

Chapter 102 Requirements for farming activities

(a) For **agricultural plowing or tilling activities or for animal heavy use areas**, the following erosion and sediment control requirements apply:

- (1) The implementation and maintenance of E&S control BMPs are required to minimize the potential for accelerated erosion and sedimentation including for those activities which disturb less than 5000 sq. ft.
- (2) Written Erosion and Sediment Control (E & S) Plans are required for THE FOLLOWING ACTIVITIES THAT DISTURB 5,000 SQUARE FEET (464.5) SQUARE METERS) OR MORE OF LAND:
 - (i) agricultural plowing or tilling activities or for
 - (ii) animal heavy use areas [that disturb 5,000 square feet (464.5 square meters) or more of land].
- (3) The **landowner, and any lessee, renter, tenant or other land occupier, conducting or planning to conduct agricultural plowing or tilling activities, or operating an animal heavy use area, are jointly and individually responsible** for developing a written E & S Plan and implementing and maintaining BMPs, including those identified in the E & S Plan.
- (4) The E & S Plan shall include cost effective and reasonable BMPs designed to minimize the potential for accelerated erosion and sedimentation from agricultural plowing or tilling activities and animal heavy use areas.
 - (i) For agricultural plowing or tilling activities, the E & S Plan must, at a minimum, limit soil loss from accelerated erosion to the soil loss tolerance (T) over the planned crop rotation.
 - (ii) For agricultural plowing and tilling activities that will occur on fields with less than **25% PLANT COVER OR CROP RESIDUE** cover **and within 100 feet** of a river, or perennial or intermittent stream, additional BMPs shall be implemented to minimize accelerated erosion and sedimentation.
 - (iii) **For animal heavy use areas**, the E & S Plan must identify BMPs to minimize accelerated erosion and sedimentation. BMPs and their design standards are listed in the current amended and updated version of the appropriate National Resources Conservation Service (NRCS) conservation practice standards such as:
Heavy Use Area Protection, Critical Area Planting, Fencing, Wastewater Treatment, Strip, Constructed Wetland, Use Exclusion, Animal Trails and Walkways, Diversions, and Roof Runoff Structure.
- (5) **The E & S Plan** shall contain plan maps-
 - *soils maps that show the location of features including surface waters of this Commonwealth, and *drainage patterns,
 - *field and property boundaries,
 - *buildings and farm structures,
 - *animal heavy use areas, roads and crossroads, and
 - *BMPs;
 - *soils maps; and
 - *a description of BMPs including animal heavy use area practices and procedures,
 - *tillage systems,
 - *schedules, and crop rotations and cost effective and technically practical conservation measures. **The plan must be consistent with the current conditions** and activities on the agricultural operation.
- (6) The **E & S Plan must contain an implementation schedule**. The plan shall be implemented according to the schedule, and the BMPs shall be operated and maintained as long as there are agricultural plowing or tilling activities or animal heavy use areas, on the agricultural operation.
- (7) The portion of a conservation plan that identifies BMPs UTILIZED to minimize accelerated erosion and sedimentation from agricultural plowing or tilling activities, or from operation of animal heavy use areas, may be used to satisfy the E&S Plan requirements of this subsection if it meets the requirements of paragraphs (4)-(6).
- (8) The **E & S Plan shall be available for review and inspection at the [project site during each stage of the agricultural plowing or tilling activity] agricultural operation**.
- (9) Nothing in this section negates the requirements under other provisions of this chapter, such as those applicable to construction activities

Any building construction or manure storage must follow section Chapter 102.4 b = *1 acre or more of disturbance will require following the NPDES permitting guidelines.* - contact the District for guidance