

**Delhi Charter Township
Soil Erosion & Sedimentation Control Program**

Permit, Exemption & Waiver Details

Permits are required when a project meets the criteria below;

1. Results in an earth disturbance of greater than 1 acre in size **or**
2. The project is within 500 feet from “waters of the State”.

A project is exempt from obtaining a permit if it meets the criteria below:

1. Results in an earth disturbance less than 1 acre in size, **and**
2. The project is more than 500 feet from “Waters of the State”.

Additionally, an activity is specifically exempt if it is:

1. A residential property that is occupied by the owner, and
2. The activities will not result in or contribute to soil erosion or sedimentation of the water of the state or a discharge of sediment off site, and
3. It is the owner who is causing the earth change listed in items (a) through (e) below:
 - (a) An earth change of a minor nature that is stabilized within 24 hours of the initial earth disturbance.
 - (b) Gardening, if the natural elevation of the area is not raised.
 - (c) Post holes for fencing, decks, utility posts, mailboxes, or similar applications, if no additional grading or earth change occurs for use of the post holes.
 - (d) Removal of tree stumps, shrub stumps, or roots resulting in an earth change not to exceed 100 square feet.
 - (e) All of the following activities, if soil erosion and sedimentation controls are implemented, the earth change is stabilized within 24 hours of the initial earth disturbance, and soil erosion or sedimentation to adjacent properties or the waters of the state has not or will not reasonably occur:
 - (i) Planting of trees, shrubs, or other similar plants.
 - (ii) Seeding or reseeded of lawns of less than 1 acre if the seeded area is at least 100 feet from the waters of the state.

- (iii) Seeding or reseeded of 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.
 - (iv) The temporary stockpiling 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.
 - (v) Seawall maintenance that does not exceed 100 square feet.
 - (vi) 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.
4. Exemptions provided in this section shall not be construed as exemption from enforcement procedures under Part 91 or the rule promulgated under Part 91, if the exempted activities cause or result in a violation of Part 91 or the rules.

Waivers may be provided when an affidavit for Part 91 is signed by the Land Owner stating that the project will disturb less than 225 square feet and that the earth change will not contribute sediment to the waters of the state.