

CITY OF MADISON - ENGINEERING DIVISION
STANDARD OPERATING PROCEDURE



EROSION CONTROL PERMITTING, INSPECTION, AND ENFORCEMENT

Revision Date: December 16, 2020

A. BACKGROUND

Soil erosion and uncontrolled stormwater runoff from land disturbing activities have significant adverse impacts on region water resources. Madison General Ordinances Chapter 37 defines land disturbing activities and requires adherence to the conditions of an erosion control permit.

The City of Madison Engineering Division administers the erosion control permit program and in doing so regulates erosion and stormwater runoff. All sites subject to the City's erosion control permitting requirements are inspected and enforced for compliance in accordance with this Standard Operating Procedure (SOP).

B. EROSION CONTROL PERMITS

1. Overview

Land disturbing activities that meet the criteria laid out in Madison General Ordinances Chapter 37 are subject to erosion control (EC) requirements and must be permitted with the City Engineering Division. Erosion control permit applications are reviewed to ensure the plans can be implemented in a way that will help to prevent and reduce sediment discharge from the site while land disturbing activities are taking place.

2. Permit Conditions

- i. Erosion and sediment control measures are to be installed prior to any land disturbing activities.
- ii. A Professional Engineering currently licensed in the State of Wisconsin shall certify the initial installation of the erosion control measures/best management practices (BMPs) shown on the approved erosion control plan.
- iii. All BMPs installed for erosion control shall be in accordance with the applicable Wisconsin DNR Conservation Practice Standards.
- iv. Throughout the duration of the construction project/land disturbing activities, inspection and reporting are required, as described below.
- v. Within ten days of completion of the project or site stabilization, the applicant shall submit a Notice of Termination.

3. Inspection and Reporting

- i. Required inspection:
 - a. An inspection shall be conducted a minimum of once per week and also after every 24-hour rain event of 0.5" of precipitation or more.
 - b. Inspect the condition of all erosion control BMPs that have been installed on site and ensure that sediment is not being discharged from the site or that discharge is being mitigated to the greatest degree possible.
 - c. Inspections are performed by an Authorized Inspector that is designated by the Permit Holder and has set up an online reporting account with the City.
- ii. Required reporting:
 - a. The results of each required inspection shall be reported online through the account that the Authorized Inspector set up with the City.
 - b. Weekly reports need to be filed prior to 6 AM on Monday for the preceding week and post-rain reports need to be filed within 24 hours of the rainfall that triggered the inspection.
 - c. The report is filed as "passed" if all BMPs were in proper working condition at the time of inspection.

- d. The report is filed as “maintenance required” if any BMPs were in need of repair or maintenance at the time of inspection.
- e. Photo documentation should be submitted with the report.
- iii. Repairs and maintenance:
 - a. Any BMP on the site that requires attention shall be repaired or maintained within 48 hours of the issue arising.
 - b. BMPs shall be kept in proper working condition throughout the duration of the project.
 - c. Examples of common repair/maintenance activities include, but are not limited to: adding stone to trackout controls, emptying inlet protection, clearing sediment from perimeter controls, or repairing or replacing failed inlet/perimeter protection.
 - d. Maintenance also includes sweeping tracked or accumulated sediment from the street and gutters at a minimum of once daily or more frequently if conditions dictate.

C. PERMIT COMPLIANCE

1. Permit Issuance

- i. Erosion control plans are reviewed for consistency with standards.
- ii. The permit application is processed and entered into Accela Civic Platform, the City’s cloud based permitting platform.
- iii. When the permit is issued to the applicant, they are notified of permit conditions and reporting requirements. They are also provided a copy of the City’s EC Enforcement SOP (see Appendix A).

2. Site Inspections

- i. All sites with an active erosion control permit are inspected by City of Madison staff a minimum of once every three weeks as an audit of the inspection reports filed by the permit holder’s Authorized Inspector.
- ii. Property owner, permit applicant, and Authorized Inspector(s) are notified via email of required maintenance depending on the condition of the site during the visit.
 - a. The notification email provides a deadline by which maintenance needs to be completed, which is generally within 48 hours of the notice. Earlier completion of maintenance can be required if conditions dictate (e.g. sweeping before impending rain).
 - b. The notification requests that pictures are sent to the City inspector after maintenance is completed. If the City doesn’t receive correspondence or the pictures suggest the maintenance is incomplete, a follow up inspection will be conducted.
 - c. A failed follow up inspection results in an additional warning or a citation, depending on previous performance of the site. In either case, additional correspondence is made until the site is brought back into compliance.
- iii. City inspections help ensure the site is regularly being maintained to the expected standards.
- iv. Pictures are taken of each site to document locations requiring maintenance and track the progress and performance of the site over time.
- v. Inspections provide an opportunity to verify that erosion control BMPs were installed as indicated on the erosion control plan, that they are maintained properly throughout the duration of the project, and to determine if additional controls are needed.

3. Enforcement

- i. Reporting violations are instances of missed filings of required inspections, as described above.

- ii. Field violations are instances where a significant sediment control failure has occurred due to lack of maintenance or proper installation of BMPs. This also includes maintenance/repair notifications that have not been addressed in a timely manner.
- iii. Citations can be issued to the property owner/permit holder for repeated reporting or field violations.

4. Permit Closure

- i. When construction is completed and the site is stabilized (e.g. seeded & matted, paved, landscaped) the permit status will be changed to Inactive and regular reporting is no longer required.
- ii. Permit closure can be requested once the site is restored and vegetation has been established to 70% cover or better.
- iii. Submit Notice of Termination (NOT) form and pictures of the site to City Engineering; remove all erosion control BMPs.
- iv. City Engineering will make a follow up visit to ensure that the site is vegetated and BMPs have been removed. Permit will be closed when site satisfies all closure conditions.

5. Records Locations

- i. Permits – Permits are issued and recorded through the City’s cloud based Accela Civic Platform.
- ii. Inspection Checklist – Inspections are logged online through the Accela Civic Platform and failed inspections result in automatic email notifications to the property owner, permit applicant, and Authorized Inspector(s).
- iii. Inspection Photos – site photos taken by City inspectors to document permit violations are saved on the City’s network: F:\Encommon\EROSION & SWM\Erosion Control.
- iv. Correspondence – Notifications are sent to permit holders and the City’s erosion control permits email account (e5@cityofmadison.com).
- v. Citations – Citations are issued and recorded through the City’s cloud based Accela Civic Platform.

6. Key Personnel

Name	Jurisdiction	Title
Daniel Olivares	Reviews permit applications; inspects Central-city EC sites	Engineer
Megan Eberhardt	Reviews permit applications; inspects sites as needed	Engineer
Matt Allie	Inspects East-side EC sites	Engineer
Lucas Wardell	Inspects West-side EC sites	Engineer
Greg Fries	Receives reports of major issues	Deputy City Engineer
Janet Schmidt	Receives reports of major issues	Principal Engineer – Stormwater Utility

D. TRAINING

- 1. The City of Madison and Madison Dane County Public Health staff give annual training on erosion control and illicit discharge standards, implementation, and inspection to Public Works staff.
- 2. Training equips staff from various City agencies and utilities with the knowledge to identify and address erosion control problems and design or install effective erosion control BMPs.

APPENDIX A: CITY ENGINEERING EROSION CONTROL ENFORCEMENT SOP

Recorded Training

<https://media.cityofmadison.com/Mediasite/Play/d0481be54beb4755b960da830b6fe92e1d>