

EARTHWORKS

Updates for Contractors about Wetlands and Stormwater Rules from South St. Louis Soil & Water Conservation District

Stormwater Permits: 4 keys to compliance

Please educate yourself about the measures required on construction sites to minimize stormwater runoff and soil erosion.

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Even Small Projects Need Permits

The NPDES* General Stormwater Permit for Construction Activity is required for stormwater discharges associated with even small construction activity. The Permit identifies “small construction activity” as clearing, grading and excavation that disturbs land equal to or greater than one (1) acre.

this more rigorous schedule. Use the MPCA’s Special and Impaired Water Search to determine if your project discharges to special waters (website below).

phasing, lot benching, surface roughening, permanent cover, cold-climate considerations, and low-impact development.

www.pca.state.mn.us/water/stormwater/stormwater-c.html

If you have questions, don’t hesitate to contact us at the SWCD, (218) 723-4867.

*National Pollutant Discharge Elimination System

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Know Your Stabilization Schedule

The most common issue is failure to follow the stabilization schedule for a project. All exposed areas must be stabilized no later than 14 days after the construction activity in that area is temporarily or permanently completed.

If your project site is within 1 mile of a special or impaired water, you may need to stabilize it within 7 days of active site-work.

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Identify Special Waters

In our area, Lake Superior and trout streams are special waters and several rivers (Knife, Miller, Amity) are impaired. That means most construction in our area falls under

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Learn More Online

View the MPCA website for detailed information on permits, plus helpful guidance documents like “Slope and Site Stabilization” with info on site



Before, at left, erosion beginning along the side of this development driveway; at right, proper grading, mats and barriers stabilize soils until vegetation takes root.

Wetlands Impact Applications and Contractor Liability

Understand Contractor Liability

Under the Wetland Conservation Act (WCA), contractors are liable for any wetland violation resulting from a project, even if a landowner instructs you to do certain work or promises that all wetland issues have been addressed. You can be fined and could be held responsible for any wetland restoration or replacement that may be ordered.

A contractor must not drain, fill, or excavate a wetland without obtaining a signed “Landowner Statement and Contractor Responsibility Form.” On the BWSR website, look under ‘WCA Forms’.

www.bwsr.state.mn.us/wetlands/wca/index.html

Get All Wetland Approvals

Wetland Impact Applications are required for almost any disturbance over 400 square feet. Though there are some WCA exemptions, the U.S. Army Corps of Engineers also regulates wetlands throughout Minnesota. There are no exemptions under federal rules that allow for impacts greater than 400 square feet without prior notice and approval. Make sure you are informed of all regulations and have the correct approval before starting any work in or around wetlands.

Wetland Impact Applications are available at our office and online at:

www.bwsr.state.mn.us/wetlands/wcaforms/index.html

Consult with a Wetland Expert

When in doubt, it is well worth your time and money to hire a wetland consultant. The Army Corps of Engineers keeps a list, as do we, of individuals and organizations acting as wetland consultants in the South St. Louis County area. Note: we do not recommend or warrant the work of any particular consultants. Please seek referrals and credentials.

Our website offers links to a consultant list plus many other wetlands forms, all in the right-hand column of our Wetland Conservation Act page.

www.southstlouisswcd.org/wcaact.html



South St. Louis

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SWCD can help you get the job done right

The South St. Louis Soil and Water Conservation District has many roles when it comes to overseeing this area's watersheds, including helping contractors understand and follow the state and local rules. Even small projects like a single-family home may require measures for erosion control. And wetlands almost always require careful handling.

As residents of this area who enjoy its natural resources, we know that you want to do it right. We also know that the rules and regulations are complicated and ever-changing. Let us help you stay within your budget and avoid problems.

What's the big deal? The dirt on dirt

Erosion is a natural process. Wind, water and gravity all move soils, especially soils freshly disturbed by fire, farming, storms, and, oh yes, earth-moving. So, why all the regulations to control Nature's redistribution of resources?

Start back 100 years, when we first logged (and then re-logged) nearly every acre of this region. Changing the land-cover from mixed hardwoods to birch, balsam fir and fields changed the way soils move into our streams and rivers.

Next, the development of our homes, stores, businesses and industry, plus the roads and parking to access them, dramatically changed our watersheds. It took us decades to realize that we are polluting our streams with dirt.

Dirt kills fish. Even clean sediment

Quick Orientation to Our Programs

We offer several services which may prove useful to you and your customers. We have sources of financial assistance available, plus the technical capabilities and regulatory knowledge to support these programs.

- ✓ **Wetland conservation assistance**
- ✓ **Erosion control and sediment inspections**
- ✓ **Watershed protection and restoration projects**
- ✓ **Stream bank and lakeshore stabilization**

in streams kills fish that need cold, well-oxygenated water. Add pollutants from cars, fill, historic uses of the site, and it's bad news. Brook trout, steelhead, and other cold-water fish cannot survive in murky, warm water.

Regulations and ordinances require some common-sense measures to hold disturbed soils in place until they can be stabilized with plantings.

Sediment Control in Hermantown

The City of Hermantown reminds contractors and earth-movers that municipalities may have their own requirements. City-level regulations apply to even small projects, like new-home construction. Hermantown's updated ordinance includes a form describing erosion control measures to be used on site that is filled out along with a building permit application.

SWCD teams with City of Duluth for inspections

The South St. Louis Soil and Water Conservation District has partnered with City of Duluth Engineering Department to perform erosion control inspections. Anyone who has received an erosion control permit for their project—commercial or residential—is subject to these checkups, making sure sediment doesn't reach storm sewers or streams within the city.

In Duluth, all projects over 3,000 sq. ft. need to be concerned about erosion issues. In addition to conducting and documenting inspections, if we find erosion issues, we help landowners correct them.

So, don't be caught off guard. Doing things right saves time, money, streams, fish, lakes and wildlife!

Upcoming U of M Workshops in Duluth

Construction Site Management - Recertification
February 13, 2012

Design of Stormwater Pollution Prevention Plans
February 14-15, 2012

Many more classes within this Erosion and Stormwater Program are offered outside of Duluth. View full offerings and registration forms at:

www.erosion.umn.edu/courses/schedule.htm

For more information, contact South St. Louis SWCD office, 218-723-4867.