



ARENAC CONSERVATION DISTRICT

4490 W. M-61 Standish, MI 48658

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Soil Erosion and Sedimentation Control (SESC) Application Packet

THE FOLLOWING ITEMS ARE REQUIRED BY PART 91 OF THE NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT 451 OF 1994 PRIOR TO OBTAINING A PERMIT

Check off items included on drawing, site plan, and/or construction schedule

- 1) Final design plan detailing all items of work.
- 2) Map or site plan scaled down to no more than 200 feet per inch showing all predominant land features, physical structures, contour intervals, and distance from the earth change to nearby drains, lakes, or streams.
- 3) Written description of soils at the affected area.
Percentage of Each Soil Type: SAND _____ CLAY _____ LOAM _____ OTHER _____
- 4) Legal description of the site indicating legal ownership.
- 5) Description and location of the physical borders/limits of the proposed earth change.
- 6) Listed sequence of each proposed earth change activity and the estimated time required to complete each. (See attached SESC Installation & Construction schedule)
- 7) Description and location of all existing and proposed drainage and dewatering facilities, such as culverts.
- 8) Location and description of all proposed temporary SESC measures, including estimated installation and removal dates.
- 9) Description and location of all proposed permanent SESC measures (seeding, riprap, etc.) including the estimated installation date.
- 10) Program proposal for the continued maintenance of all permanent SESC measures, including the person responsible for maintenance.

*Issuance of a Soil Erosion and Sediment Control permit does not alleviate the permittee against possible additional permits & violations from outside agencies including the Department of Environment, Great Lakes & Energy, the Army Corps of Engineers, local associations, municipalities and /or townships.

SESC Program Information

This information packet has been provided to assist in the application for a soil erosion and sedimentation control permit. It is a general guidance document only.

See the complete Part 91 for more information.

Michigan law states that any earth change within 500 feet of a lake or stream or any earth change of one or more acres in size requires a Part 91 Soil Erosion and Sedimentation Control (SESC) permit.

The Arenac County Soil Erosion and Sedimentation Control Program is established under Part 91, Soil Erosion and Sedimentation Control of the Natural Resources and Environmental Protection Act 1994 PA 451, as amended. Counties are mandated by statute to administer and enforce Part 91. The program is regulated by Arenac County Ordinance 2017-01 with oversight from the Michigan Department of Environment, Great Lakes and Energy. The County Enforcing Agency is responsible for implementing and enforcing an effective Part 91 program. The SESC permit requires acceptable SESC measures to be used and maintained effectively to reduce soil erosion and off-site sedimentation.

SESC Permit

Landowners are required to submit a signed permit application that includes customer information, a site plan, and attachments outlining temporary and permanent soil erosion and sedimentation control measures that they will implement during the earth change activity. The landowner must include a schedule of SESC activities, including the estimated installation and removal dates of temporary measures, and an estimated installation date and maintenance plan for permanent SESC measures. Permits will only be issued once all criteria are met. The County Enforcement Agency (CEA) has 30 days to review the completed application and make a determination. ***The site plan and construction schedule are required by Part 91 and must be filled out completely and submitted as part of the application.*** An SESC permit must be extended if a site cannot be stabilized before its permit expires. If a permit is not extended and the site is not permanently stabilized, the coverage will terminate when the permit expires, and the site will be in violation of Part 91. Additional fees may apply. ***Part 91 requires the SESC permit AND site plan to be posted prominently on the site until it is fully stabilized.***

Stormwater Coverage through Permit-by-Rule

Construction activities that disturb one or more acres of land and have a point-source discharge of storm water to waters of the state, such as a storm drain, are required to obtain a National Pollutant Discharge Elimination Systems (NPDES) permit from the Michigan Water Resources Division (WRD). Under the WRD "Permit-by-Rule" process, applicants must receive **both Part 91 and Part 31 coverage through an appropriate permitting agency, such as the Arenac Conservation District. For sites disturbing one to five acres, Part 31 storm water coverage is automatically granted when receiving Part 91 coverage.** For sites disturbing five or more acres, the applicant must obtain a Part 91 permit and submit an application through the MiWaters for Notice of Coverage (NOC) to the WRD. Along with the NOC application, the applicant/permittee must submit a copy of the SESC permit, approved SESC plan, site location map, and the \$400 permit fee. The permittee must also follow the requirements of Permit by Rule. For more information on SESC permits and Storm Water Coverage, contacting your WRD storm water staff (EGLE Soil Erosion and Construction Storm Water Staff Map), or call 800-662-9278.

Inspections

The CEA will inspect the site prior to issuing a permit and periodically inspect the site to ensure compliance throughout the construction phase(s) of the project. A final inspection will be conducted after the project is completed and the site is stabilized. *The CEA inspects the entire site to ensure ALL installed SESC measures are functioning as required in the site plan, that sediment is not being discharged offsite or to waters of the State, that all Part 91 laws and regulations are being followed and that the permit is properly posted.*

Permit Closeout

The owner or contractor must contact the CEA office for a final inspection when all temporary SESC measures have been removed, and all permanent measures are in place and stabilized. Stabilization requires proper covering of soil that ensures its resistance to soil erosion, sliding, or other earth movement. Rule 1709 of Part 91 states that “disturbed land areas must be stabilized within five calendar days of achieving final grade or the final earth change has been completed.”

On-Site Responsible Person

It is the property owners’ responsibility to ensure Part 91 rules are followed, even if a contractor or other party is listed on the permit as the on-site responsible person. The on-site responsible person must be involved with the project for its duration. If the designated on-site responsible person changes during the project, the landowner must notify the CEA with the name and contact information of the new on-site responsible person. Any party other than the property owner submitting a permit application must have a letter from the property owner authorizing them as a designated agent.

Property Transfers and the SESC Permit

When a property with an active SESC permit changes ownership partially or completely, a “permit transfer” or a “transfer of permit obligations” notification of Existing Soil Erosion and Sedimentation Control Permit form must be filed with the Arenac County SESC Program prior to the transfer. The current owner and new owner must sign a written agreement transferring the remaining permit obligations, including any current violations, to the new owner. Both forms are available through our office. **Maintenance responsibilities are a part of any sale or exchange agreement for land on which the permanent SESC measures are located.**

Surety Bond Requirements

Prior to issuance of an SESC permit, the applicant may be required to post a surety bond executed by the owner and a state approved corporate surety authority. The bond amount is set by the County Enforcing Agency in an amount equal to the cost of all temporary and permanent SESC measures, with a minimum rate of 10 times per acre of the site inspection fee rate. A cash deposit for the bond amount may be filed in lieu of a surety bond.

Violations

Failure to comply with Part 91 provisions constitutes a violation of law. All violations should be corrected within five days following the issuance of a written notice issued by the CEA. Written notices will include a description of the violation, the necessary corrections that must be taken,

and a time frame in which to comply with Part 91. Failure to incorporate corrections shall cause the SESC permit to become null and void and initiate legal action.

Common Activities Not Requiring an SESC Permit

See Part 91 for all others

An individual residential property owner may conduct the following activities on their individual residential property owned and occupied by him/her and is not required to obtain a permit under Part 91 if the earth change activities do not result in or contribute to soil erosion or sedimentation of the waters of the State or a discharge of sediment off-site. The property owner, although exempt from obtaining a Part 91 permit is not exempt from the laws and regulations of Part 91. The County Enforcing Agency (CEA) has the right and responsibility to take enforcement actions(s) upon any site that results in soil erosion and/or sedimentation leaving the site and/or entering waters of the state. These activities are:

All residential gardens unless the natural elevation is raised. (i.e.: Raised box gardens where fill dirt would be brought in.)

Tree or shrub stump and root removal not exceeding 100 sq. ft. Unless within 500 ft of a water body. Contact the office if you need clarification.

Post Hole Digging for fencing, decks, utility posts, mailboxes, or similar applications. **This only applies if no additional grading is done.**

Farming, plowing, or tilling of land for the purpose of crop production or harvesting of crops. (this does NOT include grading or tiling)

Some logging and mining operations. Access roads to logging and mining sites and ancillary activities associated with logging and mining operation are *NOT* exempt. The removal of clay, gravel, sand, peat, or topsoil is not considered “mining” and therefore requires a permit.

Earth changes associated with oil or gas exploration and development, including well locations, surface facilities, flow lines, or access roads related to oil or gas exploration and development regulated under Part 615 of the NREPA. Contact EGLE.

Beach nourishment projects require a EGLE permit under Part 325 of Act No. 451.

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

Minor earth-change activities stabilized within 24 hours, including but not limited to:

- Planting of trees, shrubs, or other similar plants.
- Seed or reseed lawns of less than one acre if the seeded area is at least 100 feet from state waters.
- Temporarily stockpile of soil, sand, or gravel not greater than a total of 10 cubic yards on the property if the stockpiling occurs at least 100 ft. from state waters.
- Seawall maintenance does not exceed 100 square feet. **This is only for maintenance with no disturbance. Replacement seawalls need a permit.**

Arenac County Fee Schedule for SESC Part 91 Permits

RESIDENTIAL STRUCTURES (SITE INSPECTION, PLAN REVIEW & PERMIT FEE)	
HOUSE, GARAGE, ACCESSORY BLDG, ETC UP TO 1 ACRE	\$90.00
EACH ADDITIONAL ACRE OR FRACTION THEREOF.....	\$40.00
RESIDENTIAL DECKS (If post holes not re-established within 24 hours).....	\$45.00
PONDS (up to 1 acre),	
SOIL STRIPPING, TOPSOIL REMOVAL, MINING (including sand)	\$90.00
ADDITIONAL ACRE OR FRACTION THEREOF.....	\$40.00
SHORELINE PROTECTION/STABILIZATION	
SEAWALLS UP TO 100'	\$75.00
EACH ADDITIONAL 10'	\$10.00
BOAT SLIP UP TO 300'	\$75.00
EACH ADDITIONAL 100'	\$20.00
RIP RAP UP TO 100'	\$75.00
EACH ADDITIONAL 10'	\$10.00
BEACH NOURISHMENT UP TO 100'.....	\$75.00
EACH ADDITIONAL 10'	\$10.00
COMMERCIAL, INDUSTRIAL PROJECTS	
SUBDIVISIONS, MOBILE HOME PARKS, MULTIPLE HOUSING UNITS, RECREATIONAL & SERVICE FACILITIES.....	\$250.00
EACH ADDITIONAL ACRE OR FRACTION THEREOF.....	\$70.00
UTILITIES (up to ½ mile)	
UNDERGROUND PIPELINES, CABLES, WATER MAINS & SEWERS	\$175.00
EACH ADDITIONAL MILE OR FRACTION THEREOF	\$70.00
TRANSPORTATION FACILITIES (up to ½ mile)	
RAILROADS, AIRPORTS & TRAILS.....	\$175.00
EACH ADDITIONAL MILE OR FRACTION THEREOF.....	\$70.00
SPECIAL PROJECTS, INCL. CULVERT EXTENSIONS (up to 1 mile).....	
EACH ADDITIONAL MILE.....	\$60.00

Listed permit fees apply to permits issued for a period of one year. Permits issued for a period of between one and two years shall pay a fee equal to 1.5 times the applicable fee. Permits issued for a period of between two and three years shall pay a fee of 2 times the applicable fee.

FEES MAY BE DOUBLED FOR ANY WORK STARTED WITHOUT A PERMIT.

Mail, email, or deliver all completed application forms including all required forms to Arenac Conservation District at 4490 W. M-61, Standish, MI 48658.

For more information, call 989-846-4565 ext. 5 or email arenacsescpermits@gmail.com

Make checks payable to “Arenac Conservation District”

Payments can be made online at the Arenac Conservation District website.

Permit Application for Part 91 Soil Erosion and Sediment Control

All application fields must be completed. Incomplete forms will be returned.

PLEASE read carefully.

1) APPLICANT CONTACT INFORMATION				
Landowner (First and Last Name)				
Landowner Mailing Address			E-mail Address	
City/Township/Village	State	Zip Code	Phone Number	
Designated Agent (if different from landowner; <u>requires attached Designated Agent Statement</u>)				
Designated Agent Mailing Address			E-mail Address	
City/Township/Village	State	Zip Code	Phone Number	
2) PROJECT LOCATION				
Information available on your property tax forms under the property legal description				
Street Address			Parcel Tax Identification # (PID)	
Section	Town (T)	Range (R)	Subdivision	Lot No.
Township		City/Village		County
3) PARTIES RESPONSIBLE FOR CONTROL PLAN AND EARTH CHANGE				
Plan Preparer's Name			Plan Preparer Phone #	
On-Site Individual Responsible for Earth Change				
Mailing Address			E-mail Address	
City/Township/Village	State	Zip Code	Phone Number	

4) PROPOSED EARTH CHANGE		
Project Type		
<input type="checkbox"/> Residential	<input type="checkbox"/> Multi-Family	<input type="checkbox"/> Commercial
<input type="checkbox"/> Industrial	<input type="checkbox"/> Land Balancing	<input type="checkbox"/> County Drain
<input type="checkbox"/> Municipal		
<input type="checkbox"/> Special Project		
Project Description (what are you doing?)		
Size of earth change (sq .ft)	Date Project to Start	Est. Date of Completion
Name of nearest lake, stream, or drain	Distance from project (ft)	EGLE Permit # (if applicable)
SESC INSTALLATION AND CONSTRUCTION SCHEDULE		
List estimated day, month, and year of completion. Refer to page 5 for guidance		
Temporary SESC Measures Installed (silt fence, inlet protections, etc.)	Est. Start Date	
Land Clearing Activities (top-soil removal, brush clearing, etc.)	Est. State Date	
Foundation Excavation and Site Work Activities	Est. Start Date	
Est. Construction Start Date	Est. Topsoil Spread/Final Grade Date	
Permanent SESC Measures Installed (sod, stone, seed, mulch, etc.)	Est. Installation Date	
Temporary/Permanent SESC Measures Removed	Est. Date of Removal	
Who is responsible for re-vegetation and ongoing maintenance of the site?		
<input type="checkbox"/> Owner <input type="checkbox"/> Contractor <input type="checkbox"/> Other Party _____		
Additional steps and dates pertinent to the project but not listed above		
Provide a written description of your proposed maintenance plan for all permanent SESC measures. Attach separate sheet if necessary.		


Landowner or Designated Agent: _____


Today's Date: _____


By signing this document, you grant County Enforcing Agent access to the site to ensure compliance with part 91 regulations.


Construction Site Plan


LEGEND


Slope direction



Silt fence


Limits of earthwork


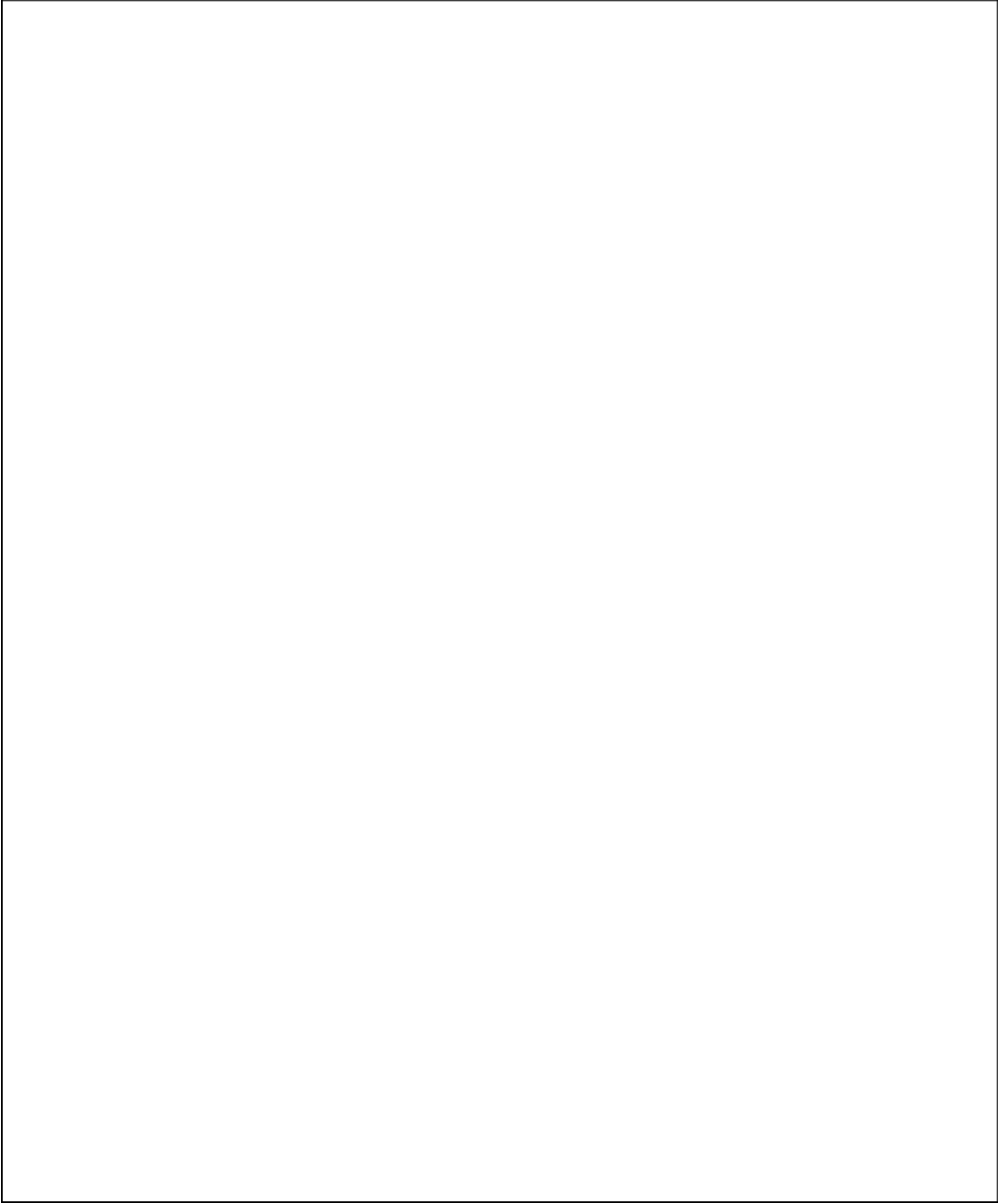
Soil & / or spoils pile


Water well location


Property Boundary


Indicate N,S,E,W


Scale:
1 inch can equal no more than 200 feet.
[-----]



Directions to Site and Instructions for Access:



Arenac Conservation District

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DESIGNATED AGENT STATEMENT

The State of Michigan requires each Authorized Agent applying for a Soil Erosion and Sediment Control Permit on behalf of another person to include a statement authorizing him/her to secure such a permit.

Please have the landowner complete this "Letter of Authorization" to be submitted with the Application Form.

_____ is authorized to secure a Soil Erosion Permit in my name for a
(Designated Agent)

project requiring said permit at

(Address of Project Location)

located at

(Township, City or Village)

I understand that I am responsible for all earth changes related to this project and understand that Act 451, Part 91 may be enforced against me in the event of any violation of that Act.

Print Name of Landowner: _____

Signature of Landowner: _____

Date: _____