Earthworks Permit Application

Earthworks Permits are administered by the Scott Soil and Water Conservation District on behalf of Scott County

Office: 7151 W 190th St. Jordan, MN 55352 Phone: (952) 492–5425 www.scottswcd.org/earthworks-permits

Project Information

Structure Type: ☐ Home ☐ Accessory ☐ Other _____

Please describe the project using the space below:

Describe all earthwork activities associated with the disturbed areas (grading, filling, sub-cutting, etc.). Disturbance limits need to be indicated on the ESC plan as well.

Estimate of total area that will be disturbed: _____sq. ft OR _____acres

Applicant Information

Applicant Name: _____

Type of Applicant: ☐Individual ☐ Company

Applicant address: _____

Applicant Email: _____ Phone_____

Contact Person (if applicable):_____

Property Information

Property Owner Name: _____

Property Address: _____ Township: _____

Development: _____ Lot/Block: _____ PID: _____

Payee (Fee & ESCROW) Information ☐ Check if same as Applicant

Payee Name (or Company): _____

Payee address: _____

Payee Email: _____ Phone:_____

General Notes

1) No land disturbing activity is allowed until the Permit has been issued.
2) This application, an Erosion and Sediment Control (ESC) Plan, Application Fee, and Escrow are required as a condition of Permit issuance. The ESC Plan must show items listed in Attachment A, as applicable.
3) The Application Fee ranges from $300 to $700 for principal structures and $200 to $300 for accessory structures, depending on location. The Escrow for all projects is $3,000 (see below for more information).
4) Installation of perimeter controls, inlet protection, and rock entrance may be required prior to Permit issuance.

----------*space reserved for official use only*----------

Use of Escrow

1) The purpose of the ESC Escrow is to cover costs incurred by the Scott SWCD and/or County to ensure compliance with the conditions of your permit. This includes without limitation conducting inspections, pursuing enforcement, implementing physical control measures, and performing related administrative activities.
2) The SWCD will track all Escrow transactions and balances and will charge the escrow for reimbursement of costs incurred as specified above, and in accordance with the current Fee Schedule adopted by Scott SWCD Board.
   Note: Inspections are typically performed weekly or biweekly but may be more or less frequent depending on site conditions and/or compliance status.
3) Failure to comply with corrective actions by specified deadlines shall result in an expedited inspection schedule, including up to daily, with each inspection carrying a fee of $130. This fee is in addition to the standard flat fee.
4) Any time required to address non-compliance, other than time associated with conducting an inspection, shall be charged against the Escrow at the SWCD' standard hourly rate.
5) ESC inspections and Escrow shall remain in effect until at least 70% uniform cover of permanent vegetation is achieved, there are no remaining erosion or sediment concerns, and all perimeter controls are removed, regardless of a transfer of property ownership or the issuance of a Temporary Certificate of Occupancy or regular Certificate of Occupancy.
6) The Escrow balance, if any, will be refunded to the Applicant within 30 days of the Inspector having determined permanent stabilization is achieved, there are no erosion or sediment concerns on the site, and all perimeter controls have been removed, and/or there is no significant potential for environmental or other offsite impacts.
7) A statement of escrow account transactions shall be made available by the SWCD upon request.

Signature

By signing below, I attest that I have read and agree to the Use of Escrow funds as described above, and further understand and agree to the following:

a. I will be responsible for providing effective ESC measures on my project site in accordance including but not limited to proper installation and maintenance of BMP's in accordance with my Earthworks (EW) Permit approved ESC Plan, and as otherwise directed by an authorized SWCD or County official See Exhibit B).
b. I will remain responsible for compliance with my Permit and ESC Plan until at least 70% uniform cover of permanent vegetation is achieved, no erosion or sediment concerns exist, and all perimeter controls are removed.
c. My responsibility under b. above does NOT terminate with completion of building construction, transfer of ownership, or issuance of a Temporary Certificate of Occupancy or Certificate of Occupancy, unless and until the new owner is issued a new permit and submits the applicable fee and escrow. Subject to SWCD approval, an existing permit may be transferred in lieu of a new permit being issued. Applicable fees and escrow funds may still be required.
d. I consent to SWCD and County officials entering upon the property for purposes of monitoring and ensuring compliance with my Permit and ESC Plan, and the terms of conditions therein.
e. I understand and agree the escrow shall not be deemed to create or assign any liability to the SWCD or County for any failure, lack of installation or damage alleged to result from or be caused by lack of ESC measures or failure of ESC measures, or by erosion or sedimentation associated with authorized construction activity.

Applicant signature _____ Date _____

A signed copy of this completed application and required Erosion and Sediment Control (ESC) Plan must be submitted online at www.scottswcd.org/earthworkspermit. See Exhibit A for ESC Plan content requirements.

Upon determination of the application being complete, the Scott SWCD will return to the applicant an official stamped copy of this application indicating it has been deemed complete. That stamped copy must be submitted to the County along with other required building permit application documents.

Exhibit A - Erosion and Sediment Control (ESC) Plan Contents

This checklist is provided to assist in preparing ESC Plans. The top three items are are REQUIRED before the application can be stamped RECEIVED, plans that do not include them will be returned. The more complete your Plan, the quicker it can be reviewed and approved. If any items necessary to complete a review are missing, you will be notified via the email you provided in your application.

Location and Boundary Information

- ☐ Location of property boundaries, roads, existing structures, and other significant surface features.
- ☐ Location of proposed structure(s) with accurate dimensions and distances to property lines and other existing buildings.
- ☐ Limits of proposed land disturbance, including grading, filling, sub-cutting, tree clearing, stockpiling, etc.
- ☐ Existing grades (i.e., elevation contours)[1]
- ☐ Low Floor Elevation (LFE). A Plan may be initially accepted without an LFE, but it may be required for homes and certain other structures depending on landscape topography of the site.
- ☐ Location of any lakes, streams, wetlands, and 100-yr floodplain located on the property, and within 75' of adjacent properties[1]. NOTE: If any wetlands are located on the property, a formal approved wetland delineation may be required. The approval process can take several months, so you are encouraged to contact the SWCD as early as possible.
- ☐ Boundaries of any Shoreland or Bluff Overlay District and any slopes greater than (>)12%. If the entire property is in an overlay zone, simply state it on the plan.[1]
- ☐ Boundary of any wetland or watercourse buffer required by Scott WMO or Local Watershed District Rule.
- ☐ Arrows showing the direction of water flow (i.e. runoff) on and leaving the property after the building and final grade completion. NOTE: If there'll be no change in the direction of water flow/runoff, clearly indicate this on the plan.

Proposed Erosion and Sediment Control Measures (see Exhibit B)[2]

- ☐ Proposed temporary erosion and sediment control Best Management Practices (BMP's) including:
  - ☐ Perimeter control
    - Silt fence, hay bales, earth berm, or equivalent shall be installed wherever necessary to prevent sediment from leaving the site or depositing into a lake, stream, wetland, or required buffer.
    - Double rows of perimeter control are required along high value water resources (e.g. lakes, streams, wetlands, etc.).
    - If ground conditions prevent use of silt fence, then straw bales, bio-logs or other equivalent BMP's may be used, subject to approval by the Inspector.
    - Biologs may not be used along road frontage with curbs or ditches.
  - ☐ Rock entrance—section of coarse rock at the entrance of construction site used to minimize tracking onto road
  - ☐ Preservation areas—areas where existing natural vegetation will remain undisturbed
  - ☐ Inlet protection—protection around culverts, storm drains, and other inlet structures (e.g. rip rap, silt fence dams, etc.)
  - ☐ Concentrated flow area protection (e.g. temporary or permanent swales or ditches). Materials may include but are not limited to erosion control blanket, rock or bio-log check dams, and loose rock rip rap
- ☐ Description of construction phasing strategy to minimize the extent of exposed soil—from clearing and grading—at any given time. Typically only applies if grading will extend beyond just the area needed for the structure and backsloping.
- ☐ Description of methods and timing of temporary and final stabilization methods
  NOTE Stabilization methods include seeding and mulching, erosion control blankets, sod, and hydro-seed. List type of seed, fertilizer and mulching specifications and rates. All exposed soil areas (including stockpiles) must have temporary or permanent cover initiated immediately and be completed no later than 14 days after the construction activity in that portion of the site has temporarily or permanently ceased.

Additional Plan Content

The following items must be included for projects located within a Shoreland and Bluff Overlay District, or slopes >12%

- ☐ Proposed grades/finish contours. Note: contours by a licensed professional may be required if deemed necessary.
- ☐ Identification and description of existing vegetation, including trees over 1" in diameter and shrubs with a spread or height of 8' or greater, unless no removal, cutting, pruning or trimming will occur within a Shore or Bluff Impact Zone or slopes >12%.
- ☐ Description of any proposed removal, cutting, pruning or trimming of trees or shrubs in a Shore or Bluff Impact Zone or on slopes >12%. (Reference "ESC Plan Instructions" For further clarification).
  NOTE: Land disturbance and/or vegetative clearing or grubbing is prohibited in a Shoreland or Bluff Impact Zone, unless specifically authorized in the Permit and shown on the approved ESC Plan.

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[1] An ESC Plan map can be generated at Scott County GIS3 by navigating to the parcel, and turning on the various applicable layers. Available layers include but are not limited to existing elevation contours, shoreland and bluff overlays, protected stream and lakes, floodplains, etc.

[2] All BMP's shall conform to MPCA criteria. See Sediment control practices | Minnesota Stormwater Manual

Exhibit B – ESC Responsibilities and BMP Specifications and Timeframes

The following will constitute conditions of an Earthworks Permit and is provided for informational purposes.

Permittee Responsibilities

1) Installing and maintaining all BMP's in accordance with their approved ESC Plan and the specifications enumerated below, as well and any instructions or orders given by the Inspector or County official until permanent stabilization is achieved.
2) Inspecting all BMP's at least once every 7 days and within 24 hours after a rainfall event greater than 0.5". Inspection records shall be made available within 24 hours upon request.
3) Within 24 hours of being notified, removing any sediment deposited in surface waters, wetlands, roads and road rights-of-ways, and other off-site property, and within 7 days re-stabilize the sediment removal areas as needed.
4) Ensuring temporary stabilization is achieved and perimeter controls are properly installed if the property is transferred to a new owner prior to permanent stabilization being achieved. Temporary erosion prevention includes but is not limited to temporary vegetation (e.g. oats or annual rye) with a soil surface coverage density of at least 70 percent.
5) Obtaining an NPDES permit from the MPCA if disturbing over 1 acre of land, or less than 1 acre if part of a common plan of development or subdivision. See MPCA Construction stormwater permit FAQs.

BMP Specifications

1) Soil stabilization. Exposed soils must be temporarily or permanently seeded and/or mulched when land disturbing activities have substantially ceased and will not resume for 7-14 consecutive days, depending on slope and risk of offsite impacts.
    a. Temporary or final stabilization must provide 70% live vegetative cover.
    b. Mulch providing at least 90% soil coverage (or erosion control blanket) shall be used until 70% live vegetative cover is achieved.
    c. Other suitable methods may be used subject to prior approval by the Inspector or County official.
2) Silt Fence. Silt fence must be anchored at least 6" into the soil, securely fastened to solid posts spaced no more than 10' apart, and "J" hooked up slope on the ends.
3) Biologs. Biologs used in areas of heavy or concentrated flow must be securely staked to prevent movement.
4) Rock Entrance. Must consist of course rock having a diameter of at least 2" with a minimum depth of 3", minimum width of 20' and minimum length of 50'. Rumble pads or equivalent may be used as a substitute.
5) Inlet Protection. Culvert and other storm drain inlets shall be protected by appropriate BMPs within **24 hours** of installation.
6) Concentrated Flow Area Protection. Ditch bottoms and side slopes of temporary or permanent drainage ditches shall be stabilized within 200 feet from the property edge or point of discharge within **24 hours**.
    a. Rock rip rap or seeding and heavy-duty erosion control blanket shall be used unless another method is prior authorized.
7) Energy Dissipation. Temporary or permanent energy dissipation BMPs (e.g., rip rap) shall be placed at all culvert outlets within **24 hours**.
8) Sediment Berms. Subject to approval by the Inspector or County official, sediment berms may be used in place of perimeter controls provided the soil is properly compacted and seeded and mulched within **24 hours** of construction.
9) Dewatering. Any dewatering that may potentially discharge sediment-laden water shall be discharged to a temporary or permanent sediment basin or otherwise treated prior to entering surface waters, wetlands or off-site property.
10) Wash water. External washing of concrete trucks and other construction vehicles shall be limited to a designated area where the runoff material from washing operations can be contained and disposed of properly.
11) Phasing. Plan for and implement appropriate construction phasing to minimize exposed soil at any one time. Schedule clearing, grading, excavating and other land disturbing activities only when you are actively working on that portion of the project.

BMP Maintenance Timeframes

BMP's must be repaired, replaced, or completed within timeframes provided below; or sooner as determined necessary and appropriate by the Inspector or County official based on site-specific conditions:

1) Perimeter controls (silt fence, biologs, straw bales, etc.): Repaired or replaced within **3-7 days**.
    Note: Sediment shall be removed when it has accumulated up to **1/2** the height of the permitter control BMP.
2) Rock Entrances: Refreshed or replaced within **3 days**.
3) Street Tracking: Sediment or other debris shall be removed within **24 hours**.
4) Inlet Protection: Repaired or replaced within **3 days**.
5) Concentrated Flow Area Protection: Repaired or replaced within **3 days**.
6) Inactive Site Stabilization: Temporarily or permanently seed and mulch exposed soil within **7-14 days** of when land disturbing activities in that portion of the site have temporarily or permanently ceased. Timeframe depends on slopes and other factors.
    Note: When required to address active erosion, temporary stabilization shall be completed within **3 days**.
7) Final Stabilization: Final stabilization to include at least 70% uniform cover of permanent vegetation is required within **14** days of final land disturbing activities being completed.