



LAPEER COUNTY HEALTH DEPARTMENT

ENVIRONMENTAL HEALTH DIVISION
Soil Erosion & Sediment Control Program
1800 Imlay City Rd. Lapeer, MI 48446
(810) 667-0392 – Fax # (810) 667-0283

Waiver/Application # _____

Receipt # _____

AFFIDAVIT for Soil Erosion & Sedimentation Control PERMIT WAIVER

Pursuant to Part 91 Soil Erosion and Sedimentation Control, of Act 451, section 9115(a) residential property owners can be granted a waiver from permit requirements for projects with earth changes or disturbances less than 225 sq ft.

Common projects waivers are granted for: installation of small sheds [this does not include pole barns]; well drilling; adding to driveway, or replacing a septic tank.

This entire form must be filled out and all questions answered, as well as site plan drawn or it will not be accepted.

Property Owner Name _____

Mailing Address _____

Property Address _____

Phone Number _____

Legal Description: Township _____ Section _____ Town _____ N Range _____ E

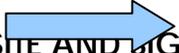
Contractor Name & phone: _____

.....
Description of Earth Change/Disturbance Project: _____

Will the earth disturbance project involve hill cutting or land filling? YES NO

Is significant landscaping [pavers, fountains, etc.] included in project? YES NO

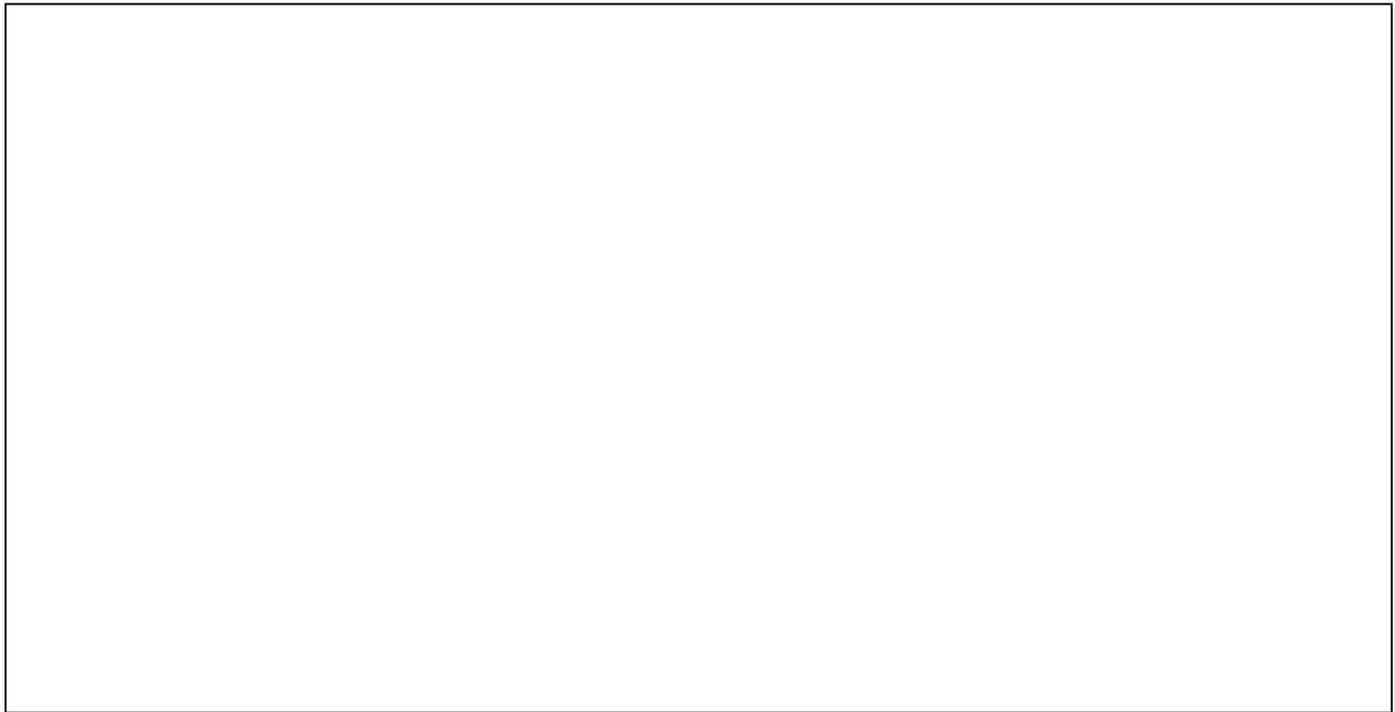
Does the project include a large area of grading and/or re-seeding? YES NO

AGENT OR OWNER MUST DRAW PROJECT SITE AND SIGN 

The following items must be included on the drawing and labeled with name and size:

- what structures are currently on the property. [home, pole barn, deck, etc.]
- Lot lines for this property and adjacent properties.
- What is being built or installed and where. [well location, deck, shed, etc.]
- Draw a line around the project area [area where earth will be disturbed].
- Note all bodies of water, wetlands, and county drains- whether they currently have water flow or not.
- Distance from earth disturbance area and all bodies of water.

DRAWING OF SITE



I, _____ as the property owner or designated agent* **[circle one]** do hereby certify that the earth change at the above referenced property will disturb less than 225 square feet or will be complete within 24 hours, and the earth change will not contribute sediment to lakes or streams. I understand I am still accountable for any erosion or sedimentation that may occur from this project and that fines could be incurred for disregard of the regulations. I understand Lapeer County Health Dept staff may make a site visit to verify the project.

Signature: _____ Date: _____

*designated agent must have written authorization from property owner to apply for this waiver.

-----AGENCY USE ONLY-----

This request for an SESC permit waiver has been reviewed by Lapeer County Health Dept and is hereby issued in accordance with Rule 1705 (2).

Reviewed by: _____ Date: _____

EH Director/SESC/Waiver.doc



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INFORMATION NEEDED BEFORE DECISION TO APPLY FOR A WAIVER

Lapeer County Health Department is the County Enforcing Agency [CEA] for Part 91 of the Natural Resources and Environmental Protection Act in Michigan. We are charged with assuring all earth disturbance [building] projects in the County meet the intent of the regulation to reduce soils from entering our wetlands and waterways.

The Soil Erosion and Sedimentation Control regulation clearly allows local agencies to offer residential property owners a waiver application for earth changes or disturbances less than 225 sq ft. A waiver can be granted from permit requirements by landowner or designated agent filling out Lapeer County Health Department's application and signing the form, making it a binding affidavit, meeting the intent of the regulation.

Common projects Lapeer County Health Department are allowing for waivers to be granted:

- removal of tree stumps, brush or root systems on residential property that exceed 100 sq ft in size.
- Lengthening or widening a driveway—if the area does not exceed 225 sq ft.
- installation of sheds or outbuildings -- that are less than 225 sq ft. This does not include pole barns as they are larger than the allowed square footage.
- all well drilling will be granted waivers. Drinking water as well as irrigation wells meet the intent of the waiver rule.
- replacing a septic tank on residential or commercial property also meets the intent of the regulation. This does not include the entire septic field, which is usually larger than the allowable square footage.

If you have an earth disturbance project not on this list but may meet the intent of the waiver rule, please call the Lapeer County Health Department at 810-667-0392 and speak with the program manager or soils agent.

Exemptions from waivers and permits are listed on the next page.

Exemptions to Part 91, Soil Erosion and Sedimentation Regulations

The law is very clear on what earth change/disturbance/building activities are exempt from needing a permit or a waiver.

A residential property owner may conduct the following activities on individual residential property owned and occupied by him or 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. These activities are:

Farming: plowing or tilling of land for the purpose of crop production or harvesting of crops.

Gardening: all residential gardens, unless the natural elevation is raised. [Raised box gardens where fill dirt would be brought in.]

Stump and Root Removal: if tree and shrub stump removal does not exceed 100 sq ft.

Post Hole Digging: for fencing, decks, utility posts, mail boxes or similar applications – if no additional grading is done.

If stabilized within 24 hrs property owners may:

- Plant trees, shrubs, or other similar plants.
- Seed or reseed lawns of less than 1 acre if the seeded area is at least 100 feet from the waters of the state.
- Seed or reseed lawns closer than 100 feet from the waters of the state if the area to be seeded or reseeded does not exceed 100 square feet.
- 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 feet from the waters of the state.
- Seawall maintenance that does not exceed 100 square feet.

Beach nourishment projects permitted 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 that will not contribute sediment to lakes or streams.

Any earth change of a minor nature: that is stabilized within 24 hours of the initial earth disturbance and that will not contribute sediment to lakes or streams.

All of these exemptions listed here are not exemptions from enforcement procedures if the activities cause erosion or sedimentation in waters of the state.