

The Town Board of the Town of Greenville does hereby ordain that Chapter 117 of the code of ordinances of the Town of Greenville is repealed and recreated to read as follows:

Chapter 117. Erosion and Sediment Control.

§ 117-1. Authority.

- A. This chapter is adopted by the Town of Greenville Board under the authority granted by § 60.627, Wis. Stats. This chapter supersedes all provisions of an ordinance previously enacted under § 60.62, Wis. Stats., that relate to construction site erosion control. Except as otherwise specified in § 60.627 Wis. Stats., § 60.62, Wis. Stats., applies to this chapter and to any amendments to this chapter.
- B. The provisions of this chapter are deemed not to limit any other lawful regulatory powers of the same governing body.
- C. The Town Board hereby designates the Public Works Department to administer and enforce the provisions of this chapter.
- D. The requirements of this chapter do not pre-empt more stringent erosion and sediment control requirements that may be imposed by any of the following:
 - (1) Wisconsin Department of Natural Resources administrative rules, permits or approvals including those authorized under §§ 281.16 and 283.33, Wis. Stats.
 - (2) Targeted performance standards promulgated in rules by the Wisconsin Department of Natural Resources under § NR 151.004, Wis. Adm. Code.

§ 117-2. Findings of fact.

The Town Board finds that runoff from land disturbing construction activity carries a significant amount of sediment and other pollutants to the waters of the state in the Town of Greenville.

§ 117-3. Purpose.

It is the purpose of this chapter to further the maintenance of safe and healthful conditions; prevent and control water pollution; prevent and control soil erosion; protect spawning grounds, fish and aquatic life; control building sites, placement of structures and land uses; preserve ground cover and scenic beauty; and promote sound economic growth, by minimizing the amount of sediment and other pollutants carried by runoff or discharged from land disturbing construction activity to waters of the state in the Town of Greenville.

§ 117-4. Applicability and jurisdiction.

- A. Applicability.
 - (1) Where not otherwise limited by law, this chapter applies to all construction sites, unless the site is otherwise exempt under § 117-4A(2) or (3):

- (a) A permit is required for a construction site with 4,000 square feet or greater of land disturbing construction activity. The responsible party shall comply with all applicable provisions of this chapter for a permitted site, including the § 117-7B performance standards, § 117-8 permit requirements, and § 117-9 plan requirements.
- (b) A permit is not required for a construction site with less than 4,000 square feet of land disturbing construction activity. The responsible party shall comply with all applicable provisions of this chapter for a non-permitted site, including the § 117-7A performance standards.
- (c) Notwithstanding the applicability requirements in § 117-4A(1)(a) and (b), a permit is required for a construction site with less than 4,000 square feet of land disturbing construction activity if the administering authority determines that permit coverage is needed in order to improve chapter compliance, meet targeted performance standards, or protect waters of the state. If a permit is required, the responsible party shall comply with all applicable provisions of this chapter for a permitted site, including the § 117-7B performance standards, § 117-8 permit requirements, and § 117-9 plan requirements.
- (d) Utility work and other disturbances of a continuous distance of 100 feet of road ditch, nonagricultural grass waterway or other nonagricultural land area where drainage occurs in a watercourse.

(2) This chapter does not apply to the following:

- (a) Nonpoint discharges from agricultural activity areas.
- (b) Nonpoint discharges from silviculture activities.

(3) A construction site exempted by federal statutes or regulations from the requirement to have a national pollutant discharge elimination system permit issued under 40 CFR 122, for land disturbing construction activity, shall comply with § 117-7A performance standards if less than one acre of land disturbing construction activity. The § 117-7B performance standards, § 117-8 permit requirements, and § 117-9 plan requirements are not applicable.

B. Jurisdiction. This chapter applies to land disturbing construction activity on construction sites located within the boundaries and jurisdiction of the Town of Greenville.

C. Exclusions. This chapter is not applicable to activities conducted by a state agency, as defined under § 227.01 (1), Wis. Stats., but also including the office of district attorney, which is subject to the state plan promulgated or a memorandum of understanding entered into under § 281.33 (2), Wis. Stats.

§ 117-5. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ADMINISTERING AUTHORITY

A governmental employee or their designees empowered under s. 60.627, Wis. Stats., to administer this chapter. For the purpose of this ordinance, it is the Town of Greenville Public Works Department under guidance from the Town Board.

AGRICULTURAL ACTIVITY AREA

The part of the farm where there is planting, growing, cultivating and harvesting of crops for human or livestock consumption and pasturing or outside yarding of livestock, including sod farms and silviculture. Practices in this area may include waterways, drainage ditches, diversions, terraces, farm lanes, excavation, filling and similar practices. The agricultural activity area does not include the agricultural production area.

AGRICULTURAL PRODUCTION AREA

The part of the farm where there is concentrated production activity or impervious surfaces. Agricultural production areas include buildings, driveways, parking areas, feed storage structures, manure storage structures, and other impervious surfaces. The agricultural production area does not include the agricultural activity area.

ATLAS 14

The National Oceanic and Atmospheric Administration (NOAA) Atlas 14 Precipitation-Frequency Atlas of the United States, Volume 8 (Midwestern States), published in 2013.

BEST MANAGEMENT PRACTICE or BMP

Structural or non-structural measures, practices, techniques or devices employed to avoid or minimize soil, sediment or pollutants carried in runoff to waters of the state.

BUSINESS DAY

A day the office of the administering authority is routinely and customarily open for business.

CEASE AND DESIST ORDER

A court-issued order to halt land disturbing construction activity that is being conducted without the required permit.

COMMON PLAN OF DEVELOPMENT OR SALE

A development or sale where multiple separate and distinct land disturbing construction activities may be taking place at different times on different schedules but under one plan. A common plan of development or sale includes, but is not limited to, subdivision plats, certified survey maps, and other developments.

CONSTRUCTION SITE

An area upon which one or more land disturbing construction activities occur, including areas that are part of a larger common plan of development.

DESIGN STORM

A hypothetical discrete rainstorm characterized by a specific duration, temporal distribution, rainfall intensity, return frequency and total depth of rainfall. The TP-40, Type II, 24-hour design storms for Town of Greenville are: 1-year, 2.2 inches; 2-year, 2.5 inches; 5-year, 3.3 inches; 10-year, 3.8 inches; 25-year, 4.4 inches; 50-year, 4.9 inches; and 100-year, 5.3 inches. The Atlas 14, MSE4, 24-hour design storms for the Town of Greenville are: 1-year, 2.14 inches; 2-year, 2.45 inches; 5-year, 3.01 inches; 10-year, 3.51 inches; 25-year, 4.24 inches; 50-year, 4.85 inches; and 100-year, 5.50 inches.

DEVELOPMENT

Residential, commercial, industrial, institutional, or other land uses and associated roads.

DIVISION OF LAND

The creation from one or more parcels or building sites of additional parcels or building sites where such creation occurs at one time or through the successive partition within a 5 year period.

EROSION

The process by which the land's surface is worn away by the action of wind, water, ice or gravity.

EROSION AND SEDIMENT CONTROL PLAN

A comprehensive plan developed to address pollution caused by erosion and sedimentation of soil particles or rock fragments during construction.

EXTRATERRITORIAL

The unincorporated area within 3 miles of the corporate limits of a first, second, or third class city, or within 1.5 miles of a fourth class city or village.

FINAL STABILIZATION

Means that all land disturbing construction activities at the construction site have been completed and that a uniform perennial vegetative cover has been established, with a density of at least 70 percent of the cover, for the unpaved areas and areas not covered by permanent structures, or that employ equivalent permanent stabilization measures.

GOVERNING BODY

Town Board of Supervisors, county board of supervisors, city council, village board of trustees or village council.

LAND DISTURBING CONSTRUCTION ACTIVITY OR DISTURBANCE

Any man-made alteration of the land surface resulting in a change in the topography or existing vegetative or non-vegetative soil cover, that may result in runoff and lead to an increase in soil erosion and movement of pollutants into the municipal separate storm sewer or waters of the state. Land disturbing construction activity includes clearing and grubbing, demolition, excavating, pit trench dewatering, filling and grading activities, and soil stockpiling.

MEP or MAXIMUM EXTENT PRACTICABLE

The highest level of performance that is achievable but is not equivalent to a performance standard identified within this chapter. Maximum extent practicable applies when the permit applicant demonstrates to the administering authority's satisfaction that a performance standard is not achievable and that a lower level of performance is appropriate. In making the assertion that a performance standard is not achievable and that a level of performance different from the performance standard is the maximum extent practicable, the permit applicant shall take into account the best available technology, cost effectiveness, geographic features, and other competing interests such as protection of public safety and welfare, protection of endangered and threatened resources, and preservation of historic properties.

MSE4 DISTRIBUTION

A specific precipitation distribution developed by the USDA, NRCS, using precipitation data from Atlas 14.

PERFORMANCE STANDARD

A narrative or measurable number specifying the minimum acceptable outcome for a facility or practice.

PERMIT

A written authorization made by the administering authority to the applicant to conduct land disturbing construction activity or to discharge post-construction runoff to waters of the state.

POLLUTANT

Has the meaning given in § 283.01 (13), Wis. Stats.

POLLUTION

Has the meaning given in § 281.01 (10), Wis. Stats.

PROTECTIVE AREA

Has the meaning given in § 255-7C(4) of Chapter 255, Stormwater Management.

RESPONSIBLE PARTY

Any entity holding fee title to the property or performing services to meet the performance standards of this chapter through a contract or other agreement.

RUNOFF

Stormwater or precipitation including rain, snow or ice melt or similar water that moves on the land surface via sheet or channelized flow.

SEDIMENT

Settleable solid material that is transported by runoff, suspended within runoff or deposited by runoff away from its original location.

SEPARATE STORM SEWER

A conveyance or system of conveyances including roads with drainage systems, streets, catch basins, curbs, gutters, ditches, constructed channels or storm drains, which meets all of the following criteria:

- A. Is designed or used for collecting water or conveying runoff.
- B. Is not part of a combined sewer system.
- C. Is not part of a publicly owned wastewater treatment works that provides secondary or more stringent treatment.
- D. Discharges directly or indirectly to waters of the state.

SILVICULTURE ACTIVITIES

Activities including tree nursery operations, tree harvesting operations, reforestation, tree thinning, prescribed burning, and pest and fire control. Clearing and grubbing of an area of a construction site is not a silviculture activity.

SITE

The entire area included in the legal description of the land on which the land disturbing construction activity is proposed in the permit application.

STOP WORK ORDER

An order issued by the administering authority which requires that all construction activity on the site be stopped.

TARGETED PERFORMANCE STANDARD

A performance standard that will apply in a specific area, where additional practices beyond those contained in this chapter, are necessary to meet water quality standards. A total maximum daily load is an example of a targeted performance standard.

TECHNICAL STANDARD

A document that specifies design, predicted performance and operation and maintenance specifications for a BMP, material, device or method.

TOTAL MAXIMUM DAILY LOAD or TMDL

The amount of pollutants specified as a function of one or more water quality parameters, that can be discharged per day into a water quality limited segment and still ensure attainment of the applicable water quality standard.

TP-40

The Technical Paper No. 40, Rainfall Frequency Atlas of the United States, published in 1961.

TR-55

The United States department of agriculture, natural resource conservation service (previously soil conservation service), Urban Hydrology for Small Watersheds, Second Edition, Technical Release 55, June 1986, which is incorporated by reference for this chapter.

TYPE II DISTRIBUTION

A rainfall type curve as established in the "United States Department of Agriculture, Soil Conservation Service, Technical Paper 149, published 1973", which is incorporated by reference for this chapter. The Type II curve is applicable to all of Wisconsin and represents the most intense storm pattern.

WATERS OF THE STATE

Has the meaning given in § 283.01 (20), Wis. Stats.

§ 117-6. Technical standards.

- A. Design criteria, standards and specifications. All BMPs required to comply with this chapter shall meet the design criteria, standards and specifications based on any of the following:
- (1) Design guidance and technical standards identified or developed by the Wisconsin Department of Natural Resources under Subchapter V of Chapter NR 151, Wis. Adm. Code.
 - (2) Technical standards and other guidance identified within the Town of Greenville Erosion and Sediment Control Reference Guide.
 - (3) Soil loss prediction tools such as the Revised Universal Soil Loss Equation 2 (RUSLE2) that estimate the sediment load leaving the site under varying land and management conditions may be used to show compliance with the sediment performance standards contained in § 117-7B.
 - (4) For this chapter, average annual basis is calculated using the appropriate annual rainfall or runoff factor, also referred to as the R factor, or an equivalent design storm using a Type II distribution, with consideration given to the geographic location of the site and the period of disturbance.

- B. Other standards. Other technical standards not identified in § 117-6 may be used provided that the methods have been approved by the administering authority.

§ 117-7. Performance standards.

A. Non-permitted sites.

- (1) Responsible party. The landowner of the construction site or other person contracted or obligated by other agreement with the landowner to implement and maintain construction site BMPs is a responsible party and shall comply with this chapter.
- (2) Requirements. At each site where land disturbing construction activity is to occur, BMPs shall be used to prevent or reduce all of the following:
 - (a) The deposition of soil from being tracked onto streets by vehicles.
 - (b) The discharge of sediment from disturbed areas into stormwater inlets.
 - (c) The discharge of sediment from disturbed areas into adjacent waters of the state.
 - (d) The discharge of sediment from drainage ways that flow off the site.
 - (e) The discharge of sediment by dewatering activities.
 - (f) The discharge of sediment eroding from soil stockpiles existing for more than 7 days.
 - (g) The discharge of onsite chemicals, cement and other building compounds and materials into waters of the state or offsite separate storm sewers during the construction period. However, projects that require the placement of these materials in waters of the state, such as constructing bridge footings or BMP installations, are not prohibited by this chapter.
- (3) Location. BMPs shall be located so that treatment occurs before runoff enters waters of the state and offsite separate storm sewers. However, projects that require BMP placement in waters of the state, such as a turbidity barrier, are not prohibited by this chapter.
- (4) Implementation. The BMPs used to comply with this section shall be implemented as follows:
 - (a) Erosion and sediment control practices shall be constructed or installed before land disturbing construction activities begin.
 - (b) Erosion and sediment control practices shall be maintained until final stabilization.
 - (c) Final stabilization activity shall commence when land disturbing activities cease and final grade has been reached on any portion of the site.
 - (d) Temporary stabilization activity shall commence when land disturbing activities have temporarily ceased and will not resume for a period exceeding 14 calendar days.
 - (e) BMPs that are no longer necessary for erosion and sediment control shall be removed by the responsible party.

- (5) Alternate requirements. The administering authority may establish erosion and sediment control requirements more stringent than those set forth in this chapter if the administering authority determines that an added level of protection is needed to protect resources.

B. Permitted sites.

- (1) Responsible party. The landowner or other person performing services to meet the performance standards of this chapter, through a contract or other agreement with the landowner, is a responsible party and shall comply with this chapter.
- (2) Plan. A written erosion and sediment control plan shall be developed and implemented by the responsible party in accordance with § 117-9. The erosion and sediment control plan shall meet all of the applicable requirements contained in this chapter.
- (3) Requirements. The erosion and sediment control plan shall meet all of the following:
 - (a) The plan shall use BMPs to prevent or reduce all of the following:
 - [1] The deposition of soil from being tracked onto streets by vehicles.
 - [2] The discharge of sediment from disturbed areas into stormwater inlets.
 - [3] The discharge of sediment from disturbed areas into adjacent waters of the state.
 - [4] The discharge of sediment from drainage ways that flow off the site.
 - [5] The discharge of sediment by dewatering activities.
 - [6] The discharge of sediment eroding from soil stockpiles existing for more than 7 days.
 - [7] The discharge of sediment from erosive flows at outlets and in downstream channels.
 - [8] The discharge of onsite chemicals, cement and other building compounds and materials into waters of the state or offsite separate storm sewers during the construction period. However, projects that require the placement of these materials in waters of the state, such as constructing bridge footings or BMP installations, are not prohibited by this chapter.
 - [9] The discharge of untreated wash water from vehicle and wheel washing into waters of the state or offsite separate storm sewers.
 - (b) For sites with one acre or more of land disturbing construction activity, the plan shall meet the following sediment performance standards:
 - [1] BMP's that, by design, discharge no more than 5 tons per acre per year, or to the maximum extent practicable, of the sediment load carried in runoff from initial grading to final stabilization.
 - [2] Except as provided in § 117-7B(6), the administering authority may not require any person to employ more BMPs than are needed to meet the 5 tons per acre per year sediment performance standard in order to comply with maximum extent practicable. Erosion and sediment control BMPs may be combined to meet the sediment

performance standard. The administering authority may give credit toward meeting the sediment performance standard for limiting the duration or area, or both, of land disturbing construction activity, or for other appropriate mechanisms.

[3] Notwithstanding § 117-7B(3)(b)[1] and [2], if BMPs cannot be designed and implemented to meet the 5 tons per acre per year sediment performance standard, the plan shall include a written, site-specific explanation of why the sediment performance standard cannot be met and how the sediment load will be reduced to the maximum extent practicable.

(c) The plan shall incorporate all of the following preventative measures:

[1] Maintenance of existing vegetation, especially adjacent to surface waters whenever possible.

[2] Minimization of soil compaction and preservation of topsoil.

[3] Minimization of land disturbing construction activity on slopes of 20% or more.

[4] Development of spill prevention and response procedures.

(4) Location. BMPs shall be located so that treatment occurs before runoff enters waters of the state and offsite separate storm sewers. However, projects that require BMP placement in waters of the state, such as a turbidity barrier, are not prohibited by this chapter.

(5) Implementation. The BMPs used to comply with this chapter shall be implemented as follows:

(a) In accordance with the plan developed pursuant to § 117-9, the erosion and sediment control practices shall be constructed or installed before land disturbing construction activities begin.

(b) Erosion and sediment control practices shall be maintained until final stabilization.

(c) Final stabilization activity shall commence when land disturbing activities cease and final grade has been reached on any portion of the site.

(d) Temporary stabilization activity shall commence when land disturbing activities have temporarily ceased and will not resume for a period exceeding 14 calendar days.

(e) BMPs that are no longer necessary for erosion and sediment control shall be removed by the responsible party.

(6) Targeted performance standards. The administering authority may establish numeric water quality requirements that are more stringent than those set forth in § 117-7B(3) in order to meet targeted performance standards, total maximum daily loads, and/or water quality standards for a specific water body or area. The numeric water quality requirements may be applicable to any permitted site, regardless of the size of land disturbing construction activity.

(7) Alternate requirements. The administering authority may establish erosion and sediment control requirements more stringent than those set forth in this section if the administering authority determines that an added level of protection is needed to protect resources. Also, the administering authority may establish erosion and sediment control requirements less stringent

than those set forth in this section if the administering authority determines that less protection is needed to protect resources. However, the alternative requirements shall not be less stringent than those requirements promulgated in rules by Wisconsin Department of Natural Resources under NR 151 Wisconsin Administrative Code.

§ 117-8. Permitting requirements, procedures and fees.

- A. Permit required. When a permit is required, no responsible party may commence a land disturbing construction activity subject to this chapter without receiving prior approval of an erosion and sediment control plan for the site and a permit from the administering authority.
- B. Permit application and fees. When a permit is required, at least one responsible party desiring to undertake a land disturbing construction activity subject to this chapter shall submit an application for a permit and an erosion and sediment control plan that meets the requirements of § 117-9 and shall pay an application fee according to the fee schedule to the Town of Greenville. By submitting an application, the applicant is authorizing the administering authority to enter the site to obtain information required for the review of the erosion and sediment control plan.
- C. Review and approval of permit application. The administering authority shall review any permit application that is submitted with an erosion and sediment control plan, and the required fee. The following approval procedure shall be used:
 - (1) Within 20 business days of the receipt of a complete permit application, as required by § 117-8B, the administering authority shall inform the applicant whether the application and plan are approved or disapproved based on the requirements of this chapter.
 - (2) If the permit application and plan are approved, the administering authority shall issue the permit.
 - (3) If the permit application or plan is disapproved, the administering authority shall state in writing the reasons for disapproval.
 - (4) The administering authority may request additional information from the applicant. If additional information is submitted, the administering authority shall have 20 business days from the date the additional information is received to inform the applicant that the plan is either approved or disapproved.
 - (5) Failure by the administering authority to inform the permit applicant of a decision within 20 business days of a required submittal shall be deemed to mean approval of the submittal and the applicant may proceed as if a permit had been issued.
- D. Financial guarantee. As a condition of approval and issuance of the permit, the administering authority may require the applicant to deposit a surety bond, cash escrow, or irrevocable letter of credit to guarantee a good faith execution of the approved erosion and sediment control plan and any permit conditions. The financial guarantee shall be in an amount determined by the administering authority for the estimated construction and maintenance of the practices called for in the erosion and sediment control plan. The administering authority may require the site to be certified by a professional engineer. The financial guarantee shall give the administering authority the funds to complete the erosion and sediment control practices if the landowner defaults or does not properly implement the approved erosion and sediment control plan. Improper implementation of

the plan shall be upon written notice by the administering authority that the requirements of this ordinance have not been met.

- (1) The administering authority shall release the portion of the financial guarantee established under this section, less any costs incurred by the administering authority to complete installation of practices, upon submission of "as built plans" by a licensed professional engineer. The administering authority may make provisions for a partial prorated release of the financial guarantee based on the completion of various development stages.

E. Permit requirements. All permits issued under this chapter shall be subject to the following conditions, and holders of permits issued under this chapter shall be deemed to have accepted these conditions. The administering authority may suspend or revoke a permit for violation of a permit condition, following written notification of the responsible party. An action by the administering authority to suspend or revoke this permit may be appealed in accordance with § 117-13.

- (1) Notify the administering authority within 48 hours of commencing any land disturbing construction activity.
- (2) Notify the administering authority of completion of any BMPs within 10 business days after their installation.
- (3) Obtain permission in writing from the administering authority prior to any modification pursuant to § 117-9B of the erosion and sediment control plan.
- (4) Install all BMPs as identified in the approved erosion and sediment control plan.
- (5) Maintain all road drainage systems, stormwater drainage systems, BMPs and other facilities identified in the erosion and sediment control plan.
- (6) Repair any siltation or erosion damage to adjoining surfaces and drainage ways resulting from land disturbing construction activities and document repairs in weekly inspection reports.
- (7) Conduct construction site inspections at least once per week and within 24 hours after a precipitation event of 0.5 inches or greater. Repair or replace erosion and sediment control BMPs as necessary within 24 hours of an inspection or notification that repair or replacement is needed. Maintain, at the construction site, weekly written reports of all inspections. Weekly inspection reports shall include all of the following: date, time and location of the construction site inspection; the name of individual who performed the inspection; an assessment of the condition of erosion and sediment controls; a description of any erosion and sediment control BMP implementation and maintenance performed; and a description of the present phase of land disturbing construction activity at the construction site.
- (8) Allow the administering authority to enter the site for the purpose of inspecting compliance with the erosion and sediment control plan or for performing any work necessary to bring the site into compliance with the control plan. Keep a copy of the erosion and sediment control plan, stormwater management plan, amendments, weekly inspection reports, and permit at the construction site until permit coverage is terminated.
- (9) The permit applicant shall post the "Certificate of Permit Coverage" in a conspicuous location at the construction site.

- F. Permit conditions. Permits issued under this section may include conditions established by administering authority in addition to the requirements set forth in § 117-8E, where needed to assure compliance with the performance standards in § 117-7.
- G. Permit duration. Permits issued under this section shall be valid for a period of 180 days, or the length of the building permit or other construction authorizations, whichever is longer, from the date of issuance. The administering authority may extend the period one or more times for up to an additional 180 days. The administering authority may require additional BMPs as a condition of the extension if they are necessary to meet the requirements of this chapter.
- H. Maintenance. The responsible party throughout the duration of the construction activities shall maintain all BMPs necessary to meet the requirements of this chapter until the site has undergone final stabilization.
- I. Alternate requirements. The administering authority may prescribe requirements less stringent for applicants seeking a permit for a construction site with less than one acre of land disturbing construction activity.

§ 117-9. Erosion and sediment control plan.

- A. Plan requirements. The erosion and sediment control plan required under § 117-7B shall comply with the Town of Greenville Erosion and Sediment Control Reference Guide and contain at a minimum the following information:
 - (1) Name, address, and telephone number of the landowner and responsible parties.
 - (2) A legal description of the property proposed to be developed.
 - (3) A site map with property lines, disturbed limits, and drainage patterns.
 - (4) Total area of the site and total area of the construction site that is expected to be disturbed by construction activities.
 - (5) Performance standards applicable to site.
 - (6) Proposed best management practices.
 - (7) Erosion and sediment control plan narrative.
 - (8) Construction sequence and construction schedule.
 - (9) The erosion and sediment control plan shall include, at a minimum, the items specified in the Town of Greenville Erosion and Sediment Control Reference Guide and RUSLE2.
- B. Amendments. The applicant shall amend the plan if any of the following occur:
 - (1) There is a change in design, construction, operation, maintenance or schedule at the site which has the reasonable potential for the discharge of pollutants to waters of the state or separate storm sewers, and which has not otherwise been addressed in the plan.

- (2) The actions required by the plan fail to reduce the impacts of pollutants carried by construction site runoff.
 - (3) The administering authority notifies the applicant of changes needed in the plan.
- C. Alternate requirements. The administering authority may prescribe requirements less stringent for applicants seeking a permit for a construction site with less than one acre of disturbance.

§ 117-10. Fee schedule.

The fees referred to in other sections of this chapter shall be established by the Town of Greenville Board and may from time to time be modified by resolution. A schedule of the fees established by the Town Board shall be available for review in the Town Hall.

§ 117-11. Inspection.

Whenever land disturbing construction activities are being carried out, the administering authority may enter the land pursuant to the provisions of §§ 66.0119(1), (2), and (3), Wis. Stats.

§ 117-12. Enforcement.

- A. The administering authority may post a stop-work order if any of the following occurs:
- (1) Any land disturbing construction activity is being undertaken without a permit and, pursuant to § 117-4A of this chapter, a permit is required for the construction site.
 - (2) The erosion and sediment control plan is not being implemented in a good faith manner.
 - (3) The conditions of the permit are not being met.
 - (4) Any land disturbing construction activity is in violation of the chapter.
- B. If the responsible party does not cease activity as required in a stop-work order posted under this section or fails to comply with the erosion and sediment control plan or permit conditions, the administering authority may revoke the permit.
- C. If the responsible party, where no permit has been issued, does not cease the activity after being notified by the administering authority, or if a responsible party violates a stop-work order posted under § 117-12A, the administering authority may request the town attorney to obtain a cease and desist order in any court with jurisdiction.
- D. The administering authority or the Board of Appeals may retract the stop-work order issued under § 117-12A or the permit revocation under § 117-12B.
- E. After posting a stop-work order under § 117-12A, the administering authority may issue a notice of intent to the responsible party of its intent to perform work necessary to comply with this chapter. The administering authority may go on the land and commence the work after issuing the notice of intent. The costs of the work performed under this chapter by the administering authority, plus interest at the rate authorized by Town Board shall be billed to the responsible party or recovered from the surety bond, cash escrow, or irrevocable letter of credit. In the event a responsible party fails to pay

the amount due, the clerk shall enter the amount due on the tax rolls and collect as a special assessment against the property pursuant to Subch. VII of Ch. 66, Wis. Stats.

- F. The forfeiture amount of a violation, upon conviction, shall be as set from time to time by ordinance in the Fine and Forfeiture Schedule of the Town of Greenville. Each calendar day a violation exists shall constitute a separate offence.
- G. Compliance with the provisions of this chapter may also be enforced by injunction in any court with jurisdiction. It shall not be necessary to prosecute for forfeiture or a cease and desist order before resorting to injunctive proceedings.

§ 117-13. Appeals.

- A. Board of Appeals. The Board of Appeals created pursuant to Article XXXIII, Board of Appeals, of Chapter 320, Zoning, and pursuant to § 60.65, Wis. Stats.:
 - (1) Shall hear and decide appeals where it is alleged that there is error in any order, decision or determination made by the administering authority in administering this chapter except for cease and desist orders obtained under § 117-12C.
 - (2) Upon appeal, may authorize variances from the provisions of this chapter which are not contrary to the public interest and where owing to special conditions a literal enforcement of the provisions of the chapter will result in unnecessary hardship; and
 - (3) Shall use the rules, procedures, duties and powers authorized by statute in hearing and deciding appeals and authorizing variances.
- B. Who may appeal. Appeals to the Board of Appeals may be taken by any aggrieved person or by any office, department, board, or bureau of the Town of Greenville affected by any decision of the administering authority.

§ 117-14. Variances.

In any particular case where the landowner can show that, by reason of exceptional topography or other physical condition, strict compliance with any requirement of this ordinance would cause unnecessary hardship, the Board of Appeals may grant a variance provided such relief may be granted without detriment to the public good and without impairing the intent and purpose of this ordinance or the desirable general development of the Town. No variance shall be granted by the Board which is contrary to provisions of the Wisconsin Administrative Code or the Wisconsin Statutes.

§ 117-15. Severability.

If a court of competent jurisdiction judges any section, clause, provision or portion of this chapter unconstitutional or invalid, the remainder of the chapter shall remain in force and not be affected by such judgment.

§ 117-16. Limitations on municipal responsibility.

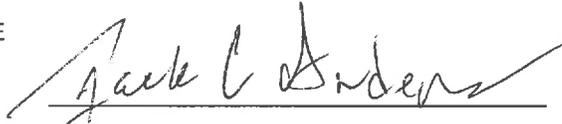
Nothing in this chapter creates or imposes, nor shall be construed to create or impose, any greater obligation or responsibility on the municipality which has adopted this chapter than those minimum

requirements specifically required by State of Wisconsin Statutes and Department of Natural Resources regulations.

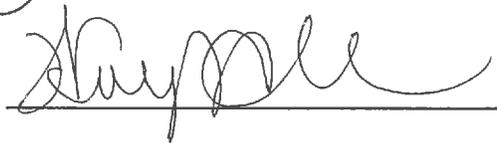
§ 117-17. Effective date.

This chapter shall be in force and effect from and after its adoption and publication. The above and foregoing chapter was duly adopted by the Town Board of the Town of Greenville on the 27th day of March, 2017.

TOWN OF GREENVILLE

A handwritten signature in cursive script, reading "Jack C. Anderson", written over a horizontal line.

Jack Anderson, Town Chairman

A handwritten signature in cursive script, reading "Wendy Helgeson", written over a horizontal line.

Wendy Helgeson, Town Clerk

TOWN OF GREENVILLE
EROSION & SEDIMENT CONTROL REFERENCE GUIDE

FOR THE:

EROSION & SEDIMENT CONTROL ORDINANCE



DATE:
December 30, 2016

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EXECUTIVE SUMMARY

The Town's Erosion & Sediment Control Reference Guide (Reference Guide) has been created to act as a companion to the Town's Erosion & Sediment Control Ordinance (Ordinance). The Ordinance cites the Reference Guide as the resource for details that were omitted from the Ordinance. Items in the Reference Guide can be changed without the public hearing process as the changes are typically administrative and/or technical and do not affect the Ordinance's intent and requirements. The Reference Guide is organized similar to the Erosion & Sediment Control Ordinance for ease of relating the Reference Guide to the appropriate sections in the Ordinance.

The Erosion & Sediment Control Ordinance (Ordinance) applies to all construction sites, regardless of the land disturbance size. The Ordinance requires a permit for a construction site with 4,000 square feet or greater of land disturbance. Please refer to 117-4A(1)(c) of the Ordinance and 117-4A of this Reference Guide for a description of other construction sites that may require a permit.

Construction Site Erosion Control Ordinance								
Site	Requirements ^a							
	Sediment (TSS)	Vehicle Tracking	Protect Storm Inlets	Protect Waters of State	Protect Drainage Ways	Dewater Properly	Manage Soil Stockpile	Manage Building Materials
Less than 1 Acre	No Numeric Standard ^b	Yes	Yes	Yes	Yes	Yes	Yes	Yes
1 Acre or More	5 tons / acre / year	Yes	Yes	Yes	Yes	Yes	Yes	Yes

^a Summary of Section 117-7 Performance Standards of the Erosion & Sediment Control Ordinance. See Ordinance and this Reference Guide for specific requirements, exemptions and prohibitions.

^b Construction sites regulated by the Wisconsin Department of Safety and Professional Services are required to comply with a numeric performance standard, regardless of the size of land disturbance. See SPS 360.20(3) and SPS 321.125(3) for specific requirements. The local municipality may also be acting as an agent of the Wisconsin Department of Safety and Professional Services.

117-1 AUTHORITY

117-2 FINDINGS OF FACT

117-3 PURPOSE

117-4 APPLICABILITY AND JURISDICTION

A. APPLICABILITY

Pursuant to 117-4A(1)(c), the administering authority may require a permit for construction sites with less than 4,000 square feet of land disturbance. Currently, the administering authority's policy is to require a permit for the following construction sites with less than 4,000 square feet of land disturbance:

- Installation, replacement, or maintenance of underground pipes, cables, fiber optics, or wires with 100 linear feet or greater of length.
- Routine ditch maintenance with 100 linear feet or greater of length.
- Land disturbing activities located in waters of the state, wetlands, or protective areas. Wetlands shall be delineated in accordance with s. NR 103.08(1m), Wis. Adm. Code.

B. JURISDICTION

C. EXCLUSIONS

The Wisconsin Department of Transportation (WisDOT) has entered into a memorandum of understanding with the Wisconsin Department of Natural Resources that satisfies s. 281.33 (2), Wis. Stats., such that activities directed and supervised by WisDOT are exempt from this Ordinance.

Activities directed and supervised by the local municipality are covered by this Ordinance.

117-5 DEFINITIONS

117-6 TECHNICAL STANDARDS

A. DESIGN CRITERIA, STANDARDS AND SPECIFICATIONS

Below is a list of Technical Standards and Guidance Documents that shall be used to satisfy Performance Standards contained in the ordinance. Technical Standards specify the minimum criteria for a best management practice (BMP). Guidance Documents contain recommendations and additional "how to" guidance. Performance Standards take precedence over Technical Standards and Technical Standards take precedence over Guidance Documents.

- (a) **Technical Standards:** The following are applicable Wisconsin Department of Natural Resources (DNR) Conservation Practice Standards or Technical Standards. These standards may be found on the DNR website (http://dnr.wi.gov/topic/stormwater/standards/const_standards.html).

- 1050 Land Application of Additives for Erosion Control
- 1051 Water Application of Additives for Sediment Control
- 1052 Non-Channel Erosion Mat
- 1053 Channel Erosion Mat
- 1054 Vegetative Buffer for Construction Sites
- 1055 Sediment Bale Barrier (Non-Channel)
- 1056 Silt Fence
- 1057 Stone Tracking Pad and Tire Washing
- 1058 Mulching for Construction Sites
- 1059 Seeding for Construction Site Erosion Control
- 1060 Storm Drain Inlet Protection for Construction Sites
- 1061 De-watering
- 1062 Ditch Check (Channel)
- 1063 Sediment Trap
- 1064 Sediment Basin
- 1065 Rip-rap / Stabilized Outlet (pending completion)
- 1066 Construction Site Diversion
- 1067 Temporary Grading Practices for Erosion Control
- 1068 Dust Control on Construction Sites
- 1069 Turbidity Barrier
- 1070 Silt Curtain
- 1071 Interim Manufactured Perimeter Control & Slope Interruption Products

(b) **Local Modifications to Technical Standards:** The following are local requirements that are intended to supplement, clarify, or supersede DNR Technical Standards.

(c) **Guidance Documents:** The following are the applicable Guidance Documents. Many of these Guidance Documents can be found on the DNR website (http://dnr.wi.gov/topic/stormwater/standards/const_standards.html).

- Guidance for the Establishment of Protective Areas for Wetlands
- "Construction Site" Definition – "Common Plan of Development"
- Meeting New State Standards: Construction Erosion Control Workshops (<http://dnr.wi.gov/topic/Stormwater/construction/practices.html>)
- Estimating Residue Using the Line Transect Method (UW-Extension A3533).
- Wisconsin Department of Transportation - Erosion Control Product Acceptability Lists (PAL) for Multi-Modal Applications
- Wisconsin Department of Transportation - Facilities Development Manual
- Wisconsin DOT Standard Specifications for Highway and Structure Construction
- Other National Publications

B. OTHER STANDARDS

117-7 PERFORMANCE STANDARDS

A. NON-PERMITTED SITES

Construction sites with less than 4,000 square feet of land disturbance are required to satisfy a numeric performance standard if the construction site is regulated by the Wisconsin Department of Safety and Professional Services. Please refer to SPS 360.20(3) and SPS 321.125(3) for specific requirements.

Pursuant to 117-7A(5) of the Ordinance, the administering authority may establish more stringent erosion and sediment control requirements for non-permitted sites if the administering authority determines that an added level of protection is needed.

B. PERMITTED SITES

Construction sites with 1 acre or more of land disturbance are required to meet the ordinance's numeric performance standards.

Construction sites with less than 1 acre of land disturbance are required to satisfy a numeric performance standard if the construction site is regulated by the Wisconsin Department of Safety and Professional Services. Please refer to SPS 360.20(3) and SPS 321.125(3) for specific requirements.

Pursuant to 117-7B(6) or (7) of the Ordinance, the administering authority may establish more stringent erosion and sediment control requirements for permitted sites if the administering authority determines that an added level of protection is needed.

Computer Models:

The Wisconsin Department of Natural Resources (DNR) developed a USLE spreadsheet tool for construction site erosion control and determining compliance with the 5 tons/acre/year requirement. The USLE spreadsheet model can be found on the DNR website at http://dnr.wi.gov/topic/stormwater/standards/const_standards.html.

C. CLARIFICATIONS:

Erosion Control Practices - Erosion control practices are used to prevent sediment particles from becoming dislodged and suspended in runoff. Erosion control practices include land application of polyacrylamide, mulching, seeding, and erosion mats. Grading practices can be used to supplement these practices.

Sediment Control Practices - Sediment control practices are used to remove sediment particles that are suspended in runoff and being transported. Sediment control practices used for sheet flow conditions include vegetative buffers, sediment bale barriers (non-channel), silt fence, and perimeter control / slope interruption products. Sediment control practices used for concentrated flow conditions include storm drain inlet protection (< 1 acre), ditch checks (< 1 acre), sediment traps (< 5 acres), sediment basins (< 100 acres), and polymers. Sediment control practices used for lakes, rivers, and streams include turbidity barriers and silt curtains.

Construction Site Diversions - Construction site diversions are used to divert clear-water runoff away from disturbed areas. Construction site diversions are also designed to convey sediment-laden runoff from disturbed areas to sediment control practices such as ditch checks, sediment traps, and sediment basins.

Dust Control Practices - Dust control practices are used to prevent wind erosion.

Dewatering - Dewatering practices are used to remove sediment from ponding surface water or groundwater. A DNR permit is required for pumping 70 gpm or more (<http://dnr.wi.gov/topic/wells/highcapacity.html>). The discharge must be sampled in accordance with DNR requirements.

Non-Erosive Flows - Velocity dissipation devices shall be placed at outfall locations and

along the length of any channel, as necessary, to provide a non-erosive flow so that the natural, physical, and biological characteristics and functions are maintained and protected. Velocity dissipation devices could include erosion mat (channel), rip-rap, drop structures, stilling basins, and other energy dissipation devices.

Maximum Permissible Velocities for Channels			
Channel Cover	Slope Range %	Erosion-resistant soils	Easily eroded soils
Bare Soil	0-5	3-6 fps*	1.5-2 fps*
	Do not use on slopes steeper than 5%, except for side slopes in a combination channel.		
Bermuda Grass	0-5	8 fps	6 fps
	5-10	7 fps	5 fps
	>10	6 fps	4 fps
Buffalo grass, Kentucky bluegrass, Smooth brome, blue grama	0-5	7 fps	5 fps
	5-10	6 fps	4 fps
	>10	5 fps	3 fps
Grass mixture	0-5	5 fps	4 fps
	5-10	4 fps	3 fps
	Do not use on slopes steeper than 10%, except for side slopes in a combination channel.		
Lespedeza sericea, weeping love grass Ischaemum (yellow bluestem), kudzu, alfalfa, crabgrass	0-5	3.5 fps	2.5 fps
	Do not use on slopes steeper than 5%, except for side slopes in a combination channel.		
Annuals – used on mild slopes or as temporary protection until permanent covers are established, common lespedeza, Sudan grass	0-5	3.5 fps	2.5 fps
	Use on slopes steeper than 5% is not recommended		

* Maximum permissible velocities depend on specific soil properties and shear stress. Typically, the maximum velocity for sand = 1.5 fps, silt and loam = 1.7 to 2.5 fps, fine gravel = 2.5 fps, clay = 3.7 fps, coarse gravel = 4.0 fps, cobbles = 3.7 to 5.0 fps, and shale / hard pan = 6.0 fps.
 Source – Chow Open Channel Hydraulics & Civil Engineering Reference Manual for the PE Exam, Ninth Edition

Materials - No sediment or solid materials, including building materials, may be discharged in violation of the following federal, state, and local regulations:

- Navigation, Dams, & Bridges (Chapter 30 and 31, Stats.)
- Wetland Water Quality Standards (NR 103)
- Wetlands (US Army Corps of Engineers Section 404 regulations)
- Shoreland Management (NR 115, NR 117, & local regulations)
- Floodplain Management (NR 116 & local regulations).

Wastewaters - Wastewaters, such as from concrete truck washout, need to be properly managed to limit the discharge of pollutants to the municipal separate storm sewer system or waters of the state. A separate permit may be needed from the DNR where a wastewater discharge has the potential to adversely impact waters of the state. The appropriate DNR wastewater specialist should be contacted to determine if wastewater permit coverage is needed where wastewater will be discharged to the municipal separate storm sewer system or waters of the state.

Wetland Delineations - Wetland delineations shall be performed by a professional soil scientist, professional hydrologist, or other qualified individual approved by the administering authority. The individual performing the delineation shall classify the wetland as a less susceptible wetland, highly susceptible wetland, exceptional resource water, or outstanding resource water.

Protective Areas - Protective areas may be disturbed as part of a construction project, if necessary. Disturbed areas must be stabilized from erosion and restored with an adequate sod or self-sustaining vegetative cover. Best Management Practices (ponds, swales, etc.) may be located in protective areas.

Type of Vegetation - It is recommended that seeding of non-invasive vegetative cover be used in the protective areas. Vegetation that is flood and drought tolerant and can provide long-term bank stability because of an extensive root system is preferable. Vegetative cover can be measured using the line transect method described in the University of Wisconsin Extension publication number A3533, titled "Estimating Residue Using the Line Transect Method".

Adjacent Property Owners - If a stream or channel is permanently placed or relocated along a property line, an easement or letter of permission is required from any property owners impacted by the protective area's new location. Also, if a stormwater facility or structure is proposed within an onsite stream or channel, 100-year flood elevations shall be evaluated to determine if offsite property owners are impacted by backwater or a flood elevation increase. An easement or letter of permission is required from any property owners impacted by backwater. Changes to a stream, wetland, or channel should be discussed during the pre-design meeting. Changes to a navigable stream, wetland or other waters of the state will require permits from the DNR, Army Corps of Engineers, and local municipality.

Agricultural Activity Areas - Agricultural Activity Areas (i.e. farm fields and other cropland areas) are exempt from the ordinance.

Agricultural Production Areas - Agricultural Production Areas (i.e. farm buildings, structures, and other impervious surfaces) are not exempt from the ordinance. The County Land Conservation Department (LCD) may be available to prepare Erosion & Sediment Control Plans for farm structures and disturbances in the Agricultural Production Areas. Construction of farm structures and disturbances in Agricultural Production Areas of one acre or greater must also be covered by an NR 216 permit.

Regional Wet Detention Ponds - A regional wet detention pond (post-construction site) may be used as a sediment basin (construction site) until final stabilization of the wet detention pond and expiration of the erosion control permit associated with construction of the regional wet detention pond. While regional stormwater management facilities are appropriate for control of post-construction pollutants, they should not be used for construction site sediment removal at other construction sites located within the wet detention pond's watershed.

117-8 PERMITTING REQUIREMENTS, PROCEDURES AND FEES

- A. PERMIT REQUIRED**
- B. PERMIT APPLICATION AND FEES**
- C. REVIEW AND APPROVAL OF PERMIT APPLICATION**

Meetings between the permit applicant, designer, and plan reviewer are encouraged during the pre-design, design, and plan review process. The meetings are used to educate each other about regulatory requirements, environmentally sensitive areas, and design challenges. The number of meetings held is typically commensurate with the size and complexity of the project. Meetings can be face-to-face or via telephone.

A pre-construction conference is encouraged before the start of all construction projects. For sites with 1 acre or more of land disturbance, a pre-construction conference is required. The permit applicant, designer, plan reviewer, contractor, and inspector are encouraged to attend. The purpose of the meeting is to exchange contact information, review the Erosion & Sediment Control Plan, and identify individuals responsible for permit compliance, plan amendments, and weekly inspection reports.

- D. FINANCIAL GUARANTEE**

Construction sites with 1 acre or more of land disturbance are required to have a financial guarantee. The financial guarantee includes the cost associated with erosion and sediment control BMPs, site inspections, project administration, and contingencies.

Construction sites with less than 1 acre of land disturbance are not typically required to have a financial guarantee.

Portions of the financial guarantee may be released as the construction project progresses. The last portion of the financial guarantee is not released until the municipal inspector performs a final inspection and the permit applicant pays final inspection fees.

- E. PERMIT REQUIREMENTS**

The permit applicant is required to post the "Certificate of Permit Coverage" in a conspicuous place at the construction site.

- F. PERMIT CONDITIONS**

- G. PERMIT DURATION**

- H. MAINTENANCE**

- I. ALTERNATE REQUIREMENTS**

117-9 EROSION AND SEDIMENT CONTROL PLAN

- A. PLAN REQUIREMENTS**

Sites With Less Than 1 Acre of Land Disturbance:

The erosion and sediment control plan for construction sites with less than 1 acre of land disturbance shall contain, at a minimum, the following information unless other municipal ordinances or state regulations require more detailed information:

- (a) The name, contact person, title, mailing address, e-mail address, telephone number, and fax number of the following individuals or organizations: permit applicant, landowner, consultant or plan preparer, and contractor (if known).
- (b) Anticipated project start date and projected project end date.
- (c) Total area of the construction site and the total area of the construction site that is expected to be disturbed by land disturbing activities.
- (d) Sufficient detail so as to document ordinance compliance.
- (e) Location of all BMPs to be employed.
- (f) Pre-construction ground surface contour lines at intervals appropriate for conditions present within the proposed disturbed areas.
- (g) Identify the initial downstream receiving water of the state.

Sites With 1 Acre or More of Land Disturbance:

The erosion and sediment control plan for construction sites with 1 acre or more of land disturbance shall contain, at a minimum, the following information:

- (a) The name, contact person, title, mailing address, e-mail address, telephone number, and fax number of the following individuals or organizations: permit applicant, landowner, consultant or plan preparer, and contractor (if known).
- (b) Anticipated project start date and projected project end date.
- (c) Description of the construction site and the nature of the land disturbing construction activity, including representation of the limits of land disturbance on a USGS 7.5-minute series topographical map.
- (d) Description of the intended sequence of major land disturbing construction activities for major portions of the construction site, including clearing; stripping topsoil; rough grading; installation of erosion and sediment controls; construction of utilities, streets, and buildings; finish grading; and permanent stabilization.
- (e) Total area of the construction site and the total area of the construction site that is expected to be disturbed by land disturbing activities.
- (f) Available data describing the surface soil as well as sub-soils, including representation of the limits of land disturbance on a NRCS soils map.
- (g) Wherever permanent infiltration devices will be employed or were evaluated, the depth to the nearest seasonal high groundwater elevation or top of bedrock shall be identified.
- (h) Name of the immediate named receiving water from the United States Geological Service 7.5 minute series topographic maps.
- (i) Calculations demonstrating compliance with the 5 tons per acre per year sediment performance standard (calculations may not be feasible until RUSLE2 is completed).

The erosion and sediment control plan for construction sites with 1 acre or more of land disturbance shall include a site map. The site map shall include the following items and shall be at a scale not greater than 100 feet per inch and at a contour interval not to exceed two feet:

- (a) Existing topography, vegetative cover, impervious surfaces, natural and engineered drainage systems, roads, surface waters, and 100-year floodplains. Identify slopes of 20% or more that are to be disturbed.
- (b) Boundaries of the construction site.
- (c) Drainage patterns and approximate slopes anticipated after grading activities. Identify drainage ways that flow off the site.
- (d) Areas of soil disturbance, including soil stockpile locations.
- (e) Location of major structural and non-structural controls identified in the erosion and sediment control plan, including standard detail drawings and specifications where appropriate.

- (f) Location of areas where stabilization practices will be employed.
- (g) Areas that will be vegetated following land disturbing construction activities.
- (h) Area and location of wetland acreage on the construction site and locations where stormwater is discharged to a surface water or wetland within one-quarter mile downstream of the construction site.
- (i) Areas used for infiltration of post-construction stormwater runoff.
- (j) An alphanumeric or equivalent grid overlying the entire construction site.

The erosion and sediment control plan for construction sites with 1 acre or more of land disturbance shall include a description of appropriate erosion and sediment control best management practices that will be installed and maintained at the construction site to prevent pollutants from reaching waters of the state. The erosion and sediment control plan shall clearly describe the appropriate erosion and sediment control best management practices for each major land disturbing construction activity and the timing during the period of land disturbing construction activity that the erosion and sediment control best management practices will be implemented. The description of erosion controls shall include, when appropriate, the following minimum requirements:

- (a) Description of any interim and permanent stabilization practices, including a schedule for implementing the practices. The erosion and sediment control plan shall ensure that existing vegetation is preserved where attainable and that disturbed portions of the construction site are stabilized.
- (b) Description of any structural practices to divert flow away from exposed soils, store flows or otherwise limit runoff and the discharge of pollutants from the construction site. Unless otherwise specifically approved in writing by the local municipality, structural measures shall be installed on upland soils.
- (c) Management of overland flow at all areas of the construction site, unless otherwise controlled by outfall controls.
- (d) Trapping of sediment in channelized flow.
- (e) Staging land disturbing activities to limit exposed soil areas subject to erosion. Soil stockpiles exposed for more than 7 days shall be stabilized.
- (f) Protection of downslope drainage or storm water inlets where they occur.
- (g) Minimization of tracking at all vehicle and equipment entry and exit locations of the construction site.
- (h) Clean up of off-site sediment deposits by the end of each work day.
- (i) Proper disposal and management of onsite chemicals, cement, and other building compounds and materials.
- (j) Stabilization of drainage ways, including consideration of erosive flows at outlets and in downstream channels.
- (k) Installation of permanent stabilization as soon as possible after final grading.
- (l) Minimization of dust to the maximum extent practicable.
- (m) Dewatering activities.
- (n) Control of untreated wash water from vehicle and wheel washing into waters of the state or offsite separate storm sewers.
- (o) Spill prevention and response procedures.
- (p) Implementation of BMPs.

For construction sites with 1 acre or more of land disturbance, prepare a narrative describing the following: site location, total site area and disturbed area, purpose of project, drainage system and outfalls, drainage area for each outfall, stream and wetland locations, topsoil and subsoils, depth to groundwater and bedrock, erosion and sediment controls, sequence of construction, BMP inspection and maintenance responsibilities, weekly inspection reports, and plan amendments.

For construction sites with 1 acre or more of land disturbance, the erosion and sediment control plan shall include a statement or narrative which includes the following: (a)

erosion and sediment control practices shall be repaired or replaced within 24 hours of an inspection; and (b) when the failure of erosion or sediment control practices results in an immediate threat of sediment entering waters of the state or an offsite drainage system, procedures shall be implemented immediately to repair or replace the practices.

B. AMENDMENTS

C. ALTERNATE REQUIREMENTS

117-10 FEE SCHEDULE

117-11 INSPECTION

117-12 ENFORCEMENT

117-13 APPEALS

A. BOARD OF APPEALS

B. WHO MAY APPEAL