

Soil Erosion Program

2024

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NON-RESIDENTIAL SOIL EROSION CONTROL PERMIT APPLICATION

Pursuant to Part 91, Soil Erosion and Sedimentation Control, of Act 451 of the Public Acts of 1994, as amended

A Soil Erosion Control Permit is required for earth changes that are located within 500 feet of a lake or stream and for earth changes that are one acre (43,560 square feet) or more in surface area, regardless of the location.

Earth Change—A human made change in the existing ground surface cover, including but not limited to excavating, filling, stockpiling, grading, clearing, grubbing, and stumping.

Stream—“A natural or artificial river, creek, or other surface watercourse which may or may not be serving as a drain (as defined in Act No. 40 of the Public Acts of 1956, as amended being section 280.1 et seq. of the Michigan Compiled Laws) 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.” This includes a ditch, gully, ravine, etc. that *is serving* as a river, stream, or creek.

Lake—“All natural and artificial inland lakes or impoundments that have definite banks, a bed, visible evidence of a continued occurrence of water, and a surface area of water that is equal to or greater than one acre.” “Lake” does not include sediment basins and basins constructed for the sole purpose of stormwater retention, cooling water, or treating polluted water.

There are a few types of earth change activities that are exempt from obtaining a Part 91 permit but are not exempt from the requirements of Part 91. The exempted activities are beach nourishment projects under Part 325, minor earth changes, normal road and driveway maintenance, changes of less than 225 square feet, plowing/tilling for crop production, mining, and logging. *The exemption for mining does not apply to the removal of topsoil, sand, gravel, peat, clay, or marl. The exemption for mining and logging does not apply to ancillary or support facilities such as access roads, staging areas, processing facilities, and stockpiles that are outside of the “harvest” or “mining” area.* The exemptions listed above do not apply if the activity is a phase of site preparation for another land use activity that requires a permit.

Beach Nourishment Project: Project permitted by MDEQ under Part 325 of PA 451.

Minor Earth Change: An earth change of a minor nature that is stabilized (rip-rap, seed/mulch, sod, gravel, etc.) within 24 hours of the initial earth disturbance and that will not contribute sediment to lakes or streams.

Normal Road and Driveway Maintenance: Normal road and driveway maintenance, such as grading or leveling, that does not increase the width or length of the road or driveway and that will not contribute sediment to lakes or streams.

225 Square Foot Exemption: A permit waiver may be granted for an earth change after receiving a signed affidavit from the landowner stating that the earth change will disturb less than 225 square feet and that the earth change will not contribute sediment to lakes or streams.

If you have any questions or would like assistance with your application, please don't hesitate to contact us.
Retain this page for your information

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OFFICE USE ONLY
RECEIPT NO.
DATE:
AMOUNT:
PERMIT #

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APPLICATION FOR SOIL EROSION PERMIT

Under Part 91, Soil Erosion & Sedimentation Control, PA 451 of 1994, as amended.

In accordance with Part 91- Act 451, 1994, the undersigned makes an application for a permit:

1. Purpose of earth change _____

2. Size of total earth change (square feet or acreage) _____

3. Project address _____ T _____ .R. _____ Section _____

County _____ Township _____ Or City _____

Fire Number _____ Property # _____

Identify closest lake/stream _____

Distance from edge of disturbance area to the lake or stream _____

4. Landowner's * Printed Name _____

Landowner's Signature, _____

Address (seasonal + year around) _____

City, State, Zip Code. _____

Home Phone. _____ Work Phone. _____

Fax and/or Cell Phone, etc. Numbers _____

**If working only in a public ROW, then contractor is applicant*

5. Contractor's Name/Contact Person: _____

Address: _____

Phone/Fax/Cell Numbers: _____

6. Return completed application, fee, map, and pages to this office.

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SOUTH

SCALE: 1 inch = _____ feet
(no more than 100)

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SOIL EROSION and SEDIMENTATION CONTROL

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GENERAL REQUIREMENTS AND STANDARDS FOR SOIL EROSION AND SEDIMENT CONTROL PLANS

Temporary Erosion/Sediment Control Measures:

The documents submitted for our review must show a reasonable representation of all of the control measures that are anticipated to be necessary during all stages of the earth change, i.e., from the time that the site is stripped of the existing vegetation until the site is permanently stabilized with a non-erodible surface (Note: A site that has been seeded and mulched is not considered to be permanently stabilized until the surfaces are well vegetated). The documents must include detailed drawings showing the proper use, materials, and installation of all temporary and permanent erosion/sediment control measures along with the requirement that the control measures be properly installed, maintained, relocated, modified, etc. as necessary to perform their intended function and be in compliance with the law.

Erosion and sediment controls are required for earth changes above the waterline to prevent sediment from entering the water.

The documents must include a project schedule and sequence with sufficient detail to show that the following requirements will be met: 1) earth changes shall be staged to keep the area of the disturbed earth surfaces as small as practicable for the shortest possible period of time; 2) all disturbed earth surfaces shall be expeditiously brought to the final grade and permanently stabilized; 3) the surface restoration work shall be a continuous operation and shall proceed concurrently with other items of work; 4) the work schedule and sequence to be followed is the one that will have the least potential for causing erosion/sediment damage.

Permanent Erosion and Sediment Control Measures:

All disturbed earth surfaces steeper than 3:1 and up to 2:1 (horz:vert) shall be restored with pegged sod or other pre-approved equivalent. All disturbed earth surfaces steeper than 2:1 (horz:vert) shall be restored with rock rip-rap or other pre-approved equivalent. No new slopes shall be constructed steeper than 2:1 unless specifically waived by the Conservation District. Earth surfaces on pre-existing slopes steeper than 2:1 are to be armored with riprap or other pre-approved equivalent. These requirements apply to ditch foreslopes and backslopes.

In all areas of channelized flow, if the water velocity is between 4 fps and 6 fps for a 25-yr/24-hr storm, the channel shall be restored with pegged sod or other pre-approved equivalent. The sod shall extend a minimum of 1' above the channel bottom, measured vertically, or above the normal depth of flow for a 25-yr/24-hr storm. The sod seams shall be staggered in the direction parallel with the flow of water. In V-bottom ditches the sod seams shall not be installed in the bottom of the vee. The sod shall be entrenched such that the top of the root mat is to the line and grade of the adjacent ground. The sod shall meet the material and installation requirements contained in the Alger County Standards and Specifications for Michigan's Soil Erosion and Sediment Control Act.

In all areas of channelized flow, if the water velocity is greater than 6 fps for a 25-yr/24-hr storm, the channel shall be armored with riprap, pavement, or other pre-approved equivalent materials. The armor shall extend a minimum of 1 foot above the channel bottom, measured vertically, or above the normal depth of flow for a 25-yr/24-hr storm, whichever is the greatest.

RETAIN THESE GENERAL REQUIREMENTS F.Y.I.

CONSTRUCTION REQUIREMENTS

1. Slope Stabilization:
 - A. Roof gutters/downspouts and/or ground surface protection shall be installed as needed to prevent erosion of the slopes beneath roof driplines and at roof/floor drain discharge points.
 - B. **All disturbed earth surfaces steeper than 3:1 and up to/including 2:1 (horz:vert) shall be restored with pegged sod or erosion control fabric/mats. All disturbed earth surfaces steeper than 2:1 (horz:vert) shall be restored with rock rip-rap or other pre-approved equivalent.**
 - C. No permanent slopes to be created steeper than 2:1 (horz:vert) unless pre-approved.
 - D. All areas on pre-existing slopes steeper than 2:1 (horz:vert) will be permanently stabilized with riprap or other pre-approved equivalent.
 - E. Slopes near retaining walls shall be constructed to convey surface runoff down the slope without causing erosion. Retaining walls constructed of timbers, ungrouted blocks or stones, etc., will be lined with geotextile fabric on the uphill face of the wall to prevent soil from exfiltrating through the wall.
 - F. All sod shall be entrenched such that the top of the sod is to the line and grade of the adjacent ground. The sod seams shall be staggered in the direction parallel to the flow of surface runoff.
 - G. All riprap will be underlain with filter fabric and be large enough not to be displaced during storm events. 4-6" minimum is recommended. Front/sides to be trenched into sub-grade.
 - H. All earth changes are to be permanently stabilized with topsoil/seed/mulch to establish a good vegetative surface cover, unless areas are determined by the ACCD to be fully self-contained.
 - I. Silt fence shall be properly installed as needed at the downhill perimeter of the exposed soil surfaces to prevent sediment damage to any lake/stream and keep all sediment on-site.
2. In all areas of concentrated water flow for a **25 year/24 hr. storm event**, the soil surfaces shall be armored with the appropriate surface cover material to permanently stabilize the flow line.
 - A. If the flow is between 4 and 6 feet per second, the disturbed earth surfaces shall be armored with pegged sod or erosion control fabric/mats. The sod shall extend a minimum of 1' above the normal depth of flow.
 - B. If the flow is greater than 6 feet per second, the disturbed earth surfaces shall be armored with riprap, pavement, or other pre-approved non-erodible surface. The armor shall extend a minimum of 1' above the normal depth of flow.
 - C. All flow lines with a continuous baseflow shall be permanently stabilized with riprap, pavement, or other pre-approved method (bioengineering is encouraged). The riprap, pavement, etc. shall extend a minimum of 1' above the normal depth of flow.
 - D. Check dams and/or ditch sediment traps shall be installed in flow lines as needed to trap sediment and prevent erosive water velocities.
3. All disturbed earth surfaces that are not permanently stabilized with good vegetation or pavement prior to the winter months of each year will be protected with the temporary erosion/sediment controls necessary to prevent erosion into to any lakes, streams, or drainage facilities during the winter months and the spring snowmelt/runoff period.
4. Permittee is responsible for the proper installation and timely maintenance of all erosion/sediment controls necessary to prevent erosion/sediment damage to any lake, stream, or drainage facility.
5. All earth changes will be completed so surfaces remain exposed for the shortest possible period of time. All disturbed earth surfaces shall be expeditiously brought to the final grade and permanently stabilized with good vegetation, pavement, and/or other non-erodible surface cover. The surface restoration work shall be a continuous operation and shall proceed concurrently with other work.
6. Sediment will be removed from runoff water before it leaves the site of the earth change.

RETAIN THESE CONST. REQUIREMENTS F.Y.I.