



Marin County Stormwater Pollution Prevention Program

Construction Alert

Changes to Erosion and Sediment Control Requirements

Effective June 30, 2015, some active construction projects with soil disturbance must develop an Erosion and Sediment Control Plan and implement Best Management Practices (BMPs) year-round.

What projects are affected by the change? Grading Permit projects, Building Permit projects with enough soil disturbance to trigger the local grading ordinance/policy, and projects designated by your local agency must develop and implement an approved Erosion and Sediment Control Plan to protect local creeks. These new requirements will apply to new and existing permitted projects.

What are the current requirements? Contact your local municipality regarding requirements. All construction projects must comply with the current local urban runoff pollution prevention ordinance.

Why are the rules changing? The State Water Board requires local governments to work with construction contractors and property owners to ensure that only clean stormwater leaves construction sites. In 2013, the State adopted more stringent requirements that Marin's municipalities must enforce on private and public construction sites. The requirements went into effect as of June 30, 2015.

What do you need to do? Your local permitting agency will let you know if you need to develop and submit an Erosion and Sediment Control Plan (ESCP) and have it approved before receiving a permit. Large projects (≥ 1 acre of disturbed soil) can submit their Stormwater Pollution Prevention Plan (SWPPP) required by the State Construction General Stormwater Permit in-lieu of the ESCP.

What should be in the Erosion and Sediment Control Plan?

- Site plan which identifies the project's scope of work
- Choose and justify site-specific BMPs that will be implemented year round for the project
- Identify any other permits associated with the project, such as
 - State Water Board's Construction General Permit (≥ 1 acre of disturbed soil)
 - Army Corps of Engineers 404 Permit
 - State 401 Water Quality Certifications
 - California Department of Fish and Wildlife Streambed Alteration Agreements

The MCSTOPP ESCP Template, as well as additional information, are available at mcstoppp.org. Click on the 'Construction' button, then click on the drop-down for 'Erosion and Sediment Control Plans.'

Things to Remember!

- Most projects with disturbed soil that require a Building or Grading Permit must develop an Erosion and Sediment Control Plan (ESCP) and implement BMPs year-round.
- If an ESCP is required, a Building or Grading Permit will not be issued without written approval of the ESCP or Stormwater Pollution Prevention Plan.
- Prior to disturbing soil, provide evidence that all outside agency permits have been obtained.
- ESCP changes must be approved by the local permitting agency.
- Existing active projects must submit a revised ESCP for approval. These ongoing projects should continue implementing current BMPs/Erosion and Sediment Control Plans until their revised ESCP has been approved.