

**Rule C – Erosion Prevention and Sediment Control**

**1 Policy**

It is the policy of the District to ensure management of land disturbances to:

- Improve water quality to fully support swimming in designated lakes and to fully support designated uses for waterbodies.
- Preserve vegetation and habitat important to fish, waterfowl and other wildlife while also minimizing negative impacts of erosion.
- Alleviate identified erosion problems.
- Minimize the duration and intensity of soil and cover disturbances.
- Require local governments and developers to manage runoff effectively to minimize water quality impacts from new development, redevelopment and other land-disturbing activities.
- Encourage low-impact development techniques and approaches.
- Minimize compaction of soil from land-disturbing activities and encourage decompaction of soil compacted by land-disturbing activities.

**2 Regulation**

- 2.1 An erosion prevention and sediment control permit must be obtained for any land-disturbing activity that will involve:
  - a Placement, alteration or removal of 50 cubic yards or more of earth; or
  - b Alteration or removal of 5,000 square feet or more of land-surface area or vegetation.
- 2.2 A permit from the District is not required to create, restore or improve a wetland and/or buffer pursuant to a District-approved natural resources creation, restoration or management plan.

**3 Criteria**

- 3.1 Permit approval requires preparation of an erosion prevention and sediment control plan that provides:
  - a protection of natural topography and soil conditions, including retention onsite of native topsoil to the greatest extent possible;
  - b temporary erosion prevention and sediment control practices such as silt fencing, fiber logs, inlet protection, rock construction entrances, temporary seeding, vegetative buffer strips, erosion-control blanketing, mulching, floatation silt curtains, supplemental erosion prevention sediment control upgradient of waterbodies or other practices as specified by the District and consistent with the Minnesota Pollution Control Agency’s “Protecting Water Quality in Urban Areas,” as amended or updated, and the “Minnesota Stormwater Manual,” as amended or updated;
  - c minimization of the disturbance intensity and duration, including phasing of disturbance to minimize quantity of disturbed area at any one time:

- d additional measures, such as hydraulic mulching and other practices as specified by the District, on slopes of 3:1 (H:V) or steeper to provide adequate stabilization;
- e protection of stormwater-management facilities during construction;
- f final site stabilization measures, including permanent stabilization of all areas subject to disturbance, specifying that at least six inches of topsoil or organic matter be spread and incorporated into the underlying soil during final site treatment wherever topsoil has been removed;
- g proper management of all construction site waste, such as discarded building materials, concrete truck washout, chemicals, litter and sanitary waste at the construction site; and
- h staking off and marking of proposed infiltration facilities to prevent soil compaction by heavy equipment, stockpiling of materials, and traffic. If infiltration facilities are in place during construction activities, best practices must be deployed to prevent sediment and other material from entering the practice(s). Infiltration facilities must not be excavated to within 3 feet final grade until the contributing drainage area has been constructed and fully stabilized. Any accumulated sediment in an infiltration facility must be removed in manner that prevents compaction of the facility bottom. To provide a well-aerated, highly porous surface, the soils below an infiltration practice must be loosened to a minimum depth of 18 inches prior to installation or planting.

3.2 Site stabilization and completion

- a All temporary erosion prevention and sediment control BMPs must be maintained until completion of construction and vegetation is established sufficiently to ensure stability of the site, as determined by the District.
- b All temporary erosion prevention and sediment control BMPs must be removed upon final stabilization.
- c Soil surfaces compacted during construction and remaining pervious upon completion of construction must be decompacted to achieve:
  - i a soil compaction testing pressure of less than 1,400 kilopascals or 200 pounds per square inch in the upper 12 inches of soil or
  - ii a bulk density of less than 1.4 grams per cubic centimeter or 87 pounds per cubic foot in the upper 12 inches of soil.In addition, utilities, tree roots and other existing vegetation must be protected until final revegetation or other stabilization of the site.
- d Stabilization of disturbed areas must begin immediately whenever land-disturbing activity has permanently or temporarily ceased on any portion of the site and will not resume within seven calendar days on a property that drains to an impaired water; within 14 days elsewhere.

3.3 **Inspection and maintenance.** The permit holder will be responsible for the inspection, maintenance and effectiveness of all erosion prevention and sediment control facilities, features and techniques until final site stabilization. The

permittee must inspect all erosion prevention and sediment control facilities and soil stabilization measures to ensure integrity and effectiveness. The permittee must repair, replace or supplement all nonfunctional BMPs with functional BMPs within 48 hours of discovery and prior to the next precipitation event unless adverse conditions preclude access to the relevant area of the site, in which case the repair must be completed as soon as conditions allow. When active land-disturbing activities are not under way, the permittee must perform these responsibilities at least weekly until vegetative cover is established. The permittee will maintain a log of activities under this section for inspection by the District on request. Between November 15 and snowmelt, and if site work ceases before completion for more than 14 consecutive days, the weekly inspection requirement may be reduced to monthly if the site is managed such that:

- a Exposed soils are stabilized with established vegetation, straw or mulch, matting, rock, rolled erosion control product or other approved material. Seeding is encouraged, but is not alone sufficient.
- b Temporary and permanent ponds and sediment traps are graded to capacity before spring snowmelt. This does not include infiltration/filtration facilities, which must be kept free of sediment until final site stabilization.
- c Sediment barriers are properly installed at necessary perimeter and sensitive locations.
- d Slopes and grades are properly stabilized. Rolled erosion control products must be used on slopes of 3:1 (H:V) or greater and where erosion conditions dictate.
- e Stockpiled soils and other materials subject to erosion are protected by established vegetation, anchored straw or mulch, rolled erosion control materials or other durable covering preventing movement of eroded materials.
- f All construction entrances are properly stabilized.
- g Snow management protects erosion prevention and sediment control measures.

#### **4 Required information and exhibits**

The following exhibits must accompany the permit application:

- 4.1 One 11 inch-by-17 inch plan set, and electronic files in a format acceptable to the District, as well as a plan set 22 inches by 34 inches if requested by the District.
- 4.2 A narrative statement describing the proposed site work.
- 4.3 An erosion and sediment-control plan including:
  - a name, address and phone number of the individual who will remain liable to the District for performance under this rule and maintenance of erosion and sediment-control measures from the time the permitted activities commence until vegetative cover is established
  - b topographic maps of existing and proposed conditions that clearly indicate all hydrologic features and areas where grading will expose

soils to erosive conditions, site property boundaries, as well as the flow direction of all runoff and run-on;

- i single-family home construction or reconstruction projects may comply with this provision by providing aerial imagery or an oblique map acceptable to the District;
- c for all projects except construction or reconstruction of a single-family home, tabulation of the construction implementation schedule;
- d clear identification of all temporary erosion prevention and sediment control measures that will remain in place until vegetation is established;
- e clear identification of all permanent erosion control and soil stabilization measures, including their locations;
- f clear identification of staging areas, as applicable;
- g delineation of proposed changes to any floodplain, wetland or wetland buffer;
- h documentation as to the status of the project's National Pollutant Discharge Elimination System construction stormwater permit and a copy of the project's Stormwater Pollution Prevention Plan, if applicable.
- i clear identification of locations where compaction is to be prevented and/or mitigated.