**§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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