



**Engineering**

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Duluth, Minnesota 55802



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**Erosion and Sediment Control Application and Permit**

Doc 327-vA122823-1223

(Required for Land Disturbance of 3,000 square feet or greater\*\*) See City of Duluth UDC Article 2, Section 50-18.1. E  
*The entire permit application needs to be completed in full or it will be returned to the applicant for completeness.*

<b>SITE LOCATION</b>			
Site Address:		Date:	
Lot:	Plat & Parcel:		
Nature of Project:			
Estimated Start Date:		Estimated Completion Date:	
<b>OWNER / CONTRACTOR</b>			
Owner's Name:		Email:	Phone #:
Address:	City:	State:	Zip:
Contractor's Name:		Email:	Phone #:
Address:	City:	State:	Zip:
<b>CITY USE ONLY</b>			
City Engineer Approval:		Date:	
Permit Number:	Permit Fee: <b>\$200    \$400    \$925</b>		

**SEE REVERSE SIDE FOR FEE SCHEDULE AND ADDITIONAL REQUIREMENTS**

**MS-4 Statement of Compliance** (not for permanent stormwater management)

The property owner and the contractor conducting work on the site are responsible for all the construction activities that occur on the site. By signing this permit both parties are required to install and maintain all erosion and sediment control BMPs to ensure that sediment, soil and debris does not leave the construction site. This includes but is not limited to tracking of soil /mud onto public streets and roadways from vehicles leaving the site, soil eroding from the site onto roadways or drainage ditches or onto neighboring property. If sediment, soil/mud and/or debris leaves the site, both parties are responsible for the immediate clean up and all costs and fines associated with it. Both parties are also responsible for the total restoration of vegetation on the site (seed/mulch, sod, gardens...) after construction disturbance is substantially complete, and only after vegetation has been established with vigorous growth can BMPs be cleaned and removed. **Both the property owner and contractor signatures are required.**

Owner Signature\* \_\_\_\_\_ Phone \_\_\_\_\_ Date \_\_\_\_\_

Contractor Signature\* \_\_\_\_\_ Phone \_\_\_\_\_ Date \_\_\_\_\_

## EROSION CONTROL PERMIT FEES

Size of Project* (*****)	Erosion & Sediment Control Plan/SWPP***	Erosion & Sediment Control Permit	Fee (2024 Fee Schedule)
Land Disturbance Area less than 3,000 s.f.**	Specific plan not required, but must follow BMPs	No	No Fee
Land Disturbance Area greater than 3,000 s.f. and less than 10,000 s.f.	Yes	Yes	\$200
Land Disturbance Area greater than 10,000 s.f. and less than 1 acre.	Yes	Yes	\$400
Land Disturbance Area equal to or greater than 1 acre.	Yes	Yes****	\$925

\* All projects regardless of area disturbed, will be inspected for compliance with Erosion and Sediment Control Best Management Practices (BMPs), see attached.

\*\* If city engineer determines that the proposed development is in a vulnerable area (steep slopes, erodible soils, adjacent to sensitive areas, etc.) and may cause degradation of the waters connected to the City's storm water system, then the provisions applicable to land disturbance areas between 3,000 and 10,000 sq. ft. shall apply.

\*\*\* A site-specific Storm Water Pollution Prevention Plan (SWPPP) meeting MPCA NPDES Permit requirements for Construction Activity is required and shall be submitted to the City for review. An individual one-family or two-family residence (that is not part of a common plan of development) with less than 10,000 sq. ft. of disturbance and less than 7,500 sq. ft. of new impervious area does not have to prepare a SWPPP, but shall submit an erosion control plan meeting the requirements of this document and attachments.

\*\*\*\* The MPCA Permit No. MN R 100001 is required (General Permit Authorization to Discharge Stormwater Associated with Construction Activity under the National Pollutant Discharge Elimination), and a copy of permit to be submitted to City. See this page for internet link.

\*\*\*\*\* Please see the City of Duluth UDC Article Two, Section 50-18.1. E to determine if the proposed project is required to meet permanent stormwater quality and rate control requirements and applicable fees.

**NOTE:** The MPCA Stormwater Permit for Construction Activity must be completed in addition to this permit for any construction activity disturbing:

- one acre or more of soil.
- less than one acre of soil, if that activity is part of a larger "common plan of development or sale" that covers more than one acre.

See the following link for information regarding the MPCA Construction Stormwater Permit (<https://www.pca.state.mn.us/business-with-us/construction-stormwater>).

The entire MS4 Permit may also be found on the MPCA website here: (<https://www.pca.state.mn.us/business-with-us/municipal-stormwater-ms4#requirements>).

## **City of Duluth Erosion and Sediment Control Plan Guidelines**

### **Violations of Stormwater Permit**

Upon receipt of notification of a violation of the conditions of this permit, or another stormwater permit, contractor or owner shall respond within 24 hours with sufficient personnel, equipment, and materials and conduct the required remedial work or be subject to a per calendar day deduction or fine for noncompliance, which shall be set in accordance with Section 31-8 of the Legislative Code. **The current per calendar day fine for non-compliance is \$625.**

### **Erosion and Sediment Control Plan (ESCP)**

The Permit Application should be filled out and the Erosion and Sediment Control Plan should be prepared as follows:

- Complete the attached Narrative form Item No. 1, or use a separate sheet. Fill in **all** areas as completely as possible.
- Complete a Site Map / Plan showing the items listed below in item No. 2 and see Elements of Erosion Control Plan, Site Map Requirements for further guidance to address specific item for each plan. Additionally, see example site map / plan.
- Incomplete Narratives or Site Map / Plans will be returned for additional information and will delay permit approval.

### **Erosion and Sediment Control Methods**

Control of sediment is required so that it does not migrate to an adjoining property, roadway, catch basin, or a wetland/watercourse. Diagrams are attached that depict some of the control methods commonly used for erosion and sediment control. Silt fence barriers and crushed rock temporary entrances are common control methods that can be effective for small projects. Additional methods, such as sediment traps and detention structures, are required for some projects and a qualified professional may need to specify the appropriate erosion and sediment control methods. See attached sheet titled Commonly Used Erosion Controls.

### **Activities Exempt from the Ordinance**

Minor land disturbing activities are exempt such as: home gardens, landscaping, repairs and maintenance work, utility work, certain septic tank work, fencing, tilling, planting, or harvesting of agricultural, horticultural, or silviculture crops, and certain emergency repairs.

## City Erosion/Sediment Control Permit Narrative

These are the absolute minimum submittal requirements for all projects. The entire permit application needs to be completed in full or it will be returned to the applicant for completeness.

### (1) NARRATIVE

- a) Provide a description of what you are doing and type foundation/disturbance.  
(e.g., constructing a 2,000 sq ft house w/full basement; constructing an attached 24x24 garage on slab; building a 20x15 house addition on frost footings, etc.)

- b) How much land are you disturbing?

**Total:** \_\_\_\_\_ square feet

**Main soil type?** \_\_\_\_\_

**Are you importing/exporting any fill?** \_\_\_\_\_ **Amount?** \_\_\_\_\_

- c) Describe the slope of the land **and** the slope of the adjacent land.

- d) Describe all temporary erosion control devices you intend to use and show on an attached drawing **where** and **when** you will be installing them. [**At a MINIMUM, you must have** perimeter control such as silt fence and washed rock construction entrance.] ***Also, show and protect all stockpiles.***

e) Final Stabilization. Date you will sod, or seed & mulch, or otherwise establish vegetation on the disturbed area.

**Method:** \_\_\_\_\_ **Target Date:** \_\_\_\_\_

f) If site is not vegetated by October 30<sup>th</sup>, describe below your selected winter-over methods (mulch, erosion blanket, etc.).

**(2) DRAWING – Must include these items on the drawing.**

- A)
  - Show the site grading/disturbance limits.
  - Show pre- and post-development drainage arrows.
  
- B) Show estimated land contours (hand drawn is acceptable for small projects).
  
- C) Show any/all creeks, ditches, wetlands, or other sensitive areas within 200 feet of your site.
  - If none, so state: \_\_\_\_\_
  
- D) Clearly show the amount and placement of silt fence, hay bales, construction entrance, etc.
  
- E) Clearly show washed rock construction entrance. [Minimum: 12' W x 50' L x 6" deep] or show mud mat reusable mat (8' x 45' minimum) (see page 8).
  
- F)
  - Show and label streets and adjacent properties.
  - Show catch basins/inlets.
  - Show all protective measures for those areas where sediment could migrate. Protect your neighbor's property from your construction activity and potential erosion and sediment.

**\*\*For Large Projects, Commercial Projects, Complex Projects –  
Additional information and design are required - refer to City Ordinance 9365\*\***  
Technical assistance: Engineering 730-5200; [Tom Johnson's email [tajohnson@duluthmn.gov](mailto:tajohnson@duluthmn.gov)]

## ELEMENTS OF EROSION & SEDIMENT CONTROL PLAN (ESCP)

### ESCP Project Narrative

- Project description
- Phasing of construction
- Existing site conditions
- Adjacent areas affected by project
- Critical areas identified
- Erosion and sediment control measures
- Soil descriptions
- Permanent stabilization methods
- Stormwater management considerations
- Maintenance schedule for erosion and sediment measures
- Calculations
- Additional information required by the city engineer

### Criteria to be considered in the ESCP

- Stabilization of denuded areas and soil stockpiles
- Establishment of permanent vegetation
- Protection of adjacent properties
- Timing and stabilization of sediment trapping measures
- Use of sediment basins
- Cut and fill slopes
- Stormwater management criteria for controlling off site erosion
- Stabilization of waterways and outlets
- Stormwater management criteria for controlling off site erosion
- Working in or crossing water bodies
- Underground utility construction
- Construction access routes
- Disposition of temporary erosion and sediment control measures

- Maintenance of erosion and sediment control practice

### Site Map Requirements

- Location Map
- North Arrow
- Scale (1 inch = 100 ft. or greater detail)
- Benchmark
- Existing contours at two ft. intervals, 200 ft. beyond boundary - show watercourses/wetlands
- Final contours
- Existing vegetation - trees, shrubs, grasses
- Soil boundaries
- Property boundary and lot lines
- Elevations and grades - street grades, pond elevations, etc.
- Drainage arrows
- Critical erosion areas
- Clearing and grubbing limits
- Utility plans
- Location of erosion and sedimentation control practice basins, swales, silt fence, bales
- Location of other practices
- Plan preparer's signature, address and phone number
- Responsible party name, address, and phone number
- Delineation of applicable zoning boundaries

## GENERAL NOTES FOR EROSION CONTROL

### STRAW BALES or SILT FENCE or BIO-ROLLS

- Put up before any other work is done.
- Install on downslope side(s) of site with ends extended up side slopes a short distance.
- Place parallel to the contour of the land to allow water to pond behind the fence.
- Entrench 4 inches deep (see diagram on page 8).
- Stake (every 3 feet minimum).
- Leave no gaps (overlap if necessary).
- Inspect often and maintain.
- Remove sediment when deposits reach half way up fence or bale.

### ROCK CONSTRUCTION ENTRANCE

- Install a single construction access using large crushed rock (1 ½ "to 2 ½ ") to prevent tracking of soils off project site.
- Put rock 6 inches deep, 12 feet wide, 50 feet long.
- Maintain rock access through project end.
- All vehicles to use rock entrance.

### SEDIMENT CLEANUP

- By the end of each work day, sweep/scrape up soil tracked on roads, alley, and sidewalk.
- After a storm clean up soil washed off site onto sidewalks, streets, alleys.

### REVEGETATION

- Seed & mulch, sod or mulch disturbed area as soon as project is completed.

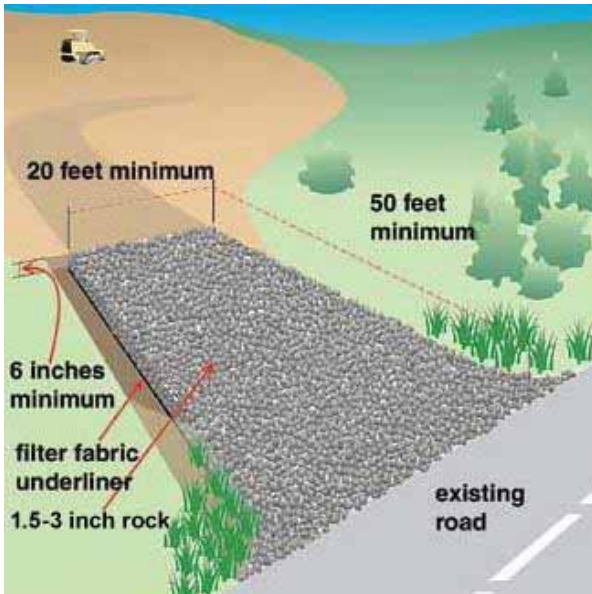
### PRESERVING EXISTING VEGETATION

- Preserve existing trees, shrubs, sod, as much as possible.

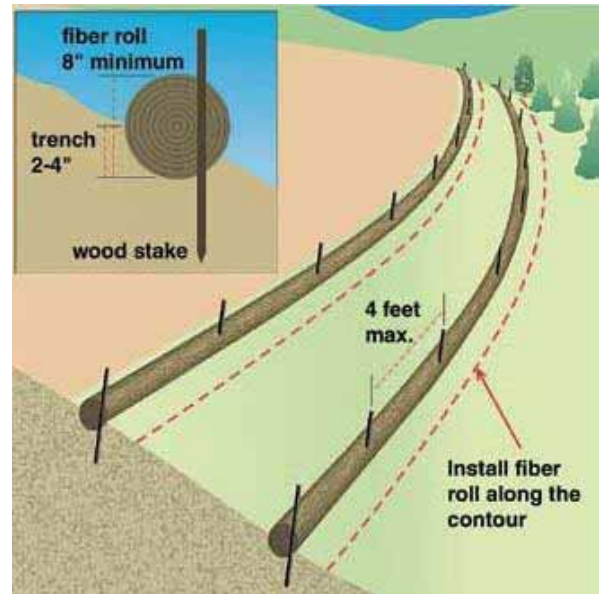
### WARNING! Extra measures may be needed if your site:

- Has highly erodible soils.
- Is within 200 feet of a river or stream.
- Is within 1,000 feet of a lake.
- Is steeply sloped.
- Receives runoff from adjacent land.

For more information on appropriate measures for your site, please call the City of Duluth Engineering Division at 730-5200.



Rock Construction Entrance



Perimeter Control – Bio Rolls