

MEETING DATE: February 25, 2016

TITLE: Authorization to Enter Memorandum of Understanding with the City of St. Louis Park Regarding Exercise of Authority Over Erosion and Sediment Control Permits

RESOLUTION NUMBER: 16-016

PREPARED BY: Katherine Sylvia

E-MAIL: ksylvia@minnehahacreek.org

TELEPHONE: 952-473-2855

REVIEWED BY: Administrator Counsel Program Mgr. (Name): _____
 Board Committee Engineer Other

WORKSHOP ACTION:

<input type="checkbox"/> Advance to Board mtg. Consent Agenda.	<input type="checkbox"/> Advance to Board meeting for discussion prior to action.
<input type="checkbox"/> Refer to a future workshop (date): _____	<input type="checkbox"/> Refer to taskforce or committee (date): _____
<input type="checkbox"/> Return to staff for additional work.	<input type="checkbox"/> No further action requested.
<input checked="" type="checkbox"/> Other (specify): Not Reviewed at Workshop. Seeking approval at February 25, 2016 Board Meeting.	

PURPOSE or ACTION REQUESTED:

Authorize execution by the Board President of a Memorandum of Understanding between the Minnehaha Creek Watershed District (MCWD) and the City of St. Louis Park (the City) for allocation of exercise of regulatory authority.

PROJECT/PROGRAM LOCATION:

The City of St. Louis Park

PROJECT TIMELINE:

Effective immediately.

PROJECT/PROGRAM COST:

N/A

PAST BOARD ACTIONS:

- September 3, 2009, RES 09-087: Resolution to Approve the City of St. Louis Park Local Water Resources Management Plan.

BACKGROUND:

Under Resolution 09-087 (Exhibit A of Attachment 1), the MCWD Board of Managers conditionally approved the City's local water management plan. The approved plan described the existing and proposed physical environment and land use within the City and set forth an implementation plan for bringing local water management into conformance with the MCWD's comprehensive watershed management plan. This approval was granted under the premise that the MCWD would continue to exercise regulatory authority over activities

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Resolutions are not final until approved by the Board and signed by the Board Secretary.**

subject to the District Rules in all instances. The City has requested to exercise regulatory authority over work subject to the MCWD Erosion Control Rule. Under a review by Wenck Associates, the City's erosion control rule has been found to be at least as protective of water resources as MCWD's Erosion Control Rule. The rules of MCWD and the City were compared based on the following criteria:

1. Erosion Control Application Submittals,
2. Exempted Activities,
3. Erosion Control Practices and Specifications,
4. Final Stabilization and Erosion Control Timing.

The Technical Memo summarizing this comparison has been included as Attachment 2.

Staff recommends the Board authorize the President to execute the attached Memorandum of Understanding acknowledging that the City will exercise permitting authority over activities subject to the MCWD Erosion Control Rule.

AGREEMENT & EASEMENTS:

The enclosed Memorandum of Understanding lays out the terms between the MCWD and the City (see Attachment 1).

ATTACHMENTS:

- Attachment 1: Memorandum of Understanding Between the Minnehaha Creek Watershed District and the City of St. Louis Park for Local Water Planning and Regulation
- Attachment 2: Wenck's Technical Memo

RESOLUTION

RESOLUTION NUMBER: 16-016

TITLE: Authorization for the President of the Board of Managers to Execute a Memorandum of Understanding with City of St. Louis Park for Allocation of Exercise of Regulatory Authority

WHEREAS, in 2007, the MCWD revised its comprehensive watershed management plan under Minnesota Statutes § 103B.231, which details the existing physical environment, land use and development in the watershed, and establishes a plan to regulate water resource use and management to protect water resources, improve water quality, prevent flooding, and otherwise achieve the goals of Minnesota Statutes Chapters 103B and 103D;

WHEREAS, the MCWD's comprehensive watershed management plan incorporates the Rules adopted by the MCWD to protect water resources, improve water quality, prevent flooding and otherwise achieve the goals of Minnesota Statutes Chapters 103B and 103D;

WHEREAS, the City has developed a local water management plan under Minnesota Statutes § 103B.235 that describes the existing and proposed physical environment and land use within the City and sets forth an implementation plan for bringing local water management into conformance with the MCWD's comprehensive watershed management plan;

WHEREAS, on September 3, 2009, the MCWD Board of Managers conditionally approved the City's local water management plan by adoption of Resolution 09-087, which resolution is attached and incorporated herein as Exhibit A, and the City satisfied the conditions therein;

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Resolutions are not final until approved by the Board and signed by the Board Secretary.**

WHEREAS, the City now wishes to exercise sole permitting responsibility in the area of erosion control, but to continue to authorize MCWD to exercise permitting authority with respect to all other areas regulated by the MCWD;

WHEREAS, MCWD approval of a local plan requires a finding that the official controls of the local government are at least as protective of water resources as the MCWD rules;

WHEREAS, the finding by the MCWD Board of Managers in this regard with respect to permitting areas other than erosion control, rested on the City's authorization of the MCWD's continued exercise of regulatory authority within the City in accordance with Minnesota Statutes § 103B.211, subdivision 1(a)(3);

WHEREAS, the MCWD Board of Managers finds that the City's erosion control ordinance(s), attached to and incorporated herein as Exhibit B, are at least as protective of water resources as MCWD's Erosion Control Rule;

WHEREAS, The MCWD and City desire to memorialize their respective roles in implementing water resource protection and management within the City;

NOW, THEREFORE, BE IT RESOLVED, the President of the Board of Managers, on advice and consent of counsel, is authorized to execute the attached MOU with the City of St. Louis Park, acknowledging that the City will execute sole regulatory authority over work subject to the MCWD Erosion Control Rule.

Resolution Number 16-016 was moved by Manager _____, seconded by Manager _____.
Motion to adopt the resolution ___ ayes, ___ nays, ___ abstentions. Date: _____.

Secretary Date: _____

MEMORANDUM of UNDERSTANDING

**Between the Minnehaha Creek Watershed District
and the City of St. Louis Park
for Local Water Planning and Regulation**

This Memorandum of Understanding (MOU) is made this 19 th day of Jan, 2016 by and between the Minnehaha Creek Watershed District, a watershed district with purposes and powers as set forth at Minnesota Statutes Chapters 103B and 103D ("MCWD"), and the City of St. Louis park, a body corporate and politic and a statutory city in the State of Minnesota ("City").

Recitals and Statement of Purpose

WHEREAS, in 2007, the MCWD revised its comprehensive watershed management plan under Minnesota Statutes § 103B.231, which details the existing physical environment, land use and development in the watershed, and establishes a plan to regulate water resource use and management to protect water resources, improve water quality, prevent flooding, and otherwise achieve the goals of Minnesota Statutes Chapters 103B and 103D;

WHEREAS, the MCWD's comprehensive watershed management plan incorporates the Rules adopted by the MCWD to protect water resources, improve water quality, prevent flooding and otherwise achieve the goals of Minnesota Statutes Chapters 103B and 103D;

WHEREAS, the City has developed a local water management plan under Minnesota Statutes § 103B.235 that describes the existing and proposed physical environment and land use within the City and sets forth an implementation plan for bringing local water management into conformance with the MCWD's comprehensive watershed management plan;

WHEREAS, on September 3, 2009, the MCWD Board of Managers conditionally approved the City's local water management plan by adoption of Resolution 09-087, which resolution is attached to and incorporated herein as Exhibit A, and the City satisfied the conditions therein;

WHEREAS, the City now wishes to assume sole permitting responsibility in the area of erosion control, but to continue to authorize MCWD to exercise permitting authority with respect to all other areas regulated by the MCWD;

WHEREAS, MCWD approval of a local plan requires a finding that the official controls of the local government are at least as protective of water resources as the MCWD rules;

WHEREAS, the finding by the MCWD Board of Managers in this regard with respect to permitting areas other than erosion control, rested on the City's authorization of the MCWD's continued exercise of regulatory authority within the City in accordance with Minnesota Statutes § 103B.211, subdivision 1(a)(3);

WHEREAS the MCWD Board of Managers finds that the City's erosion control ordinance[s], attached to and incorporated herein as Exhibit B, are at least as protective of water resources as MCWD's Erosion Control Rule;

WHEREAS, the MCWD and City desire to memorialize their respective roles in implementing water resource protection and management within the City;

NOW THEREFORE, it is mutually agreed by and between the parties that they enter into this MOU in order to document the understanding of the parties as to the roles and responsibilities of each party.

1.0 Responsibilities of the City

1.1 The City may exercise all present and future authority it otherwise may possess to issue permits for and regulate activities affecting water resources within the City.

1.2 The City is solely responsible for permitting for purposes of erosion control within the City. The City will regulate these activities in accordance with the City's approved local water management plan and the terms of this MOU.

1.3 The City will not issue a variance from an above-referenced ordinance until the MCWD has approved the variance and proposed conditions. On receipt of a property owner's or agent's request for a variance from the above-reference ordinance(s), the City promptly will transmit a copy of the variance request and supporting documentation to the MCWD for review.

1.4 The City will maintain a log of permits it grants pursuant to this MOU, will provide the log to the MCWD annually and will meet at least annually with the MCWD to review the implementation of the City's local water management plan and erosion control ordinance[s].

2.0 Responsibilities of the MCWD

2.1 The MCWD will continue to apply and enforce its Rules, as they may be amended from time to time, within the City except for erosion control, which will not apply within the City.

2.2 The MCWD will review and issue a decision on any variance request transmitted to it by the City in accordance with paragraph 1.3 herein within 45 days of receipt.

2.3 The MCWD will meet with the City at least annually to review the implementation of the City's local water management plan and erosion control ordinance[s].

2.4 The MCWD retains the right to enforce any and all of its rules in the event that the City is unable or unwilling to carry out its obligations listed in Section 1.0 of this MOU.

2.5 The MCWD retains all authority that it may possess under Minnesota Statutes Chapters 103B and 103D or any other provision of law, except as explicitly reposed in the City under this MOU, including but not limited to authority set forth at Minnesota Statutes § 103B.211, subd. 1(a); 103D.335 and 103D.341.

3.0 Amendment

This MOU may be amended only by a writing signed by both of the parties.

IN WITNESS WHEREOF, the parties hereto have executed this Memorandum of Understanding.

CITY OF ST. LOUIS PARK

By [Signature] Date: 1/25/16
Mayor

By [Signature] Date: 1/20/16
City Manager

MINNEHAHA CREEK WATERSHED DISTRICT

By _____ Date: _____
President, Board of Managers

APPROVED AS TO FORM AND EXECUTION

APPROVED AS TO FORM AND EXECUTION

By _____
Its Attorney

By _____
Its Attorney

TITLE: City of St. Louis Park Local Water Management Plan – Approval

Date: 9/3/09

ITEM TYPE: Action Consent
 Discussion Information

PREPARED BY: Nathaniel Kale

TELEPHONE: 952-471-0590 x 229

E-MAIL: nkale@minnehahacreek.org

REVIEWED BY: Administrator Board Committee
 Counsel District Engineer
 Consulting Engineer District Technician
 Planner/Program Mgr Communications
 Other

Fiscal/FTE Impact:	
<input checked="" type="checkbox"/>	None
<input type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	Project/program adjustment needed for FTE
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE(s) requested
<input type="checkbox"/>	Other (include explanation in text).

PURPOSE or ACTION REQUESTED:

Conditional approval of the City of St. Louis Park Local Water Management Plan

SUMMARY:

The City of St. Louis Park has submitted a Local Water Management Plan for MCWD review and approval. The historic timeline of the review is as follows:

- June 8, 2009: City of St. Louis Park submits Local Water Management Plan (LWMP) to MCWD for review
- August 6, 2009: City extends review period to 9/4/09

The City of St. Louis Park has updated their Local Water Management Plan to reference information consistent with State Rules Chapter 8410 and Minnesota Statute 103B.235 and also reference the policies identified in the 2007 MCWD Comprehensive Water Resources Management Plan. The City has not proposed to acquire implementation authority for MCWD Rules B, C, D, and N. The City has proposed that MCWD retain Minnesota Wetland Conservation Act Local Government Unit status. MCWD staff has verified that the Local Water Management Plan is generally consistent with the goals and policies of the Watershed District. The plan is available to view from the MCWD FTP site: <ftp://www.minnehahacreek.org/planning/>. The following items are included for review in this packet:

- Plan Summary
- August 26, 2009 response to MCWD comments

STAFF RECOMMENDATION:

Staff recommends the Board approve the City of St. Louis Park's Local Water Management Plan effective on the execution by MCWD and the City of St. Louis Park of a Memorandum of Understanding materially equivalent to the Memorandum included in this packet as resolution 09-088 within 60 days of the passage of this resolution.

EXPLANATION OF FISCAL/FTE IMPACT:

Local water resource management plans reviews are budgeted for 2009.

RESOLUTION

RESOLUTION NUMBER: 09-087

TITLE: City of St. Louis Park Local Water Resources Management Plan - Approval

WHEREAS, on July 5, 2007, the MCWD adopted amendments to its comprehensive watershed management plan under Minnesota Statutes § 103B.231, which, as amended, details the existing physical environment, land use and development in the watershed and established a plan to manage water resources and regulate water resource use to improve water quality, prevent flooding and otherwise achieve the goals of Minnesota Statutes Chapters 103B and 103D; and

WHEREAS, the MCWD Comprehensive Water Resources Management Plan, as amended incorporates the Rules adopted by the MCWD to protect water resources, improve water quality, prevent flooding and otherwise achieve the goals of Minnesota Statutes Chapters 103B and 103D; and

WHEREAS, the City of St. Louis Park completed a draft Local Water Management Plan and submitted it to the MCWD for review and approval in 2009; and

WHEREAS, MCWD reviewed the Plan in accordance with Minnesota Statutes § 103B.235, subd.3, as to those portions of the City within MCWD boundaries, prepared comments and discussed with City representatives; and

WHEREAS, the City of St. Louis Park subsequently prepared and submitted final revisions for the Local Water Management Plan to MCWD which incorporated MCWD review comments; and

WHEREAS, the MCWD has determined that the final revised Plan, on occurrence of the conditions stated below, will be consistent with the MCWD Water Resources Management Plan; and

WHEREAS, the Metropolitan Council has received the Local Water Management Plan and has provided its written comments to the MCWD in a letter on June 12, 2009 and the District has fully considered the comments; and

WHEREAS the MCWD has determined that the Plan generally meets the requirements for local plan approval set forth in the MCWD's watershed management plan, except that the City has not demonstrated that the official controls described in the Plan will protect the MCWD's water resources at least as well as the MCWD's rules; and

WHEREAS the City does not wish to assume regulatory authority but, instead, wishes to authorize the MCWD to continue to require permits for the use and development of land, and otherwise exercise its regulatory authority, within the meaning of Minnesota Statutes §103B.211, subd. 1(a)(3); and

WHEREAS the City wishes the MCWD to continue to exercise authority as the Local Government Unit for the Minnesota Wetland Conservation Act; and

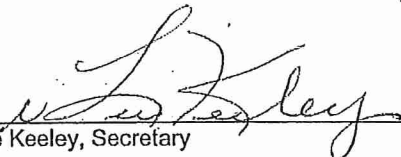
WHEREAS the MCWD's ability to approve the Plan rests on the City's agreement that the MCWD will continue to exercise its present regulatory authority within those parts of the City where the MCWD has jurisdiction;

NOW, THEREFORE, BE IT RESOLVED, that the MCWD hereby approves the City of St. Louis Park Local Water Management Plan, effective on the fulfillment of the following conditions:

- a. Policy 2.1.14 of the City of St. Louis Park Local Water Management Plan be revised to include the development and adoption of an ordinance to implement the referenced policy; and
- b. MCWD and the City of St. Louis Park execute the Memorandum of Understanding attached hereto or a substantially equivalent Memorandum within 60 days of the passage of this resolution, establishing implementation and annual reporting responsibilities between the MCWD and the City.

within 2 YEARS
from 9-13-09

Resolution Number 09-087 was moved by Manager Blixt seconded by Manager Keeley.
Motion to adopt the resolution 6 ayes, 0 nays, 0 abstentions. Date: _____


Lee Keeley, Secretary

Date: 9-03-09

Technical Memo



Responsive partner.
Exceptional outcomes.

To: Minnehaha Creek Watershed District (MCWD)
From: Chris Meehan, PE, Wenck Associates, Inc.
Erik Megow, Wenck Associates, Inc.
Date: June 24, 2015
Subject: Comparison of MCWD and St. Louis Park Erosion Control guidelines

The City of St. Louis Park has requested rule authority for Erosion Control. Currently, St. Louis Park (SLP) works with the Minnehaha Creek and Basset Creek watersheds for erosion control permitting and in many cases an erosion Control from the City and a Watershed District is needed. Before the District cedes authority of Erosion Control permitting MCWD Staff and their legal counsel have asked for an engineering review to determine if the City's guidelines are equivalent to MCWD's guidelines. This memo compares the two sets of guidelines, quantitatively and qualitatively, based on the following criteria:

1. Erosion Control Application Submittals,
2. Exempted Activities,
3. Erosion Control Practices & Specifications,
4. Final Stabilization & Erosion Control Timing.

Following is a breakdown of each of these criteria and a determination of whether the SLP guidelines are less, as, or more restrictive than the guideline outlined in MCWD's Erosion Control Rule.

1. EROSION CONTROL APPLICATION SUBMITTALS:

The table below outlines the required submittals required by each ruling authority.

Required Submittals	MCWD	SLP
Construction, Phasing, and Erosion Control Schedule	X	X
Erosion Control Plan	X	X
Soils Engineering and Geology Reports	X	
Maintenance Plan and Schedule	X	X
Inspection Plan	X	
Financial Assurance or Securities	X	X
Proof of NPDES permit from the MPCA	X	X
As-built Grading Plan		X

The MCWD Guidelines explicitly outline that a Soils or Geotechnical report may be required based on the nature of the work, while the SLP Guidelines do not mention either. Additionally, the SLP Guidelines do not have any requirements for inspections, however, they do require an as-built grading plan.

Overview: The SLP guidelines are slightly *less strict* when it comes to required exhibits. To bring the SLP guidelines to the standards of MCWD's guidelines, the SLP guidelines would

need to include Inspections beyond an as-built grading plan and a guideline stating that a soils engineering and geotechnical report may be required based on the nature of the work.

2. EXEMPTED ACTIVITIES:

Both MCWD and SLP do not require Erosion Control Permits for projects or activities that:

- disturb an area of less than 5,000 square feet; or
- involve grading, excavating, filling or storing on site of less than 50 cubic yards of soil or earth material.

Beyond those exemptions, MCWD does not require a permit for the following:

- Agricultural activity.
- Emergency activity immediately necessary to protect life or prevent substantial physical harm to person or property, provided that erosion control measures, including any necessary remedial action, are implemented as soon as possible

Overview: The SLP guidelines are *more strict* when it comes to exempted activities as they do not explicitly note the exemption of agricultural and emergency activities.

3. EROSION CONTROL PRACTICES:

The MCWD Erosion Control guidelines require that the applicant explicitly call out the following erosion control practices:

- Silt fence in accordance with the latest MnDOT standards.
- Protective fencing for vegetation.
- Temporary and permanent soil stabilization measures, such as, inlet protection, perimeter control, temporary and permanent soil stabilization, concrete wash areas, slope breaks, energy dissipation, rock construction entrance, silt curtains.
- Dewatering or basin draining (e.g. pumped discharges, trench/ditch cuts for drainage) related to the construction activity that may have turbid or sediment laden discharge water must be discharged to a temporary or permanent sedimentation basin on the site whenever possible.

These practices are not explicitly outlined in SLP's Erosion Control guidelines, however, the SLP Guidelines contain generic language that Best Management Practices (BMPs) to minimize erosion and or sedimentary and other pollutant discharges need to be identified. The SLP Guidelines do include some instruction for erosion control blanket and temporary sediment basins.

Overview: The SLP guidelines are not as detailed when it comes to what BMPs need to be addressed. Although these BMPs may be part of generic standards, the SLP Guidelines would benefit from additional detail to be as restrictive, or strict, when it comes to erosion control practices.

4. FINAL STABILIZATION AND EROSION CONTROL TIMING:

The table below compares the final stabilization and implementation timing requirements of the MCWD and SLP Guidelines.

Final Stabilization and Implementation Timing	MCWD Guideline	SLP Guideline
Soil Stabilization	Must be stabilized within 14 days; slopes along surfaces waters within 24 hours	Must be stabilized within 7 days; slopes along surfaces waters within 24 hours
BMP Implementation	Must be stabilized within 14 days	Must be stabilized within 7 days
Ditches, Swales & Outfalls	Must be stabilized within 24 hours	
Maintenance of BMPs	Maintenance required within 24hrs	Maintenance required within 24hrs

Overview: The SLP guidelines are *as strict* when it comes to final stabilization and implementation timing. Although SLP has a more restrictive soil stabilization timeline, the MCWD guidelines require that final/permanent stabilization should include six inches of topsoil or organic matter be spreads and incorporated into the underlying soil during final site treatment. This specification should be added to the SLP Guidelines.

SUMMARY:

Review of the MCWD and SLP erosion control guideline indicates that there are aspects of the SLP guidelines which require additional clarity and detail to be as meet MCWD guidelines and requirements. The table below lists a breakdown of the four criteria of the respective erosion control plans and how the SLP guidelines compare to that of MCWD and what should be included in the SLP Guidelines to meet the requirements outlined by MCWD.

SLP Guidelines compared to MCWD Guidelines				
Criteria	Less Strict	As Strict	More Strict	Additional Requirements Needed to meet MCWD Standards
Erosion Control Application Submittals	X			Require Inspection plan, Soils Engineering and Geology Reports
Exempted Activities			X	None.
Erosion Control Practices & Specifications	X			Request additional detail for required practices and specifications
Final Stabilization		X		Require a specification for including 6 inches of topsoil/organic matter for final stabilization

Overall, the MCWD Erosion Control Rule contains a lot more detail than the SLP guidelines; however, not all of these details make MCWD's requirements more restrictive. There are some minor additional details and requirements that would make the rule as restrictive as MCWD. However, at this time, the SLP erosion control guidelines are not as restrictive as the guidelines listed in the MCWD Erosion Control Rule.

ADDITIONAL REQUIREMENTS AND DETAILS:

To make the SLP erosion control guidelines equivalent to the MCWD erosion control guidelines, additional requirements and details need to be added. The following table provides suggestions based on the MCWD rule language on how to meet the requirements needed for each of the four erosion control criteria outlined in this memo.

Criteria	Additional requirements and details
Erosion Control Application Submittals	<p><i>Inspection plan:</i> An inspection and maintenance record should be retained with the erosion control plan and made available at the City's request within 24 hours. Records of each inspection and maintenance activity shall include:</p> <ul style="list-style-type: none"> • Date and time of inspections; • Name of person conducting inspections; • Findings of inspections, including recommendations for corrective actions; corrective actions taken (including dates, times and party completing maintenance activities); and • Date and amount of all rainfall events greater than 0.5 inches in 24 hours. <p><i>Soils Engineering and Geology Reports:</i> The report should include:</p> <ul style="list-style-type: none"> • Data and information obtained from the requested site investigation. • A description of the types, composition, permeability, stability, erodibility and distribution of existing soils on site. • A description of site geology. • Conclusions and revision, if any, to the proposed land-disturbing activity at the site or erosion control plan, including revisions of plans and specifications.
Exempted Activities	<i>None.</i>
Erosion Control Practices & Specifications	<p>The following are example details which could be referenced for the the erosion control plan and submittal:</p> <ul style="list-style-type: none"> • The site location in relation to surrounding roads, steep slopes, other significant geographic features, buildings and other significant structures. • Existing and final grades/contours, and the direction of flow for all pre- and post-construction runoff from the site. • Site property lines. • Identification and location of all existing and planned underground utilities, to be concentrated in corridors where safe, practical and feasible. • Identification of all receiving waterbodies and/or stormwater conveyance systems to which the site discharges. Specification of the Impaired or Special Management waters status of each receiving waterbody or conveyance system. • Identification and location of all onsite water features and facilities, including any lake, stream or wetland; any natural or artificial water diversion or detention area; any surface or subsurface drainage facility or stormwater conveyance; and any storm sewer catch basin. • Location of all trees and vegetation on site, with identification of that which is intended to be retained. Installation of protective fencing so as to exclude all fill and equipment from the drip line or critical root zone, whichever is greater, of all vegetation to be retained. • Location of buildings and structures on site. • Proposed grading or other land-disturbing activity including areas of grubbing, clearing, tree removal, grading, excavation, fill and other disturbance; areas of soil or earth material storage; quantities of soil or

	<p>earth material to be removed, placed, stored or otherwise moved on site; and delineated limits of disturbance.</p> <ul style="list-style-type: none"> • Locations of proposed runoff control, erosion prevention, sediment control and temporary and permanent soil stabilization measures, including, but not limited to: inlet protection, perimeter control, temporary and permanent soil stabilization, concrete wash areas, slope breaks, energy dissipation, rock construction entrance, silt curtains. • Detail showing the location of all areas where compaction is to be prevented and/or mitigated. These areas shall be protected from construction vehicle traffic where practical and feasible. These areas include but are not limited to: filtration and infiltration stormwater facilities and areas that are proposed to be permanently landscaped as greenspace. • The location of all onsite, existing and proposed stormwater management facilities, including, but not limited to: infiltration basins, bio-filtration basins, stormwater ponds, porous pavers, underground storage and swales. • Location of any wetland buffers on site (existing or to be established). <p>The following criteria could be referenced to be included in the plans and specification for all proposed runoff control, erosion prevention, sediment control and temporary and permanent soil stabilization measures:</p> <ul style="list-style-type: none"> • Plans and specifications shall conform to the provisions of "Stormwater Compliance Assistance Toolkit for Small Construction Operators" and/or the "2005 MN Stormwater Manual." (Minnesota Pollution Control Agency, 2004) • All erosion and sedimentation controls proposed for compliance with this rule shall be in place before any land-disturbing activity commences. • Plans shall provide that stockpiles of soil or other materials subject to erosion by wind or water shall be covered, vegetated, enclosed, fenced on the downgradient side or otherwise effectively protected from erosion in accordance with the amount of time the material will be on site and the manner of its proposed use. • Silt fence shall conform to Sections 3886.1 and 3886.2, Standard Specifications for Construction, Minnesota Department of Transportation (2000 ed.), as it may be amended. • Plans shall provide that all fabric fences used for erosion and sedimentation control and all other temporary controls shall not be removed until the City has determined that the site has been permanently re-stabilized and shall be removed within 30 days thereafter.
<p>Final Stabilization</p>	<p>The following specification should be added to the final stabilization requirements:</p> <ul style="list-style-type: none"> • Plans shall provide for permanent stabilization of all areas subject to land disturbance, retention of native topsoil on site wherever practical and feasible, and <i>specify at least six inches of topsoil or organic matter be spread and incorporated into the underlying soil during final site treatment wherever topsoil has been removed.</i>

