

SOIL EROSION AND SEDIMENTATION CONTROL

General Conditions

In accordance with Rule 1709 promulgated under the authority of Part 91, Soil Erosion and Sedimentation Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, and in addition to the information on the attached plan(s) and special conditions, the following general conditions apply to the earth change authorized by this permit:

- Design, construct, and complete the earth change in a manner that limits the exposed area of disturbed land for the shortest period of time.
- Remove sediment caused by accelerated soil erosion from runoff water before it leaves the site of the earth change.
- Temporary or permanent control measures shall be designed and installed to convey water around, through, or from the earth change at a non-erosive velocity.
- Install temporary soil erosion and sedimentation control measures before or upon commencement of the earth change activity and maintain the measures on a daily basis. Remove temporary soil erosion and sedimentation control measures after permanent soil erosion measures are in place and the area is stabilized. (“Stabilized” means the establishment of vegetation or the proper placement, grading, or covering of soil to ensure its resistance to soil erosion, sliding, or other earth movement.)
- Complete permanent soil erosion control measures for the earth change within five calendar days after final grading or upon completion of the final earth change. If it is not possible to permanently stabilize the earth change, then maintain temporary soil erosion and sedimentation control measures until permanent soil erosion control measures are in place and the area is stabilized.

This permit is permissive and its issuance does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state or local law or regulations, nor does it eliminate the necessity of obtaining such permits or approvals from other units of government as may be required by law. This permit is issued with the understanding that it does not prevent the State of Michigan from subsequent establishment of further requirements for control at any time.

The permit shall be posted at the project site and available for inspection at all times during the duration of the project.

The restrictions and conditions of this permit shall apply to any person or legal entity which now or shall hereafter own the facilities or land for which this permit is issued. The permittee shall immediately notify the appropriate enforcing agency of such change in ownership or principal operator status for this facility.

It is further made a requirement of this permit that the applicant give notice to public utilities in accordance with Act 53 of the Public Act of 1974, compiled laws 460.701 to 460.718, and comply with each of the requirements of that Act.

In the event that the provisions of this permit are not utilized within a one year period, then the permit shall become void and of no further force or effect, requiring the submission of an application at such time as the development is again proposed.

Property owner(s) assume final responsibility for all earth change work and understand that liability arising from any unlawful earth change will be assessed against the owner(s).

In the event of failure to complete the work or failure to comply with all the requirements, conditions and terms of permit, the enforcing agency may order such work as necessary to eliminate any danger to persons or property and to leave the site in a safe condition or he may order the work authorized by the permit to be completed. The permittee and the surety executing the bond or person issuing the instrument of credit or making the cash deposit shall continue to be firmly bound under a continuing obligation for the payment of all necessary costs and expenses that may be incurred or expended by the enforcer in causing any and all such work to be done. In the case of a cash deposit, any unused portion thereof shall be refunded to the permittee.

During grading operation, the permittee shall be responsible for:

- The prevention of damage to adjacent property. No person shall grade on land so close to the property line as to endanger any adjoining public street, sidewalk, alley or any public or private property without supporting and protecting such property from settling, cracking or other damage which might result. Carrying out the proposed work in accordance with the approved plans and in compliance with all the requirements of the permit and this document.
- The prompt removal of all soil, miscellaneous debris or other materials, dumped or otherwise deposited on public streets, sidewalks or other public thoroughfares during transit to and from the construction, where such spillage constitutes a public nuisance or hazard as determined by this enforcing agency.

Persons carrying out soil erosion and sediment control measures under this document, and all subsequent owners of property or which such measures have been taken, shall maintain all permanent anti-erosion devices.

The requirements of the document shall be enforced by the appropriate enforcing agency, which shall inspect the work. If the enforcer finds any existing conditions not as stated in any application, grading permit or approved plan, he may refuse to approve further work until approval of a revised grading plan which will conform to the existing conditions.

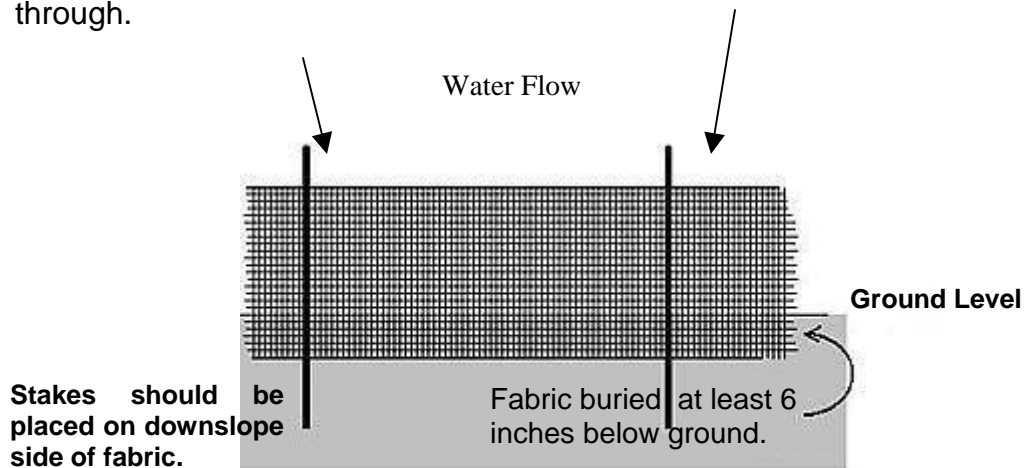
Any temporary or permanent facility designed and constructed for the control or conveyance of water within, around, through or from the earth change area shall be designed to limit the water flow to a non-erosive velocity, and to prevent increased surface run off from the earth change activities that would cause flooding or impair public or riparian rights.

In the event that a violation occurs, the enforcing agency pursuant to Part 91, Public Act 451 of 1994, as amended by 2000 PA 504, its rules and any local regulations and ordinances may: issue a cease and desist order, revoke the earth change permit, have an injunction issued, request a "show cause" hearing - take action on the deposit or bond and/or institute civil or criminal proceedings.

SPECIFIC CONDITIONS

Temporary Silt Fence

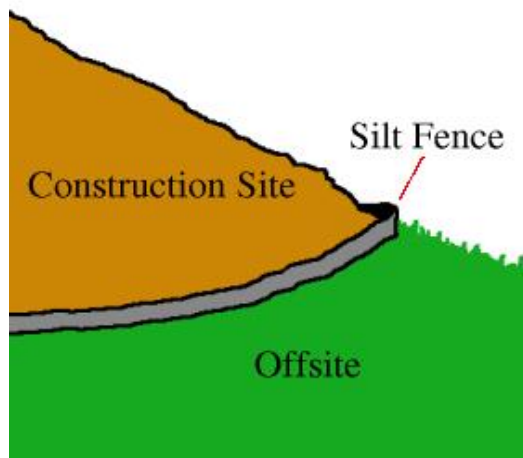
The **temporary silt fence** is the most frequently used erosion control device. Its purpose is to prevent sedimentation in off-site waters caused by erosion on the construction site. The temporary silt fence is simply a band of fabric running along the ground which holds back the sediments and allows the water to pass through.



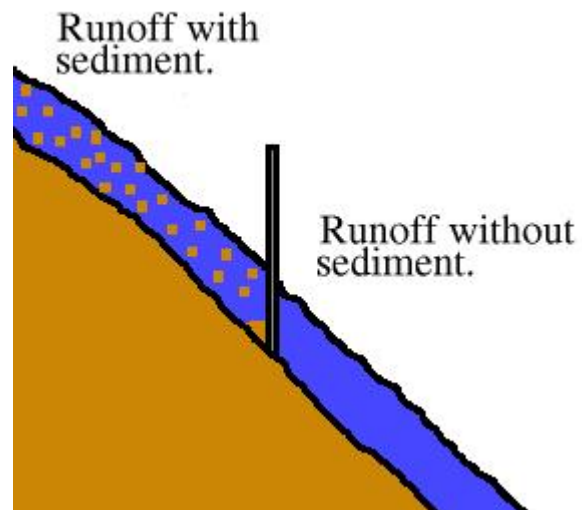
Temporary Silt Fence

Silt fences are often installed incorrectly. The fabric should be buried at least 6 inches deep, but most people do not take the time to bury the fabric. If the bottom is not buried in the ground, the silt fence is rendered ineffective.

Location of the Sedimentation Fence



A silt fence is placed at the toe of a fill site. The fill site is very prone to erosion since the dirt has no vegetation covering it.



The temporary silt fence filters sediment out of the runoff coming out of the fill site, preventing it from contaminating off-site waters. The silt fence should remain in place until the disturbed area has been stabilized.