

### **3.0 EROSION AND SEDIMENT CONTROL**

**3.1 Policy.** It is the policy of the Board of Managers to require erosion and sediment control for land disturbing activities to prevent the siltation and sedimentation of streams, lakes, wetlands, and groundwater recharge areas in the District.

**3.2 Applicability.** All persons shall submit an erosion and sediment control plan to the District, and secure a permit from the District approving the erosion control plan for any grading, filling, or other land disturbing activities which involve:

- (a) Land disturbance of one acre or more;
- (b) Land disturbance of  $\frac{1}{4}$  acre or more, if any part of the disturbed area is within 1,000 feet of and tributary to a groundwater-dependent natural resource, public water, or direct conveyance to a groundwater-dependent natural resource or public water; or
- (c) Any activity that requires a District permit under a rule other than Rule 3.

**3.3 Regulation.** The plan must meet the following standards:

3.3.1 An erosion and sediment control plan must be prepared by a qualified individual showing proposed methods of retaining waterborne sediments on site during the period of construction and showing how the site will be restored, covered, or revegetated after construction, including a timetable for completion;

3.3.2 The erosion and sediment control plan shall be consistent with the specifications of the Minnesota Pollution Control Agency (MPCA) manual "Protecting Water Quality in Urban Areas" and its current revisions, and specifically shall conform to manual recommendations on the following subjects, as applicable:

- (a) Implementation schedule and construction sequencing
- (b) Critical erosion areas
- (c) Limits of disturbed areas
- (d) Stabilizing exposed and soil stockpile areas
- (e) Stabilizing waterways and outlets (including managing five-year, 24-hour event)
- (f) Protecting adjacent properties from erosion
- (g) Storm sewer inlet protection
- (h) Riprap at culvert outfalls
- (i) Rock construction entrances
- (j) BMP construction details
- (k) Horizontal slope grading
- (l) Permanent erosion control;

3.3.3 Sites with high erosion potential characterized by steep slopes or erodible soils may require the permit applicant to post a surety pursuant to Rule 1.0.

### 3.4 Site Maintenance Practices

3.4.1 All erosion and sediment control measures shall be installed, and the District shall be given three business days' notice in writing, before land disturbance commences.

3.4.2 The permittee is responsible at all times for the maintenance and proper operation of all erosion and sediment control facilities. On any property on which land-disturbing activity has occurred pursuant to a permit issued under this rule, the permittee shall, at a minimum, inspect, maintain, and repair all disturbed surfaces and all erosion and sediment control facilities and soil stabilization measures every day work is performed on the site, and at least weekly, until land-disturbing activity has ceased. Thereafter, the permittee shall perform these responsibilities at least weekly until vegetative cover is established.

3.4.3 All exposed soil areas and soil stockpiles within 200 lineal feet of a wetland, a waterbody, a discernable surface drainage feature or a stormwater system inlet, and with a continuous downhill slope to that water feature, must be stabilized with erosion control measures, or temporary or permanent cover, within the indicated time after final grade is established:

<u>Slope</u>	<u>Time</u>
Steeper than 3:1	7 days
10:1 to 3:1	14 days
Flatter than 10:1	21 days

If an area is not permanently stabilized, it shall be managed in accordance with sub-section 3.4.4, below.

3.4.4 The weekly inspection requirement of sub-section 3.4.2, above, may be reduced to monthly between November 15 and snowmelt if site management conforms to the following:

- (a) Exposed soils are stabilized with established vegetation, straw or mulch, matting, rock or other approved product such as rolled erosion control product. Seeding is encouraged, but alone is not 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 the site is fully stabilized.
- (c) Sediment barriers are properly installed at necessary perimeter and sensitive locations.
- (d) Slopes and grades are properly stabilized with approved methods. Rolled erosion control products must be used on slopes greater than 3:1 (horizontal: vertical) 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 product or other durable covering; a barrier prevents movement of eroded materials from the location.
- (f) All construction entrances are properly stabilized.

(g) Snow management protects erosion and sediment control measures.

3.4.5 If a site is actively worked after November 15, all steep slope measures, downgradient and perimeter sediment controls, stockpile stabilization and sediment control measures, swales, channels, culvert outfalls and storm sewer inlets must be maintained in proper working condition at the end of each workday.

3.4.6 After construction is complete, design contours must be established for permanent wet detention basins used as sediment basins during construction.

3.4.7 Erosion control measures such as silt fences and inlet protection shall not be removed until after the project is complete and the District determines that all disturbed areas have been fully stabilized and shall be removed within 14 days thereafter.

### **3.5 Exceptions.**

3.5.1 Agricultural Practices. A Rule 3.0 permit is not required for agricultural activity, provided that a grass or natural vegetation buffer zone extending one rod (16.5 feet) or the width of an applicable shore impact zone, whichever wider, is maintained along any waterbody, wetland, or surface drainage conveyance. The buffer zone shall be maintained to effectively control sediment migration to surface waters and no fertilizer is to be used in the zone except during buffer establishment and/or when a soil test deems it necessary. Excluding areas constructed specifically for livestock watering, the practice of rearing livestock near streams, lakes, and wetlands, and allowing livestock to walk on embankments and enter streams, lakes and wetlands is discouraged. Steep slopes disturbed by livestock access within the buffer zone do not qualify as a buffer under this exemption.

3.5.2 Large Lot Driveways. Private drives on residential lots at least 10 acres in size are excepted from paragraphs (a) and (b) of Section 3.2 Applicability if the drive is bordered downgradient by vegetated open space or a vegetated filter strip with a minimum width of 5 feet and does not discharge directly to wetland, groundwater-dependent natural resource, or public water.