

SOIL EROSION AND SEDIMENTATION CONTROL (SESC) PERMITS

SESC Permit Requirements:

Unless exempted or waived below, a permit is required for any earth change that:

1. Disturbs one or more acres OR
2. Is within 500 feet of the water's edge of a lake or stream. (See definitions below.)

SESC Permit Exemptions: (May not be issued by Township)

A permit is not required for the following earth changes:

1. 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 a lake or stream.
2. Each change or minor nature that is stabilized within 24 hours of the initial earth disturbance and that will not contribute sediment to a lake or stream.
3. Plowing and tilling for crop production (this includes flower and vegetable gardens).
4. Activities associated with well location, surface facilities, flowlines, or access roads related to oil and gas exploration and development if a SESC plan is submitted to the DEQ when applying for a permit to drill and operate an oil or gas well.
5. Logging and mining activities. However the following activities associated with logging and mining are not exempt (permits are required):
 - Access roads to and from the site where active mining or logging is taking place.
 - Ancillary activities associated with logging and mining.
 - The removal clay, gravel, sand, peat, or topsoil.

SESC Permit Waivers: (May be issued by Township)

The county may issue a permit waiver for an earth change within 500 feet of a lake or stream upon receiving a signed form (*affidavit*) stating that the earth change is:

1. Less than 225 square feet AND
2. It will not contribute sediment to a lake or stream.

NOTE: The above exemptions and waivers are not exempt from enforcement actions if they result in a violation of Part 91, SESC, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Part 91).

DEFINITIONS:

- 1. “Lake” means all natural and artificial inland lakes or impoundments that have definite banks, a bed, visible evidence of 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 storm water retention, cooling water, or treating polluted water.**
- 2. “Stream” means a river, creek, or other surface watercourse which may or may not be serving as a county drain as defined in Act NO. 40 of the Public Acts of 1956, as amended, 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.**