

Fairmont State University

Board of Governors

Policy No. 57

Erosion and Sediment Control (Construction Site Run-Off Control)

Effective Date: **June 19, 2014**

SECTION 1. PURPOSE/INTENT

During the construction process, soil is highly vulnerable to erosion by wind and water. Eroded soil endangers water resources by reducing water quality and causing the siltation of aquatic habitat for fish and other desirable species. Eroded soil also necessitates repair of sewers and ditches and the dredging of lakes. In addition, clearing and grading during construction cause the loss of native vegetation necessary for terrestrial and aquatic habitat.

As a result, the purpose of this Fairmont State University Board of Governors policy is to safeguard persons, protect property, and prevent damage to the environment within the campuses of Fairmont State University. This policy will also promote the public welfare by guiding, regulating, and controlling the design, construction, use, and maintenance of any construction activity that disturbs or breaks the topsoil or results in the movement of earth on land within Fairmont State University property. In addition, the intent of this Policy is to follow the West Virginia Department of Environmental Protection's requirements. In the event that an overlap or contradiction of the WVDEP requirements is found in this document, the state requirements shall govern.

SECTION 2. PLAN REVIEW AND APPROVAL

- A. Any construction activity, by an outside entity, resulting in a land disturbance of 5,000 sf or greater requires an Erosion and Sediment Control Plan to be submitted to Fairmont State University.

- B. Any construction activity resulting in a land disturbance of more than one acre requires a construction site plan review, accompanied by an Erosion and Sediment Control Plan. The construction plans and Erosion and Sediment Control Plan shall be reviewed by Fairmont State University to determine compliance with the West Virginia Erosion and Sediment Control Handbook and other criteria set forth within this "Erosion and Sediment Control Policy". In addition, demonstration of appropriate NPDES registration must be made to Fairmont State University prior to construction. Within 30 days after receiving the plans, Fairmont State University shall:

1. Approve the plan;
 2. Approve the plan subject to such reasonable conditions as may be necessary to secure substantially the objectives of this regulation;
 3. Disapprove the plan, indicating the reason(s) and procedure for submitting a revised plan.
- C. Failure of the University to act on an original or revised plan within 30 days of receipt shall authorize the applicant to proceed in accordance with the plans as filed unless such time is extended by agreement between the applicant and the university. The University **may** allow a project to proceed while comments are being addressed.
- D. Fairmont State University shall reserve the authority to review the plans at a Public Hearing/Meeting, allowing public comment on the proposed plans.

SECTION 3. EROSION AND SEDIMENT CONTROL PLAN

- A. The Erosion and Sediment Control Plan shall include the following:
1. A sequence of construction of the development site, including stripping and clearing; rough grading; construction of utilities, infrastructure, and buildings; and final grading and landscaping. Sequencing shall identify the expected date on which clearing will begin, the estimated duration of exposure of cleared areas, areas of clearing, installation of temporary erosion and sediment control measures, and establishment of permanent vegetation.
 2. All erosion and sediment control measures necessary to meet the objectives of this policy and the West Virginia Erosion & Sediment Control For Developing Areas Handbook throughout all phases of construction and after completion of development of the site.
 3. Seeding mixtures and rates, types of sod, method of seedbed preparation, expected seeding dates, type and rate of lime and fertilizer application, and kind and quantity of mulching for both temporary and permanent vegetative control measures.
 4. Provisions for maintenance of control facilities.
- B. Modifications to the plan shall be processed and approved or disapproved in the same manner as Section 2 of this policy.

SECTION 4. DESIGN REQUIREMENTS

1. Grading, erosion control practices, sediment control practices, and waterway crossings shall meet the design criteria set forth in the most recent version of the West Virginia Erosion & Sediment Control For Developing Areas Handbook, and shall be adequate to prevent transportation of sediment from the site to the satisfaction of Fairmont State

University. Cut and fill slopes shall be *no greater than 2:1*, except as approved by the University to meet other community or environmental objectives.

2. Clearing and grading of natural resources, such as forests and wetlands, shall not be permitted, except when in compliance with all other chapters of this Policy. Clearing techniques that retain natural vegetation and drainage patterns, as described in the West Virginia Erosion & Sediment Control For Developing Areas Handbook, shall be used to the satisfaction of Fairmont State University.
3. Clearing, except that necessary to establish sediment control devices, shall not begin until all sediment control devices have been installed and have been stabilized.
4. Erosion control requirements shall include the following:
 1. Soil stabilization shall be completed within *five days* of clearing or inactivity in construction.
 2. If seeding or another vegetative erosion control method is used, it shall become established within *two weeks* or the University may require the site to be reseeded or a non-vegetative option employed.
 3. Special techniques that meet the design criteria outlined in West Virginia Erosion & Sediment Control For Developing Areas Handbook on steep slopes or in drainage ways shall be used to ensure stabilization.
 4. Soil stockpiles must be stabilized or covered at the end of each workday.
 5. The entire site must be stabilized, using a heavy mulch layer or another method that does not require germination to control erosion, at the close of the construction season.
 6. Techniques shall be employed to prevent the blowing of dust or sediment from the site.
 7. Techniques that divert upland runoff past disturbed slopes shall be employed.
5. Sediment control requirements may include
 1. Settling basins, sediment traps, or tanks and perimeter controls.
 2. Settling basins that are designed in a manner that allows adaptation to provide long term storm water management, if required by Fairmont State University.
 3. Protection for adjacent properties by the use of a vegetated buffer strip in combination with perimeter controls

6. Waterway and watercourse protection requirements shall include
 1. A temporary stream crossing installed and approved by the relevant approval agency if a wet watercourse will be crossed regularly during construction
 2. Stabilization of the watercourse channel before, during, and after any in-channel work
 3. All on-site storm water conveyance channels designed according to the criteria outlined in West Virginia Erosion & Sediment Control For Developing Areas Handbook.
 4. Stabilization adequate to prevent erosion located at the outlets of all pipes and paved channels
7. Construction site access requirements may include
 1. A temporary access road provided at all sites
 2. Other measures required by the University in order to ensure that sediment is not tracked onto public streets by construction vehicles or washed into storm drains.

SECTION 5. INSPECTION

- A. Fairmont State University or designated agent shall make inspections of the erosion and sediment controls on a given construction site and verify that said controls have been installed and maintained per plan. The contractor must notify the Fairmont State University Project Manager prior to the following activities:
 1. Start of Construction/Installation of Sediment and Erosion Measures
 2. Modifications to the Erosion and Sediment Control Plan
 3. Stabilization of Site/Removal of E&SC Controls
- B. The permittee or his/her agent shall make regular inspections of all control measures in accordance with the inspection schedule outlined on the approved Erosion and Sediment Control Plan(s). The purpose of such inspections will be to determine the overall effectiveness of the control plan and the need for additional control measures.
- C. The University or its designated agent shall be permitted to enter the construction site as deemed necessary to make regular inspections to ensure the Erosion and Sediment Controls have been constructed and maintained per the approved plan. If the inspection reveals that the proper installation and/or maintenance of E&SC devices is not present on a site, Fairmont State University shall notify the contractor in writing that there are

deficiencies and that immediate action must be taken. The contractor will then have (14) days to fix the deficiencies before enforcement measures are taken.

SECTION 6. ENFORCEMENT

A. Stop-Work Order;

In the event that the contractor violates the terms of this Policy, neglects to carry out the approved plan, or implements grading in such a manner as to materially adversely affect the health, welfare, or safety of persons residing or working in the vicinity of the development site, and the contractor does not repair the deficiencies within 14 days of the written notice, Fairmont State University may issue a stop work order immediately.

B. Violation and Penalties:

In the event that the contractor does not repair the deficiencies within (14) days of the written notice, Fairmont State University may also;

- 1) Hire a separate contractor to correct the deficiencies. In the event that this takes place, Fairmont State University can then deduct the cost of the remedial work from the original contractor for the additional work, including administrative costs.

SECTION 7. SEPARABILITY

The provisions and sections of this Policy shall be deemed to be separable, and the invalidity of any portion of this Policy shall not affect the validity of the remainder.