

## What Happens if a Property Owner Does Not Maintain Soil Erosion Controls?

The Kent County Road Commission will send a letter explaining that the property is not in compliance. The needed fixes will be listed in the letter and the property owner will be given five (5) days to correct the issues.

If the issues are not corrected, the property owner is subject to any or all of the following:

- A stop-work order and/or other legal action to get the site into compliance.
- The cost of KCRC installing the necessary controls.
- A fine of \$2,500 to \$25,000 a day.

## How Is a Permit Closed?

When the property owner believes that all permanent vegetation is in place (90% growth, 1-inch tall on every square foot of disturbance), they can request a final completion inspection from KCRC.

## Are There Any Additional Permit Fees (Renewals)?

If the permitted project site requires additional time for final completion beyond the permit expiration date, the permit holder will need to pay extension fees until permanent vegetation is established, the final inspection is completed, and the permit is closed.



**Kent County  
Road Commission**

# Soil Erosion Control

## Residential Guide to the Permit Process

FOR ADDITIONAL INFORMATION

[www.kentcountyroads.net/  
permits/category/soil-erosion](http://www.kentcountyroads.net/permits/category/soil-erosion)

[www.michigan.gov/egle](http://www.michigan.gov/egle)

**Permit Department  
(616) 242-6920**

[www.kentcountyroads.net](http://www.kentcountyroads.net)

## What Is Soil Erosion?

Soil Erosion is a major contributor to pollution in waterways. Uncontrolled soil runoff during inclement weather (i.e., wind and rain) can move off-site into lakes and streams. The run-off can also travel through ditches or pipes and across properties, depositing into creeks, streams or wetlands. The run-off creates a hazard that can harm the plants, fish and other creatures living there.

## How Is Soil Erosion Controlled?

The State of Michigan enacted legislation (Part 91 of Public Act 451) to address the negative effects of soil erosion, and the Kent County Road Commission has the authority to enforce the state's soil erosion program for Kent County communities, except for the following cities: Grand Rapids, Kentwood, Rockford, and Walker.

### Permit Requirements for Residents & New Homeowners

A Soil Erosion and Sedimentation Control (SESC) permit from KCRC is required by a property owner when a project:

- involves a ground-disturbing activity within 500 feet of a lake or stream.
- will disturb an area greater than one acre in size.

## Permit for New Construction

When constructing a home that meets SESC requirements, a builder must obtain a permit from the Kent County Road Commission to protect the environment from soil erosion.

### When a New Property Purchase Includes a Soil Erosion Permit, the New Property Owner Should:

**Complete a Permit Transfer Information Form.** This form is completed by both the builder/initial permit holder and the new property owner. The form transfers the permit and its requirements to the purchaser of the property until the lot has permanent vegetation and landscaping in place, according to the plan the builder/initial permit holder submitted for the permit.

If a yard does not have a lawn and landscaping, it is up to the property owner to ensure proper soil erosion controls are in place. The property owner should:

1. Assess what soil erosion control measures are already in place.
2. Determine the current drainage pattern.
3. Note additional controls that are needed. (i.e. silt fence, catch basin protections, erosion control fabric, etc.)
4. Establish a timeline for putting in lawn and landscaping.

## Soil Erosion Control Measures

Control measures that a property owner must manage depend on the slope and nature of the site and include, but are not limited to:

- Installing or maintaining a temporary silt fence barrier or sod filter strip around the lot. A silt fence is a black, woven plastic material with wooden stakes. The fence should be trenched six (6) inches into the ground to stop muddy runoff water and filter-out the sediment.
- Using sod (at least 30 feet wide) to filter where runoff water leaves the property, may be acceptable for the area.
- Establishing ground cover as quickly as possible. If the timing, budget, or season is not appropriate for seeding or sod, you will need to install additional controls such as straw mulch or other vegetative material to prevent soil loss from the lot.
- Redirecting downspouts so rainwater runs away from bare soil areas on the lot. Use a flexible plastic pipe to direct water gently away from bare soil to avoid it washing away.
- These controls need to remain in place until final vegetation is established. If removed for other work projects, they will need to be reinstalled at the end of each day.