



DEPARTMENT OF PERMITTING SERVICES

Marc Elrich
County Executive

Rabbiah Sabbakhan
Director

April 7, 2023

Dear Engineer/Developer:

Re: Revised Notice of Intent (NOI) Requirements

As part of the Department of Permitting Services (DPS) sediment control plan approval process, applicants proposing work that will disturb one acre or more are required to file a Notice of Intent (NOI) with the Maryland Department of the Environment (MDE). This is a requirement under the Maryland General Permit for Discharges of Stormwater Associated with Construction Activity. Construction on these projects is not to commence until MDE grants the applicant a notice to proceed.

Previously, DPS required the applicant to verify on the sediment control plans that they were aware of the NOI requirement and to provide the date the NOI application was submitted to MDE.

Beginning April 1, 2023, MDE's reissued General Permit No 20-CP became effective. The 20-CP permit requires approved E&SC and SWM plans to be uploaded to MDE prior to their public notification period.

Due to this new requirement, DPS will be unable to issue a sediment control permit or allow any construction or clearing to occur for any project with proposed disturbance of one acre or more until the applicant has received confirmation of authorization under the State's 20-CP permit. We strongly recommend that additional time is incorporated into your project's construction timeline to accommodate this new requirement.

More information about General Permit No. 20-CP can be found here:

https://mde.maryland.gov/programs/water/www/Pages/gp_construction.aspx

If you have any questions, please contact me at 240-777-6338, or contact a DPS Water Resources Plan Reviewer.

Sincerely,

Mark C. Etheridge, Manager
Water Resources Section
Division of Land Development Services



DPS | Montgomery County
Department of Permitting Services