



# HUDSON-ESSEX-PASSAIC SOIL CONSERVATION DISTRICT

80 ORCHARD STREET  
BLOOMFIELD, NJ 07003-5104  
Telephone: (862) 333-4505  
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www.hepsoilnj.org

## REQUEST FOR DETERMINATION OF CH.251 NON-APPLICABILITY

**\*\*\*\* Applicant *MUST* submit with a photocopy of a SURVEY, PLOT, OR SITE PLAN showing the work area \*\*\*\***

Please allow 3-5 days for processing

I request that the subject land disturbance activity be reviewed for a written determination of non-applicability of the NJ Soil Erosion & Sediment Control Act (N.J.S.A. 4:24-*et seq.*). I understand that the fee for this review is \$95 by check or money order made payable to HEPSCD and that should the activity be deemed a project as defined by the Act, I will need to submit a formal application, a signed & sealed site plan to include a Soil Erosion & Sediment Control Plan, and the appropriate fee. I agree that if the proposed activity changes from the site plan submitted with this application, it will render this determination, if granted, void, and will require a reassessment of the land disturbance by the District. Non-applicability means the subject land disturbance does not meet the definition of a project under the Act and as such does not require formal SESC plan certification. The applicant will assume responsibility for determining the need for any appropriate soil erosion control measures.

_____	_____	_____	_____
Property Owner's Name	Telephone	Fax	E-mail
_____	_____	_____	_____
Mailing Address	Town	State	Zip Code
_____	_____	_____	_____
Street Address of Project	Town	Tax Block(s)	Tax Lot(s)
_____	_____	_____	_____
Engineer/Architect (if applicable)	Telephone	Fax	E-mail
_____	_____	_____	_____
Applicant Name (if different)	Company Name		
_____	_____		
Applicant Signature	Telephone	Fax	E-mail
_____	_____	_____	_____

Project Description (check all that apply):  Demolition  New Construction  Renovation &/or Addition  
 Excavation  Grading  Utilities Trenching  Farm Conservation Plan  Other: \_\_\_\_\_

Total Estimated Disturbance (Utilize non-applicability determination sheet on subsequent page): \_\_\_\_\_ square feet

→NOTE: If the total soil disturbance exceeds 5,000 square feet, the project is regulated and will require a Soil Erosion & Sediment Control Plan Certification. District staff may go upon project lands to verify the area of disturbance.

\*\*\*\*\*

For District Use Only

Received by \_\_\_\_\_ on \_\_\_\_\_  
District Staff Date Check # Check Date

District Determination:

\_\_\_\_ Regulated \_\_\_\_ Not Regulated Verified by: \_\_\_\_\_ Date: \_\_\_\_\_  
Authorized by: \_\_\_\_\_ Date: \_\_\_\_\_

District Comments: \_\_\_\_\_

## Non-Applicability Determination Sheet

A survey, plot, or site plan **MUST** be submitted to this office depicting the proposed work area to include all soil disturbing activities.

A soil disturbing activity is defined as any activity involving the clearing, excavating, storing, grading, filling or transporting of soil or any other activity which causes soil to be exposed to the danger of erosion, or compaction of soil which degrades soil so as to make it less conducive to vegetative stabilization. A list of soil disturbing activities can be found below.

Please enter the amount of soil to be disturbed for each activity in the column below. Also note that this should include any disturbance which will occur outside of your property/lot lines, including adjacent lots.

### Soil Disturbing Activities (square feet):

Demolition	
Excavation	
Soil Stockpiles	
Retaining Walls	
Grading/Clearing/Tree Removal	
Utility Improvements/Installation	
Drainage Improvements	
Construction Vehicle Access	
Driveway installation, removal, or replacement	
Walkway (sidewalk, apron, curb, etc.) installation, removal, or replacement	
Additional Work Area e.g. staging, materials storage, relandscaping	
Other:	

Total Soil Disturbance: \_\_\_\_\_ square feet