

10-6-27: EROSION CONTROL REQUIRED:

(A) A property owner or contractor who removes substantial vegetative growth for any reason including landscaping, excavates for a building foundation or other purpose, or adds soil or other fill on property within the city shall adhere to erosion control measure standards and specifications contained in the Minnesota pollution control agency publication "Protecting Water Quality In Urban Areas", as may be amended, the City of Farmington comprehensive plan and official controls, the general permit authorization to discharge stormwater associated with construction activity under the National Pollutant Discharge Elimination System/State Disposal System permit program permit MN R100001 (NPDES general construction permit) issued by the Minnesota Pollution Control Agency, August 1, 2008, as amended, for projects disturbing more than one acre, and any applicable water management plan of the city or other governmental units. Except as other measures are required by the above documents and plans, property owners and contractors shall take the necessary precautions, outlined below, to prevent soil erosion, damage to adjacent property and control of surface water runoff. The city may impose additional erosion control requirements if, in the opinion of the City Engineer or designee, said measures are necessary to protect adjacent properties and manage surface water runoff. (Ord. 009-603, 3-16-2009)

1. No land shall be developed and no use shall be permitted that results in water runoff causing flooding, erosion, or deposit of sediment on adjacent properties. Such runoff shall be properly channeled into a storm drain, watercourse, ponding area, or other public facilities subject to the review and approval of the City Engineer or designee. Appropriate erosion control measures shall be taken throughout the construction process. They include, but are not necessarily limited to, the use of erosion control fences, wood fiber blankets, rock construction entrances, seeding and/or mulch. Other techniques or combinations of the above may be used. The erosion control measures shall be maintained and repaired throughout construction and until such time as the property has been either sodded or a seeded vegetative cover has taken hold. All temporary erosion control devices including silt fence, gravel, hay bales or other measures shall be removed from the construction site and properly disposed of or recycled. This removal and disposal must occur within thirty (30) days of the establishment of permanent vegetative cover on the disturbed area. Final stabilization of the site must be completed in accordance with the NPDES general construction permit requirements.
2. Proposed erosion control measures may be approved by the City Engineer, or designee, as part of site plan, landscaping or grading plan reviews. Erosion control may be specified by the City Engineer, or designee, as part of a site survey for individual building permits or other city approvals. Erosion control measures may also be specified by the City Engineer, or designee, as needed and deemed appropriate during the construction and post construction periods for permitted or unpermitted activities separate from the above.
3. No dirt piles or soil banks shall remain exposed without a protective cover to prevent erosion for a period longer than seven (7) days. No soil surface shall remain exposed without seeding, if allowed, or sodding or by mulching or covering or other equivalent control measure for a period longer than seven (7) days. Seed shall be a blend of rye grass or other fast germinating seed in addition to perennial grasses suitable for the soil and the exposure of the area to sunlight. All seeded areas shall be mulched and disk anchored, or covered with a Minnesota-Department of Transportation approved fiber blanket, as necessary for erosion protection and seed retention. The contractor should recognize that time is of the essence in controlling erosion.

4. Mud, dirt, or other sediment carried onto city streets, trails or adjacent properties from the building site shall be removed by the property owner or contractor prior to the close of each workday. If cleanup of the mud, dirt or other sediment is not carried out as required above, the City Engineer, or designee, may direct city crews and/or contract a third party to complete the cleanup and bill the property owner or contractor for all associated costs, or deduct these amounts from any required bond or security. Unpaid charges will be certified by the city for collection with taxes and no city license, permit, or other approval shall be issued for the property while any charge is outstanding.
5. All on site stormwater conveyance channels shall be designed and constructed to withstand the expected velocity of flow from a 10-year frequency storm without erosion.
6. Failure to comply with any of the above requirements will result in the issuance of a stop work order halting construction until the project area is brought into compliance. Failure to remedy the situation within a reasonable time determined by the City Engineer or designee will result in the issuance of a citation for violation of this section. Failure to have erosion control measures in place may also result in denial of a certificate of occupancy for the structure under construction.
7. The Vermillion River Watershed Joint Powers Organization may at their discretion use turbidity measurements as an indicator of potential noncompliance with these standards. If NTU measurements taken at a point of site stormwater discharge exceeds fifty (50) NTUs (25 NTU for trout stream) a construction erosion control inspection of the site shall be completed. Enforcement procedures and time frames to correct noncompliant conditions shall be as specified by these standards and NPDES general construction permit. Exceedance of the turbidity indicator alone shall not constitute noncompliance. Sampling and analysis of turbidity shall be completed as follows:
 - (a) Samples should be taken from the horizontal and vertical center of the outflow, and care should be taken to avoid stirring bottom sediments.
 - (b) A written narrative of site specific analytical methods and conditions used to collect, handle and analyze the samples will be completed and kept on file, and a chain of custody record kept if the analysis is performed at a laboratory.
 - (c) All sampling shall be collected by "grab samples" and the analysis of these samples must be conducted in accordance with methodology and test procedures established by EPA method 180.1 or standard method 2130B.d. Other sampling protocol include:
 - (1) Sample containers should be labeled prior to sample collection.
 - (2) Samples should be well mixed before transferring to a secondary container.
 - (3) Sample jars should be cleaned thoroughly to avoid contamination.
 - (4) Sampling and analysis of receiving waters or outfall below the minimum detection limit should be reported at the detection limit. (Ord. 008-593, 12-1-2008)