

**SOIL EROSION AND SEDIMENTATION CONTROL
PERMIT APPLICATION**

Kent County Road Commission
1500 Scribner Avenue NW
Grand Rapids, MI 49504
(616) 242-6920 – Permit Dept.
FAX (616) 336-4397
Revised 9/1/01

Permit Number _____

Permit Fee _____ Amount Paid _____

Normal time to process & issue permit is 7-10 days.

1. APPLICANT

Name _____ Address _____
City _____ State _____ Zip _____ Phone _____

2. LOCATION OF EARTH CHANGE

E-Mail _____ Fax _____

Township _____ Section ____ T ____ R ____ Address _____
Subdivision _____ Lot No. _____ City/Village _____

3. PROPOSED EARTH CHANGE

Type of Change _____ Size of Change _____
Body of Water Involved _____ Distance to Body of Water _____
Starting Date _____ Completion Date _____

4. PARTIES RESPONSIBLE FOR EARTH CHANGE

Name of Property Owner of Record

Name _____ Address _____
City _____ State _____ Zip _____ Phone _____

Name of Individual "On Site" Responsible for Earth Change (Excavator)

Name _____ Address _____
City _____ State _____ Zip _____ Phone _____

5. SOIL EROSION AND SEDIMENT CONTROL PLAN

Plan Preparers Name _____ Company Name _____

NOTE: Two (2) sets of complete plans must be attached. For a small project less than one acre but within 500' of a lake or stream, a survey of the property showing the proposed earth change is required.

6. PERFORMANCE DEPOSIT (*Two times the estimated cost of temporary controls, \$500.00 min.)

* Amount Required _____ Certified Check No. _____
Irrevocable Letter of Credit _____ Surety Bond No. _____

COMPANY:

Name _____ Address _____
City _____ State _____ Zip _____ Phone _____

LOCAL AGENT:

Name _____ Address _____
City _____ State _____ Zip _____ Phone _____

7. For a small project, one that is less than one acre but within 500 feet of a lake or stream, you can make a sketch of the site below. A survey or site plan is required. Be sure to include the limits of the earth change (grading, excavation, etc.) and the location of buildings, drains, lakes, streams, wetlands and other dominant features on the site. All proposed temporary and permanent soil erosion control measures shall be shown on the sketch or site plan.

Below, complete the number items as shown on the Permit Procedures sheet, which are pages 3 and 4 of this package.

B.(5) Soil Type_____

B.(6) c Timing Sequence_____

B.(6) d Temporary Control Measures_____

_____ Estimated Cost_____

B.(6) e Permanent Control Measures_____

_____ Estimated Cost_____

B.(6) f Maintenance Program_____

Responsibility_____

B.(6) g Quantity of Excavation and Fill_____

B.(6) h Other_____

I (we) affirm that the above information is accurate and that I (we) will conduct the above described earth change in accordance with **PART 91 OF PUBLIC ACT 451 OF 1994**, as amended, its corresponding rules, applicable local ordinances and the agreement accompanying this application.

APPLICANT/AUTHORIZED AGENT (SIGNATURE)

(If Authorized Agent - I hereby certify that I am acting as Authorized Agent on behalf of the named Owner.)

Signature_____ Date_____

PERMIT PROCEDURES

IN ACCORDANCE WITH PART 91 OF PUBLIC ACT 451 OF 1994 AND ITS CORRESPONDING GENERAL RULES, PERMIT REQUIREMENTS FOR AN EARTH CHANGE ARE AS FOLLOWS:

- A. An application for a state prescribed permit shall be submitted to the Kent County Road Commission, by the landowner or an agent authorized by the landowner.
- B. The application shall be accompanied by a soil erosion and sedimentation control plan with the following data required;
 - (1) A vicinity sketch of the site location and the proximity of any proposed earth change to lakes or streams or both.
 - (2) A boundary line survey or legal description of the site.
 - (3) Name, address and telephone number of the owner or authorized agent of the owner.
For informational purposes, please submit the name, address and telephone number of developer, contractor or subcontractors.
 - (4) A plan of the site at a scale of not more than 200 feet to an inch or as otherwise determined by the Kent County Road Commission, showing existing topography at five foot contour intervals and also proposed topography at five foot contour intervals, or slope description.
 - (5) A soil survey map or a written description of the soil types of the exposed land area contemplated for the earth change.
 - (6) Details for the proposed earth change including;
 - (a) A description and the location of the physical limits of each proposed earth change.
 - (b) A description and the location of all existing and proposed on site drainage facilities.
 - (c) The timing sequence of each proposed earth change, such as starting and completion dates of the development sequence and time exposure of each area prior to the completion of effective soil erosion and sediment control measures.
 - (d) A description and the location of all proposed temporary soil erosion control measures and their estimated cost.
 - (e) A description and the location of all proposed permanent soil erosion control measures and their estimated cost.

- (f) A program proposal for the continued maintenance of all permanent soil erosion control facilities, which remain after the project completion, including the designation of the person or organization responsible for the maintenance. Maintenance responsibilities shall become a part of any sales or exchange agreement for the land on which the permanent soil erosion control measures are located.
 - (g) A statement of the quantity of the excavation and fill involved.
 - (h) Other information or data as may be required by the Kent County Road Commission, such as a soil investigation report which shall include, but not be limited to: Data regarding the nature, distribution and supporting ability of existing soils and rock on site.
- C. The soil erosion and sedimentation control plan shall be reviewed by the Kent County Road Commission, or by a person trained and experienced in soil erosion and sedimentation control techniques.
- D. The Kent County Road Commission shall approve, disapprove or require modification of the application for the earth change permit within thirty (30) calendar days following the receipt of the application. Notification of disapproval shall be made by certified mail. This requirement may be waived if the information is given to the applicant in person. If the application is disapproved, the Kent County Road Commission shall advise the applicant of the reasons for disapproval and conditions required for approval.
- E. Upon determination that an applicant has met all the requirements of these rules, the Sediment Act and General Rules, the Kent County Road Commission shall issue a permit for the proposed earth change. **The permit shall be available on the site of the proposed earth change for inspection.**
- F. An "Authorized Public Agency" is exempt from obtaining a permit but shall notify the Kent County Road Commission of each proposed earth change.

SOIL EROSION AND SEDIMENTATION CONTROL PART 91 OF PUBLIC ACT 451

PERMIT FEES

CONDITION	SINGLE FAMILY DWELLING	DECK ADDITION	DISTURBED AREA LESS THAN 1 ACRE	DISTURBED AREA 1-10 ACRES	DISTURBED AREA 10.1-40 ACRES	DISTURBED AREA OVER 40 ACRES
* Review of Plans	\$25.00		\$35.00	\$35.00/Acre	\$30.00/Acre	\$25.00/Acre
* Permit Fee	\$25.00	\$25.00	\$25.00	\$50.00	\$75.00	\$100.00
* Inspection Fee	\$50.00	\$30.00	\$35.00/Inspection \$140.00/Minimum	\$35.00/Inspection \$210.00/Minimum	\$35.00/Inspection \$280.00/Minimum	\$35.00/Inspection \$420.00/Minimum
	\$100.00 TOTAL	\$55.00 TOTAL	\$200.00 MINIMUM			

* 6-month extension is \$50.00 for Single Family Dwellings, SFD Additions, Deck and Deck Additions

* Extensions for all other projects are \$35.00 a month.

* REVIEW, PERMIT AND MINIMUM INSPECTION FEE DUE WITH APPLICATION. TOTAL PERMIT FEE FOR PARCELS WILL DEPEND ON NUMBER OF INSPECTIONS.

1. **If construction or earth change is started without permit, fees are doubled.**

2. If a violation occurs which results in the permit being revoked, a new permit must be obtained and new fees paid.

3. No review fees will be charged for permit extensions, but inspection fees will be charged.

4. Additional fees will be charged for inspections due to non-compliance and when regular inspections exceed the number paid for.



MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY
LAND AND WATER MANAGEMENT DIVISION

REGULATED ACTIVITIES UNDER THE
NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT, 1994 PA 451, AS AMENDED

- 1a. Does your project or activity involve an earth change that disturbs one or more acres of land or is located within 500 feet of a lake or stream? If yes, a Part 91 permit must be obtained from the county or local governmental agency. Note: Some counties and local agencies may require permits for other earth changes in addition to those described above; please check with them prior to undertaking any earth change. A list of Part 91 permitting agencies is available at www.deq.state.mi.us/lwm/ under the Water Management Section, Soil Erosion and Sedimentation Control Program.

Earth change means a human-made change in the natural cover or topography of land, including cut and fill activities, which may result in or contribute to soil erosion and sedimentation of the waters of the state. Earth change does not include the practice of plowing and tilling soil for the purpose of crop production.

Lake means "the Great Lakes and all natural and artificial inland lakes or impoundments that have definite banks, a bed, visible evidence of a continued occurrence of water, and a water surface area equal to, or greater than, one acre."

Stream means "a river, creek, or other surface water course which may or may not be serving as a drain, as defined in the drain code, and which has definite banks, a bed, and visible evidence of the continued flow or continued occurrence of water, including the connecting waters of the Great Lakes."

- 1b. Does your project or activity involve an earth change that is under the jurisdiction (crosses the boundaries) of two or more county and/or local Part 91 agencies described in 1a? (Part 91) No [] Yes []

If your project or activity disturbs five or more acres, a stormwater permit is required from the Surface Water Quality Division (SWQD), Michigan Department of Environmental Quality (MDEQ). Please call 517-241-8993 for further information.

- 2. Is your project or activity in or near an inland lake or stream? (Parts 31 and 301) No [] Yes []

Inland lake or stream means "a natural or artificial lake, pond, or impoundment; a river, stream, or creek which may or may not be serving as a county drain as defined by the drain code; or any other body of water that has definite banks, a bed, and visible evidence of a continued flow or continued occurrence of water" "Inland lake or stream does not include . . . a lake or pond that has a surface area of less than 5 acres."

- 3. Does your project or activity impact a wetland? (Part 303) No [] Yes []

Wetland means "land characterized by the presence of water at a frequency and duration sufficient to support, and that under normal circumstances does support, wetland vegetation or aquatic life, and is commonly referred to as a bog, swamp, marsh"

If work in wetlands cannot be avoided, a permit from the MDEQ may be required; and wetland mitigation to compensate for the loss of the wetland and its functions may also be required. For questions regarding regulated wetlands, please contact your local LWMD Field Office or the Inland Lakes and Wetlands Unit at 517-373-1746.

The MDEQ's Wetland Assessment Program assists property owners in identifying wetlands on their property. For more information on the Wetland Assessment Program call 517-241-8485.

- 4. Is your project or activity in or adjacent to the Great Lakes? (Parts 323, 325, and 353) No [] Yes []

- 5. Does your project or activity involve constructing, maintaining, or altering a dam? (Part 315) .. No [] Yes []

Dam means "an artificial barrier, including dikes, embankments, and appurtenant works, that impounds, diverts, or is designed to impound or divert water or a combination of water or any other liquid or material in the water."

Parts of the Natural Resources and Environmental Protection Act 1994 PA 451, as Amended (NREPA) *

Administered by the Land and Water Management Division

1. Floodplain Regulatory Authority found in Part 31, Water Resources Protection

A permit is required to:

- Occupy, construct, fill, or grade within the 100-year floodplain of a river, stream, drain, or lake. Bridges and culverts are considered an occupation of the floodplain, as are activities that involve storage of materials in the floodplain.

2. Part 91, Soil Erosion and Sedimentation Control

A permit is required for:

- **Earth changes within 500 feet of the water's edge of a lake or stream.**
- **Earth changes disturbing one or more acres.**

3. Part 301, Inland Lakes and Streams

A permit is required to:

- Dredge or fill bottomlands.
- Construct, enlarge, extend, remove, or place a structure on bottomland.
- Erect, maintain, or operate a marina.
- Create, enlarge, or diminish an inland lake or stream.
- Structurally interfere with the natural flow of an inland lake or stream.
- Construct, dredge, commence, extend, or enlarge an artificial canal, channel, ditch, lagoon, pond, lake, or similar waterway where the purpose is ultimate connection with an existing inland lake or stream, or where any part of the artificial waterway is located within 500 feet of the ordinary high water mark of an existing inland lake or stream.
- Connect any natural or artificially constructed waterway, canal, channel, ditch, lagoon, pond, lake, or wetland with an existing inland lake or stream for navigation or any other purpose.

4. Part 303, Wetlands Protection

A permit is required to:

- **Deposit or permit the placing of fill material in a regulated wetland.**
 - **Dredge, remove, or permit the removal of soil or minerals from a regulated wetland.**
 - **Construct, operate, or maintain any use or development in a regulated wetland.**
 - **Drain surface water from a regulated wetland.**
- Regulated wetlands are defined in Part 303 and the associated administrative rules.**

5. Part 315, Dam Safety

Permits are required for dams with a dam "height" of six feet or more and that have a surface area of five acres or more at the design flood elevation. A permit is required for new dam construction, enlargement of an existing dam or impoundment, dam repair, dam alteration, dam removal, dam abandonment, or reconstruction of a failed dam.

6. Part 323, Shorelands Protection and Management

Designated Environmental Areas - A permit is required for any of the following activities in a designated environmental area:

- Dredging, filling, grading, or other alterations of the soil.
- Alteration of natural drainage, but not including the reasonable care and maintenance of established drainage.
- Alteration of vegetation utilized for the preservation and maintenance of fish or wildlife, including identified colonial bird nesting areas.
- Placement of permanent structures.
- Farming of land is allowed without a permit if the person is engaged in the business of farming and the land is used for the production and harvesting of agricultural products using normal farming implements and generally accepted agricultural practices and if artificial draining, diking, dredging, or filling are not used and the natural contour of the land is not altered.

The following counties have designated environmental areas:

Alcona	Arenac	Charlevoix	Delta	Huron	Monroe
Alger	Baraga	Cheboygan	Emmet	Mackinac	Tuscola
Alpena	Bay	Chippewa	Houghton	Marquette	Wayne

Designated High Risk Erosion Areas - A permit is required for the erection, installation, or moving of a permanent structure on a parcel of land where any portion is a designated high risk erosion area. Examples include homes, porches, septic systems, additions, substantial improvements of existing structures, and out buildings. With the exception of Alcona, Charlevoix, Macomb, Monroe, and Wayne Counties, all coastal counties have some designated high risk erosion areas.

7. Part 325, Great Lakes Submerged Lands

A permit is required for all filling, dredging, and placement of permanent structures (i.e., groins, docks, piers, pilings, etc.) below the "ordinary high water mark" and on all upland channels extending landward of the "ordinary high water mark" of the Great Lakes.

8. Part 353, Sand Dune Protection and Management

A permit is required for all proposed new uses in designated critical dune areas mapped in the "Atlas of Critical Dune Areas," prepared by the MDEQ. The following counties have designated critical dune areas:

Alger	Benzie	Chippewa	Leelanau	Manistee	Oceana	Van Buren
Allegan	Berrien	Emmet	Luce	Mason	Ottawa	
Antrim	Charlevoix	Keweenaw	Mackinac	Muskegon	Schoolcraft	

Islands that have designated critical dune areas include Beaver Island, North Fox Island, South Fox Island, High Island, North Manitou Island, and South Manitou Island.

* Various parts of the NREPA are summarized above. Refer to the statute for detailed permitting criteria.