



## DETERMINATION OF GRADING PERMIT EXEMPTION

According to Sec. 13-5.1 of the Butte County Code, any person who has not obtained a grading permit pursuant to Article I Chapter 13 - Grading, of the Butte County Code but is proposing to perform grading of any of the following types shall first obtain a determination of exemption .

- 1) **PLEASE COMPLETE THE FOLLOWING INFORMATION**
- 2) **ATTACH LOCATION MAP AND PLOT PLAN DETAILING PROPOSED GRADING ACTIVITY**

Property Owner: \_\_\_\_\_ Contractor Name: \_\_\_\_\_

Home Address: \_\_\_\_\_ Contractor Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Contractor Phone #: \_\_\_\_\_

Address of Grading: \_\_\_\_\_ AP# of Grading Property: \_\_\_\_\_

Maximum depth of excavations and fills: \_\_\_\_\_

Maximum slope of area to be graded: \_\_\_\_\_

Volume of excavations and fills: \_\_\_\_\_

Purpose of the grading: \_\_\_\_\_

Nature of land use proposed in connection with the grading: \_\_\_\_\_

### 13-5.1 Determination of exemption

(a) Any person who is proposing to perform grading that does not qualify for any of the exemptions in Section 13-5 and the proposed grading would exceed 50 cubic yards may apply for a determination of exemption, if the proposed grading is within one of the following categories:

- (1) An excavation that does not exceed ten (10) feet in vertical depth at its deepest point, measured from the original ground surface, or one thousand (1,000) cubic yards on any one (1) lot or parcel of real property.
- (2) Fill on a slope of twenty (20) percent or flatter that does not exceed ten (10) feet in vertical height at its highest point, measured from the original ground surface, or one thousand (1,000) cubic yards on any one (1) lot or parcel of real property.
- (3) Exploratory excavations which do not exceed one thousand (1,000) cubic yards at any one (1) site.

### Type of exemption claimed pursuant to Sec. 13-5 "Exemptions": (Please check box that applies)

- Excavation and grading authorized by a valid building permit as provided for under appendix J - Grading of the 2007 California Building Code, as adopted by section 26-1 of chapter 26 of the Butte County Code.
- Construction of roads for forestry or fire protection purposes, as required by a governmental fire protection agency.
- Excavations for: cemetery graves, tunnels, wells, mining, quarrying, under grounding of utilities, public works projects, archaeological sites, or dams and public refuse disposal sites, controlled by other regulatory agencies.
- Emergency projects due to landslides, road and bridge washouts, flooding or other natural disasters.
- Routine maintenance of roads or manmade or engineered flood control channels and levees.
- Grading, specifically authorized by the terms of any discretionary permit or approval granted by the County of Butte.
- Routine Agricultural Grading maintenance to support, keep, replace, refurbish, replant, cultivate and continue in an existing state or condition without decline, including existing agricultural improvements, such as, but not limited to, fields, pastures, crops, vineyards, orchards, facilities, buildings, structures, walls, fences, poles, ponds, reservoirs, dams, pipes, irrigation systems, bridges, and roads. All other agricultural grading for the conversion of existing Non-agricultural vegetation to an agricultural operation will require an Agricultural Process Grading Review by submission of an Agricultural Grading Application to the Butte County Agricultural Commissioner for review and approval.

Continued from page 1

- Maintenance of existing firebreaks and roads to keep the firebreak or road substantially in its original condition.
- Timber harvest and management activities when approved and carried out consistent with the California Forest Practices Act.
- Clearing of vegetation for fire protection purposes within 100 feet of a dwelling unit. Any additional clearing for fire prevention, control or suppression purposes is exempt when authorized or required in writing by a fire prevention or suppression agency.
- Construction pursuant to subdivision plans or site improvement plans, which have been approved by the Department of Public Works. The off-site storage of excess soil from approved projects to be used as fill for other approved projects is exempt as long as proper erosion and sediment controls are maintained at the stockpiled storage site.
- Maintenance of irrigation and drainage facilities.
- An excavation for a sewage disposal system or a well that is constructed in accordance with a valid permit issued by the Butte County Public Health Department, Environmental Health Division.
- An excavation for installation, closure, or remediation of an underground storage tank, performed in accordance with a valid permit issued by the Butte County Public Health Department, Environmental Health Division.
- An excavation for removal or remediation of site contamination, performed under the oversight of the Butte County Public Health Department, Environmental Health Division, or the California Environmental Protection Agency, or the United States Environmental Protection Agency.
- Other – explain on additional sheet of paper.

I certify the above information to be true and correct.

---

**Property Owner Signature** **Date**

I certify the above information to be true and correct.

---

**Contractor Signature** **Date**

**FOR OFFICE USE ONLY**

APPROVED       DENIED      \_\_\_\_\_  
(Date) (Authorizing Signature-Director of Public Works)

**Sediment & Erosion Controls are required during grading activities** - Best Management Practices (BMPs) when used separately, or in combination, prevent or reduce erosion, sedimentation, or pollution of water. An example of a guide for BMPs is the California Stormwater Quality Association (CASQA), Stormwater Best Management Practices Handbook for Construction - <http://www.cabmphandbooks.com/Construction.asp>  
 Suggested BMPs are:

- Rocked construction equipment entrance
- Straw or cover material for erosion control
- 
- Silt fence or straw wattles for sediment control
- Drain inlet protection
-