

**Revise Section 11 of Chapter 2.05, "Stormwater Drainage Design Standards," as follows:**

## **Section 11. EROSION AND SEDIMENT CONTROL**

### **11.1 Purpose and Scope**

The purpose of the design standards for erosion and sediment control is to set forth standards for construction site stormwater discharges to meet the requirements of the Federal Clean Water Act, the Nebraska Environmental Protection Act, and the City of Lincoln ordinances adopted to meet State and Federal requirements. Chapter 9 of the City's Drainage Criteria Manual (DCM), which is adopted by reference in the Stormwater Drainage Design Standards, provides more detailed criteria and should be used as a reference to meet the standards of this section.

### **11.2 Construction Activity**

Construction Activity is defined in Lincoln Municipal Code Section 28.01.030 Regulations for Construction Site Discharges. Prior to any land disturbance associated with construction activity, a permit application must be submitted in the form of a Notice of Intent (NOI) to the Lower Platte South Natural Resources District (LPSNRD) on behalf of the City. The forms are to be submitted to the LPSNRD for authorization, and to the Nebraska Department of Environmental Quality for approval. The NOI must include a Construction Activity Stormwater Pollution Prevention Plan (SWPPP) with the information identified in Section 28.01.060 of the Lincoln Municipal Code and the Drainage Criteria Manual. The SWPPP must identify Best Management Practices (BMPs) to be implemented to control erosion, sedimentation, and pollutants. Chapter 9 of the City's DCM describes requirements for SWPPPs and provides specifications for a range of BMPs.

The Construction Activity SWPPP must be prepared and signed by a qualified individual such as a Professional Engineer, Landscape Architect, and/or Certified Professional in Erosion and Sediment Control (CPESC). If review comments are not received by the permittee within 10 business days after receipt of application by the LPSNRD, the application shall be deemed authorized. Prior to actual initiation of the construction activity, the applicant shall submit to the LPSNRD a Notice of Start of construction. Once the construction is complete in accordance with the design standards, the applicant shall submit to the LPSNRD a Notice of Termination.

### **11.3 Individual Site Construction**

Individual Site Construction is defined in Lincoln Municipal Code Section 28.01.030 Regulations for Construction Site Discharges. Prior to any land disturbance associated with individual site construction, a Mini Stormwater Pollution Prevention Plan (Mini-SWPPP) must be submitted to the permittee of the construction activity, and to the Director of Building and Safety to be filed with the building permit. The Mini-SWPPP must include the information identified in Section 28.01.070 of the Lincoln Municipal Code and be retained with the approved construction document. Chapter 9 of the City's DCM describes requirements for Mini-SWPPPs and provides an example of a Mini-SWPPP.

## **11.4 Criteria for Erosion and Sediment Control**

More specific criteria for meeting the Design Standards for Erosion and Sediment Control can be found in Chapter 9 of the City's Drainage Criteria Manual which, as amended, is adopted by reference and made a part of the Design Standards for Erosion and Sediment Control.

### **11.1 Purpose and Scope**

~~Require developers to submit and obtain approval of NPDES NOI and SWPPP before land disturbance or vegetation removal activities occur on any site equal to or greater than one acre in size. If the SWPPP has been prepared and signed by a licensed PE, Architect, Landscape Architect or prepared by an International Erosion Control Association Certified Professional in Erosion and Sediment Control (CPESC), the plan shall be automatically authorized. in accordance with the Manual and certified by a designated erosion control designer, the plan shall be automatically approved. If the plan is not prepared by a qualified erosion control designer, the plan shall be reviewed by the LPSNRD. If review comments are not received by permittee within 10 business days after receipt of application by the LPSNRD, the application shall be deemed approved. Require developers to submit start of construction notification (START) and end of construction (END) documents in accordance with City, State, and Federal requirements.~~

~~As one condition of approval, require a construction schedule which indicates installation of as many of the BMPs as are feasible before any land disturbing activity is conducted, including site grubbing. The schedule shall also indicate a plan to limit exposure of disturbed land to the shortest reasonable period of time. (Amended 6-2-03; Resolution No. A-82127).~~

### **11.2 General Guidelines for Controlling Erosion**

~~The following is a discussion of the general guidelines which shall be considered in developing an erosion and sediment control plan.~~

#### **11.2.1 Stabilization**

~~Permanent or temporary stabilization shall be completed within seven (7) calendar days to the surface of all perimeter sediment controls, topsoil stockpiles, and any other disturbed or graded areas on the project site which are not being used for material storage, or on which actual earth moving activities are being performed. Soil stockpiles should be stabilized or protected with sediment trapping measures to prevent soil loss.~~

#### **11.2.2 Permanent Vegetation**

~~A permanent vegetative cover shall be established on denuded areas not otherwise permanently stabilized.~~

#### **11.2.3 Protection of Adjacent Property**

~~Properties adjacent to the site of a land disturbance shall be protected from sediment deposition. This may be accomplished by preserving a well-vegetated buffer strip around the lower perimeter of the land disturbance, by~~

installing perimeter controls such as sediment barriers, filters or dikes, or sediment basins, or by a combination of such measures.

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#### **11.2.4 Timing**

Sediment basins and traps, perimeter dikes, sediment barriers and other measures intended to trap sediment on-site shall be constructed as a first step in grading and be made functional before upslope land disturbance takes place. Earthen structures such as dams, dikes and diversions shall be seeded and mulched within 7 days of installation.

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#### **11.2.5 Sediment Basins**

Stormwater runoff from drainage areas with 5 acres or greater disturbed area shall pass through a sediment basin or other suitable sediment trapping facility.

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#### **11.2.6 Cut and Fill Slopes**

Cut and fill slopes shall be designed and constructed in a manner which will minimize erosion. Consideration shall be given to the length and steepness of the slope, the soil type, upslope drainage area, groundwater conditions and other applicable factors.

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#### **11.2.7 Waterways and Outlets**

All on-site stormwater conveyance channels shall be designed and constructed to withstand the expected velocity of flow from a 2-year frequency storm with minimum erosion. Stabilization adequate to minimize erosion shall also be provided at the outlets of all pipes and paved channels.

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#### **11.2.8 Inlet Protection**

All storm drain inlets which are made operable during construction shall be protected so that sediment-laden water will not enter the conveyance system without first being filtered or otherwise treated to remove sediment.

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#### **11.2.9 Crossing Watercourses**

Construction vehicles should be kept out of watercourses to the extent possible. Where in-channel work is necessary, precautions shall be taken to stabilize the work area during construction to minimize erosion. The channel (including bed and banks) shall be restabilized as soon as in-channel work is completed. Where an active (wet) watercourse must be crossed by construction vehicles regularly during construction, a temporary stream crossing shall be provided. All necessary permits such as construction permits, excavation permits, Floodplain Development permits, Clean Water Act Section 404 permits, and others shall be obtained.

### ~~11.2.10 Disposition of Measures~~

~~All temporary erosion and sediment control measures shall be disposed of within 30 days after final site stabilization is achieved or after the temporary measures are no longer needed. Trapped sediment and other disturbed soil areas resulting from the disposition of temporary measures shall be permanently stabilized to prevent further erosion and sedimentation.~~

### ~~11.2.11 Maintenance~~

~~All temporary and permanent erosion and sediment control practices shall be maintained and repaired as needed to ensure continued performance of their intended function.~~

### ~~11.2.12 Stormwater Pollution Prevention Plan Requirements~~

~~Prior to any land disturbances or grading of any parcel equal to or greater than one acre in size the landowner/land developer shall prepare on forms provided by the City, a "Notice of Intent" (NOI) and a Stormwater Pollution Prevention Plan (SWPPP), following the requirements for an NPDES Permit Number NER 100000, "Construction Site Storm Water General Permit," and in conformance with City ordinances and design standards. An interlocal agreement between the City of Lincoln, the Lower Platte South NRD, and the Nebraska Department of Environmental Quality is in process that will allow approval of one permit application to meet the respective regulatory requirements. See the flow chart shown on Figure 9-18 of the Manual. (Amended 6-2-03; Resolution No. A-82127).~~