



Wexford County Soil Erosion and Sedimentation Control

401 N. Lake Street, Cadillac MI 49601

Phone: (231) 779-9465, Fax: (231) 779-9110

Email: building@wexfordcounty.org

Website: <http://www.wexfordcounty.org>

Office Hours: Mon- Thurs 8:30 am to 5:00 pm (closed 12 – 1 pm)

Soil Erosion and Sedimentation Control (SESC) Application

Pursuant to Part 91, Soil Erosion and Sedimentation Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, a Soil Erosion and Sedimentation Control Permit is required for any earth change that disturbs one or more acres, or is within five-hundred (500) feet of a lake, river, or stream.

This packet includes the following information:

- **SESC Application**
- **SESC Plan Review Information**
- **Sample Site Plan**
- **SESC Frequently Asked Questions**
- **SESC Fee Schedule**

This information has been provided by the Wexford County Building Department to assist in the application for and development of a Soil Erosion and Sedimentation Control Plan. Please contact this office if you have further questions about this application packet.



**PERMIT APPLICATION
FOR PART 91
SOIL EROSION AND SEDIMENTATION
CONTROL**

OFFICE USE ONLY	
Permit Number:	
Date Issued:	
Expiration Date:	
File Number:	

1. APPLICANT (Please check if applicant is the landowner or designated agent*)			
Name:	<input type="radio"/> Landowner or <input type="radio"/> Designated Agent (check one)		
Address:	City:	State:	
Zip Code:	Phone: ()	Cell: ()	Fax: ()

2. LOCATION (Please check if applicant is the landowner or designated agent*)		
Township/City/Village:	Section:	Subdivision (if any):
Lot # (if any):	Tax ID #:	Street Address:

3. PROPOSED EARTH CHANGE		
Type of Earth Change: <input type="checkbox"/> Residential; <input type="checkbox"/> Multi-family; <input type="checkbox"/> Commercial; <input type="checkbox"/> Industrial; <input type="checkbox"/> Land Balancing		
Describe Project:	Size of Earth Change (acres or square feet):	
Name of and Distance to Nearest Lake, Stream, or Drain:	Project Start Date:	Project completion date:

4. SOIL EROSION AND SEDIMENTATION CONTROL PLAN (Refer to Rule 323.1703)	
Note: One (1) complete set of plans must be attached	Estimated Cost of Erosion and Sedimentation Control:
	Plan Preparer Name: Plan Preparer Phone: ()

5. PARTIES RESPONSIBLE FOR EARTH CHANGE			
Landowner Name (if not provided in Box No. 1 above):		Address:	
City:	State:	Zip Code:	Phone: ()
Name of Individual "On-site" Responsible for Earth Change:		Company Name:	Address:
City:	State:	Zip Code:	Phone: ()

6. PERFORMANCE DEPOSIT (if required by the permitting agency)			
Amount Required: \$	<input type="radio"/> Cash; <input type="radio"/> Certified Check; <input type="radio"/> Irrevocable Letter of Credit; <input type="radio"/> Surety Bond		
Name of Surety Company:			Address:
City:	State:	Zip Code:	Phone: ()

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, Soil Erosion and Sedimentation Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, applicable local ordinances, and the documents accompanying this application.		
Landowner Signature:	Print Name	Date:
Designated Agent's Signature:	Print Name:	Date:

* Designated agent must have a written statement from landowner authorizing him/her to secure a permit in the landowner's name.

Have	Need	N/A	SITE PLAN CHECKLIST FOR SOIL EROSION PERMITS
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Drawing must be to scale (map scale: 1" = 200' or less)
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Site location map showing nearest road intersection
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Legal Description of property (i.e.: T22N, R09W, Section 28, NW ¼ or the SW ¼.)
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Location and size of each proposed earth change (clearly defined ON THE DRAWING)
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Location and size of all temporary stockpiles
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Major geographic and vegetative features
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Location and size of all existing buildings and structures
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Location of all tree lines and forested areas
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Soils information (on drawing or in written form)
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Distance to nearest water body for each proposed earth change (lake, stream, river, county drain, wetland, etc.)
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Location of all existing and proposed drainage and de-watering facilities
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Slope information or topography
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Location and detailed description of all temporary erosion and sedimentation control measures (shown on drawing)
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Location and detailed description of all permanent erosion and sedimentation control measures (shown on drawing)
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Maintenance program for erosion and sedimentation control measures (including persons responsible)
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Timing and sequence of construction (construction schedule)

Type of Earth Change: (check any that apply)	
<input type="checkbox"/> Single family residence (new construction)	<input type="checkbox"/> Single Family residence (addition/alteration)
<input type="checkbox"/> Garage (addition or detached)	<input type="checkbox"/> Pole Barn
<input type="checkbox"/> Pool (in ground)	<input type="checkbox"/> Pond
<input type="checkbox"/> Commercial/Industrial (new)	<input type="checkbox"/> Residential Development (subdivision, multi-family)
<input type="checkbox"/> Commercial/Industrial (addition/alteration)	<input type="checkbox"/> Golf Course
<input type="checkbox"/> Recreation development	<input type="checkbox"/> Road
<input type="checkbox"/> Wetland mitigation	<input type="checkbox"/> Utility
<input type="checkbox"/> Pipeline	<input type="checkbox"/> Hospital
<input type="checkbox"/> School/Church	<input type="checkbox"/> Other

Additional Earth Change Information:			
Has earth-moving activity started?	<input type="radio"/> YES	<input type="radio"/> NO	
Is the earth moving over 1acre?	<input type="radio"/> YES	<input type="radio"/> NO	
Will work be occurring in a wetland?	<input type="radio"/> YES	<input type="radio"/> NO	If yes, contact MDEQ
Will de-watering occur?	<input type="radio"/> YES	<input type="radio"/> NO	If yes, special requirements may apply
Will work be occurring in a waterway/floodplain?	<input type="radio"/> YES	<input type="radio"/> NO	If yes, contact MDEQ
Will a designated county drain be affected?	<input type="radio"/> YES	<input type="radio"/> NO	If yes, contact county drain office (231-779-9115)
Will fill be brought on-site?	<input type="radio"/> YES	<input type="radio"/> NO	Amount in cubic yards:
Will material be removed from the site?	<input type="radio"/> YES	<input type="radio"/> NO	Amount in cubic yards:

Approximate Project Timing (Month/Year):			
MO/YR	FOR MINOR PROJECTS	MO/YR	FOR MAJOR PROJECTS
/	Temporary Erosion Control Measures Installed	/	Temporary Erosion Control Measures Installed
/	Gravel Drive/Entrance Installed	/	Gravel Drive/Entrance Installed
/	Land Cleared or Excavation Started	/	Land Cleared or Excavation Started
		/	Detention/Retention/Sediment Ponds Installed
		/	Road(s) Constructed
		/	Utilities Installed
/	Final Grading/Seeding	/	Final Grading/Seeding
		/	Catch Basins/Ponds Cleaned
/	Permanent Erosion Control Measures in Place	/	Permanent Erosion Control Measures in Place
/	Temporary Erosion Control Measures Removed	/	Temporary Erosion Control Measures Removed

Example Erosion Control Plan

EROSION CONTROL PLAN LEGEND

(Use key below to place needed objects on plan, use a scale or ruler to draw home location and locate any other trees or buildings on your property. Please label roads. You only need to show the area that will be disturbed and the access drive.)

Property Line - - - - -

Existing Drainage - - - - -

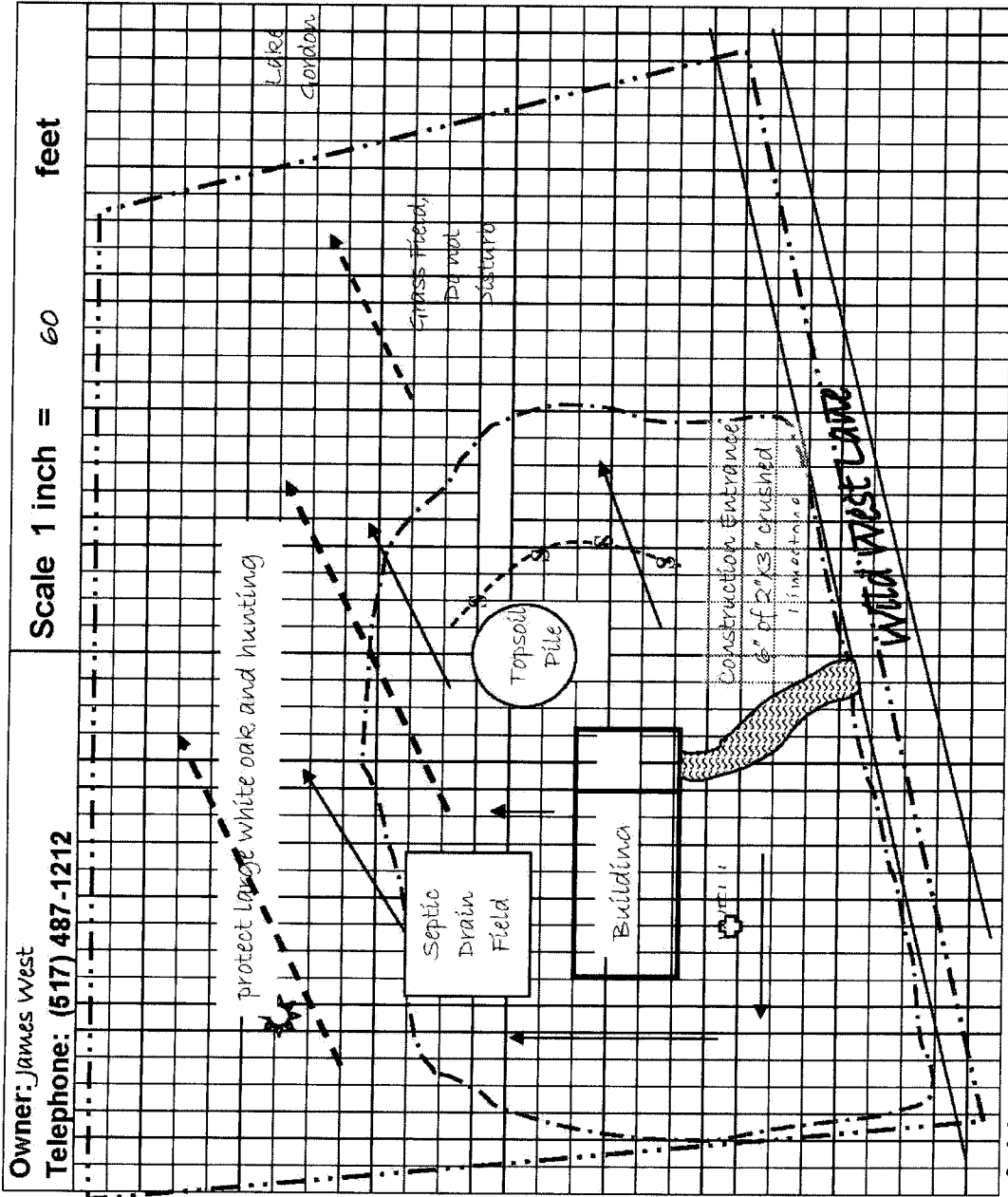
Temp. Diversion - - - - -

Finished Drainage - - - - -

Limits of Grading - - - - -

Silt Fence - - S - - - - - S - -

Show Stone Access Drive, Tree preservation and Temporary Soil Stockpile.



FREQUENTLY ASKED QUESTIONS

Regarding

PART 91, SOIL EROSION AND SEDIMENTATION CONTROL (SESC), of the Natural Resources and Environmental Protection Act (NREPA), 1994 PA 451, as Amended

Why is erosion and sediment control important?

Sediment is the greatest pollutant by volume impacting our lakes, streams, and wetlands. Sediment is the product of uncontrolled erosion. Everyone in Michigan is affected by erosion and off-site sedimentation. Erosion and sedimentation result in: loss of fertile topsoil, filling of lakes and streams, increased flooding, damage to plant and animal life, and structural damage to buildings and roads. Construction is one of the major causes of erosion in Michigan. Without proper planning and management, over 100 tons of sediment per acre per year can be generated on some construction sites.

Why was Part 91 passed?

The primary intent of Part 91 is to protect the waters of the state and adjacent properties by minimizing erosion and controlling off-site sedimentation.

What activities require a Part 91 permit?

A permit is generally required for any earth change that disturbs one or more acres, or is within 500 feet of a lake or stream. Exempted activities include plowing and tilling for crop production and some logging and mining activities. Also exempted is the construction, maintenance, or removal of fences and fence lines; the removal of tree or shrub stumps or roots; and the installation of drainage tile, irrigation, or electrical lines. Access roads to the logging and mining sites and ancillary activities associated with logging and mining operations are not exempt. The removal of clay, gravel, sand, peat, or topsoil is not considered "mining" and therefore requires a permit. Cutting trees and removing stumps to accommodate future development activities is not "logging" and permits are required. All exempted activities are detailed in Sections 9115 and 9115a of Part 91 and in Rule 323.1705

promulgated under the authority of Part 91. Copies of Part 91 and the rules can be found on the SESC Web page by going to: www.michigan.gov/deqwb and clicking on *Soil Erosion and Sedimentation Control*. Questions regarding whether an activity requires a permit should be discussed with the county or municipal permitting agency identified below.

Agricultural Practices that do not require a permit. The construction, maintenance, or removal of fences and fence lines; the removal of tree or shrub stumps or roots; the installation of drainage tile, irrigation, or electrical lines.

Where do I obtain a Part 91 permit?

Counties have the primary responsibility for issuing permits. In some cases, cities, villages, and townships have assumed permitting responsibility within their jurisdictions. The Wexford County Building Department issues Part 91 permits for all areas of Wexford County outside of the City of Cadillac. For activities inside the Cadillac City limits, please contact the City of Cadillac at (231) 7750181.

What information is required in the permit application?

The applicant must submit an application that provides specific information such as the name of the on-site responsible person, location and size of the earth change, description of the earth change, and project starting and ending dates. The applicant must also submit a SESC plan that includes the following information:

1. A map showing the site location, predominant land features, and proximity to lakes, streams and wetlands, and contour intervals or slope information.
2. Soils information.
3. Physical limits of each earth change.
4. Location of existing and proposed on-site drainage patterns and dewatering facilities.

5. Timing and sequence of each proposed earth change.
6. Description of all temporary and permanent erosion and sedimentation control measures.
7. A schedule for maintaining all control measures.
8. Any other information required by the permitting agency.

What principles should be considered when developing a SESC plan?

1. Integrate the overall construction design and activities to fit the physical features of the site.
2. Stage construction and stabilization activities to minimize the area and duration of disturbance.
3. Identify control measures that will minimize erosion.
4. Identify controls that will prevent off-site sedimentation. Sediment control should not be used as a substitution for erosion control, but rather in conjunction with erosion control.
5. Establish an inspection and maintenance schedule.

How can I maintain compliance with Part 91?

1. Obtain a permit from the appropriate county or municipal enforcing agency.
2. Install all temporary and permanent SESC measures in accordance with the approved SESC plan and special permit conditions. Temporary SESC measures should be installed prior to or upon commencement of the earth change.
3. Inspect all projects at least weekly and after every rainfall event to evaluate the effectiveness of the SESC measures.
4. Maintain and/or replace all SESC measures per plan requirements or as needed based on the site inspections.
5. Notify the permitting agency when the project begins and for a final inspection when the site is stabilized.
Note: If the permit will expire before the site is stabilized, a request for a permit extension must be made before the permit expires.

Are there penalties for not complying with permit conditions or Part 91?

Yes, there are several:

1. A person may be subject to a civil fine of up to \$25,000 for each day of violation.
2. A cease and desist order or injunction may be issued until compliance is obtained.
3. The permitting agency may install or maintain control measures to bring the site into compliance with Part 91 and bill the landowner for the costs incurred.
4. A person may be ordered to restore all areas affected by the violation.

If I have a Part 91 permit, do I need to apply for storm water coverage under Part 31 of the NREPA?

Yes, if your earth change meets the requirement for storm water coverage. Storm water coverage is required for any earth change that disturbs one or more acres of land and has a point source discharge to the waters of the state. A point source discharge is defined as any discharge by a specific confined conveyance such as, but not limited to, a pipe, ditch, channel, swale, or concentrated flow area.

Storm water coverage is generally obtained through a Permit-By-Rule process which relies heavily on Part 91. Owners of sites disturbing one to five acres with a point source discharge to the waters of the state receive automatic storm water coverage upon securing a SESC permit from the appropriate county or municipal permitting agency, or being designated an Authorized Public Agency (APA) under the authority of Part 91. Owners of sites disturbing over five acres with a point source discharge to the waters of the state must obtain a county or municipal SESC permit, or be designated an APA, and then submit a Notice of Coverage and other pertinent documents and the appropriate fee to the Department of Environmental Quality (DEQ). All owners with storm coverage, regardless of size, must comply with the requirements of Permit-By-Rule which include, but are not limited to having a construction site storm water operator conducting inspections weekly and within 24 hours of a precipitation event that results in a discharge from the site.

If I obtain a permit from the DEQ's Land and Water Management Division for various land/water interface activities, do I need a Part 91 permit?

Yes, if the project involves earth work that is within 500 feet landward of a lake or stream or disturbs one or more acres.

Who do I call if I have additional questions?

Questions regarding the SESC program in Wexford County should be directed to the Wexford County Building Department. Our office is located at 401 N. Lake Street, Cadillac MI, 49601. We can also be reached by phone at (231) 779-9465 or by e-mail at building@wexfordcounty.org. Our office hours are Monday through Thursday, 8:30 am to 5:00 pm (closed from 12 to 1 pm).

**WEXFORD COUNTY SESC FEE SCHEDULE
 PERMIT FEES WITH INSPECTION AND PLAN REVIEW (Effective 3/1/2005)**

RESIDENTIAL:

Disturbance of less than one acre (with or without bldg. permit).....	\$60.00
Each additional acre or fraction thereof.....	(N/C)
Beach Stabilization (Sea walls, Rip rap, Etc.).....	\$60.00
Duplex.....	\$60.00

SUBDIVISIONS:

Preliminary plat.....	\$150.00
Final plat.....	\$50.00
Mobile home parks, Planned unit developments, Multiple family dwellings (Condominiums, Apartments).....	\$200.00
Each additional acre or fraction thereof.....	\$50.00

INDUSTRIAL AND COMMERCIAL DEVELOPMENTS:

Beach stabilization (Sea walls, Rip rap, Etc.) less than one acre.....	\$150.00
Commercial projects less than one acre.....	\$200.00
Each additional acre or fraction thereof.....	\$50.00

UTILITIES:

Underground pipelines, underground cables, overhead transmission lines, water mains and sewers (up to ½ mile).....	\$200.00
Each additional ½ mile (to nearest ½ mile).....	\$50.00

TRANSPORTATION FACILITIES:

Streets, Highways, Railroads, Airports, Mass Transit (up to ½ mile).....	\$200.00
Each additional ½ mile (to nearest ½ mile).....	\$50.00

RECREATION FACILITIES:

Parks and Campgrounds, Trails (up to 1 acre).....	\$200.00
Each additional acre or fraction thereof.....	\$50.00

SERVICE FACILITIES:

Schools (up to 1 acre).....	(N/C)
Each additional acre or fraction thereof.....	(N/C)

WATER IMPOUNDMENTS:

Up to 1 acre.....	\$50.00
Each additional acre or fraction thereof.....	\$25.00

IF CONSTRUCTION IS STARTED BEFORE PERMIT IS ISSUED, FEES ARE DOUBLED