

**§490-M. Erosion control requirements for clay, topsoil, or silt excavations of less than 5 acres**

An excavation of less than 5 acres of land for clay, topsoil or silt must be conducted and reclaimed in accordance with the following standards. [PL 1995, c. 700, §34 (NEW).]

**1. Stabilization and control.** Sediment may not leave the parcel or enter a protected natural resource as defined in section 480-B. Properly installed erosion control measures must be in place before the excavation begins. Vegetative cover must be established on all affected land. Topsoil must be placed, seeded and mulched within 7 days of final grading. Permanent vegetative cover is acceptable for purposes of erosion control if, within one growing season of seeding, the planting of trees and shrubs results in a permanent stand or a stand capable of regeneration and succession sufficient to ensure a 75% survival rate and the planting of all materials in permanent 90% ground coverage. [PL 1995, c. 700, §34 (NEW).]

**2. Phases.** The excavation must be reclaimed in phases so that the working pit does not exceed 2 acres at any one time. [PL 1995, c. 700, §34 (NEW).]

**SECTION HISTORY**

PL 1995, c. 700, §34 (NEW).

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