



CITY OF DESTIN

EROSION AND SEDIMENTATION CONTROL INSPECTIONS PROGRAM MANUAL

City Policies and Standard Operating Procedures

MS4 Permit # FLR04E034, Element 4f, BMP 2

Original March 2016

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CHAPTER 1 – INTRODUCTION

This document describes the City of Destin’s Construction Site Runoff Inspection and Enforcement Program. The objective of this plan is to detail operating procedures for implementation of the stormwater erosion and sedimentation inspection program for construction sites discharging stormwater to the MS4. The activities in this plan address implementation requirements for Construction Site Runoff – Inspection and Enforcement. This plan applies to both public-operated and privately-operated construction projects discharging into the City’s MS4.

CONSTRUCTION SITES

All construction sites are inspected by the Public Services, Building, and Community Development Departments.

TIMING

FDEP requires at a minimum:

- **Prior** to Construction: Prior to commencement of development construction, staff must verify that all erosion controls are installed.
- **During** Construction: Staff inspects all sites at least once during active construction.
- **Post** Construction: Staff inspects all sites following active construction and prior to issuance of a Certificate of Completion or acceptance of infrastructure, as appropriate to the type of construction.

PRIORITIZATION

All construction sites regardless of size are considered a priority if they have the potential to discharge into environmentally sensitive areas (wetlands, beaches, etc.), waterbodies, or the City’s MS4. Sites are normally inspected monthly but at a higher frequency if deemed appropriate during the site plan review process, pre-construction meeting, or during any of the subsequent construction site inspections due to potential non-compliance issues, site specific concerns made by the public and/or contractor or staff, weather events, etc. Refer to Land Development Code (LDC) Article 11.09.03. for erosion control construction plan requirements. If a site meets any one of the following criteria, more frequent inspections are necessary:

- Sites larger than 10 acres
- Sites within impaired water bodies identified; if a site falls within that boundary, more frequent inspections are necessary.
- Sites that are near receiving waters or environmentally sensitive areas.
- Sites with potentially erodible slopes or soils.
- Sites that require dewatering.
- Sites operated by contractors with a history of non-compliance.
- Sites that receive complaints by the public.
- Any other factors that the inspector thinks are pertinent may justify more frequent inspections.

Inspections are conducted using the attached construction site inspection form. The intent of the inspection is to verify that Best Management Practices (BMPs) are performing and to document the inspections. All completed inspection forms are kept in the building file for each project and a copy provided to the Public Services office.

PERMIT NOTIFICATION AND VERIFICATION

Notification of the Environmental Resource Permit (ERP) and Construction Generic Permit (CGP) coverage is included as information below.

Any project that discharges pollutants into surface waters, a Municipal Separate Storm Sewer System (MS4), or other conveyance system may need a permit. Remember, discharges may involve stormwater runoff (non-point sources), or wastewater/drain discharges (point sources). Construction sites that disturb 1 acre or more are required to obtain a permit. Please contact the FDEP NPDES permitting section for more information and refer to FDEP document 62-621 .300 (4)(a). It is the business owner, manager, and landowner's responsibility to ensure that work is properly permitted. Failure to comply with these rules may result in fines and stop work orders.

Where do I apply for an NPDES permit, or get more information?

For Non-Point Source (Construction) Permits information, please contact the FDEP Tallahassee office at (850) 921-9904 or refer to the FDEP website: www.dep.state.fl.us/water/nonpoint/ and <https://floridadep.gov/water/stormwater>. For more information: <https://www.epa.gov/npdes>.

Who is responsible for the permit?

The contractor, owner, and operator will be responsible to ensure that proper permits are obtained for the business, industry, or construction practice that will be occurring. The liability for following permit criteria may be split between each involved party, but primarily rests upon the party who has direct authority over the construction site and Best Management Practices (BMPs).

City Stormwater Requirements

The City requires construction projects to comply with the minimum standards established by the City's Land Development Code LDC, Article 10.03.00 and erosion control requirements are found in LDC Article 11.09.03. Subdivision construction plans and supporting data, including the disposition and treatment of stormwater, are required for approval must be prepared according to City Code, and must be submitted for review and approval by the City Engineer. For more information regarding the City's Stormwater requirements, contact the Engineering Division at (850) 837-4242. The State of Florida requires local agencies to require that all construction sites that disturb less than 1 acre to create and maintain a Stormwater Pollution Prevention Plan (SWPPP). The city developed a version of the SWPPP that meets the minimum requirement called an Erosion & Sediment Control Plan (ESCP).

State Requirements

There are multiple State permits and requirements for projects. The aforementioned websites should provide assistance to comply with state requirements. The FDEP has a Generic Permit for Stormwater Discharges from Construction Activities (CGP). There are also Environmental Resource Permits (ERPs) and Dewatering Permits which are given by the FDEP and the Northwest Florida Water Management District, NFWFMD. For more information please contact the NFWFMD and the FDEP. Construction sites that disturb 1 acre or more are required to create and maintain a Stormwater Pollution Prevention Plan (SWPPP).

The State Process

The following process should occur for compliance with stormwater permit coverage:

- Obtain permit coverage under the ERP and the City's construction permitting process.

- Obtain copies of the CGP and the Notice of Intent (NOI) from FDEP, carefully read and complete them, and develop a Stormwater Pollution Prevention Plan (SWPPP).
- Complete and submit a Notice of intent (NOI) to the FDEP and send a copy to the City's Engineering Department for sites of 1 acre or more.
- Reapply for permit coverage every five years as needed or file a Notice of Termination (NOT) upon completion of work.

This process may be changed or updated by the FDEP & NFWFMD.

CHAPTER 2 – STANDARD OPERATING PROCEDURE FOR CONSTRUCTION SITE; EROSION & SEDIMENTATION CONTROL INSPECTIONS

PURPOSE

Provide standardized procedures for effective construction site erosion and sedimentation control inspections. The procedures outlined here will provide a generic framework for all construction site erosion and sedimentation control inspections within the city limits. However, if some construction sites offer unique circumstances, procedures may be adjusted to fit the merits of the site conditions.

Generally, inspection procedures should follow the guidelines discussed in the Florida Stormwater Erosion and Sedimentation Control Inspector's Manual published by the Florida Department of Environmental Protection. At a minimum, all construction site erosion and sedimentation control inspections should comply with the following:

Inspector Qualifications

All inspectors must be certified through the Florida Stormwater Erosion and Sedimentation Control Inspectors program administered through the Florida Department of Environmental Protection. Refresher training shall be provided annually or as needed.

Inspection Checklist

The standard inspection form will be used for all erosion and sedimentation control inspections. The standard form includes a site inspection checklist. Completed forms are archived in the project building file or in the respective departmental databases.

Compliance

Erosion and sediment control requirements are performance oriented. This means BMPs must be effective in controlling erosion and preventing sediments from reaching regulated receiving waters for the site to meet compliance. Following an approved plan and installing controls properly may not be enough. The responsible party must ensure that additional measures are installed to correct problems and may have to correct adverse environmental impacts. At a minimum, inspectors must:

- Certify all erosion and sediment control measures and other BMPs in the approved plan have been properly installed and maintained.
- That erosion is being controlled.
- That offsite sedimentation is being prevented.
- That no turbid water is present in receiving waters.
- If the inspector finds deficiencies, then the site operator should be contacted immediately to bring the site into compliance as quickly as possible.

Inspection Procedures

The following considerations should be addressed for each site inspection, where applicable:

- Ensure the project has an approved permit and Stormwater Pollution Prevention Plan or the Erosion and Sedimentation Control Plan.

- Note where water enters and leaves the site. Determine the direction of flow, the watershed where the project is located, and the receiving waterbodies.
- Note critical or sensitive areas, such as wetlands, streams, conservation easements, pipe outlets, significant slopes, etc., that may border the site. These areas must be well-protected from impacts.
- Ensure erosion control plans provide a sequence for installing construction BMPs with measures for one phase being installed before grading of the next phase begins.
- If long periods of inactivity are expected, temporary seeding or other temporary soil stabilization may be required.
- Ensure all potential discharge points (wetland boundaries, stormwater outfall structures, construction entrances, project perimeter, etc.) are protected with sufficient BMPs to prevent sediments, turbidity, and pollutants from entering and impacting receiving waters.
- Ensure maintenance plans are adequate and that they clearly specify whether general contractor, subcontractor, or construction manager will conduct inspections and maintenance.
- Ensure borrow, stockpile, and waste storage areas are protected with sufficient BMPs.
- Document all findings in the inspection report.

NOTE: If dirt or turbid water is leaving the site in any way, the site is out of compliance and BMPs must be implemented to stop it.

PERFORMANCE MEASURES

Inspection Reporting

- It is anticipated that there will a minimum of three (3) inspections for every permitted development project.
- It is anticipated that there will be at least three (3) to six (6) inspections (average one per month) completed as a matter of course in the “During Construction” phase.
- Stormwater Inspectors will utilize the City of Destin Sediment and Erosion Control Inspection Checklist and completed copies will be maintained in the corresponding building files.
- Violations and subsequent resolutions will be recorded and tracked for NPDES reporting.

For additional information, please see the guidance provided in the Florida Stormwater Erosion and Sedimentation Control Inspector’s Manual published by the Florida Department of Environmental Protection and Erosion and Sediment Control Designer and Reviewers Manual published by the Florida Department of Transportation.

CHAPTER 3 – ENFORCEMENT PROCEDURES

The following represents the normal path of enforcement measures on the identified construction projects.

Subdivision Infrastructure, Commercial/Multifamily Site:

- First verbal warning to the violator giving 48 hours to correct the problem.
- If not correct within 48 hours, then a written “Correction Notice” will be issued. The violator is given 48 hours to correct the problem.
- If not correct within 48 hours, then a “Stop Work Order” will be issued, and other regulatory agencies may be notified as well.
- If not correct within 48 hours, then a “Notice of Violation” will be issued. If this stage is reached, City of Destin Code Enforcement will process the property owner to appear before the Special Magistrate as identified in the City of Destin Land Development Code.

Utility Projects:

- First a “Correction Notice” will be issued to the contractor. They will be given 48 hours to correct the problem.
- If the problem has not been corrected within 48 hours, then a “Stop Work Order” will be issued. If this stage is reached, other regulatory agencies may be notified as well. Work will not continue until the issue is resolved.

Residential Structures:

- First a verbal warning is given to the violator giving 48 hours to correct the problem.
- If problem is not corrected within 48 hours, then a “Correction Notice” will be issued. The violator is given 48 hours to correct the problem.
- If the problem has not been corrected within 48 hours, the City Building Official will be asked to suspend all inspections and Certificate of Occupancy will be withheld until all violations are corrected. If this stage is reached, other regulatory agencies may be notified as well. Deficiencies and corrective actions are documented on Erosion Control Inspection forms and in Daily Reports from Inspectors.
- If not corrected within 48 hours, then a “Notice of Violation” will be issued. If this stage is reached, Code Enforcement will process the property owner to appear before the Special Magistrate as identified in the LDC.

References

Florida Department of Environmental Protection

http://www.dep.state.fl.us/water/watersheds/assessment/2002_303d_update.htm