

How are monetary fines determined? Are there different penalties for contractors who repeatedly fail (no longer eligible, etc.)?

**2. Erosion Control Plan
(PRACTICE: 2-2)**

- a. Objective: To limit and mitigate erosion and sedimentation through effective planning prior to initiation of construction and maintenance activities, and through effective contract administration during construction.
- b. Explanation: Land disturbing activities can result in short term erosion. By effectively planning for erosion control, sedimentation can be controlled or prevented. Within a specified period after award of a contract (presently 60 days prior to the first operating season in Timber Sale Contracts, per C6.3) the purchaser will submit a general plan which, among other things, sets forth erosion control measures. **This period varies for public works contracts. How specifically does it vary?** Erosion control plans are either included in contract clauses, specifications, and drawings, or are required as a submittal for review and approval. A contractor's plan includes proposed methods, materials, schedule, and on-site Erosion Control Supervisor. Operations or construction of public works cannot begin until the Forest Service has given written approval of the plan. The plan recognizes the mitigation required in the contract. A similar plan is required of miners and special use permittee's.

Force account work that includes land disturbance has an erosion control plan developed jointly between engineering, project manager, crew supervisor, and hydrologist, with Line Officer approval. **Materials, equipment and labor to in implement the plan are included in project budget.**

- C. Implementation: Design engineers develop detailed mitigation using an IDT. The detailed mitigations are reflected in contract specifications, drawings, and basic contract clauses. The intent of mitigation is to prevent construction-generated erosion, as well as that generated from the completed road, from entering watercourses. The requirements for local agencies, and regional State Water Quality Control Boards, may include more stringent requirements, including a restricted operating season, and mandated methods and/or materials. These, too, are incorporated into the erosion control planning for Forest Service projects. This practice is commonly applied to all road construction through contract clauses and specifications and will apply to road construction for timber sales, mining, recreation, special uses and other roadwork on NFS lands.

Erosion control monitoring for effectiveness during contract construction work is performed at varying intervals, usually as an incidental work item, by the contractor. Assurance is provided by COR and/or inspector. Contractor is encouraged to regularly check local weather predictions to events that could compromise erosion control measures, such as localized heavy thunderstorms. Operations may be suspended immediately if erosion control measures fail. Monetary fines may be passed on to contractors who fail to comply with approved erosion control plans or to make corrections to ineffective methods.

Contracted projects are implemented by the contractor or operator. Compliance with contract specifications and operating plans is ensured by the COR, ER, or FSR through inspection and feedback communication.