

RULE D: EROSION AND SEDIMENT CONTROL PLANS

1. **POLICY.** It is the policy of the Board of Managers to prevent erosion of soil into surface water systems by requiring erosion and sediment control for land-disturbing activities.
2. **REGULATION.**
 - (a) A permit under this rule is required for:
 - (1) Surface soil disturbance or removal of vegetative cover on one acre or more of land;
 - (2) Surface soil disturbance or removal of vegetative cover on 10,000 square feet or more of land, if any part of the disturbed area is within 300 feet of and drains to a lake, stream, wetland or public drainage system; or
 - (3) Any land-disturbing activity that requires a District permit under a rule other than Rule D.
 - (b) A person disturbing surface soils or removing vegetative cover on more than 5,000 square feet of land, or stockpiling on-site more than fifty (50) cubic yards of earth or other erodible material, but not requiring a permit under the criteria of this rule, must submit a notice in advance of disturbance on a form provided by the District and conform the activity to standard best practices established by and available from the District.
 - (c) Rule D does not apply to normal farming practices that are part of an ongoing farming operation.
 - (d) Rule D does not apply to milling, reclaiming or overlay of paved surfaces that does not expose underlying soils.
3. **DESIGN CRITERIA FOR EROSION CONTROL PLANS.** The applicant must prepare and receive District approval of an Erosion and Sediment Control that meets the following criteria:
 - (a) For projects disturbing more than ten acres, compliance with the standards of Rule C, subsections 7(a) and (b) must be demonstrated.
 - (b) Natural project site topography and soil conditions must be specifically addressed to reduce erosion and sedimentation during construction and after project completion.
 - (c) Site erosion and sediment control practices must be consistent with the Minnesota Pollution Control Agency document "Protecting Water Quality in Urban Areas" (1994), as amended, and District-specific written design guidance and be sufficient to retain sediment on-site.
 - (d) The project must be phased to minimize disturbed areas and removal of existing vegetation, until it is necessary for project progress.
 - (e) The District may require additional erosion and sediment control measures on areas with a slope to a sensitive, impaired or special water body, stream, public drainage system or wetland to assure retention of sediment on-site.
 - (f) The plan must include conditions adequate to protect facilities to be used for post-construction stormwater infiltration.

- 4. REQUIRED EXHIBITS.** The following exhibits must accompany the permit application.
- (a) An existing and proposed topographic map which clearly indicates all hydrologic features and areas where grading will expose soils to erosive conditions. The Plan must also indicate the direction of all project site runoff.
 - (b) Tabulation of the construction implementation schedule.
 - (c) Name, address and phone number of party responsible for maintenance of all erosion and sediment control measures.
 - (d) Quantification of the total disturbed area.
 - (e) Clear identification of all temporary erosion and sediment control measures that will remain in place until permanent vegetation is established. Examples of temporary measures include, but are not limited to, seeding, mulching, sodding, silt fence, erosion control blanket, and stormwater inlet protection devices.
 - (f) Clear identification of all permanent erosion control measures such as outfall spillways and riprap shoreline protection, and their locations.
 - (g) Clear Identification of staging areas, as applicable.
 - (h) Documentation that the project applicant has applied for the NPDES Permit from the Minnesota Pollution Control Agency (MPCA), when applicable.
 - (i) A stormwater pollution prevention plan for projects that require an NPDES Permit.
 - (j) Identification and location of any floodplain and/or wetland area. A more precise delineation may be required depending on the proximity of the proposed disturbance to a wetland and/or floodplain.
 - (k) Other project site-specific submittal requirements as may be required by the District.
- 5. CONSTRUCTION ACTIVITY REQUIREMENTS.** Site disturbance must conform to the District-approved erosion and sediment control plan, to any other conditions of the permit, and to the standards of the NPDES construction general permit, as amended, regarding construction-site erosion and sediment control.
- 6. INSPECTIONS.**
- (a) The permittee shall be responsible for inspection, maintenance and effectiveness of all erosion and sediment control measures until final soil stabilization is achieved or the permit is assigned (see Rule B), whichever comes first.
 - (b) The District may inspect the project site and require the permittee to provide additional erosion control measures as it determines conditions warrant.
- 7. FINAL STABILIZATION.**
- (a) Erosion and sediment control measures must be maintained until final vegetation and ground cover is established to a density of 70%.
 - (b) Temporary erosion and sediment control BMPs will be removed after disturbed areas have been permanently stabilized.