



Henderson County
Soil Erosion and Sedimentation Control

Acknowledgement of the Sedimentation Pollution Control Act of 1973

Purpose of Acknowledgement: To ensure Residential Building Contractors/Developers are aware of, and acknowledge they are required to abide by, the Sedimentation Pollution Control Act of 1973.

Purpose of Act: To acknowledge that sedimentation constitutes a major pollution problem, that control of erosion and sedimentation is deemed vital to the public interest and to the public health and welfare and to create, administer and adopt a minimum set of standards to allow for development to continue with the least detrimental effects from pollution by sedimentation.

Requirements: As Building Contractor/Developer, you are required by law to keep sediment on your site and out of roads, storm drains, creeks, and off other’s property(ies) **regardless of the lot size**. If you are disturbing one acre or more, or are located on steep slopes as identified on the Henderson County GIS site, you are also required to submit a sedimentation and erosion control plan/application and fees to the Henderson County Erosion Control Office for review and be issued a permit prior to obtaining a building permit. **Installation of proper sedimentation control devices such as temporary silt fencing on all downhill slopes of a construction lot are strongly urged in order to effectively maintain compliance with the law. All erosion control devices should be monitored and inspected at least weekly and after each rain. Sediment build up against silt fencing should be removed once it reaches 12” in depth. Only clearing of the portion of the lot necessary to install the sedimentation devices should occur initially. Once the devices are installed then the remaining portion can be more safely cleared.**

Failure to Comply: Stop work orders and/or fines of up to \$5,000 per day may be issued or levied by the Henderson County Erosion Control Office. Restoration of the affected area may also be required (in addition to a stop work order and/or fine) to mitigate and minimize the detrimental effects of pollution from sedimentation.

By signing below, the Building Contractor/Developer applying for a residential building permit is acknowledging that they understand that all land disturbing activities conducted in the course of developing a residential lot are required to abide by the Sedimentation Pollution Control Act and pledge to take all reasonable steps necessary to keep soil sediment and silt-laden runoff on the originating property. Further by signing below, the Building Contractor/Developer is acknowledging that it is their responsibility for removing and cleaning-up any sediment runoff that leaves the property.

Building Contractor/Developer Signature

Date

Printed Name of Building Contractor/Developer

Development Address