

## Commercial Site Soil Erosion and Sedimentation Control Permit Application

Kent County Road Commission  
1500 Scribner Avenue NW  
Grand Rapids, MI 49504  
(616) 242-6920 - Permit Dept.  
FAX (616) 336-4397

|            |           |
|------------|-----------|
| Permit No. | Exp. Date |
| Permit Fee | Paid      |

**1 Applicant**

|       |      |         |        |
|-------|------|---------|--------|
| Name  |      | Address |        |
| City  |      | State   | Zip    |
| Phone | Cell | Fax     | E-Mail |

**2 Location of Earth Change**

|                         |             |                       |         |
|-------------------------|-------------|-----------------------|---------|
| Street Address          |             | Township/City/Village | Section |
| Parcel No. (Tax ID No.) | Subdivision |                       | Lot No. |

**3 Proposed Earth Change**

|                                   |                                |
|-----------------------------------|--------------------------------|
| Type:                             | Size of Change: (acres)        |
| Body of Water Involved or Wetland | Distance to Body of Water (ft) |
| Starting Date                     | Completion Date                |

**4 Parties Responsible for Earth Change**

|  |      |         |        |
|--|------|---------|--------|
| Property Owner (if different from applicant) |      | Address |        |
| City   |      | State   | Zip    |
| Phone  | Cell | Fax     | E-Mail |

**Individual "On Site" Responsible for Earth Change**

|       |      |         |        |
|-------|------|---------|--------|
| Name  |      | Address |        |
| City  |      | State   | Zip    |
| Phone | Cell | Fax     | E-Mail |

- 5 A Soil Erosion and Sedimentation Control plan is required.** It must include all of the information required by Rule 1703. For a small project that is less than one acre but within 500 feet of a waterbody, you make a sketch of the site on the survey sheet. Be sure to include the limits of the earth change (grading, excavation, etc.) and the location of buildings, drains, lakes, streams, wetlands and other dominant features on the site. **All proposed temporary and permanent erosion control measures are to be shown on the sketch of site plan.**

For all sites greater than one acre in size, **two (2) sets of complete plans must be attached.**

|                     |       |
|---------------------|-------|
| Plan Preparers Name | Phone |
| Company             |       |

**6 Performance Deposit (\$1000/acre, minimum \$2000 - check form of deposit that applies)**

|   |       |         |       |
|---|-------|---------|-------|
| Amount Required   |       |         |       |
|   |       |         |       |
| <input type="checkbox"/> Company Check No.  |       |         |       |
|   |       |         |       |
| <input type="checkbox"/> Certified Check No.  |       |         |       |
|   |       |         |       |
| <input type="checkbox"/> Irrevocable Letter of Credit <b>** (Applicant must use the enclosed Letter Of Credit form)**</b> |       |         |       |
| Bank/ Agent Name  |       | Address |       |
| City  | State | Zip     | Phone |

**7 Required Information**

|                            |                                 |
|----------------------------|---------------------------------|
| Soil Type                  | Quantity of Excavation and Fill |
| Temporary Control Measures | Estimated Cost                  |
| Permanent Control Measures | Estimated Cost                  |
| Maintenance Program        | Responsibility                  |
| Timing Sequence            |                                 |
| Other Helpful Information  |                                 |

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 of Public Act 451 of 1994, as amended, its corresponding rules, applicable local ordinances and the documents accompanying this application.

**Applicant/Designated Agent Signature** *(designated agent must have a written statement from landowner authorizing him/her to secure a permit in the landowner's name)*

Signature \_\_\_\_\_

Date \_\_\_\_\_

**Inspectors**

David Bennett: 242-6901 ext 2997

Dave Beck: 242-6901 ext 2992

# Soil Erosion and Sedimentation Control Permit Agreement

**The landowner and permittee will be held responsible for following guidelines and permit requirements. Please be aware that additional SESC measures may be needed for your site.**

*Minimum Requirements:*

- ◆ All land owners of sites disturbing 5 acres or more must submit a copy of their NPDES Notice of Coverage permit before beginning the earth change. The storm water operator's record should be available for inspector's review. Copies of other DEQ permits should be submitted with site plans as well.
- ◆ Best Management Practices (BMPs) are to be installed correctly before grading begins at the site. Information is available at our office or online at the Michigan Department of Environmental Quality website: <http://www.michigan.gov/deq>
- ◆ Stage construction and stabilization activities to minimize the amount of disturbed area.
- ◆ Remove sediment caused by soil erosion from storm runoff water before it leaves the site of the earth change or enters waters of the state.
- ◆ Place soil piles away from drainage courses. Soil piles must be protected from precipitation and wind with non-erosive cover or other BMPs. Remove any unused soil when grading is completed.
- ◆ Use silt fence and other measures as needed to control incidental release of sediment into drainage systems and water bodies.
- ◆ Provide an anti-tracking area for haul trucks and equipment. Sweep streets, parking lots and other paved areas regularly and as needed.
- ◆ Dust control must be implemented on all sites exposed to wind erosion.
- ◆ All information given on the application must be kept up-to-date. This includes responsible on-site person, permittee/landowner address and phone number, and revisions to the site plan. A copy of the permit must be available on-site.
- ◆ Daily stabilization is mandatory.

*Final Stabilization:* Seed (and mulch, where needed) all disturbed areas within 5 days of final grading. Remove all temporary erosion and sedimentation controls only after vegetation has been established. Evaluate if sediment entered the system during the work and initiate actions to have the storm system cleaned as appropriate. Clean sediment from detention basins to ensure appropriate design volumes are met.

*Penalties for Non-Compliance:* Penalties of Part 91 of Act 451 may include the issue of a cease and desist order or revocation of a permit upon its finding that there is a violation. The Kent County Road Commission can install or maintain control measures to bring a non-conforming site into compliance and bill the contractor and/or owner for the costs incurred.

\*\*\*\*\*

I have read and understand the Soil Erosion and Sedimentation Control Permit Agreement.

Sign \_\_\_\_\_ Date \_\_\_\_\_

David Bennett: 242-6901 ext 2997

Dave Beck: 242-6901 ext 2992

Kent County Road Commission  
Engineering Department, Soil Erosion Division  
1500 Scribner Avenue NW  
Grand Rapids, Michigan 49504

## PERMIT PROCEDURES

In accordance with Part 91 of Public Act 451 of 1994 and its corresponding general rules, permit requirements for an earth changes are as follows:

- A. An application for a state prescribed permit shall be submitted to the Kent County Road Commission by the land owner or an agent designated by the land owner.
- B. A Soil Erosion and Sedimentation Control plan must be submitted with the permit application. The plan must include the information required by Rule 1703.

*R 323.1703 Soil Erosion and sedimentation control plan requirements.*

Rule 1703. A person shall prepare a soil erosion and sedimentation control plan for any earth change identified in R 323.1704. A person shall design the plan to effectively reduce accelerated soil erosion and sedimentation and shall identify factors that may contribute to soil erosion and sedimentation, or both. The plan shall include, but not be limited to, all of the following:

- 1. A map or maps at a scale of not more than 200 feet to the inch or as otherwise determined by the county or local enforcing agency. A map shall include a legal description and site location sketch that includes the proximity of any proposed earth change to lakes or streams, or both (*including wetlands*); predominant land features; and contour intervals of slope description.
- 2. A soils survey or a written description of the soil types of the exposed land area contemplated for the earth change.
- 3. Details for the proposed earth changes, including all of the following: (a) A description and the location of the physical limits of each proposed earth change, (b) A description and the location of all existing and proposed on-site drainage and dewatering facilities, (c) The timing and sequence of each proposed earth change, (d) The location and description for installing and removing all proposed temporary soil erosion and sediment control measures, (e) A description and the location of all proposed permanent soil erosion and sediment control measures, (e) A program proposal for the continued maintenance of all permanent soil erosion and sediment control measures that remain after project completion, including the designation of the person responsible for the maintenance. Maintenance responsibilities shall become a part of any sales or exchange agreement for the land on which the permanent soil erosion control measures are located.

- C. The Soil Erosion and Sedimentation Control plan shall be reviewed by the Kent County Road Commission, or by a person trained and experienced in soil erosion and sedimentation control techniques.
- D. **The Kent County Road Commission shall approve, disapprove or require modification of the application for the earth change permit within thirty (30) calendar days following the receipt of the application and permit fee.** Notification of disapproval shall be made by certified mail. This requirement may be waived if the information is given to the applicant in person. If the application is disapproved, the Kent County Road Commission shall advise the applicant of the reasons for disapproval and the conditions required for approval.
- E. Upon determination that an applicant has met all of the requirements of these rules, the Sediment Act and General Rules, the Kent County Road Commission shall issue a permit for the proposed earth change. The permit shall be available on the site of the proposed earth change for inspection.
- F. An "Authorized Public Agency" is exempt from obtaining a permit but shall notify the Kent County Road Commission of each proposed earth change.

**SOIL EROSION AND SEDIMENTATION CONTROL PART 91 OF PUBLIC ACT 451**

**PERMIT FEES**

| <b>CONDITION</b>                                | <b>SINGLE FAMILY DWELLING</b> | <b>GARAGE, DECK OR SFD ADDITION</b> | <b>DISTURBED AREA LESS THAN 1 ACRE</b> | <b>DISTURBED AREA 1-10 ACRES</b>                          | <b>DISTURBED AREA 10.1 ACRES &amp; UP</b>                           |
|---|-------------------------------|-------------------------------------|--|---|---|
| Review of Plans                                 | \$25.00                       |                                     | \$35.00                                | \$35.00/Acre  | \$30.00/Acre  |
| Permit Fee                                      | \$25.00                       | \$25.00                             | \$25.00                                | \$50.00   | \$75.00   |
| Total Inspection Fee                            | <u>\$50.00</u>                | <u>\$30.00</u>                      |  |   |   |
| Monthly Inspection Fee                          |                               |                                     | \$35.00                                | \$35.00 for first acre<br>\$5.00 for each additional acre | \$80.00 increasing \$2.00 per acre over 10 acres (\$140.00 Maximum) |
| Minimum of 6 Months of Inspection Fees Required |                               |                                     | <u>\$140.00</u>                        | <u>See Attached Table</u>                                 | <u>See Attached Table</u>   |
|   | \$100.00 TOTAL                | \$55.00 TOTAL                       | \$200.00 TOTAL                         | FEE VARIES  | FEE VARIES  |

\* 6-month extension is \$50.00 for single family dwellings, garages, decks, and SFD additions.

\* Extensions for all other projects are based on size of disturbed area multiplied by the number of months until development is stabilized and growth is established.

\* REVIEW, PERMIT AND MINIMUM INSPECTION FEES DUE WITH APPLICATION.

1. **If construction or earth change is started without permit, fees are doubled.**
2. If a violation occurs which results in the permit being revoked, a new permit must be obtained and new fees paid.
3. No review fees will be charged for permit extensions, but inspection fees will be charged.
4. Additional fees will be charged for inspections due to non-compliance.

12/21/09

**SOIL EROSION AND SEDIMENTATION CONTROL  
INSPECTION FEE TABLE**

| ACRES       | MINIMUM MONTHLY FEES |       | TOTAL FOR NEW PERMIT |        |
|-------------|----------------------|-------|----------------------|--------|
|             |                      |       |                      |        |
| <1 acre =   | \$35 x 6 months =    | \$200 | \$200                | < 1 ac |
| 1 acre =    | \$35 x 6 months =    | \$210 | \$295                | 1 ac   |
| 2 acres =   | \$40 x 6 months =    | \$240 | \$360                | 2 ac   |
| 3 acres =   | \$45 x 6 months =    | \$270 | \$425                | 3 ac   |
| 4 acres =   | \$50 x 6 months =    | \$300 | \$490                | 4 ac   |
| 5 acres =   | \$55 x 6 months =    | \$330 | \$555                | 5 ac   |
| 6 acres =   | \$60 x 6 months =    | \$360 | \$620                | 6 ac   |
| 7 acres =   | \$65 x 6 months =    | \$390 | \$685                | 7 ac   |
| 8 acres =   | \$70 x 6 months =    | \$420 | \$750                | 8 ac   |
| 9 acres =   | \$75 x 6 months =    | \$450 | \$815                | 9 ac   |
| 10 acres =  | \$80 x 6 months =    | \$480 | \$880                | 10 ac  |
| 11 acres =  | \$82 x 6 months =    | \$492 | \$897                | 11 ac  |
| 12 acres =  | \$84 x 6 months =    | \$504 | \$939                | 12 ac  |
| 13 acres =  | \$86 x 6 months =    | \$516 | \$981                | 13 ac  |
| 14 acres =  | \$88 x 6 months =    | \$528 | \$1,023              | 14 ac  |
| 15 acres =  | \$90 x 6 months =    | \$540 | \$1,065              | 15 ac  |
| 16 acres =  | \$92 x 6 months =    | \$552 | \$1,107              | 16 ac  |
| 17 acres =  | \$94 x 6 months =    | \$564 | \$1,149              | 17 ac  |
| 18 acres =  | \$96 x 6 months =    | \$576 | \$1,191              | 18 ac  |
| 19 acres =  | \$98 x 6 months =    | \$588 | \$1,233              | 19 ac  |
| 20 acres =  | \$100 x 6 months =   | \$600 | \$1,275              | 20 ac  |
| 21 acres =  | \$102 x 6 months =   | \$612 | \$1,317              | 21 ac  |
| 22 acres =  | \$104 x 6 months =   | \$624 | \$1,359              | 22 ac  |
| 23 acres =  | \$106 x 6 months =   | \$636 | \$1,401              | 23 ac  |
| 24 acres =  | \$108 x 6 months =   | \$648 | \$1,443              | 24 ac  |
| 25 acres =  | \$110 x 6 months =   | \$660 | \$1,485              | 25 ac  |
| 26 acres =  | \$112 x 6 months =   | \$672 | \$1,527              | 26 ac  |
| 27 acres =  | \$114 x 6 months =   | \$684 | \$1,569              | 27 ac  |
| 28 acres =  | \$116 x 6 months =   | \$696 | \$1,611              | 28 ac  |
| 29 acres =  | \$118 x 6 months =   | \$708 | \$1,653              | 29 ac  |
| 30 acres =  | \$120 x 6 months =   | \$720 | \$1,695              | 30 ac  |
| 31 acres =  | \$122 x 6 months =   | \$732 | \$1,737              | 31 ac  |
| 32 acres =  | \$124 x 6 months =   | \$744 | \$1,779              | 32 ac  |
| 33 acres =  | \$126 x 6 months =   | \$756 | \$1,821              | 33 ac  |
| 34 acres =  | \$128 x 6 months =   | \$768 | \$1,863              | 34 ac  |
| 35 acres =  | \$130 x 6 months =   | \$780 | \$1,905              | 35 ac  |
| 36 acres =  | \$132 x 6 months =   | \$792 | \$1,947              | 36 ac  |
| 37 acres =  | \$134 x 6 months =   | \$804 | \$1,989              | 37 ac  |
| 38 acres =  | \$136 x 6 months =   | \$816 | \$2,031              | 38 ac  |
| 39 acres =  | \$138 x 6 months =   | \$828 | \$2,073              | 39 ac  |
| 40+ acres = | \$140 x 6 months =   | \$840 | \$2,115              | 40+ac  |

# LETTER OF CREDIT

Director of Engineering  
County Enforcing Agency  
Kent County Road Commission  
1500 Scribner Avenue, NW  
Grand Rapids, Michigan 49504

Date: \_\_\_\_\_ Letter of Credit Number: \_\_\_\_\_

Permit Number: \_\_\_\_\_

Permittee's Name: \_\_\_\_\_ (PERMITTEE)

Permittee's Address: \_\_\_\_\_

Project Name: \_\_\_\_\_

Permanent parcel number (ppn): \_\_\_\_\_

Section: \_\_\_\_\_ Township: \_\_\_\_\_

Director of Engineering, Kent County Road Commission:

We, \_\_\_\_\_, as the Surety, hereby issue our irrevocable Letter of Credit number (as shown above) in favor of the Kent County Road Commission (KCRC) as County Enforcing Agency on behalf of PERMITTEE (named above), hereby referred to as the Principal, for a sum of up to an aggregate amount not to exceed

\_\_\_\_\_ and 00/100 (\$\_\_\_\_\_.00), available by your drafts at sight drawn on our institution, \_\_\_\_\_, located at \_\_\_\_\_.

Drafts must be marked "**Drawn under** [name of institution, as shown on page 2 of 2] **Letter of Credit number** (as shown above) **dated** (date as shown above)."

We are a bank or financial institution that has the authority to issue Letters of Credit in the state of Michigan.

This Letter of Credit is to provide financial assurance to the KCRC for the conditions specified in Permit Number (as shown above) (Permit) where the Principal is required to control soil erosion and off-site sedimentation for earth change activity mitigation area that is within the County of Kent in accordance with the provisions of the Kent County Soil Erosion and Sedimentation Control Ordinance, County of Kent Ordinance 12-13-07-123 (Ordinance), and the administrative rules promulgated there under.

The KCRC may draw on this Letter of Credit in the event that the Director of the KCRC, or authorized representative(s), in accordance with the provisions of the Ordinance, and the administrative rules promulgated there under, issues a Notice of Violation or other order indicating that the Principal has failed to comply with the requirements of the Permit. These funds shall allow the KCRC to complete the required mitigation.

Partial drawings are permitted. This original Letter of Credit must be submitted to us together with any drawings hereunder for our endorsement of any payments effected by us and/or for cancellation.

Permit Number: \_\_\_\_\_

Letter of Credit Number: \_\_\_\_\_

This Letter of Credit shall be, and continue to be, in force for a minimum of one (1) year, but such expiration date shall be deemed automatically extended without amendment for periods of one year from the expiration date hereof, or any future expiration date, unless agreed upon in writing by both the KCRC and Surety not to consider the Letter of Credit renewed for any such additional period. The Principal is not authorized to cancel the Letter of Credit without written approval from the KCRC.

This Letter of Credit is subject to the Uniform Customs and Practices for Documentary Credits, 2007 Revisions, International Chamber of Commerce, Publication No. 600, and the Uniform Commercial Code, where applicable. Where conflicts exist between Uniform Customs and Practices for Documentary Credits and the Michigan Uniform Commercial Code, the Michigan Uniform Commercial Code shall control.

We shall honor drafts drawn under and in compliance with the terms of this Letter of Credit and these drafts will be duly honored upon presentation to us if presented on or before \_\_\_\_\_, 20\_\_\_\_\_, or any automatically extended date. The amount of each draft must be endorsed by us on the reverse of this Letter of Credit.

We certify that the wording on this Letter of Credit is identical to the wording provided by the KCRC as of the date shown immediately below.

\_\_\_\_\_  
Name of Bank or Financial Institution

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Printed name and position

\_\_\_\_\_  
Date

\_\_\_\_\_  
Phone

\_\_\_\_\_  
Fax

\_\_\_\_\_  
Email

# LETTER OF CREDIT

Director of Engineering  
County Enforcing Agency  
Kent County Road Commission  
1500 Scribner Avenue, NW  
Grand Rapids, Michigan 49504

# SAMPLE

Date: \_\_\_\_\_ Letter of Credit Number: \_\_\_\_\_ (issued from financial institution)  
Permit Number: (KCRC soil erosion permit #) \_\_\_\_\_  
Permittee's Name: \_\_\_\_\_ (person or company obtaining letter of credit) (PERMITTEE)  
Permittee's Address: \_\_\_\_\_ (mailing address of above named)  
Project Name: \_\_\_\_\_ (location of earth change where permit is required)  
Permanent parcel number (ppn): \_\_\_\_\_ (parcel ID#)  
Section: \_\_\_\_\_ Township: \_\_\_\_\_

Director of Engineering, Kent County Road Commission:

We, \_\_\_\_\_ (name of financial institution), as the Surety, hereby issue our irrevocable Letter of Credit number (as shown above) in favor of the Kent County Road Commission (KCRC) as County Enforcing Agency on behalf of PERMITTEE (named above), hereby referred to as the Principal, for a sum of up to an aggregate amount not to exceed \_\_\_\_\_ (total acreage of permit x \$1,000/acre) and 00/100 (\$\_\_\_\_\_ .00), available by your drafts at sight drawn on our institution, \_\_\_\_\_ (name of financial institution), located at \_\_\_\_\_ (address of financial institution). Drafts must be marked "**Drawn under** [name of institution, as shown on page 2 of 2] **Letter of Credit number** (as shown above) **dated** (date as shown above)."

We are a bank or financial institution that has the authority to issue Letters of Credit in the state of Michigan.

This Letter of Credit is to provide financial assurance to the KCRC for the conditions specified in Permit Number (as shown above) (Permit) where the Principal is required to control soil erosion and off-site sedimentation for earth change activity mitigation area that is within the County of Kent in accordance with the provisions of the Kent County Soil Erosion and Sedimentation Control Ordinance, County of Kent Ordinance 12-13-07-123 (Ordinance), and the administrative rules promulgated there under.

The KCRC may draw on this Letter of Credit in the event that the Director of the KCRC, or authorized representative(s), in accordance with the provisions of the Ordinance, and the administrative rules promulgated there under, issues a Notice of Violation or other order indicating that the Principal has failed to comply with the requirements of the Permit. These funds shall allow the KCRC to complete the required mitigation.

Partial drawings are permitted. This original Letter of Credit must be submitted to us together with any drawings hereunder for our endorsement of any payments effected by us and/or for cancellation.

Permit Number: \_\_\_\_\_ (soil erosion permit #)

Letter of Credit Number: \_\_\_\_\_ (from financial institution)

This Letter of Credit shall be, and continue to be, in force for a minimum of one (1) year, but such expiration date shall be deemed automatically extended without amendment for periods of one year from the expiration date hereof, or any future expiration date, unless agreed upon in writing by both the KCRC and Surety not to consider the Letter of Credit renewed for any such additional period. The Principal is not authorized to cancel the Letter of Credit without written approval from the KCRC.

This Letter of Credit is subject to the Uniform Customs and Practices for Documentary Credits, 2007 Revisions, International Chamber of Commerce, Publication No. 600, and the Uniform Commercial Code, where applicable. Where conflicts exist between Uniform Customs and Practices for Documentary Credits and the Michigan Uniform Commercial Code, the Michigan Uniform Commercial Code shall control.

We shall honor drafts drawn under and in compliance with the terms of this Letter of Credit and these drafts will be duly honored upon presentation to us if presented on or before \_\_\_\_\_ (original expiration date of Letter of Credit), 20\_\_\_\_\_, or any automatically extended date. The amount of each draft must be endorsed by us on the reverse of this Letter of Credit.

We certify that the wording on this Letter of Credit is identical to the wording provided by the KCRC as of the date shown immediately below.

\_\_\_\_\_  
Name of Bank or Financial Institution

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip Code

**SAMPLE**

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Printed name and position

\_\_\_\_\_  
Date

\_\_\_\_\_  
Phone

\_\_\_\_\_  
Fax

\_\_\_\_\_  
Email