

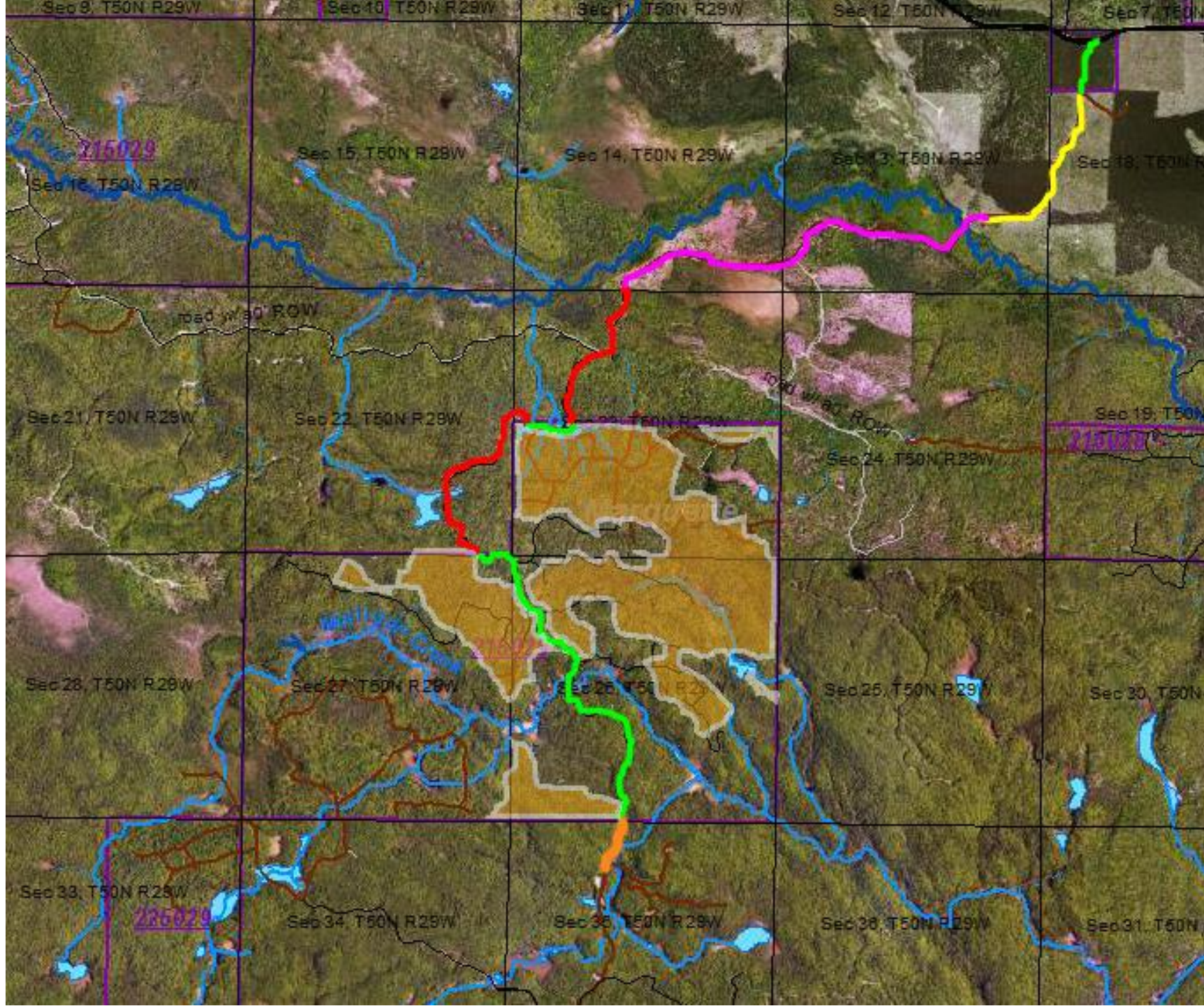
# Forestry Road Building Exemptions and the Soil Erosion and Sedimentation Control Program

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**The Michigan Society of American Foresters Spring  
Conference**

**March 30-31, Marquette, MI**







**Before 7/3/14**

















ROAD  
CLOSED



Part 91 regulates soil erosion and off-site sedimentation of “earth change” activities.

The primary goal of Part 91 is to protect adjacent properties and waters of the state from sediment generated from unchecked erosion.





“Earth Change” is a human-caused change in the natural cover or topography of the land that temporarily leads to bare unstable soils. Includes removing vegetation and grading land for construction of buildings, roads, ponds, road stream crossings, sea walls, etc.





# Permits & Triggers

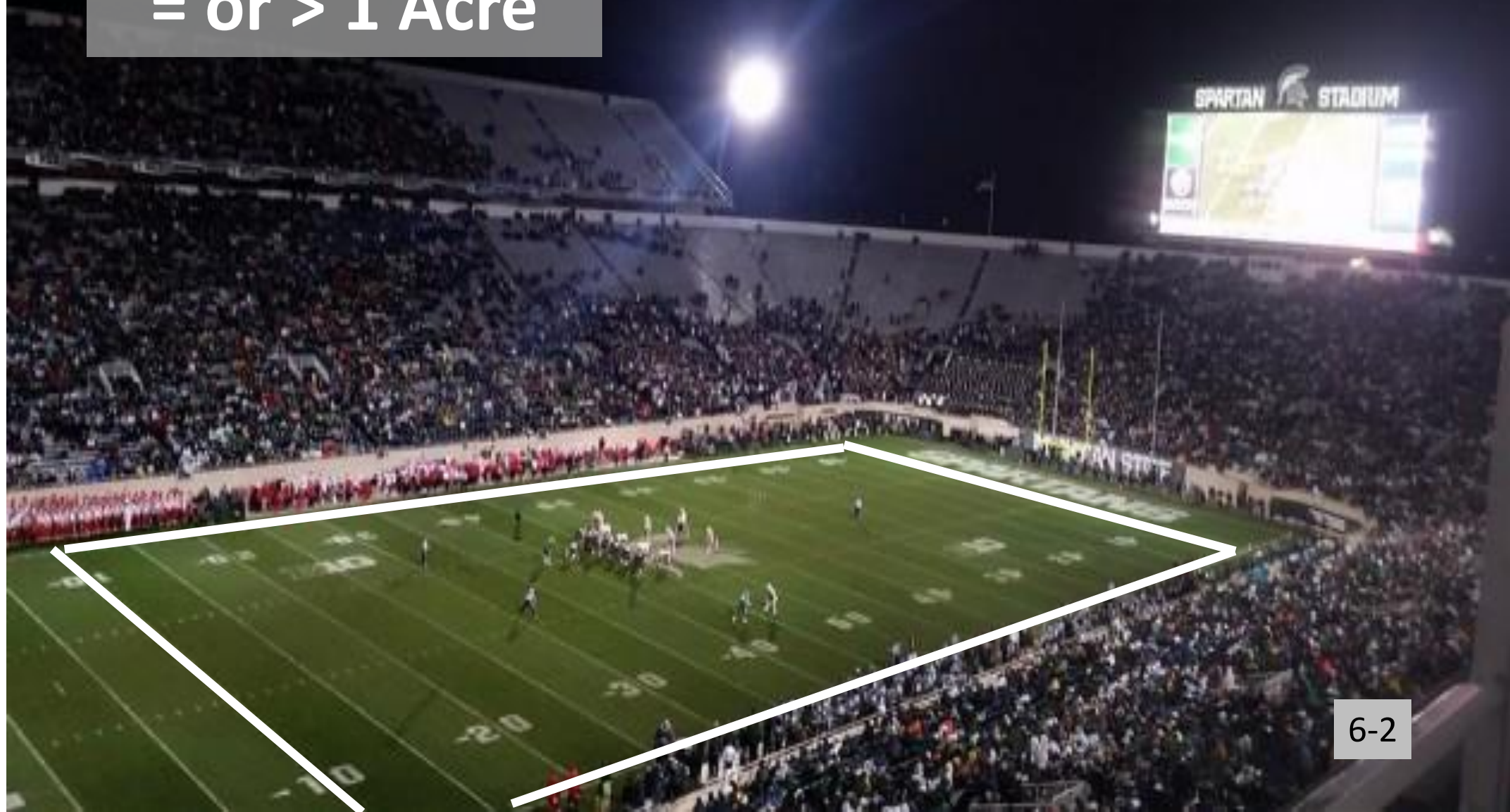
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# Permit Triggers

= or > 1 Acre





## **324.9115 Logging, mining, or land plowing or tilling; permit exemption; “mining” defined.**

Sec. 9115. (1) Subject to subsection (2), a person engaged in the logging industry, the mining industry, or the plowing or tilling of land for the purpose of crop production or the harvesting of crops is not required to obtain a permit under this part. However, all earth changes associated with the activities listed in this section shall conform to the same standards as if they required a permit under this part. The exemption from obtaining a permit under this subsection does not include either of the following:

- (a) Access roads to and from the site where active mining or logging is taking place.
- (b) Ancillary activities associated with logging and mining.



## **Logging & Mining Exemption**







**Road &  
Driveway  
Maintenance  
is Exempt**

**No Changes in  
length & width.**

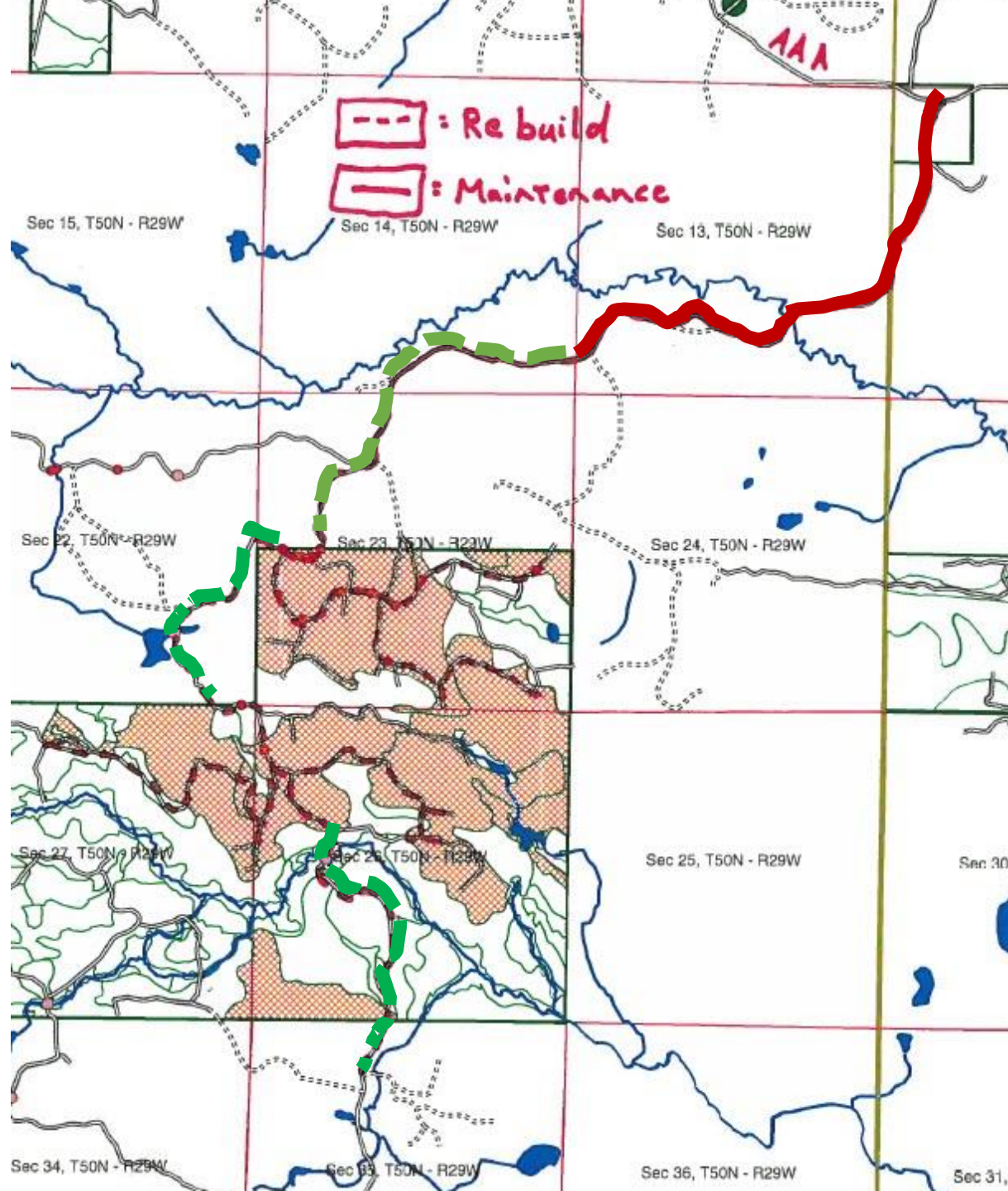




**Red Solid Line** is  
Maintenance =  
No SESC Permit

**Red Dashed Line**  
within red  
shaded area  
active Harvest  
Area = No SESC  
Permit

**Green Dashed  
Line** is Rebuild/  
Earth Change =  
SESC Permit





Turn Arouds  
& Landings  
within the  
Harvest Area





Skid Trails  
& Roads  
within the  
Harvest  
Area







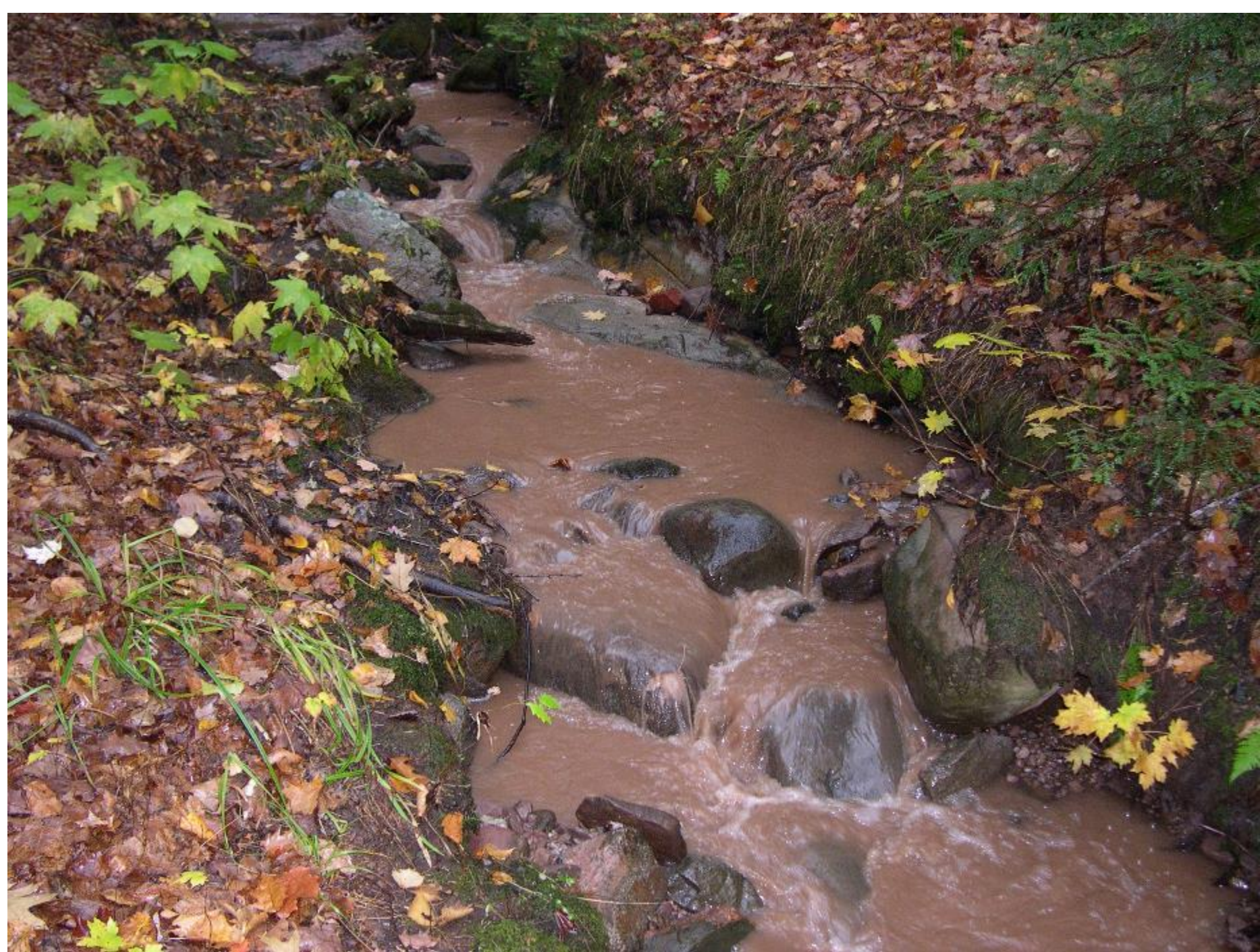


Exempt from  
a permit does  
not mean  
exempt from  
the Part 91  
requirements





Exempt from  
a permit does  
not mean  
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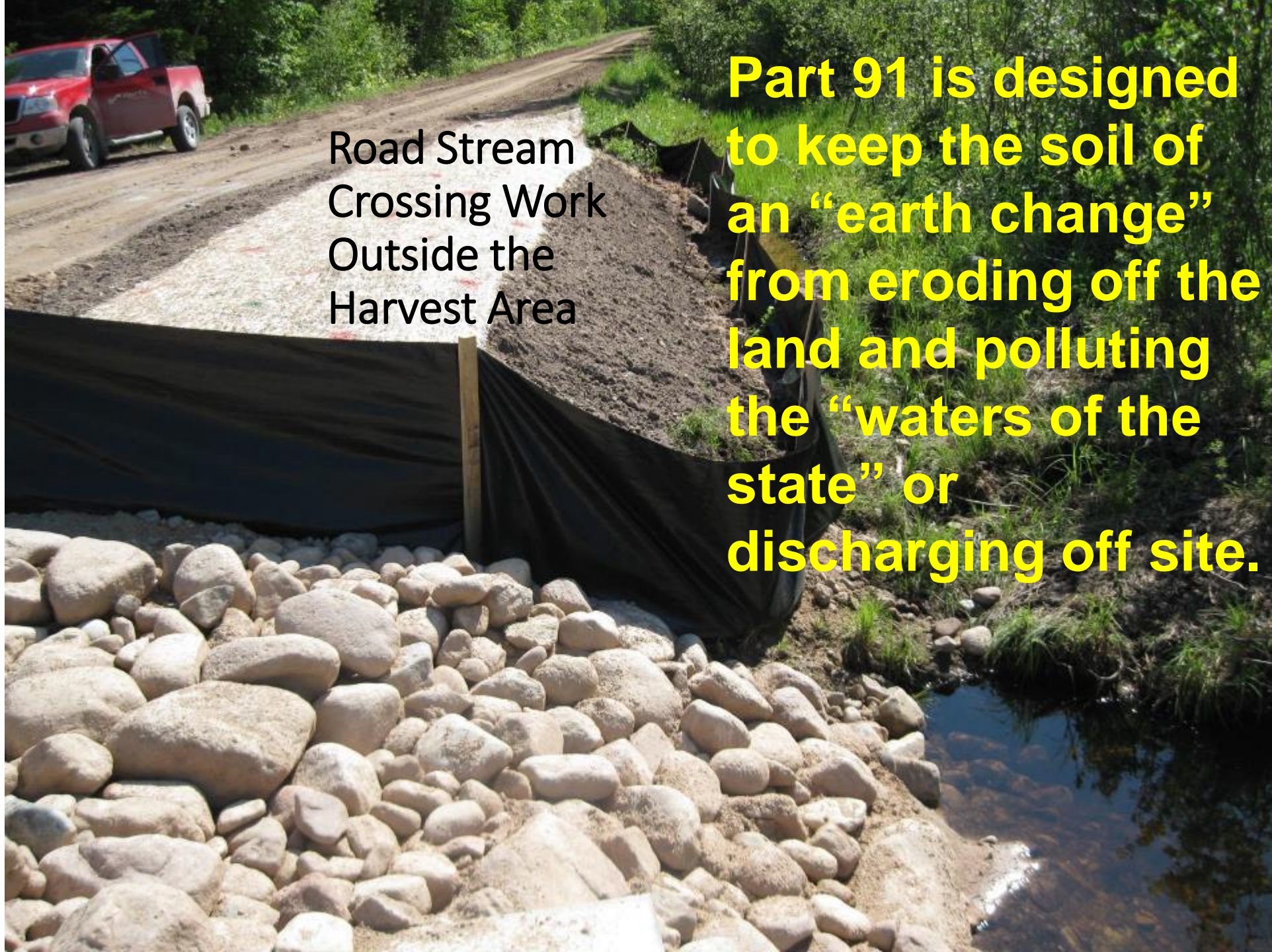




SESC  
Permit  
Required  
When...

Road Stream  
Crossing Work  
Outside the  
Harvest Area

**Part 91 is designed to keep the soil of an “earth change” from eroding off the land and polluting the “waters of the state” or discharging off site.**





Road Work  
Outside the  
Harvest Area

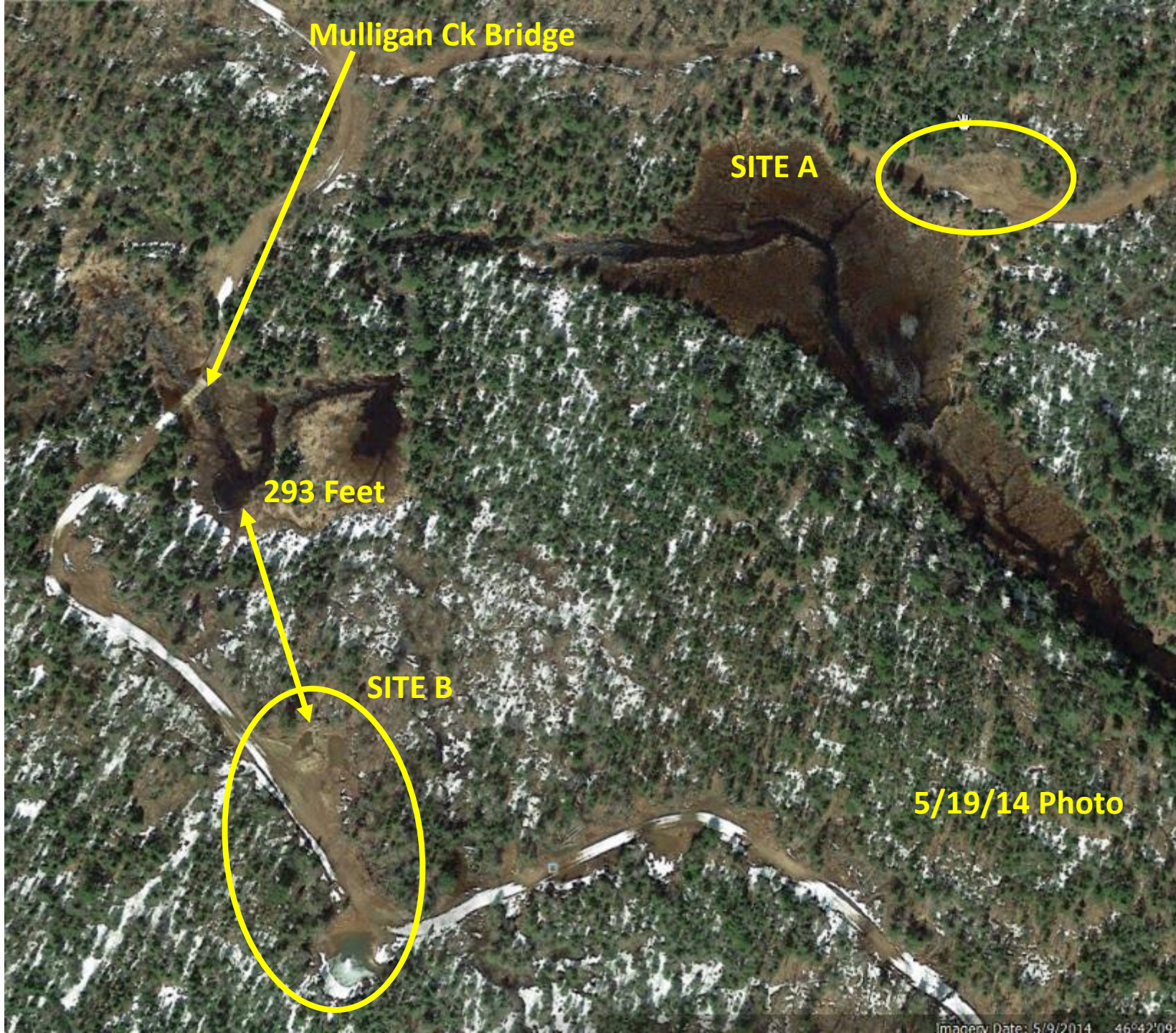




# Ancillary Activities







Mulligan Ck Bridge

SITE A

293 Feet

SITE B

5/19/14 Photo







































**What is this Forest Type  
Called again???**





# Part 303 Exempt Activities for Forestry

## Section 30305.2: Specific Uses

***(j) Construction or maintenance of farm roads, forest roads, or temporary roads*** for moving mining or forestry equipment, if the roads are constructed and maintained in a manner to assure that any adverse effect on the wetland will be otherwise minimized.

\*\*\*To meet the exemption the primary purpose must be to move commercial forestry equipment.




# BMPs – Best Management Practices


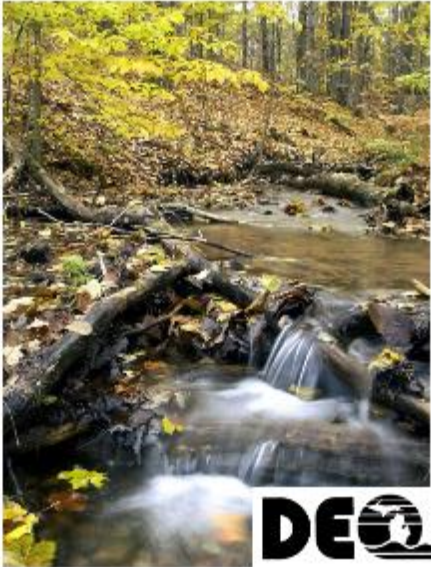
general rules that accomplish a goal AND minimize impacts



Great Lakes, Great Times, Great Outdoors  
www.michigan.gov/dnr



## SUSTAINABLE SOIL AND WATER QUALITY PRACTICES ON FOREST LAND



MICHIGAN DEPARTMENT OF NATURAL RESOURCES  
AND  
MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY

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Do you require a road for this work?

If an access route/road is planned, then use BMPs to minimize impacts:

– Clearing Access Routes

- Width of road minimized for vehicles expected to travel the road
- Narrowest location across sensitive area
- Straight shot to minimize impact
- Connecting uplands by minimizing wetlands impacts
- Straddling wetlands (similar to above)
- Utilize one pass in and out – Single lanes in wetlands and utilize pullouts and passing lanes in uplands
- Utilize existing routes whenever possible

































*nds*





*ands*





***ands***



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Pat Riley,

**When in doubt give us a call.**







***Michigan Wetlands***







# Placeholder for Point Source Discharge Info

- Discharges from washing rock, gravel, sand.
- Rock Crushing activities and discharge.





## Federal Regulations for Point Source Discharges











