity issuing the E&SC Plan approval must provide documentation that the responsibility for implementing the E&SC Plan has passed from the previous owner (possibly the developer) to the new owner (possibly the homebuilder).
3. COCs can only be issued to owners or operators of the land disturbing activity, not to a third party that no longer has an interest in the property.

This fact sheet describes two options for owners and operators of construction activities that will be occurring on a single project but in phases. These options are:

Option 1: Obtain a separate COC for each E&SC Plan approval.

Option 2: Cover multiple E&SC Plan approvals for a project under a single COC.

These options are described in more detail below.

Option 1: Obtain a separate COC for each E&SC Plan approval.

Description	For Option 1, the COC matches exactly what the E&SC Plan approval includes (e.g., individual lots or sets of lots at a time). For owners/operators that choose this option, the number of COCs obtained for a project will depend on how the project is divided up and submitted to the appropriate E&SC Plan Authority.
Directions for E&SC Plan approval	Obtain an E&SC Plan approval letter with the correct project name, disturbed acreage, etc.
Directions for the e-NOI Form	No special directions are needed to complete the e-NOI form.
Directions after the COC is issued	<ul style="list-style-type: none"> • If the disturbed area or project name changes, upload documentation to the permit file using the modification form. • Comply with permit conditions until the final close-out inspection of the final lot. • After final close out of the E&SC Plan, submit the e-Notice of Termination (e-NOT) to end NCG01 coverage for the project.
Pro / Con	<p>Pro: This is the simplest option.</p> <p>Con: This option requires owners/operators to submit an e-NOI form (and pay the \$100 annual permit fee) for each approved COC.</p>

Option 2: Cover multiple E&SC Plan approvals for a project under a single COC.

<p>Description</p>	<p>For Option 2, the COC reflects a project that will gradually expand and/or change as additional E&SC Plans for the same development are approved. For owners/operators that choose this option, the number of E&SC Plan approvals obtained for a project will depend on how the project is divided up and submitted to the appropriate E&SC Plan Authority.</p>
<p>Directions for E&SC Plan approval</p>	<p>Obtain an E&SC Plan approval letter with the correct project name, disturbed acreage, etc. that reflects the first lot(s)/phase that will be constructed.</p>
<p>Directions for the e-NOI Form</p>	<p>A1a. Provide a Project Name that is appropriate for the whole project.</p> <ul style="list-style-type: none"> • For example, do not call it “Whispering Pines, Lots 3-9” if additional lots will be covered under the same COC and do not call it “Wales Subdivision Phase 3” if additional phases will be covered under the same COC. • Appropriate naming conventions for these projects might be “Whispering Pines – DR Horton Lots” or “Wales Subdivision – Development Activities.” • For homebuilding activities, include the builder in the project name to avoid confusion in multi-builder communities. <p>A1b. List the lots or phase associated with the E&SC Plan approval.</p> <p>A12. Enter the number of acres approved for disturbance as listed on the E&SC Plan approval.</p> <p>A15. Provide the names and index numbers of ALL immediate waterbodies where the construction activities you plan to cover under the same COC may drain considering the project as a whole, and not just the initial lot(s) or phase. <i>Tip: If your project drains to more than 3 waterbodies, and you run out of spots in Tab A, record the remaining waterbody information in box D7 (Notes).</i></p> <p>D8. Upload the NOI Certification Form with the project name used in A1a.</p>
<p>Directions after the COC is issued</p>	<ul style="list-style-type: none"> • After obtaining the COC, submit E&SC Plan approval and close-out documentation via the modification form. Do NOT submit E&SC plans. • If the disturbed area or project name changes, upload documentation using the modification form. • Comply with permit conditions until the final close-out inspection of the final lot. • After final close-out of the final project/E&SC Plan, submit the e-Notice of Termination (e-NOT) to end NCG01 coverage for the project.
<p>Pro / Con</p>	<p>Pro: This option allows the owner/operator to obtain only one COC for the entire project and only complete the e-NOI (and pay the \$100 annual permit fee) one time.</p> <p>Con: This option requires the owner/operator to be responsible for updating the permit file as lots/phases are initiated and closed out.</p>