MINIMUM CONTROL MEASURE 4

Construction Site Stormwater Runoff Control

MCM 4: Construction Site Stormwater Runoff Control

(Permit Section: 19.1 - 19.16)

The City of Fergus Falls implements a construction site stormwater runoff control program to reduce pollutants in stormwater runoff to the City’s MS4 system from construction activity.

The table below provides a list of the construction site stormwater runoff control program best management practices (BMPs) implemented by the City of Fergus Falls.

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| BMP | Description |
| Construction Site Stormwater Runoff Regulatory Mechanism | The City of Fergus Falls has developed, implements, and will enforce a regulatory mechanism(s) to establish requirements for erosion and sediment controls and waste controls which are at least as stringent as the Agency's general permit to Discharge Storm water Associated with MPCA General Construction Activity NO. MN R100001. |
| Site Plan Review | The City of Fergus Falls has developed, maintains, and implements written procedures for site plan reviews to determine compliance with the requirements of the City’s regulatory mechanism(s).  |
| Public Input | The City of Fergus Falls has developed written procedures for the receipt and consideration of noncompliance reports and stormwater related input. |
| Site Inspections | The City of Fergus Falls has developed, maintains, and implements written procedures for site inspections to determine compliance with the requirements of the City’s regulatory mechanism(s). |
| Enforcement Response Procedures | The City of Fergus Falls has developed and implements Enforcement Response Procedures to enforce and compel compliance with the City’s regulatory mechanism(s). |
| Documentation | The City of Fergus Falls has developed and implements documentation standards, which are included throughout this document. |

MCM 4: BMP SUMMARY SHEET

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| BMP: Construction Site Stormwater Runoff Regulatory Mechanism |
| Responsible Person:      Position Title:       |
| BMP Description:The City of Fergus Falls has developed, implements, and will enforce a regulatory mechanism(s) to establish requirements for erosion and sediment controls and waste controls which are at least as stringent as the MPCA's most current Construction Stormwater General Permit (MNR100001)[[1]](#footnote-1).The City’s regulatory mechanism includes, but is not limited to, their Stormwater Management Ordinance and their Enforcement Response Procedure.The City will review and update their regulatory mechanism, permits, standards, policies, etc. as necessary to maintain an effective program. |
| BMP Activity Log |
| Date | **Description of Updates / Revisions** | **Notes** |
| 2021 | Review and update City ordinance to reflect 2020 General permit language |  |
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MCM 4: BMP SUMMARY SHEET

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| BMP: Site Plan Review  |
| Responsible Person:      Position Title:       |
| BMP Description:The City of Fergus Falls conducts a site plan review prior to the start of construction activity to ensure compliance with city regulations. Site plan reviews will be conducted in accordance with the City’s Stormwater Management Ordinance. Site Plan Review Procedures:Upon receipt of a proposed site plan submittal package to the City of Fergus Falls the following procedures shall be followed:1. The proposed site plan submittal information shall be directed to the city hall staff.
2. The city hall staff shall take the following actions:
	1. Forward the information to the appropriate entities for review and approval. This may include, but not limited to one or all of the following reviewing entities:
		1. City Administrator
		2. Building Inspector
		3. Planning and zoning staff
		4. City Engineer
	2. Oversee review process.
	3. Notify owner of approval, disapproval, or required resubmittal of site plan information.
	4. Ensure appropriate City permits are obtained or applied for prior to final approval of submitted information. This includes the need to apply and obtain coverage under the MPCA Construction Stormwater General Permit (MNR100001), if applicable.
3. The reviewing entities shall complete the following actions:
	1. Review submitted information against the City’s current ordinances.
	2. Provide written comments and recommendations of approval, disapproval and/or required resubmittal of site plan information to the City.
	3. Reviewer must utilize site plan review checklists, documentation standards, and procedures[[2]](#footnote-2).
4. Documented site plan review information shall include at a minimum the following:
	1. Project name.
	2. Location.
	3. Total acres to be disturbed.
	4. Owner and operator of the proposed construction activity.
	5. Proof of notification to obtain coverage under the MPCA Construction Stormwater General Permit, or proof of coverage already obtained.
	6. Any stormwater related comments and supporting completed site review checklist and other documentation used to determine project approval or denial.
	7. Any calculations used to determine compliance.
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| BMP Activity Log |
| Date | **Description of Updates / Revisions** | **Notes** |
| Ongoing | Site plan reviews completed prior to start of construction  | Documented with each individual development approval process |
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MCM 4: BMP SUMMARY SHEET

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| BMP: Public Input |
| Responsible Person:      Position Title:       |
| BMP Description:The City of Fergus Falls considers public input, both written and verbal forms, received at the annual public meeting and throughout the year. The City will review all input received for consideration and make modifications to the SWPPP when appropriate.The City will document all public input regarding the SWPPP. Documentation may include: summary of input received, summary of any responses and follow up actions by the City, and a description of any resulting SWPPP modifications.The City has develop procedures for documenting the receipt and consideration of public input, including: * Comments on the SWPPP and MS4 program.
* Reports of illicit discharges.
* Reports of non-compliance or other stormwater related information on construction activity.
* Reports of other stormwater related issues and/or topics.

Documentation of the City's Public Input procedures, templates, and reports can be found under MCM 2: Public Participation / Involvement. |
|  BMP Activity Log  |
| See MCM 2 for Public Input Information and Documentation |

MCM 4: BMP SUMMARY SHEET

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| BMP: Site Inspections |
| Responsible Person:      Position Title:       |
| BMP Description:The City of Fergus Falls has developed, maintains, and implements written procedures for conducting site inspections to determine compliance with the requirements of the City’s regulatory mechanism(s). Site inspections will be conducted in accordance with the City’s Stormwater Management Ordinance and this procedure.Site Inspection Procedures:1. Upon site plan and permit approvals by the City: the City Administrator shall take the following actions:
	1. Identify and notify the appropriate entities for completing site inspections during construction.

This may include, but not limited to one or all of the following entities:* + 1. City Staff
		2. Building Inspector
		3. City Engineer
	1. Oversee site inspection process.
	2. Implement the City’s Construction Site Stormwater Management Enforcement Response Procedures, when necessary.
1. The entities responsible for completing site inspections shall complete the following actions:
	1. Rate the site for priority of inspection based on topography, soil characteristics, type of receiving water, other site specific and local characteristics.
	2. Identify appropriate frequency for site inspections.

(Contractors are required to inspect sites as indicated in the approved SWPPP and current MPCA NPDES Construction Permit for sites over an acre)* 1. Complete site inspections necessary to help determine compliance with the approved SWPPP and site plans.
	2. Document Site inspections to include at a minimum:
	3. Date and time of inspection.
		1. Name of inspector.
		2. Project name and location.
		3. Type of inspection (routine, rain event, compliance report, etc.)
		4. Weather and site conditions.
		5. Findings of inspection & locations of non-compliance / violations.
		6. Corrective actions taken.
		7. Referrals to other regulatory organizations (if any)
		8. Recommended amendments to SWPPP, when applicable.
	4. Notify the City Administrator of non-compliant sites and violations.
	5. Inspector may utilize site inspection checklists, documentation standards, and procedures.
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|  BMP Activity Log  |
| Date | **Description of Update / Revision** | **Notes** |
| Ongoing | Site inspections completed on active construction sites | Documented with building and/or engineer inspections |
| 2021 | Revised site inspection form |  |
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MCM 4: BMP SUMMARY SHEET

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| BMP: Enforcement Response Procedures |
| Responsible Person:      Position Title:       |
| BMP Description:The City of Fergus Falls has developed and implements Enforcement Response Procedures (ERPs) to enforce and compel compliance with the City’s regulatory mechanism.  Construction Site Stormwater Management Enforcement Response Procedures:Once a construction site stormwater management violation has been identified the following enforcement response procedures shall be followed:1. Report violation to the City Administrator.
2. The City Administrator shall:
	1. Oversee that the appropriate measure are taken to promptly eliminate the violation.
	2. Evaluate the severity of the violation.
	3. Issue the appropriate enforcement actions / penalties.
	4. Oversee or direct the appropriate staff to oversee and verify compliance actions are completed.
3. The violation, enforcement, and actions taken to resolve the violation shall be documented including:
	1. Name of the person responsible for violating the terms and conditions of the regulatory mechanism(s).
	2. Date(s) and location(s) of the observed violation(s).
	3. Description of the violation(s), including reference(s) to relevant regulatory mechanism(s) requirements.
	4. Corrective action(s) including completion schedule.
	5. Date(s) and type(s) of enforcement used to compel compliance (e.g. written notice, citation, stop work order, withholding of local authorizations, etc.).
	6. Referrals to other regulatory organizations (if any).
	7. Date(s) violation(s) resolved.
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| BMP Activity Log |
| Date | **Description of Update / Revision** | **Notes** |
| Ongoing | Enforcement taken on noncompliant sites | Documented inspection documents |
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Documentation of Compliance

**(Permit Section: 19.15)**

Responsible Person:

Position Title:

The City of Fergus Falls’ standards for documentation will include the following as required in Section 19.15 of the general permit:

* Name of the person responsible for violating the terms and conditions of the permittee's regulatory mechanism(s)
* Date(s) and location(s) of the observed violation(s)
* Description of the violation(s)
* Corrective action(s) (including completion schedule) issued by the permittee
* Referrals to other regulatory organizations (if any)
* Date(s) violation(s) resolved.

MCM 4 Annual Assessment

**(Permit Section: 19.16)**

Responsible Person:

Position Title:

The City will annually assess its Construction Site Stormwater Runoff program to evaluate program compliance, the status of achieving the measurable requirements in Section 19, and determine how the program might be improved. The City must perform the annual assessment prior to completion of each annual report and document any modifications made to the program as a result of the annual assessment.

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| revision # | date | author | summary of changes |
| 1 | April 2021 | Tara Ostendorf | Original Document |
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1. Section 19.4: When a new Construction Stormwater General Permit is issued, the City has 12 months, if necessary, to revise the regulatory mechanisms to reflect any changes. [↑](#footnote-ref-1)
2. Permit Requirement Section 19.6 [↑](#footnote-ref-2)