

SECTION 68 – SOIL EROSION AND SEDIMENT CONTROL

68.1 **Definitions:**

- 68.1.1 Certification means a signed, written approval by the Commission or its designated agent, that the soil erosion and sediment control plan complies with the applicable requirements of this regulation.
- 68.1.2 Development means any construction or grading activities to improved or unimproved real estate.
- 68.1.3 Erosion means the detachment and movement of soil or rock fragments by water, wind, ice and gravity.
- 68.1.5 Grading means any excavating, filling (including hydraulic fill) or stock-piling of earth materials or any combination thereof, including the land in its excavated or filled condition.
- 68.1.6 Inspection means the periodic review of sediment and erosion control measures shown on the certified plan.
- 68.1.7 Sediment means solid material, either mineral or organic, that is in suspension, is transported, or has been moved from its site of origin by erosion.
- 68.1.8 Soil means any unconsolidated mineral and organic material of any origin.
- 68.1.9 Soil Erosion and Sediment Control Plan means a scheme that minimizes soil erosion and sedimentation resulting from development and includes, but is not limited to, a map and narrative.

68.2 **Activities Requiring a Certified Erosion and Sediment Control Plan:**

Any proposal for development that will cumulatively create a disturbed area more than one-half acre in area on land being developed must have a Certified Erosion and Sediment Control Plan.

68.3 **Exemptions:**

The grading activities associated with the construction of a single family dwelling that is not part of subdivision will not require a Certified Erosion and Sediment Control Plan.

68.4 Erosion and Sediment Control Plan Submission:

68.4.1 To be eligible for certification, a soil erosion and sediment control plan shall contain proper provisions to adequately control accelerated erosion and sedimentation and reduce the danger from storm water runoff on the proposed site based on the best available technology. Such principles, methods and practices necessary for certification are found in the Connecticut Guidelines for Soil Erosion and Sediment Control, dated January 1985 as amended. Alternative principles, methods and practices may be used with prior approval of the Commission.

68.4.2 Said plan shall contain, but not be limited to:

A. A site plan map at a scale prescribed by the Commission revealing:

1. Existing and proposed topography.
2. Disturbed areas, identifying the extent of all clearing and grading activities.
3. Proposed area alterations, including proposed structures, utilities, roads and property lines.
4. Location of and detailed information concerning erosion and sediment control measures and facilities, which shall include:
 - a. Soil types;
 - b. Wetlands;
 - c. Watercourses;
 - d. Water bodies;
 - e. Design details and/or specifications;
 - f. Schedule of application/installation;
 - g. Application, installation and maintenance procedures;
 - h. Any storm water management facilities.

5. Subsections 68.4.2 B.2 and 68.4.2 B.3 below.

B. A narrative describing the:

1. Development project.
2. Application, construction details and maintenance program during and after installation of:

- a. Soil erosion and sediment control measures;
 - b. Any storm water management facilities.
3. Time schedule of:
- a. Development indicating the anticipated start and completion of the project;
 - b. The stages of creating and stabilizing disturbed areas grading operations;
 - c. Grading operations;
 - d. The elements of Subsection 69.4.2 B.2 above;
 - e. Other major construction activities.
4. Design criteria including soil characteristics of the site relevant to erosion and hydrology.
5. Background data, methodology and calculations used to design structural measures or facilities.
- C. Other information deemed necessary and appropriate by the Commission.

68.5 Minimum Acceptable Standards:

- 68.5.1 Overall planning for soil erosion and sediment control shall be performed using the principles as outlined in Chapters 3 and 4 of the Connecticut Guidelines for Erosion and Sediment Control, dated January, 1985, as amended. Planning shall result in a development that: minimizes erosion and sedimentation during construction; is stabilized and protected from erosion when completed; and does not cause off-site erosion and/or sedimentation. Planning shall consider off-site effects as well as on-site effects.
- 68.5.2 The minimum standards for individual measures are those in the Connecticut Guidelines for Erosion and Sediment Control dated January 1985, as amended. The Commission may grant exceptions when requested by the applicant if technically sound reasons are presented.
- 68.5.3 The appropriate method as shown in Chapter 9 of the Connecticut Guidelines for Erosion and Sediment Control, as amended, shall be used in determining peak flow rates and volumes of runoff unless as alternative method is approved by the Commission.

- 68.5.4 Planned erosion and sediment control measures shall be installed as scheduled according to the plan.
- 68.5.5 All control measure shall be maintained in effective condition to ensure the compliance of the certified plan.
- 68.6 Issuance or Denial of Certification:**
- 68.6.1 The Commission shall either certify that the soil erosion and sediment control plan, as filed, complies with the requirements and objectives of this regulation; or certify with limitations or modifications; or deny certification when the development proposal does not comply with these regulations or may cause hazards or damages adverse to the public safety and welfare.
- 68.6.2 The time limit for certification or denial of Soil Erosion and Sediment Control Plan shall be consistent with those stipulated in Chapters 124, 124a and 126 of the General Statutes. The Soil Erosion and Sediment Control Plan will be reviewed simultaneously with the development proposal.
- 68.6.3 The Commission or the certifying authority may forward a copy of the development proposal to the New Haven Soil and Water Conservation District for review and comment, in which event said Conservation District has thirty days upon receipt to reply with recommendations.
- 68.6.4 The Commission may forward a copy of the development proposal to the Conservation and/or Inland Wetlands Commission or other review agency/consultant for review and comment.
- 68.7 Conditions Relating to Soil Erosion and Sediment Control:**
- 68.7.1 The estimated costs of measures required to control soil erosion and sedimentation during and after development shall be covered in a performance bond acceptable to the Commission.
- 68.7.2 Site development shall not begin unless the soil erosion and sediment control plan is certified and those control measures scheduled prior to site development are installed and functional.
- 68.7.3 The Commission may require the applicant submitting the erosion and sediment control plan to certify in writing upon installation of control measures or facilities, that such controls were installed according to the plan.

68.8 Inspection:

Municipal inspections during development shall ensure compliance with the certified plan and that control measures are properly performed, installed and maintained.

68.9 Enforcement:

Enforcement of this regulation shall be carried out as specified under General Statute Section 8-12