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# **APPENDIX A**

## **EROSION CONTROL PLAN REQUIREMENT FOR ENCROACHMENT**

### **PERMIT APPLICANTS**

## Version 1.0 (12/20/10) **Erosion Control Plan Requirement Guide for Encroachment Permit Applicants**

### *The following information is recommended for permits submitted for review.*

The Mississippi Department of Transportation has implemented an environmental management program for all Department activities including Encroachment permits. In order to be better stewards of our environment and maintain compliance with the Environmental Protection Agency's Clean Water Act a site specific Erosion Control Plan (ECP) will be required for all permits that have 1 acre or more of soil disturbed and those with less than 1 acre if the work might cause erosion issues or is part of a larger plan of development. A more comprehensive plan is necessary for areas that disturb more than 5 Acres in the entire development not just on MDOT Right-of-Way (ROW). The most common types of permits that should include an ECP are the following:

- ▶ Large Developments;
- ▶ Work that involves a significant disturbance of soil, particularly work involving significant slope/grade changes;
- ▶ Major Utility installations;
- ▶ Construction activities including clearing, grading, filling and/or excavating
- ▶ All work that includes open trenching regardless of acreage disturbed.

The permit applicant shall submit an erosion and siltation control plan with the encroachment permit application for work that falls into one of the above listed categories or upon request of the District Permit Officer. The plan should utilize adequate temporary or permanent measures to provide acceptable controls during all stages of construction for areas that will affect MDOT ROW. This may include both the areas disturbed and adjacent to MDOT ROW. After the Department reviews the ECP, any deficiencies noted must be addressed prior to permit approval. The typical ECP should include the following:

1. A map of the area affected by the proposed work showing the following:

- Detail the Contours of the area
- Identify any ditches or streams with the direction of flow
- Indicate the total acreage disturbed for the entire project
- Depict all MDOT right of way lines

2. An ECP sheet or plan profile sheet indicating the location and type of any erosion control devices to be installed on the project site. Erosion control devices should be identified by exact type, temporary or permanent, configuration, and placement of each item to prevent erosion and siltation. MDOT is primarily interested in all areas within or adjacent to the ROW. However, it is helpful to include at least one drawing depicting the entire area under development.

3. A written narrative of the ECP. This can be brief. A phased plan is an effective approach that is recommended for most cases. The narrative should have detailed descriptions, including location (station numbers where applicable), and best management practices (BMP) that will be used to prevent siltation and erosion from occurring during the permit applicant's proposed sequence of operations. The sequence of operations is the order in which work is performed and includes but is not limited to, clearing and grubbing, excavation, drainage, and structures.

4. A permit from the Mississippi Department of Environmental Quality (MDEQ) is required by the applicant if the area disturbed is greater than 1 acre (entire area disturbed—not just MDOT right of way). Refer to the next section for contact information and definitions pertinent to an MDEQ permit. The requirement for coverage under the MDEQ small construction general permit (1-5 acres disturbed) is to have a Small Construction Notice of Intent (SCNOI) completed and maintained on file with an ECP. For sites in which more than 5 acres is disturbed a permit is issued by MDEQ.

For these cases, the applicant should provide either the completed SCNOI or the permit issued by MDEQ with the ECP for the site when the permit application is submitted for approval.

5. The plan should identify any wetlands that are impacted. The applicant agrees to fully comply with the United States Corp of Engineers' regulations for wetlands and to obtain any and all necessary permits prior to beginning any work on state maintained highway right of way.

6. Plan for the disposal of waste materials from the project right-of-way which may include but not be limited to the following:

- Containment and disposal of materials resulting from the cleaning (washing out) of trucks that deliver material to the project site;
- Containment and disposal of fuel/petroleum materials at staging areas on the project;
- Containment and removal of any spoil material(s)

Work shall not start until an ECP has been concurred with and the permit approved by the Department. In addition, site inspections will be performed as needed to ensure that any potential erosion issues are addressed properly and in a timely manner.

The erosion and siltation control plan shall be maintained on the project site at all times. The plan shall be updated as work progresses to show changes due to revisions in the sequences of construction operations, replacement of inadequate BMPs, and the maintenance of BMPs.

For larger projects it is recommended that the permittee consider having a certified Erosion Control Person whose duties include monitoring and maintaining the effectiveness of the ECP, BMPs, and compliance with the NPDES permit requirements.

The District Maintenance Engineer or his designee will have the authority to suspend all work and/or revoke the permit for failure of the Permittee to carry out provisions of MDEQ's Storm Water Construction General Permit, the ECP, updates to the ECP, and /or proper maintenance of the BMPs as applicable.

### ***Mississippi Department of Environmental Quality Information:***

The applicant agrees to assume the responsibility for obtaining any and all necessary storm water permits from the Mississippi Department of Environmental Quality (MDEQ) prior to beginning any work on state maintained highway right of way.

For more information regarding MDEQ Stormwater Permits you may go to their website at [www.deq.state.ms.us](http://www.deq.state.ms.us) , navigate to the Environmental Permits Division (EPD), Stormwater. The General Permits contains information regarding stormwater general permits. For specific questions about construction permitting, please contact someone in the MDEQ EPD Construction and Building Materials Branch at (601) 961-5171.

### ***Definitions:***

Total Area Disturbed (TAD) is the total acreage disturbed for the entire construction activity. The area disturbed on MDOT ROW may be less than one acre, however; MDEQ issues permits based on the total area disturbed for the entire project. Therefore, many permitted activities may already require coverage under an MDEQ general permit. The definitions below will help define the regulated areas.

- ▶ **Construction Activity:** The MDEQ general permit defines construction activity as defined in 40 CFR Part 122.26(b)(14)(x). This includes a disturbance to the land that results in the change in topography, existing soil cover (both vegetative and non-vegetative), or the existing topography that may result in accelerated storm water runoff, leading to soil erosion and movement of sediment into surface waters or drainage systems. Examples of construction activity may include clearing, grading, filling and excavating. Construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the site.
  
- ▶ **Small Construction Activity:** Construction activities disturbing one (1) acre to less than five (5) acres, or less than one acre if part of a "larger common plan of development or sale," where the total acreage is based on cumulative planned disturbance (*see definition below*).
  
- ▶ **Large Construction Activity:** Clearing, grading, and excavating resulting in a land disturbance that will disturb equal to or greater than 5 acres of land or will disturb less than 5 acres of total land area but is part of a larger common plan of development or sale that will ultimately disturb equal to or greater than 5 acres.
  
- ▶ **Larger Common Plan of Development or Sale:** A contiguous area where multiple separate and distinct construction activities are occurring under one plan. The plan in a common plan of development or sale is broadly defined as any announcement or piece of documentation (including a sign, public notice or hearing, sales pitch, advertisement, drawing, permit application, zoning request, computer design, etc.) or physical demarcation (including boundary signs, lot stakes, surveyor markings, etc.) indicating that construction activities may occur on a specific plot.

## **APPENDIX B**

**HERBICIDE/CHEMICAL USAGE YEAR 2013**

**FOR DISTRICTS WITH MS4 COUNTIES (2, 5, AND 6)**

## Herbicide/Chemical Usage 2013 for Districts with MS4 counties (2, 5, and 6)

<u>Product</u>	<u>District 2</u>	<u>District 5</u>	<u>District 6</u>	<u>Total (per product)</u>
Glyphosate (gal)	4235	1664	0	5899
Vanquish (gal)	0	0	0	0
MSMA (gal)	25	751	0	776
Plateau (gal)	20	94	72	186
2,4-D (gallons)	0	2689	77.5	2766.5
Garlon (gallons)	425	0	0	425
Krenite (gallons)	362	0	0	362
Surfactant (gal)	2832	545	371.5	3748.5
Arsenal (gal)	0	0	327.5	327.5
Adjuvants (qts)	0	0	0	0
Milestone (gal)	745	0	7.75	752.75
Glyphosphate 7% added Surfactant (gal)	0	0	365	365
Glyphosphate 14% added Surfactant (gal)	0	0	555	555
Roundup (gal)	0	0	0	0
Rodeo (gal)	0	0	0	0
Imazapyr (gal)	0	0	0	0
Capstone (gal)	0	0	180	180

Ground Zero(gal)	21.25	0	0	21.25
Methylated Seed Oil (gal)	0	0	76	76
<u>Total All Products (gal)</u>	8665.25	5743	2032.25	32603.75

Landmark (lbs)	0	406	0	406
Streamline (lbs)	0	0	0	0
Lorox (lbs)	0	0	0	0
Sahara (lbs)	0	0	0	0
Oust XP (lbs)	0	0	0	0
Perspective (lbs)	0	0	205	205
Oust(lbs)	1140	0	0	1140
Opensight(lbs)	0	277	0	277
Mojave (lbs)	0	500	0	500
<u>Total All Products (lbs)</u>	1140	1183	205	2528

Escort (oz)	932	636	1088	2656
Outrider (oz)	1340	0	380	1720
Oust (oz)	0	4867	1584	6451

Telar (oz)	0	138	612.5	750.5
Pastora (oz)	0	0	460	460
Perspective (oz)	0	0	9120	9120
<u>Total All Products (oz)</u>	2272	5641	13244.5	21157.5