

**BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM REQUEST FORM**

**(Agenda Items are due Thursday by 5:00 p.m., twelve (12) days prior to the Board meeting)
“Agenda Item Request Forms”(Place Holders) without a Memo and/or supporting documentation will
not be accepted and will not be placed on the Agenda for Board Approval**

Important:

- 1. Pursuant to the Board’s adopted Purchasing Policy 70.10(10), all contracts and agreements must be reviewed and signed by the Board Attorney, County Administrator, General Services Department, Risk Management, Budget Officer, and in some cases, the County Engineer before submitting them by the Draft Agenda Due Date. Any contracts or agreements missing the aforementioned signatures will be returned to the person submitting the request and not placed on the Agenda. Do not leave any signature line blank.**
- 2. Format and Style: Times New Roman, 12 point font. (A minimum of 11.5 point is permissible in order to fit the item on one page.) For Date of Action Requested, Presenter, Subject/Title, and Recommended Action use BOLD and ALL CAPITALIZED LETTERS. Justify all paragraphs with no paragraph indentations and one space between paragraphs.**
- 3. All back up documents should be submitted on 8 ½” X 11” and unbound. Plans, Maps and other Legal size back up documentation should be reduced to letter size in the Agenda Package, with the original size document(s) attached to the back of the Agenda Package.**
- 4. PowerPoint presentations are a public record and must be included as an attachment to the Agenda Item and submitted with the Agenda Item for the appropriate due date. In addition, submit all PowerPoint presentations in electronic format to the Public Information Officer for review no later than 4:00 p.m. on the Friday prior to the Tuesday meeting.**

Constitutional Officers Recognitions, Presentations & Proclamations
 Consent Workshop Action Meeting of the Districts

MEETING DATE TO BE PRESENTED: JANUARY 6, 2015

AGENDA ITEM NAME:

**PRESENTATION ON THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
(NPDES) PHASE II PERMITTING EFFORTS**

PRESENTER: RAMON D. GAVARRETE, P.E.

Approximate time needed: 20 minutes

Are special speakers expected? (x) yes () no

Name and agency: Chris Murphy, P.E., CivilSurv Design Group, Inc.

Regular Board meeting (x) Special meeting () Public Hearing ()

Original Documents larger than 8 ½” X 11” are attached to the back of the Agenda Package and have been reduced to letter size in the appropriate place of the Agenda Item.

Number of duplicate original contracts, agreements, or documents to be executed. Please specify specific instructions as necessary.

HIGHLANDS COUNTY
COUNTY COMMISSION AGENDA ITEM

DATE OF ACTION REQUEST: JANUARY 6, 2015

PRESENTER: RAMON GAVARRETE, P.E. COUNTY ENGINEER

SUBJECT/TITLE: PRESENTATION ON THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PHASE II PERMITTING EFFORTS.

STATEMENT OF ISSUE

On March 27, 2014, the County issued the Task Order Authorization (TOA) No. 4 to CivilSurv Design Group, Inc. to prepare the FDEP NPDES Phase II Notice of Intent (NOI) to use the Generic Permit for Discharge of Storm water from Phase II Municipal Separate Storm Sewer Systems (MS4) (DEP form 62-621.300(7)(b)) for filing by the County, the City of Sebring and City of Avon Park. These services extended to coordination and consultation with staff from the County and the City of Sebring & City of Avon Park as co-permittees during preparation of the NOI form, the associated MS4 Stormwater Management Program plan, and other supporting documentation that was required by FDEP for the initial NOI filing.

The County and the Cities of Sebring and Avon Park were mandated to meet the NPDES Phase II (MS4) reporting requirements based on the 2010 U.S. Census. This requirement is yet another Federal/State unfunded mandate that will impact development permitting and, eventually, County and City maintenance operations cost. In order to obtain the NOI process, coordination was necessary between the County and the cities of Sebring and Avon Park. Several meetings were held to ensure compliance with the program, with minimum permit requirements.

CivilSurv has now been engaged by the County under TOA No. 5 to prepare supporting program materials required for compliance with adherence to the FDEP approved SWMP which is part of the Phase II NPDES permit. The program materials to be prepared by the CivilSurv include public education materials, training materials, standard operating procedures (SOP) for program compliance. Services will also include review of existing ordinances as they relate to the NPDES program with identification of ordinance modifications that will be required for program compliance in subsequent years. CivilSurv will engage in other activities as directed by the COUNTY in support of compliance efforts associated with implementation of the SWMP. These activities may include conducting training activities, engaging in public outreach, and meeting with the staff of the COUNTY, the City of Sebring, and the City of Avon Park ("partnering cities").

RECOMMENDED ACTION

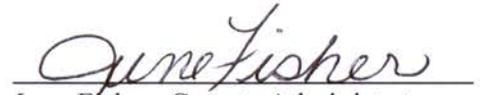
No Action Required.

FISCAL IMPACT

This requirement is yet another Federal/State unfunded mandate that will impact development permitting and, eventually, County and City maintenance operations costs.



Ramon D. Gavarrete, P.E. County Engineer



June Fisher, County Administrator

Attachments:

1. Presentation by CivilSurv Design Group, Inc.
2. NPDES Generic Permit for Phase II MS4
3. Highlands County Approved NOI
4. Avon Park Approved NOI
5. Sebring Approved NOI
6. Essential Resources for the Stormwater Program NPDES
7. EPA Stormwater Phase II Final Rule Overview (Several Sections)

For information, please contact:

Ramon Gavarrete, P.E.
County Engineer
505 South Commerce Avenue
Sebring, Florida 33872
O: (863) 402-6877
Email: rgavarre@hcbcc.org

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The National Pollutant Discharge Elimination System (NPDES)

Phase II

Annual Status Report
Cycle Year 1



Highlands County
Board of County Commissioners
Engineering Department
January 2015

Highlands County Board of County Commissioners
Engineering



Authorization for Program Mandate

- STATE
 - F.S. 62-25, 62-302, 62-4.050, 62-4.052, 62-620, 62-621, 62-624
- FEDERAL
 - 40 CFR Parts 9, 122, 123, 124



Purpose of the Program

- Address Urban Stormwater runoff as a pollutant
- Establishes reporting requirements for MS4 operators
- Who needs an NPDES permit?
 - MS4 Operators (Municipal Separate Storm Sewer System)
Population thresholds based on U.S. Census Data



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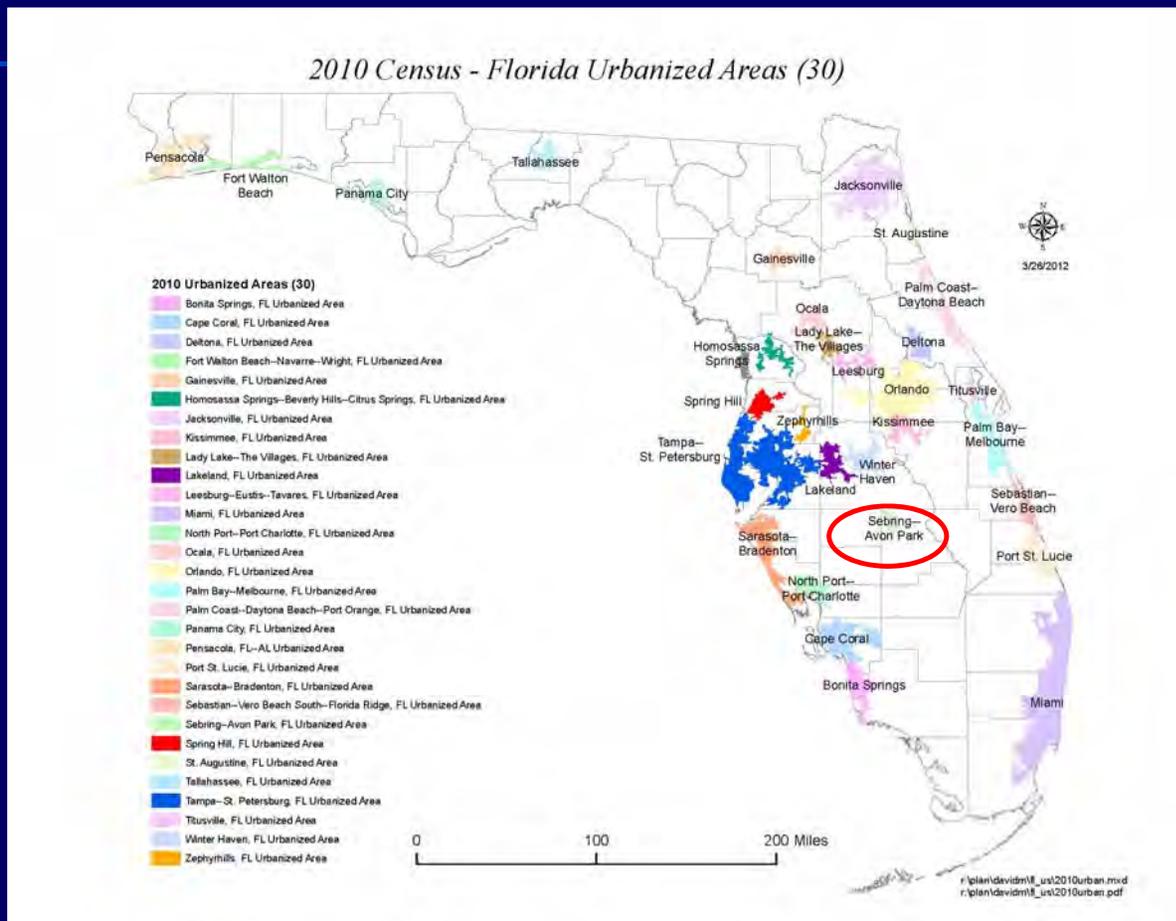
NPDES Permitted Phase I and II MS4s in Florida (sample)

County Name	Permit/Permittee/ Co-Permittee Name:	Permit ID Number	MS4 Type	SW POC Name:	SW POC Title:	SW POC Mailing Address	SW POC City, State, Zip	SW POC Phone Number	SW POC Email
Alachua	FDOT District 2 (Gainesville UA)	FLR04E018	Phase II	Alan Obaigbena	NPDES Administrator	1109 South Marion Avenue, MS 2010	Lake City, FL 32025-5874	(386) 961-7064	alan.obaigbena@dot.state.fl.us
Alachua	University of Florida	FLR04E067	Phase II	Chuck Hogan	Facilities Planning Coordinator	P.O. Box 117715	Gainesville, FL 32611- 7715	(352) 294-0608	chogan@ufl.edu
Alachua	Alachua Couty	FLR04E005	Phase II	Sally Adkins	NPDES Program Coodinator	P.O. Box 490, MS #58	Gainesville, FL 32602- 0490	(352) 393-8657	adkinss@ci.gainesville.fl.us
Alachua	City of Gainesville	FLR04E006	Phase II	Sally Adkins	NPDES Program Coodinator	P.O. Box 490, MS #58	Gainesville, FL 32602- 0490	(352) 334-5072	adkinss@ci.gainesville.fl.us
Bay	Bay County	FLR04E054	Phase II	Josee Cyr, P.E.	County Stormwater Engineer	840 West 11th Street	Panama City, FL 32401	(850) 248-8301	jcyr@baycountvfl.gov
Bay	City of Callaway	FLR04E055	Phase II	Bobby Baker	Public Works Director	Callaway City Hall, 6601 East Hwy 22	Callaway, FL 32404	(850) 871-1033	bbaker@cityofcallaway.com
Bay	City of Lynn Haven	FLR04E008	Phase II	Robert R. Olson	Public Works Director	825 Ohio Avenue	Lynn Haven, FL 32444	(850) 265-5989	publicworks@cityoflynnhaven.com
Bay	City of Panama City	FLR04E053	Phase II	Neil Fravel, P.E.	Public Works Director	City Hall, 9 Harrison Avenue	Panama City, FL 32401	(850) 872-3015	nfravel@pcgov.org
Bay	City of Panama City Beach	FLR04E123	Phase II	Albert E. Shortt	City Engineer/Utilitie s Director	110 South Arnold Road	Panama City Beach, FL 32413	(850) 233-5054 x 2404	ashortt@pctgov.com
Bay	City of Parker	FLR04E087	Phase II	Adonna Mullen	Town Clerk	1001 West Park Street	Parker, FL 32404	(850) 871-4996	asmullen@cityofparker.com
Bay	City of Springfield	FLR04E097	Phase II	Lee French	Public Works Director	3529 E. 3rd Street	Springfield, FL 32401	(850) 872-7570 x.101	cityofspringfield@comcast.net
Bay	Tyndall Air Force Base	FLR04E004	Phase II	Diane Bateman, EE	Water Programs Manager	119 Alabama Avenue, Stop 42	Tyndall AFB, FL 32403	(850) 283-2398	dianne.bateman@tyndall.af.mil
Bay/ Okaloosa/ Santa Rosa/ Walton	FDOT District 3	FLR04E023	Phase II	Windle T. Tharpe, P.E.	District Three NPDES Coordinator	P.O. Box 607	Chipley, FL 32428-0607	(850) 638-0250	windle.tharpe@dot.state.fl.us

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Sebring Avon Park Urbanized Area

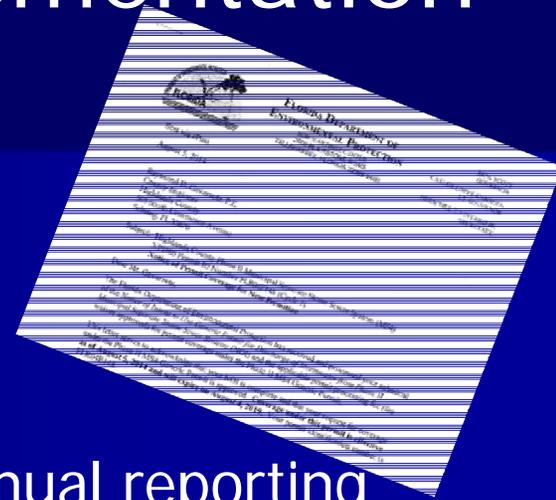


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Status of Compliance and Implementation

- The 'Good News'
 - NOI process has been completed!
 - Highlands County, Sebring, and Avon Park are fully compliant with the program
 - Each entity has a 5 year permit with annual reporting requirements
 - The initial 5yr program builds on or improves upon activities and requirements each entity already engages in at some level



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Compliance Activities (5 Elements)

1. Public Education and Outreach
2. Public Involvement/Participation
3. Illicit Discharge Detection/Elimination
4. Construction Site Stormwater Runoff Control
5. Post-construction Stormwater Management (optional)
6. Pollution Prevention/Good Housekeeping



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Compliance Activities-Element 1

1. Public Education and Outreach

- Distribute information
- Post information on a website
- Document the number of pamphlets distributed

* FDOT has committed funds to the County for this Element



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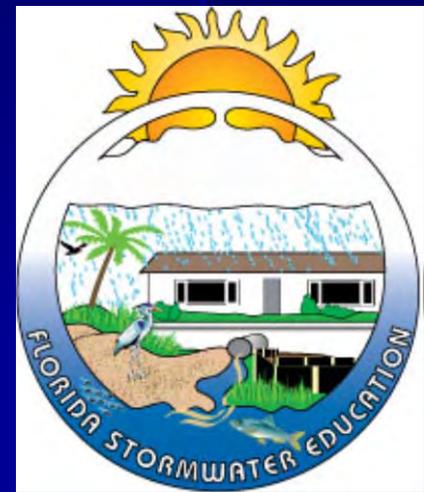


Compliance Activities-Element 2

2. Public Involvement/Participation

- Provide a status report to BOCC each year

*This presentation is considered Status Report #1



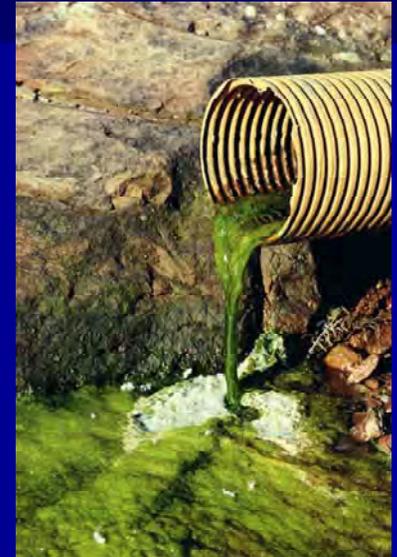
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Compliance Activities-Element 3

3. Illicit Discharge Detection/Elimination

- Map drainage outfalls
- Train Personnel to detect
- Document erosion non-compliance issues
- Review Ordinances and revise
 - Revised Ordinances provide for enforcement of the General Permit



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Compliance Activities-Element 4

4. Construction Site Stormwater Runoff Control

- Improve Development Review process
 - Require and Document Small site NPDES permits
- Track Construction activities via # of building permits issued
- Review and then revise ordinances



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Compliance Activities-Element 5

5. Post-construction Stormwater Management (optional)

* *This element is handled by the State of Florida*

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Compliance Activities-Element 6

6. Pollution Prevention/Good Housekeeping

- Train employees
- Prepare standard operating procedures (i.e. use of erosion control)
- Integrate standard operating procedures into field operations

NPDES Compliance Inspection Manual



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Examples of Implementation

(What does implantation look like?)



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Next Steps

- Compile Public Outreach materials
- Make outreach materials available
- Initiate personnel training
- Review ordinances and prepare to revise
- Coordinate with internal departments for implantation
- Prepare annual report





QUESTIONS?



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STATE OF FLORIDA

DEPARTMENT OF ENVIRONMENTAL PROTECTION

GENERIC PERMIT

FOR

DISCHARGE OF STORMWATER FROM PHASE II
MUNICIPAL SEPARATE STORM SEWER SYSTEMS

May 1, 2003

Generic Permit for Discharge of Stormwater from Phase II
Municipal Separate Storm Sewer Systems

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 - A. Sharing Responsibilities
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- A. Department Authority to Recognize and Amend
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X. General Permit Conditions

XI. Duty to Comply

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XIII. Operation and Maintenance

Generic Permit for Discharge of Stormwater from Phase II
Municipal Separate Storm Sewer Systems

(Rule 62-621.300(7)(a), F.A.C.)

This Generic Permit for Discharge of Stormwater from Phase II Municipal Separate Storm Sewer Systems (MS4s) implements, in part, Section 402(p)(6) of the Clean Water Act¹ pursuant to the Department's federally approved National Pollutant Discharge Elimination System (NPDES) stormwater program. The Department's NPDES stormwater program is authorized by Section 403.0885, Florida Statutes, and implemented through applicable provisions under Chapters 62-4, 62-620, 62-621 and Chapter 62-624, Florida Administrative Code (F.A.C.). This generic permit is incorporated by reference at Rule 62-621.300(7)(a), F.A.C.

I. Authorization To Discharge

A. Authorized Discharges. This generic permit allows the discharge of stormwater from Phase II MS4s consistent with Section 402(p)(6) of the federal Clean Water Act. To utilize this generic permit, the operator of a regulated Phase II MS4 must:

1. File a Notice of Intent to Utilize the Generic Permit for Discharge of Stormwater from Phase II Municipal Separate Storm Sewer Systems on Form 62-621.300(7)(b);
2. File a permit fee, which must accompany the NOI, as prescribed by Rule 62-4.050(4)(d), F.A.C.; and,
3. Comply with any and all applicable provisions of this generic permit as set forth herein.

B. Limitations on Coverage. Stormwater discharges that are mixed with non-stormwater, or stormwater discharges associated with industrial activity, are not authorized under this generic permit unless such discharges are:

1. In compliance with a separate NPDES permit; or,
2. Within one of the following categories of non-stormwater discharges and provided they do not cause a violation of water quality standards:

- . water line flushing,
- . landscape irrigation,
- . diverted stream flows,
- . rising ground waters,
- . uncontaminated ground water infiltration (as defined at 40 CFR 35.2005(20)),
- . uncontaminated pumped ground water,
- . discharges from potable water sources,
- . foundation drains,
- . air conditioning condensate,
- . irrigation water,
- . springs,
- . water from crawl space pumps,
- . footing drains,
- . lawn watering runoff,
- . water from individual residential car washing,
- . flows from riparian habitats and wetlands,
- . dechlorinated swimming pool discharges,
- . residual street wash water, and
- . discharges or flows from fire fighting activities.

II. Obtaining Authorization To Discharge

A. Discharge Prohibited Without Permit Coverage: No discharge from a Phase II MS4 is authorized unless and until the operator of the regulated Phase II MS4 has applied for and received coverage under this generic permit, or alternatively has received coverage under an individual permit. To apply for coverage under this generic permit, the operator of the Phase II MS4 must submit the NOI,

¹ 33 U.S.C. Section 1342(p)(6)

additional information as set out in Part IV.A. herein, and the required permit fee, to:

NPDES Stormwater Notices Center, MS# 2510
Florida Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

B. Effective Date of Coverage: Coverage under this generic permit shall be effective upon written notification by the Department. The Department shall process requests for coverage under this generic permit pursuant to the provisions of Rule 62-620.510(1)-(5) and (8), F.A.C. Coverage under this generic permit is limited to a term not to exceed five years from the effective date of coverage.

C. Deadline for Development of Stormwater Management Program. The operator of a Phase II MS4 must develop and implement all components of its stormwater management program no later than five (5) years from the date of receiving initial coverage under this generic permit.

D. Change of Operator/Name: If the operator of the Phase II MS4 changes, such that a different entity is responsible for operating the Phase II MS4, a new NOI and permit fee must be filed with the Department. If the change is a name change only, the operator must notify the Department by letter, directed to the same address as used for submitting an NOI, advising of the name change. The name change must be reflected, and an explanation for the basis of the name change must be included, in the next Annual Report immediately following the name change.

III. Deadlines for Notification

A. Automatic Designation:

1. 1990 Census. If designated under Rule 62-624.800(1)(a), F.A.C., based upon the 1990 federal Census, the operator of the Phase II MS4 must apply for coverage under this generic permit, or apply for individual permit coverage under Rule 62-624.810, F.A.C., as an alternative to coverage under this generic permit, by June 1, 2003.

2. 2000 Census. If designated under Rule 62-624.800(1)(a), F.A.C., based upon the 2000 federal Census, the operator of the Phase II MS4 must apply for coverage under this generic permit, or apply for individual permit coverage under Rule 62-624.810, F.A.C., as an alternative to coverage under this generic permit, by June 1, 2004.

B. Designation by the Department: If designated under Rule 62-624.800(1)(b), F.A.C., the operator of the Phase II MS4 must apply for coverage under this generic permit, or apply for individual permit coverage under Rule 62-624.810, F.A.C., as an alternative to coverage under this generic permit, within one year of notice, unless the Department grants a later date.

IV. Contents of Notice of Intent

A. BMPs/Measurable Goals: As a part of the NOI, an outline of a proposed stormwater management program, including proposed best management practices (BMPs) to be implemented and proposed measurable goals for each of the required elements for the six minimum control measures, as set forth in this generic permit, must be submitted. The outline shall estimate the year in which

the operator will start and fully implement each element of the required minimum control measures, or indicate the frequency of the action if more appropriate, and identify the entity or department expected to be responsible for implementing and/or coordinating each BMP.

B. Menu of BMPs. The Department encourages operators to use the Florida Development Manual: A Guide to Sound Land and Water Management (DER, 1988), and the U.S. Environmental Protection Agency's National Menu of Best Management Practices for Storm Water Phase II, in developing their stormwater programs. Operators may rely upon the EPA BMP menu as the Department's menu of best management practices as required under 40 CFR 123.35(g). The national menu is maintained at the Department's website.

Part V. Stormwater Discharge Compliance and Water Quality Standards

A. The Maximum Extent Practicable (MEP) Standard: The stormwater management program must be designed and implemented to reduce the discharge of pollutants from the Phase II MS4 to surface waters of the State to the maximum extent practicable (MEP). Narrative effluent limitations requiring implementation of best management practices (BMPs) are generally the most appropriate form of effluent limitations when designed to satisfy technology requirements (including reduction of pollutants to the MEP) and to protect water quality. Implementation of BMPs consistent with the provisions of the stormwater management program required pursuant to this generic permit constitutes compliance with the standard of reducing pollutants to the MEP. The MEP standard is applied to MS4s in recognition of the fact that an operator typically

does not have total control over the quality or quantity of stormwater entering its system and ultimately entering waters of the State. Stormwater management programs must be assessed and adjusted, as part of an iterative process, to maximize their efficiency and make reasonable further progress toward an ultimate goal of reducing the discharge of pollutants to the extent necessary to protect the designated uses of receiving waters.

B. Total Maximum Daily Load (TMDL) Allocations. If a TMDL is approved for any water body into which the Phase II MS4 discharges, and the TMDL includes requirements for control of stormwater discharges, the operator must review its stormwater management program for consistency with the TMDL allocation. If the Phase II MS4 is not meeting its TMDL allocation, the operator must modify its stormwater management program to comply with the provisions of the TMDL Implementation Plan applicable to the operator in accordance with the schedule in the Implementation Plan.

VI. Stormwater Management Program Requirements/Six Minimum Control Measures

A. The operator of the MS4 must develop, implement, and enforce a stormwater management program. The stormwater management program must include the following six (6) minimum control measures:

1. Public Education and Outreach as to Stormwater Impacts

a. The operator of the Phase II MS4 must:

(1) Implement a public education program to distribute educational materials to the community or conduct equivalent outreach activities about the impacts of

stormwater discharges on water bodies and the steps that the public can take to reduce pollutants in stormwater runoff.

b. Acceptable efforts may include but are not limited to:

- (1) Using stormwater educational materials provided by the State, EPA, environmental, public interest or trade organizations, or other MS4s;
- (2) Informing individuals and households about the steps they can take to reduce stormwater pollution, such as ensuring proper septic system maintenance, modifying landscapes in accordance with principles described in the Florida Yards and Neighborhoods Program, disconnecting directly connected impervious area (such as roof downspouts), ensuring the proper use and disposal of landscape and garden chemicals including fertilizers and pesticides, protecting and restoring riparian vegetation, and properly disposing of used motor oil, household hazardous wastes, or pet wastes;
- (3) Informing individuals and groups on how to become involved in local stream and water body restoration and clean-up activities as well as activities that are coordinated by youth service and conservation corps or other citizen groups;
- (4) Tailoring the program, using a mix of locally appropriate strategies, to target specific audiences and communities. The operator should direct some of the materials or outreach programs toward targeted groups of commercial, industrial, and institutional entities likely to have significant stormwater impacts. For example, providing information to restaurants on the impact of grease clogging storm drains and to garages on the impact of oil discharges to the storm drain;

(5) Tailoring the outreach program to address the viewpoints and concerns of all communities, including minority and disadvantaged communities, as well as any special concerns relating to children.

c. The operator of the Phase II MS4 must define appropriate BMPs for this minimum control measure and measurable goals for each BMP. In the context of this minimum control measure, the term BMP is understood to include activities and programs undertaken to implement the public information and outreach efforts required under this generic permit.

2. Public Involvement/Participation

a. The operator of the Phase II MS4 must:

(1) Comply with State and local public notice requirements when implementing a public involvement/participation program.

b. Acceptable efforts may include but are not limited to:

(1) Including the public in developing, implementing, and reviewing the stormwater management program and making efforts to reach out and engage all economic and ethnic groups. Opportunities for members of the public to participate in program development and implementation include serving as citizen representatives on a local stormwater management panel, attending public hearings, working as citizen volunteers to educate other individuals about the program, assisting in program coordination with other pre-existing programs, or participating in volunteer monitoring efforts.

c. The operator of the Phase II MS4 must define appropriate BMPs for this minimum control measure and measurable goals for each BMP. In the context of

this minimum control measure, the term BMP is understood to include activities and programs undertaken to implement the efforts to assure public participation required under this generic permit.

3. Illicit Discharge Detection and Elimination

a. The operator of the Phase II MS4 must:

(1) Develop, implement and enforce a program to detect and eliminate illicit discharges (as defined by Rule 62-624.200(2)) into the Phase II MS4 including:

(a) Develop, if not already completed, a storm sewer system map, showing the location of all known outfalls and the names and location of all surface waters of the State that receive discharges from those outfalls;

(b) To the extent allowable under State or local law, effectively prohibit, through ordinance, or other regulatory mechanism, non-stormwater discharges into the storm sewer system and implement appropriate enforcement procedures and actions;

(c) Develop and implement a plan to detect and address non-stormwater discharges, including illegal dumping, to the system; and,

(d) Inform public employees, businesses, and the general public of hazards associated with illegal discharges and improper disposal of waste.

b. Acceptable efforts may include but are not limited to:

(1) Ensuring that the plan to detect and address illicit discharges include the following four components: procedures for locating priority areas likely to have illicit discharges; procedures for tracing the source of an illicit discharge;

procedures for removing the source of the discharge; and procedures for program evaluation and assessment.

(2) Conducting visual screening of the outfalls during dry weather and conducting field tests of selected pollutants as part of the procedures for locating priority areas.

c. The operator of the Phase II MS4 must define appropriate BMPs for this minimum control measure and measurable goals for each BMP. In the context of this minimum control measure, the term BMP is understood to include activities and programs undertaken to implement the illicit discharge elimination efforts required under this generic permit.

4. Construction Site Stormwater Runoff Control

a. The operator of the Phase II MS4 must:

(1) Develop, implement, and enforce a program to reduce pollutants in any stormwater runoff to the Phase II MS4 from construction activities that result in a land disturbance of greater than or equal to one acre. Construction activity disturbing less than one acre must be included in your program if that construction activity is part of a larger common plan of development or sale that would disturb one acre or more. The term “larger common plan of development” does not refer to local comprehensive plans or growth management plans.

The program must include the development and implementation of:

(a) An ordinance or other regulatory mechanism to require erosion and sediment controls, as well as sanctions to ensure compliance, to the extent allowable under State, or local law;

- (b) Requirements for construction site operators to implement appropriate erosion and sediment control best management practices;
- (c) Requirements for construction site operators to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that may cause adverse impacts to water quality;
- (d) Procedures for site plan review which incorporate consideration of potential water quality impacts;
- (e) Procedures for receipt and consideration of information submitted by the public; and
- (f) Procedures for site inspection and enforcement of control measures.

b. Acceptable efforts may include but are not limited to:

- (1) Sanctions to ensure compliance. Examples include stop-work orders, non-monetary penalties, fines, bonding requirements and/or permit denials for non-compliance;
- (2) Procedures for site plan review including the review of individual pre-construction site plans to ensure consistency with Department, Water Management District, or local sediment and erosion control requirements as appropriate;
- (3) Steps to identify priority sites for inspection and enforcement based on the nature of the construction activity, topography, and the characteristics of soils and receiving water quality;

(4) Providing educational and training measures for construction site operators which may include inspector training under the Florida Stormwater Erosion and Sedimentation Control Inspector Training Program; and

(5) Requiring submittal of proof of an issued Department or Water Management District Stormwater Discharge or Environmental Resource Permit before issuance of local approvals for site clearing or construction.

c. The operator of the Phase II MS4 must define appropriate BMPs for this minimum control measure and measurable goals for each BMP. In the context of this minimum control measure, the term BMP is understood to include activities and programs undertaken to implement the construction site stormwater runoff control efforts required under this generic permit.

5. Post-construction Stormwater Management in New Development and Redevelopment

a. If the operator chooses not to utilize an available Qualifying Local Program as provided in Part IX of this permit, then the operator of the Phase II MS4 must:

(1) Develop, implement, and enforce a program to address post-construction stormwater runoff from new development and redevelopment projects that disturb greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale, that discharge into the Phase II MS4. The program must require that controls are in place that would prevent or minimize water quality impacts from new development or redevelopment including:

(a) Develop and implement strategies which include a combination of structural and/or non-structural best management practices (BMPs) appropriate for the community; and

(b) Use an ordinance or other regulatory mechanism to address post-construction runoff from new development and redevelopment projects to the extent allowable under State or local law; and

(c) Require adequate long-term operation and maintenance of BMPs.

b. Acceptable efforts may include but are not limited to:

(1) Ensuring that the BMPs chosen are appropriate for the local community, minimize water quality impacts, and attempt to maintain pre-development runoff conditions;

(2) Requiring submittal of proof of an issued Department or Water Management District Stormwater Discharge or Environmental Resource Permit before issuance of local approvals for site clearing or construction;

(3) Participating in locally-based watershed planning efforts which attempt to involve a diverse group of stakeholders, including interested citizens, in choosing appropriate BMPs. When developing a program that is consistent with this measure's intent, it is recommended that the operator adopt a planning process that identifies the operator's program goals (e.g., minimize water quality impacts resulting from post-construction runoff from new development and redevelopment), implementation strategies (e.g., adopt a combination of structural and/or non-structural BMPs), operation and maintenance policies and procedures, and enforcement procedures;

(4) In developing the program, assess existing ordinances, policies, programs and studies that address stormwater runoff quality. In addition to assessing these existing documents and programs, the operator of the Phase II MS4 should provide opportunities to the public to participate in the development of the program;

(5) Ensure the appropriate implementation of the structural BMPs by considering some or all of the following: pre-construction review of BMP designs; inspections during construction to verify BMPs are built as designed; post-construction inspection and maintenance of BMPs; and penalty provisions for the noncompliance with design, construction or operation and maintenance; and

(6) Ensure that the requirements are responsive to the constantly changing stormwater technologies, developments or improvements in control technologies.

c. The Department has recognized qualifying alternative programs under Part IX.C. of this generic permit, for implementation of this minimum control measure.

As such, the operator of the Phase II MS4 is not required to develop and implement BMPs and measurable goals for this measure. However, if the operator chooses to implement BMPs in addition to the efforts of the qualifying alternative program, it should provide a description of the BMPs and measurable goals for each BMP in its proposed stormwater management program.

6. Pollution Prevention/Good Housekeeping for Municipal Operations

a. The operator of the Phase II MS4 must:

(1) Develop and implement an operation and maintenance program that has the ultimate goal of preventing or reducing pollutant runoff from municipal operations; and

(2) Using training materials that are available from EPA, the State, or other organizations, the program must include employee training to prevent and reduce stormwater pollution from activities such as park and open space maintenance, fleet and building maintenance, new construction and land disturbances, and stormwater system maintenance.

b. Acceptable efforts may include but are not limited to:

(1) Maintenance activities, maintenance schedules, and long-term inspection procedures for structural and non-structural stormwater controls to reduce floatables and other pollutants discharged from separate storm sewers;

(2) Controls for reducing or eliminating the discharge of pollutants from streets, roads, highways, municipal parking lots, maintenance and storage yards, fleet or maintenance shops with outdoor storage areas, and waste transfer stations;

(3) Procedures for properly disposing of wastes removed from the separate storm sewers and areas listed above (such as dredge spoil, accumulated sediments, floatables, and other debris);

(4) Ways to ensure that new flood management projects are designed in such a way that they minimize or reduce pollutant loading to the MS4 or waters of the State and examine existing projects for incorporating additional water quality protection devices or practices; and

(5) Inclusion of operation and maintenance as an integral component of all stormwater management programs. This measure is intended to improve the efficiency of these programs and require new programs where necessary.

c. The operator of the Phase II MS4 must define appropriate BMPs for this minimum control measure and measurable goals for each BMP. In the context of this minimum control measure, the term BMP is understood to include activities and programs undertaken to implement the pollution prevention/good housekeeping efforts required under this generic permit.

VII. Evaluation And Assessment

A. Evaluation. The permittee must evaluate program compliance, the appropriateness of identified best management practices, and progress towards achieving identified measurable goals.

B. Record Keeping. The permittee must keep records required by this generic permit for at least 3 years from the date permit coverage expires. The permittee must submit its records to the Department when specifically asked to do so. The permittee must make its records, including a description of its stormwater management program, available to the public at reasonable times during regular business hours. A reasonable charge for copying may be assessed not to exceed the maximum allowed under Section 119.07, Fla. Stat. A member of the public may be required to provide reasonable advance notice prior to inspecting the records.

C. Reporting. The permittee must submit Annual Reports to the Department for the first five (5) year permit term. Annual Reports are due within six months of the

anniversary date of permit coverage. For subsequent permit terms, the permittee must submit reports in years two and four unless the Department requires more frequent reports. Annual Reports must be signed in accordance with the requirements of Rule 62-620.305, F.A.C. The report must include:

1. The status of compliance with permit conditions, an assessment of the appropriateness of identified best management practices and progress towards achieving identified measurable goals for each of the required elements of the six minimum control measures;
2. Summaries or results of information collected and analyzed. If independent monitoring is performed, provide monitoring data collected during the reporting period;
3. A summary of the stormwater activities the permittee plans to undertake during the next reporting cycle;
4. A change in any identified best management practices, measurable goals or schedules for implementation for any of the required elements of the six minimum control measures; and,
5. Notice that the permittee is relying on another governmental entity to satisfy any part of its permit obligations (if applicable).

VIII. Sharing Responsibility for Minimum Control Measures

A. Sharing Responsibilities. A permittee may rely upon another entity or entities to satisfy its permit obligations to implement one or more minimum control measures if:

1. The other entity, in fact, implements the control measure;

2. The particular control measure, or component thereof, is at least as stringent as the corresponding permit requirement;
3. The other entity agrees to implement the control measure on the permittee's behalf. Sharing arrangements for fulfilling permit obligations must be established in the form of written agreement between entities;
4. In periodic reports submitted, as required by this generic permit, the permittee must also specify that it is relying upon another entity to satisfy some of its permit obligations; and
5. If relying upon another entity regulated under Chapter 62-624, F.A.C. to satisfy all of its permit obligations, including its obligation to file periodic reports, the permittee must note that fact in its NOI, but is not required to file the periodic reports.

B. Permittee/Operator Responsibilities. Regardless of whether relying on another entity or entities for some or for all of the minimum control measures, the permittee:

1. Must complete and submit a Notice of Intent that specifies the entity or entities that the permittee is relying upon to satisfy its permit obligation(s). The Notice of Intent must also include the information required under Part IV.A. for each measure(s) to be satisfied by the other entity;
2. Must specify in the periodic reports, as required by this generic permit under Part VII.C., that it is relying upon another entity to satisfy some of its permit obligations. The permittee must also include the information required under Part VII.C. for each measure or measures provided by the other entity. However, if

relying upon another entity to satisfy all of its permit obligations, including its obligation to file periodic reports, the permittee is not required to file the periodic reports; and

3. Remains ultimately responsible for compliance with its permit obligations if the other entity fails to implement the control measure(s) or components thereof.

IX. Qualifying Alternative Program

A. Department Authority to Recognize and Amend. The Department has the authority to recognize where other governmental entities are already responsible for implementing one or more of the minimum control measures in a Phase II MS4's jurisdiction or where the Department itself is responsible. Where the Department does so, the qualifying alternative program is specified in this generic permit and the permittee is not required to include the corresponding minimum control measure(s) in its stormwater management program. This generic permit, however, may be reopened and modified to require the permittee to develop and implement the minimum control measure(s) if the other entity fails to implement it or if the Department has determined that the qualifying alternative program does not assure compliance with this generic permit, or applicable state or federal law.

B. Permittee/Operator Responsibilities. The permittee is not required to implement the minimum measure(s) for which a qualifying alternative program has been recognized, unless the qualifying alternative program is no longer recognized by the Department as set forth in a subsequent revision of this generic permit. If the permittee chooses to implement BMPs in addition to the

efforts of the qualifying alternative program(s), it should include a description of the BMPs and measurable goals for each BMP in its proposed stormwater management program.

C. Recognized Qualifying Alternative Programs. For meeting the requirements for the minimum control measures as described in Part VI.A.5., Post-construction Stormwater Management in New Development and Redevelopment, the program(s) implementing the regulation of construction and operation of stormwater management and treatment systems under Part IV, Chapter 373, F.S., are recognized by this generic permit as a qualifying alternative program, within specific geographic boundaries and by the specific programs as indicated below.

1. For MS4s operated in the Northwest Florida Water Management District, the program(s) implementing Rule 62-25, F.A.C., Regulation of Stormwater Discharge.
2. For MS4s operated in the Suwannee River Water Management District, the program(s) implementing Rule 40B-4, F.A.C., Environmental Resource and Works of the District Permits.
3. For MS4s operated in the St. Johns River Water Management District, the program(s) implementing Rule 40C-42, F.A.C., Regulation of Stormwater Management Systems.
4. For MS4s operated in the Southwest Florida Water Management District, the program(s) implementing Rule 40D-4, F.A.C., Management and Storage of Surface Waters.

5. For MS4s operated in the South Florida Water Management District, the program(s) implementing Rule 40E-4, F.A.C., Surface Water Management.

X. General Permit Conditions

This generic permit incorporates by reference the permit conditions set forth in Rule 62-621.250, F.A.C.

XI. Duty to Comply

Violation of a permit condition, failure to obtain a required permit, or a violation of any applicable statute, rule, regulation or standard, may result in the Department seeking civil, criminal or administrative relief pursuant to Chapter 403, Fla. Stat., and rules promulgated thereunder.

XII. Term of Coverage and Re-Application

The term of coverage provided under this generic permit is five years and begins on the date of the written notification of coverage issued by the Department in accordance with Part II.B. A permittee that desires to continue coverage under this generic permit after the initial permit term must file an NOI for coverage at least 180 days prior to the expiration of the five year permit term. Permit coverage shall be administratively continued if a timely NOI is filed for Re-application, and the permittee is in compliance with the conditions and terms of this generic permit.

XIII. Operation and Maintenance

All facilities and systems of treatment and control that are installed or used to achieve compliance with the conditions of this generic permit and with the

conditions of the stormwater management program must be properly operated and maintained at all times. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures.



**FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION**

BOB MARTINEZ CENTER
2600 BLAIRSTONE ROAD
TALLAHASSEE, FLORIDA 32399-2400

RICK SCOTT
GOVERNOR

CARLOS LOPEZ-CANTERA
LT. GOVERNOR

HERSCHEL T. VINYARD JR.
SECRETARY

Sent via ePost

August 5, 2014

Raymond D. Gavarrete, P.E.
County Engineer
Highlands County
505 South Commerce Avenue
Sebring, FL 33870

Subject: Highlands County Phase II Municipal Separate Storm Sewer System (MS4)
NPDES Permit ID Number FLR04E148 (Cycle 1)
Notice of Permit Coverage for New Permittee

Dear Mr. Gavarrete,

The Florida Department of Environmental Protection has received and processed your submittal of the *Notice of Intent to Use Generic Permit for Discharge of Stormwater from Phase II Municipal Separate Storm Sewer Systems* (NOI) and the applicable permit processing fee (fee waiver approved) for permit coverage under the Phase II MS4 Generic Permit.

This letter serves to acknowledge that your NOI is complete and that your request for coverage under the Phase II MS4 Generic Permit is approved. **Coverage under this permit is effective as of August 5, 2014 and will expire on August 4, 2019.** Your permit identification number is FLR04E148.

This letter is not a permit. Coverage under the Phase II MS4 Generic Permit allows your MS4 to discharge stormwater provided that you implement the Stormwater Management Program (SWMP) included as Appendix A of your NOI (both are attached) and comply with all requirements of the Phase II MS4 Generic Permit. A copy of the generic permit, which provides general requirements for developing the SWMP, is available online at http://www.dep.state.fl.us/water/stormwater/npdes/docs/Phase_II_MS4_GP.pdf or by contacting the NPDES Stormwater Section. Please review Appendix A of your NOI and the generic permit carefully, to clearly understand your obligations under the permit.

Please note that annual reports summarizing your SWMP implementation efforts for each year, are required for Years 1, 2, 3 and 4 of your five-year permit coverage term, as follows:

- The **Year 1 Annual Report** should cover the 12-month period from August 5, 2014 through August 4, 2015 and is **due by February 4, 2016.**

- The **Year 2 Annual Report** should cover the 12-month period from August 5, 2015 through August 4, 2016 and is **due by February 4, 2017**.
- The **Year 3 Annual Report** should cover the 12-month period from August 5, 2016 through August 4, 2017 and is **due by February 4, 2018**.
- The **Year 4 Annual Report** should cover the 12-month period from August 5, 2017 through August 4, 2018 and is **due by February 4, 2019**.

If you have any questions or if we can assist you with implementing improved documentation procedures, please contact Ken Kuhl at (850) 245-8667 or kenneth.kuhl@dep.state.fl.us, or Candace Richards at (850) 245-7523 or Candace.richards@dep.state.fl.us.

Sincerely,



Edward C. Smith
Program Administrator
NPDES Stormwater Program

ES/kak

Enc: Approved NOI for Cycle 1

Cc: Chris Murphy, Consultant



5/21/2014

Executive
Director
Marshall Stranburg

To: Chris Murphy
From: Property Tax Oversight, Research and Analysis
Subject: Highlands County

Below is the requested information related to per capita taxable value and percentage of assessed property that is exempt from ad valorem taxation.

Statewide

Total Just Value	\$1,888,889,024,821
Taxable Value	\$1,313,088,962,720
Exempt Amount	\$423,286,128,729
Population	19,135,459
Per Capita Taxable Value Average	\$68,621
Percentage of Exempt from Taxation	22.41%

Highlands County

Total Just Value	\$6,733,930,111
Taxable Value	\$4,449,817,579
Exempt Amount	\$1,984,820,590
Population	99,069
Per Capita Taxable Value Average	\$44,916
Percentage of Exempt from Taxation	29.47%
Millage	7.1000

Source: "Ad Valorem Data Book 2013" (FL DOR) and "Florida Estimates of Populations 2013" (UF).



For FDEP Internal Use Only
Permit ID: FLR _____

NOTICE OF INTENT TO USE GENERIC PERMIT FOR DISCHARGE OF STORMWATER FROM PHASE II MUNICIPAL SEPARATE STORM SEWER SYSTEMS (RULE 62-621.300(7)(b), F.A.C.)

INSTRUCTIONS:

- This NOI must be completed and submitted to the Department to authorize use of the Generic Permit for Discharge of Stormwater from Phase II Municipal Separate Storm Sewer Systems ("MS4 GP"), provided in Rule 62-621.300(7)(a), F.A.C.
- The type of municipal separate storm sewer system that qualifies for coverage under the MS4 GP and the applicable Phase II MS4 stormwater management program requirements are specified in the permit. You should familiarize yourself with the MS4 GP before completing this NOI.
- Submit this fully completed NOI, permit fee, and required attachments by mail to the address in the box at right. **DO NOT SUBMIT any materials not in the checklist in Section V. of this NOI.**
- **Please print or type information in the appropriate areas below and complete each section.**

Submit NOI, permit fee, and required attachments to:
 NPDES Stormwater Notices Center
 M.S. #2510
 Florida Department of Environmental Protection
 2600 Blair Stone Road
 Tallahassee, FL 32399-2400

SECTION I. PHASE II MS4 OPERATOR INFORMATION			
A.	Name of the Phase II MS4 Operator: Highlands County Board of County Commissioners		
B.	Name of the Phase II MS4 Responsible Authority: Ramon D. Gavarrete, P.E.		
	Title: County Engineer		
	Mailing Address: 505 South Commerce Avenue		
	City: Sebring	Zip Code: 33870	County: Highlands
	Telephone Number: 863-402-6877		
C.	Name of the Designated Phase II MS4 Stormwater Management Program Contact: Ramon D. Gavarrete, P.E.		
	Title: County Engineer		
	Department: Engineering Department		
	Mailing Address: 505 South Commerce Avenue		
	City: Sebring	Zip Code: 33870	County: Highlands
	Telephone Number: 863-402-6877		
	E-mail Address: rgavarrete@hcbcc.org		
D.	Location of the Phase II MS4 (if different than the mailing address in Section I.C. above): N/A		
	Street Address:		
	City:	Zip Code:	County:
E.	Approximate center of the Phase II MS4: Latitude: 27 ° 29 ' 43 " N Longitude: 81 ° 26 ' 27 " W		
F.	Phase II MS4 ownership status (check one): <input checked="" type="checkbox"/> Public <input type="checkbox"/> State <input type="checkbox"/> Federal		
G.	Total resident population of the Phase II MS4: 77,237		
H.	Name of the urbanized area(s) the Phase II MS4 is located within (if applicable): Sebring Avon Park		
I.	Name of the Water Management District the Phase II MS4 is located within (check all that apply):		
	<input type="checkbox"/> Northwest Florida Water Management District	<input checked="" type="checkbox"/> Southwest Florida Water Management District	
	<input type="checkbox"/> Suwannee River Water Management District	<input type="checkbox"/> St. John's River Water Management District	
	<input checked="" type="checkbox"/> South Florida Water Management District		

SECTION II. SHARING RESPONSIBILITY

You may rely on another entity to satisfy some or all of your permit obligations if the conditions in Part IX of the MS4 GP are met. Another entity may implement one or more of the measures and/or a component of a measure on your behalf. You may rely on another entity to satisfy all permit obligations (including annual Document and reporting) but only if the entity is permitted under Chapter 62-624, F.A.C. Note the following:

- You will remain responsible for compliance with your permit obligations if the other entity (ies) fails to implement the control measure(s) or a component thereof on your behalf. You must establish a written agreement with the other entity (ies) before submitting this NOI.
- Relying on another entity, or entities, either partially or fully does not preclude you from the obligation to fully complete this NOI, including the information required in Section IV.

A.	1.	Has another entity, regulated under Chapter 62-624, F.A.C., agreed to implement <u>all</u> of your permit obligations on your behalf? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
	If yes, complete Section II.A.2. If no, skip to Section II.B.			
	2.	Name of Entity:		
		Contact Name:		
		Title:		
		Department:		
		Mailing Address:		
		City:	Zip Code:	County:
		Telephone Number:		
		E-mail Address:		

B.	1.	Has another entity agreed to implement one or more of the minimum control measures (or a component thereof) on your behalf? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
	If yes, complete Sections II.B.2. and II.B.3. (See the note below for any additional entities)			
	2.	Control measure(s) or component of a control measure to be implemented by the other entity: See attached table for element 6b for components implemented by City of Sebring on behalf of Highlands County		
	3.	Name of Entity: City of Sebring		
		Contact Name: Scott Noethlich		
		Title: City Administrator		
		Department: City Administration		
		Mailing Address: 368 S. Commerce Ave, Sebring, FL 33870		
		City: City of Sebring	Zip Code: 33870	County: Highlands
		Telephone Number: 863-471-5115		
E-mail Address: scottnoethlich@mysebring.com				

Note: For each additional entity sharing stormwater management program responsibilities with you, provide on a separate sheet the information requested in Sections II.B.2. and II.B.3. Title the sheet "Section II.B: Additional Entities Information" and attach it to this NOI.

SECTION III. RECEIVING WATERS

Identify the named receiving water bodies to which your Phase II MS4 discharges. Include all such water bodies known to you at the time of this application:

Indian Prairie Basin via S68	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

SECTION IV. MINIMUM CONTROL MEASURES

A. Complete the Phase II MS4 Stormwater Management Program (SWMP) Elements Form in Appendix A for each minimum control measure described in Part VI. of the MS4 GP, except the Post-construction Stormwater Management in New Development and Redevelopment minimum control measure if you have chosen the qualifying alternative program option for this measure under Part X. of the permit. If you choose, however, to implement BMPs for the Post-construction measure, please complete a SWMP Elements Form for the measure.

Include in the SWMP Elements Form all best management practices (BMPs) currently in place or planned for each element of each minimum control measure. There is no limit to the number of BMPs you may include. Make copies of the form as necessary to accommodate all of your BMPs. The completed forms, in their entirety, will be considered by the Department to be the outline of your proposed stormwater management program. Attach all completed forms to this NOI.

B. Provide the total number of pages of SWMP Elements Forms that are attached to this NOI for each minimum control measure:

<u>Minimum Control Measure</u>	<u># of Pages</u>
Public Education and Outreach as to Stormwater Impacts	1
Public Involvement/Public Participation	1
Illicit Discharge Detection and Elimination	2
Construction Site Stormwater Runoff Control	2
Post-construction Stormwater Management in New Development and Redevelopment	NA
Pollution Prevention/Good Housekeeping for Municipal Operations	1

SECTION V. MATERIALS TO BE SUBMITTED WITH THIS NOI

Only the following materials are to be submitted to the Department along with your fully completed and signed NOI (check the appropriate box to indicate whether the item is attached or is not applicable):

<u>Attached</u>	<u>N/A</u>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Exempt per F.S. 218.075 The permit application fee, as prescribed by Rule 62-4.050(4)(d)(6), F.A.C. Make all check and money orders payable to the Florida Department of Environmental Protection.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	A fully completed Phase II MS4 Stormwater Management Program Elements Form (see Appendix A) for <u>each</u> minimum control measure except the Post-construction Stormwater Management in New Development and Redevelopment minimum control measure if you have chosen the qualifying alternative program option for this measure under Part X. of the MS4 GP.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Additional entities information, as required under the note in Section II.B. of this NOI.

DO NOT SUBMIT ANY OTHER MATERIALS

(such as your complete Stormwater Management Plan, ordinances, storm sewer map, public outreach, etc.)

SECTION VI. CERTIFICATION STATEMENT AND SIGNATURE

The Responsible Authority listed in Section I.B. of this NOI must sign the following certification statement:¹

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based upon my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name of Phase II MS4 Responsible Authority (type or print): Ramon D. Gavarrete, P.E.

Title: County Engineer

Signature:  Date: May 29, 2014

Ramon D. Gavarrete, P.E.
2014.05.29 12:25:42 -04'00'

¹ Signatory requirements are contained in Rule 62-620.305, F.A.C.
DEP Form 62-621.300(7)(b), May 1, 2003

**APPENDIX A
PHASE II MS4 STORMWATER MANAGEMENT PROGRAM (SWMP) ELEMENTS FORM**

SECTION A.I. MINIMUM CONTROL MEASURE (check only one)

1. Public Education and Outreach
 3. Illicit Discharge Detection/Elimination
 5. Post-construction Stormwater Management (optional)
 2. Public Involvement/Participation
 4. Construction Site Stormwater Runoff Control
 6. Pollution Prevention/Good Housekeeping

SECTION A.II. BEST MANAGEMENT PRACTICES (BMPs) For The Minimum Control Measure Identified In Section A.I. Of This Form

Element ID	BMP Number	A Description of BMP	B Measurable Goal(s)	C Schedule for Implementation/Completion	D Responsible Entity/Department
—		Implement a public education program to distribute educational materials to the community or conduct equivalent outreach activities about the impacts of stormwater discharges on water bodies and the steps that the public can take to reduce pollutants in stormwater runoff	1. Document & Report the # of public outreach activities conducted in a year and include a sample of the literature distributed for the events 2. Develop a website page or a section with links to common State and Federal NPDES information 3. Document the # of self serve pamphlets or flyers distributed to the general public each year	1. Years 1-5 2. Years 3-5 3. Years 1-5	Highlands County Engineering Department
—			1.	1.	
—			2.	2.	
—			3.	3.	
—			4.	4.	
—			1.	1.	
—			2.	2.	
—			3.	3.	
—			4.	4.	

**APPENDIX A
PHASE II MS4 STORMWATER MANAGEMENT PROGRAM (SWMP) ELEMENTS FORM**

SECTION A.I. MINIMUM CONTROL MEASURE (check only one)

1. Public Education and Outreach 3. Illicit Discharge Detection/Elimination 5. Post-construction Stormwater Management (optional)
 2. Public Involvement/Participation 4. Construction Site Stormwater Runoff Control 6. Pollution Prevention/Good Housekeeping

SECTION A.II. BEST MANAGEMENT PRACTICES (BMPs) For The Minimum Control Measure Identified In Section A.I. Of This Form

Element ID	BMP Number	A Description of BMP	B Measurable Goal(s)	C Schedule for Implementation/Completion	D Responsible Entity/Department
—	a	Comply with State and local public notice requirements when implementing a public involvement/public participation program	1. Provide an NPDES Phase II program status report to the BOCC at least once per year on Agenda as a Consent item or Action item 2. 3.	1. Years 1-5 2. 3.	Highlands County Engineering Department
—			1. 2. 3. 4.	1. 2. 3. 4.	
—			1. 2. 3. 4.	1. 2. 3. 4.	
—			1. 2. 3. 4.	1. 2. 3. 4.	

**APPENDIX A
PHASE II MS4 STORMWATER MANAGEMENT PROGRAM (SWMP) ELEMENTS FORM**

SECTION A.I. MINIMUM CONTROL MEASURE (check only one)

1. Public Education and Outreach
 3. Illicit Discharge Detection/Elimination
 5. Post-construction Stormwater Management (optional)
 2. Public Involvement/Participation
 4. Construction Site Stormwater Runoff Control
 6. Pollution Prevention/Good Housekeeping

SECTION A.II. BEST MANAGEMENT PRACTICES (BMPs) For The Minimum Control Measure Identified In Section A.I. Of This Form

Element ID	BMP Number	A Description of BMP	B Measurable Goal(s)	C Schedule for Implementation/Completion	D Responsible Entity/Department
—		Develop, if not already completed, a storm sewer system map showing the location of all known outfalls and the names and location of all surface waters of the State that receive discharges from those outfalls	1. Document and Report the number of new mapped outfalls compared to the number of known mapped outfalls	1. Years 1-5	Highlands County Engineering Department
3	a	To the extent allowable under State or local law, effectively prohibit through ordinance, or other regulatory mechanism, of non-stormwater (i.e. illicit) discharges into the storm sewer system and implement appropriate enforcement procedures and actions.	2.	2.	
—			1. Review existing Ordinances	1. Years 1-2	Highlands County Engineering Department
3	b		2. Adoption of an Illicit Discharges Ordinance	2. Year 3-5	
—			3. Document the number of code enforcement notifications issued following adoption of the ordinance	3.	
3	c	Develop and implement a plan to detect and eliminate non-stormwater discharges, including illegal dumping to the MS4.	1. Document distribution of a unified written inspection to supervisory level public works and utility field personnel for detection of non-stormwater discharges within the urbanized area 2. Document the number of inspections 3. Document the number detected 4. Document the number of code enforcement notifications issued following adoption of the ordinance	1. Years 1-5 2. Years 3-5 3. Years 3-5 4. Years 3-5	Highlands County Engineering Department

Page # 3 of 7 total pages of SWMP Elements Forms attached to the NOI

**APPENDIX A
PHASE II MS4 STORMWATER MANAGEMENT PROGRAM (SWMP) ELEMENTS FORM**

SECTION A.I. MINIMUM CONTROL MEASURE (check only one)

1. Public Education and Outreach 3. Illicit Discharge Detection/Elimination 5. Post-construction Stormwater Management (optional)
 2. Public Involvement/Participation 4. Construction Site Stormwater Runoff Control 6. Pollution Prevention/Good Housekeeping

SECTION A.II. BEST MANAGEMENT PRACTICES (BMPs) For The Minimum Control Measure Identified In Section A.I. Of This Form

Element ID	BMP Number	A Description of BMP	B Measurable Goal(s)	C Schedule for Implementation/Completion	D Responsible Entity/Department
—		Inform public employees, businesses, and the general public of hazards associated with illegal dumping to the MS4	1. Provide information to the general public once per year listing at least 3 hazards associated with dumping to the MS4 and document the type of information and quantity of information provided 2. Provide information to public employees once per year via email or flyer regarding the hazards of illegal MS4 dumping. Document the number of employees distributed to 3. Targeted outreach to commercial enterprises via Occupation license renewal or a similar means	1. Years 3-5 2. Years 1-2 3. Years 3-5	Highlands County Engineering Department
3	d				

**APPENDIX A
PHASE II MS4 STORMWATER MANAGEMENT PROGRAM (SWMP) ELEMENTS FORM**

SECTION A.I. MINIMUM CONTROL MEASURE (check only one)

1. Public Education and Outreach 3. Illicit Discharge Detection/Elimination 5. Post-construction Stormwater Management (optional)
 2. Public Involvement/Participation 4. Construction Site Stormwater Runoff Control 6. Pollution Prevention/Good Housekeeping

SECTION A.II. BEST MANAGEMENT PRACTICES (BMPs) For The Minimum Control Measure Identified In Section A.I. Of This Form

Element ID	BMP Number	A Description of BMP	B Measurable Goal(s)	C Schedule for Implementation/Completion	D Responsible Entity/Department
—		Develop and implement, to the extent allowable under State or local law, an ordinance or other regulatory mechanism to require erosion and sediment controls, as well as sanctions to ensure compliance, to reduce pollutants in any stormwater runoff to the Phase II MS4 from construction activities that result in a land disturbance of greater than or equal to one acre. Reduction of pollutants associated with stormwater discharges from construction activity disturbing less than one acre must also be included if that construction activity is part of a larger common plan of development or sale that would disturb one acre or more.	1. Review Existing Ordinance 2. Adoption of an Ordinance	1. Years 1-2 2. Years 3-4	Highlands County Engineering Department Highlands County Planning Department
—	a	Develop and implement requirements for construction site operators to implement appropriate erosion and sediment control best management practices.	1. Establishment of a standard note to be stamped on all construction plan approvals requiring the construction site operator to implement appropriate erosion and sediment control best managements practices in accordance with FDEP criteria 2. Track and report the number site approvals that included Erosion & Sedimentation Control Plans	1. Years 3-5 (Depends on 4a) 2. Years 3-5 (Depends on 4a)	Highlands County Engineering Department
—	b	Develop and implement requirements for construction site operators to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that may cause adverse impacts to water quality.	1. Establishment of a standard note to be incorporated into all building permits stating this requirement 2. Document and report the number of building permits issued each year	1. Years 3-5 (Depends on 4a) 2. Years 3-5 (Depends on 4a)	Highlands County Engineering Department Highlands County Building Department
—	c				

**APPENDIX A
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SECTION A.I. MINIMUM CONTROL MEASURE (check only one)

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SECTION A.II. BEST MANAGEMENT PRACTICES (BMPs) For The Minimum Control Measure Identified In Section A.I. Of This Form

Element ID	BMP Number	A Description of BMP	B Measurable Goal(s)	C Schedule for Implementation/Completion	D Responsible Entity/Department
—		Develop and implement procedures for site plan review that relies on established State of Florida requirements for water quality . .	1. Develop or modify existing procedures to review Erosion and Sedimentation Control plans. 2. Number of site plans reviewed and approved in years 3. 4.	1. Years 1-2 2. Years 3-4 3. 4.	Highlands County Planning Department
—	d				
—		Develop and implement procedures for receipt and consideration of information submitted by the public.	1. Publish via website a phone number for the public to call in and report information 2. 3. 4.	1. Years 1-5 2. 3. 4.	Highlands County Engineering Department
—	e				
—		Develop and implement procedures for site inspection and enforcement of control measures	1. Document and report the number of site inspections conducted 2. Document and report the number of enforcement actions taken and resolved 3. 4.	1. Years 3-5 2. Years 3-5 3. 4.	Highlands County Engineering Department
—	f				
—				1. 2. 3. 4.	

Page # 6 of 7 total pages of SWMP Elements Forms attached to the NOI

**APPENDIX A
PHASE II MS4 STORMWATER MANAGEMENT PROGRAM (SWMP) ELEMENTS FORM**

SECTION A.I. MINIMUM CONTROL MEASURE (check only one)

1. Public Education and Outreach 3. Illicit Discharge Detection/Elimination 5. Post-construction Stormwater Management (optional)
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SECTION A.II. BEST MANAGEMENT PRACTICES (BMPs) For The Minimum Control Measure Identified In Section A.I. Of This Form

Element ID	BMP Number	A Description of BMP	B Measurable Goal(s)	C Schedule for Implementation/Completion	D Responsible Entity/Department
—		Develop and implement an operation and maintenance program that has the ultimate goal of preventing or reducing pollutant runoff from MS4 operator activities such as park and open space maintenance, fleet and building maintenance, new construction and land disturbances, and stormwater system maintenance	1. Establishment of a Standard MS4 Urbanized Area Operating Procedures manual that addresses all of the elements of the BMP 2. Document the number of fleet yard inspections 3.	1. Years 1-5 2. Years 3-5 3.	Highlands County Engineering Department
—	a		4. Using training material that are available from FDEP or other conduct annual employee training for appropriate employees	1. Years 1-5	
6	b	Using training materials that are available from EPA, the Department or other organizations, include employee training to prevent and reduce stormwater pollution from MS4 operator activities	2. Document the number of employees trained 3. 4.	2. Years 2-5 3. 4.	City of Sebring is lead agency for this Element
—			1. 2. 3. 4.	1. 2. 3. 4.	
—			1. 2. 3. 4.	1. 2. 3. 4.	



**FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION**

BOB MARTINEZ CENTER
2600 BLAIRSTONE ROAD
TALLAHASSEE, FLORIDA 32399-2400

RICK SCOTT
GOVERNOR

CARLOS LOPEZ-CANTERA
LT. GOVERNOR

CLIFF WILSON
SECRETARY

Sent via ePost

December 3, 2014

Julian Deleon
City Manager
City of Avon Park
110 East Main Street
Avon Park, FL 33825

Subject: City of Avon Park Phase II Municipal Separate Storm Sewer System (MS4)
NPDES Permit ID Number FLR04E150 (Cycle 1)
Notice of Permit Coverage for New Permittee

Dear Mr. Deleon,

The Florida Department of Environmental Protection has received and processed your submittal of the *Notice of Intent to Use Generic Permit for Discharge of Stormwater from Phase II Municipal Separate Storm Sewer Systems* (NOI) and the applicable permit processing fee (fee waiver approved) for permit coverage under the Phase II MS4 Generic Permit.

This letter serves to acknowledge that your NOI is complete and that your request for coverage under the Phase II MS4 Generic Permit is approved. **Coverage under this permit is effective as of December 3, 2014 and will expire on December 2, 2019.** Your permit identification number is FLR04E150.

This letter is not a permit. Coverage under the Phase II MS4 Generic Permit allows your MS4 to discharge stormwater provided that you implement the Stormwater Management Program (SWMP) included as Appendix A of your NOI (both are attached) and comply with all requirements of the Phase II MS4 Generic Permit. A copy of the generic permit, which provides general requirements for developing the SWMP, is available online at http://www.dep.state.fl.us/water/stormwater/npdes/docs/Phase_II_MS4_GP.pdf or by contacting the NPDES Stormwater Program. Please review Appendix A of your NOI and the generic permit carefully, to clearly understand your obligations under the permit.

Please note that annual reports summarizing your SWMP implementation efforts for each year, are required for Years 1, 2, 3 and 4 of your five-year permit coverage term, as follows:

- The **Year 1 Annual Report** should cover the 12-month period from December 3, 2014 through December 2, 2015 and is **due by June 2, 2016**.

- The **Year 2 Annual Report** should cover the 12-month period from December 3, 2015 through December 2, 2016 and is **due by June 2, 2017**.
- The **Year 3 Annual Report** should cover the 12-month period from December 3, 2016 through December 2, 2017 and is **due by June 2, 2018**.
- The **Year 4 Annual Report** should cover the 12-month period from December 3, 2017 through December 2, 2018 and is **due by June 2, 2019**.

If you have any questions or if we can assist you with implementing improved documentation procedures, please contact Ken Kuhl at (850) 245-8667 or kenneth.kuhl@dep.state.fl.us, or Candace Richards at (850) 245-7523 or Candace.richards@dep.state.fl.us.

Sincerely,



Borja Crane-Amores
Program Administrator
NPDES Stormwater Program

BC/kak

Enc: Approved NOI for Cycle 1

Cc: Taylor Smith, City of Avon Park
Ken Fields, City of Sebring
Chris Murphy, Consultant
Ramon D. Gavarrete, P.E., Highlands County



5/21/2014

Executive
Director
Marshall Stranburg

To: Chris Murphy
From: Property Tax Oversight, Research and Analysis
Subject: City of Avon Park

Below is the requested information related to per capita taxable value and percentage of assessed property that is exempt from ad valorem taxation.

Statewide

Total Just Value	\$1,888,889,024,821
Taxable Value	\$1,313,088,962,720
Exempt Amount	\$423,286,128,729
Population	19,135,459
Per Capita Taxable Value Average	\$68,621
Percentage of Exempt from Taxation	22.41%

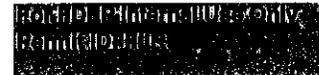
City of Avon Park

Total Just Value	\$472,927,926
Taxable Value	\$232,349,839
Exempt Amount	\$224,350,705
Population	9,189
Per Capita Taxable Value Average	\$25,286
Percentage of Exempt from Taxation	47.44%
Millage	0.3000

Source: "Ad Valorem Data Book 2013" (FL DOR) and "Florida Estimates of Populations 2013" (UF).



NOTICE OF INTENT TO USE GENERIC PERMIT FOR DISCHARGE OF STORMWATER FROM PHASE II MUNICIPAL SEPARATE STORM SEWER SYSTEMS (RULE 62-621.300(7)(b), F.A.C.)



INSTRUCTIONS:

- This NOI must be completed and submitted to the Department to authorize use of the Generic Permit for Discharge of Stormwater from Phase II Municipal Separate Storm Sewer Systems ("MS4 GP"), provided in Rule 62-621.300(7)(a), F.A.C.
- The type of municipal separate storm sewer system that qualifies for coverage under the MS4 GP and the applicable Phase II MS4 stormwater management program requirements are specified in the permit. You should familiarize yourself with the MS4 GP before completing this NOI.
- Submit this fully completed NOI, permit fee, and required attachments by mail to the address in the box at right. **DO NOT SUBMIT** any materials not in the checklist in Section V. of this NOI.
- Please print or type information in the appropriate areas below and complete each section.

Submit NOI, permit fee, and required attachments to:
 NPDES Stormwater Notices Center
 M.S. #2510
 Florida Department of Environmental Protection
 2600 Blair Stone Road
 Tallahassee, FL 32399-2400

SECTION I. PHASE II MS4 OPERATOR INFORMATION			
A	Name of the Phase II MS4 Operator: City of Avon Park		
B	Name of the Phase II MS4 Responsible Authority: Julian Deleon		
	Title: City Manager		
	Mailing Address: 110 East Main Street		
	City: Avon Park	Zip Code: 33825	County: Highlands
	Telephone Number: 863-452-4403		
C	Name of the Designated Phase II MS4 Stormwater Management Program Contact: Taylor Smith		
	Title: Utilities Engineer		
	Department: Public works		
	Mailing Address: 110 East Main Street		
	City: Avon Park	Zip Code: 33825	County: Highlands
	Telephone Number: 863-452-4400		
	E-mail Address: tsmith@avonpark.cc		
D	Location of the Phase II MS4 (if different than the mailing address in Section I.C. above): N/A		
	Street Address:		
	City:	Zip Code:	County:
E	Approximate center of the Phase II MS4:		
	Latitude: 27 ° 35 ' 43 " N	Longitude: 81 ° 29 ' 56 " W	
F	Phase II MS4 ownership status (check one): <input checked="" type="checkbox"/> Public <input type="checkbox"/> State <input type="checkbox"/> Federal		
G	Total resident population of the Phase II MS4: Avon Park 8,836		
H	Name of the urbanized area(s) the Phase II MS4 is located within (if applicable): Sebring Avon Park		
I	Name of the Water Management District the Phase II MS4 is located within (check all that apply):		
	<input type="checkbox"/> Northwest Florida Water Management District	<input type="checkbox"/> Southwest Florida Water Management District	
	<input type="checkbox"/> Suwannee River Water Management District	<input type="checkbox"/> St. John's River Water Management District	
	<input checked="" type="checkbox"/> South Florida Water Management District		

SECTION II. SHARING RESPONSIBILITY

You are responsible for the implementation of the stormwater management program on your behalf. You may elect to share this responsibility with another entity. You must complete this section if you elect to share this responsibility. You must complete this section if you are a permittee under Chapter 62-624, F.A.C., and you are a permittee under Chapter 62-624, F.A.C., and you are a permittee under Chapter 62-624, F.A.C. (See the following.)

(a) You will continue to be responsible for the implementation of the stormwater management program on your behalf. You must complete this section if you are a permittee under Chapter 62-624, F.A.C., and you are a permittee under Chapter 62-624, F.A.C., and you are a permittee under Chapter 62-624, F.A.C. (See the following.)

(b) You will continue to be responsible for the implementation of the stormwater management program on your behalf. You must complete this section if you are a permittee under Chapter 62-624, F.A.C., and you are a permittee under Chapter 62-624, F.A.C., and you are a permittee under Chapter 62-624, F.A.C. (See the following.)

1. Has another entity, regulated under Chapter 62-624, F.A.C., agreed to implement all of your permit obligations on your behalf?
 Yes No

If yes, complete Section II.A.2. If no, skip to Section II.B.

2. Name of Entity: _____
 Contact Name: _____
 Title: _____
 Department: _____
 Mailing Address: _____
 City: _____ Zip Code: _____ County: _____
 Telephone Number: _____
 E-mail Address: _____

1. Has another entity agreed to implement one or more of the minimum control measures (or a component thereof) on your behalf?
 Yes No

If yes, complete Sections II.B.2. and II.B.3. (See the note below for any additional entities)

2. Control measure(s) or component of a control measure to be implemented by the other entity:
 See attached table for components implemented by Highlands County and City of Sebring on behalf of Avon Park

3. Name of Entity: Highlands County BOCC
 Contact Name: Ramon D. Gavarrete, P.E.
 Title: County Engineer
 Department: Engineering Department
 Mailing Address: 600 South Commerce Avenue
 City: City of Sebring Zip Code: 33870 County: Highlands
 Telephone Number: 863-402-6835
 E-mail Address: rgavarrete@hcbcc.org

Note: For each additional entity sharing stormwater management program responsibilities with you, provide on a separate sheet the information requested in Sections II.B.2. and II.B.3. Title the sheet "Section II.B: Additional Entities Information" and attach it to this NOI.

SECTION III. RECEIVING WATERS

Identify the named receiving water bodies to which your Phase II MS4 discharges. Include all such water bodies known to you at the time of this application:

Pending Map preparation _____

SECTION IV. MINIMUM CONTROL MEASURES

A. Complete the Phase II MS4 Stormwater Management Program (SWMP) Elements Form in Appendix A for each minimum control measure described in Part VI. of the MS4 GP, except the Post-construction Stormwater Management in New Development and Redevelopment minimum control measure if you have chosen the qualifying alternative program option for this measure under Part X. of the permit. If you choose, however, to implement BMPs for the Post-construction measure, please complete a SWMP Elements Form for the measure.

Include in the SWMP Elements Form all best management practices (BMPs) currently in place or planned for each element of each minimum control measure. There is no limit to the number of BMPs you may include. Make copies of the form as necessary to accommodate all of your BMPs. The completed forms, in their entirety, will be considered by the Department to be the outline of your proposed stormwater management program. Attach all completed forms to this NOI.

B. Provide the total number of pages of SWMP Elements Forms that are attached to this NOI for each minimum control measure:

<u>Minimum Control Measure</u>	<u># of Pages</u>
Public Education and Outreach as to Stormwater Impacts	1
Public Involvement/Public Participation	1
Illicit Discharge Detection and Elimination	2
Construction Site Stormwater Runoff Control	2
Post-construction Stormwater Management in New Development and Redevelopment	NA
Pollution Prevention/Good Housekeeping for Municipal Operations	1

SECTION V. MATERIALS TO BE SUBMITTED WITH THIS NOI

Only the following materials are to be submitted to the Department along with your fully completed and signed NOI (check the appropriate box to indicate whether the item is attached or is not applicable):

- | <u>Attached</u> | <u>N/A</u> | |
|-------------------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | The permit application fee, as prescribed by Rule 62-4.050(4)(d)(6), F.A.C. Make all check and money orders payable to the Florida Department of Environmental Protection. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | A fully completed Phase II MS4 Stormwater Management Program Elements Form (see Appendix A) for <u>each</u> minimum control measure except the Post-construction Stormwater Management in New Development and Redevelopment minimum control measure if you have chosen the qualifying alternative program option for this measure under Part X. of the MS4 GP. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Additional entities information, as required under the note in Section II.B. of this NOI. |

DO NOT SUBMIT ANY OTHER MATERIALS

(such as your complete Stormwater Management Plan, ordinances, storm sewer map, public outreach, etc.)

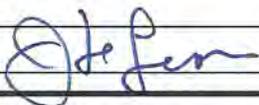
SECTION VI. CERTIFICATION STATEMENT AND SIGNATURE

The Responsible Authority listed in Section I.B. of this NOI must sign the following certification statement:¹

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based upon my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name of Phase II MS4 Responsible Authority (type or print): Julian Deleon

Title: City Manager

Signature:  Date: 11/12/14

¹ Signatory requirements are contained in Rule 62-620.305, F.A.C. DEP Form 62-621.300(7)(b), May 1, 2003

Section II.B: Additional Entities Information

1.	<p>Has another entity agreed to implement one or more of the minimum control measures (or a component thereof) on your behalf? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, complete Sections II.B.2. and II. B.3. (See the note below for any additional entities)</p>																								
2.	<p>Control measure(s) or component of a control measure to be implemented by the other entity:</p> <p>See attached table for components implemented by Highlands County and City of Sebring on behalf of Avon Park</p>																								
3.	<table border="1"> <tr> <td colspan="3">Name of Entity: City of Sebring</td> </tr> <tr> <td colspan="3">Contact Name: Ken Fields</td> </tr> <tr> <td colspan="3">Title: Public Works Director</td> </tr> <tr> <td colspan="3">Department: Public Works</td> </tr> <tr> <td colspan="3">Mailing Address: 1421 Hawthorne Drive</td> </tr> <tr> <td>City: Sebring</td> <td>Zip Code: 33870</td> <td>County: Highlands</td> </tr> <tr> <td colspan="3">Telephone Number: (863) 471-5115</td> </tr> <tr> <td colspan="3">E-mail Address: kenfields@mysebring.com</td> </tr> </table>	Name of Entity: City of Sebring			Contact Name: Ken Fields			Title: Public Works Director			Department: Public Works			Mailing Address: 1421 Hawthorne Drive			City: Sebring	Zip Code: 33870	County: Highlands	Telephone Number: (863) 471-5115			E-mail Address: kenfields@mysebring.com		
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E-mail Address: kenfields@mysebring.com																									

**APPENDIX A
PHASE II MS4 STORMWATER MANAGEMENT PROGRAM (SWMP) ELEMENTS FORM**

SECTION A.I. MINIMUM CONTROL MEASURE (check only one)

<input checked="" type="checkbox"/> 1. Public Education and Outreach	<input type="checkbox"/> 3. Illicit Discharge Detection/Elimination	<input type="checkbox"/> 5. Post-construction Stormwater Management (optional)
<input type="checkbox"/> 2. Public Involvement/Participation	<input type="checkbox"/> 4. Construction Site Stormwater Runoff Control	<input type="checkbox"/> 6. Pollution Prevention/Good Housekeeping

SECTION A.II. BEST MANAGEMENT PRACTICES (BMPs) For The Minimum Control Measure Identified In Section A.I. Of This Form

Element ID	BMP Number	A	B	C	D
		Description of BMP	Measurable Goal(s)	Schedule for Implementation/Completion	Responsible Entity/Department
— 1	a	Implement a public education program to distribute educational materials to the community or conduct equivalent outreach activities about the impacts of stormwater discharges on water bodies and the steps that the public can take to reduce pollutants in stormwater runoff	1. Document & Report the # of public outreach activities conducted in a year and include a sample of the literature distributed for the events.	1. Years 1-5	Highlands County Engineering Department
			2. Develop a website page or a section with links to common State and Federal NPDES information.	2. Years 3-5	
			3. Document the # of self serve pamphlets or flyers distributed to the general public each year.	3. Years 1-5	
—			1.	1.	
			2.	2.	
			3.	3.	
			4.	4.	
—			1.	1.	
			2.	2.	
			3.	3.	
			4.	4.	
—			1.	1.	
			2.	2.	
			3.	3.	
			4.	4.	

**APPENDIX A
PHASE II MS4 STORMWATER MANAGEMENT PROGRAM (SWMP) ELEMENTS FORM**

SECTION A.I. MINIMUM CONTROL MEASURE (check only one)

<input type="checkbox"/> 1. Public Education and Outreach	<input type="checkbox"/> 3. Illicit Discharge Detection/Elimination	<input type="checkbox"/> 5. Post-construction Stormwater Management (optional)
<input checked="" type="checkbox"/> 2. Public Involvement/Participation	<input type="checkbox"/> 4. Construction Site Stormwater Runoff Control	<input type="checkbox"/> 6. Pollution Prevention/Good Housekeeping

SECTION A.II. BEST MANAGEMENT PRACTICES (BMPs) For The Minimum Control Measure Identified In Section A.I. Of This Form

Element ID	BMP Number	A	B	C	Responsible Entity/Department
		Description of BMP	Measurable Goal(s)	Schedule for Implementation/Completion	
— 2	a	Comply with State and local public notice requirements when implementing a public involvement/public participation program	1. Provide an NPDES Phase II program status report to the City Council at least once (1) per year on Agenda as a Consent item or Action item. Document the date when the item was brought forward and also document the number of NPDES SWMP related agenda items brought before the City Council for consideration during the year.	1. Years 1-5	City of Avon Park Utilities Department
—			1.	1.	
—			2.	2.	
—			3.	3.	
—			4.	4.	
—			1.	1.	
—			2.	2.	
—			3.	3.	
—			4.	4.	

**APPENDIX A
PHASE II MS4 STORMWATER MANAGEMENT PROGRAM (SWMP) ELEMENTS FORM**

SECTION A.I. MINIMUM CONTROL MEASURE (check only one)

<input type="checkbox"/> 1. Public Education and Outreach	<input checked="" type="checkbox"/> 3. Illicit Discharge Detection/Elimination	<input type="checkbox"/> 5. Post-construction Stormwater Management (optional)
<input type="checkbox"/> 2. Public Involvement/Participation	<input type="checkbox"/> 4. Construction Site Stormwater Runoff Control	<input type="checkbox"/> 6. Pollution Prevention/Good Housekeeping

SECTION A.II. BEST MANAGEMENT PRACTICES (BMPs) For The Minimum Control Measure Identified In Section A.I. Of This Form					
Element ID	BMP Number	A	B	C	D
		Description of BMP	Measurable Goal(s)	Schedule for Implementation/Completion	Responsible Entity/Department
—	a	Develop, if not already completed, a storm sewer system map showing the location of all known outfalls and the names and location of all surface waters of the State that receive discharges from those outfalls	1.Document and Report the number of new mapped outfalls compared to the number of known mapped outfalls.	1. Years 1-5	City of Avon Park Utilities Department
—	b	To the extent allowable under State or local law, effectively prohibit through ordinance, or other regulatory mechanism, of non-stormwater (i.e. illicit) discharges into the storm sewer system and implement appropriate enforcement procedures and actions.	1. Review existing Ordinances.	1. Years 1-2	Highlands County Engineering Department
3	2. Adoption of an Illicit Discharges Ordinance.		2. Year 3-5		
3	3. Document the number of code enforcement notifications issued following adoption of the ordinance.		3.Years 3-5		
—	c	Develop and implement a plan to detect and eliminate non-stormwater discharges, including illegal dumping to the MS4.	1. Document distribution of a unified written inspection procedure to supervisory level public works and utility field personnel for detection of non-stormwater discharges within the urbanized area.	1. Years 1-5	Highlands County Engineering Department
3	2. Document the number of inspections performed.		1. Years 3-5		
3	3. Document the of number of illicit discharges detected.		1. Years 3-5		
3	4. Document the number of code enforcement notifications issued following adoption of the ordinance.		1. Years 3-5		

**APPENDIX A
PHASE II MS4 STORMWATER MANAGEMENT PROGRAM (SWMP) ELEMENTS FORM**

SECTION A.I. MINIMUM CONTROL MEASURE (check only one)

<input type="checkbox"/> 1. Public Education and Outreach	<input checked="" type="checkbox"/> 3. Illicit Discharge Detection/Elimination	<input type="checkbox"/> 5. Post-construction Stormwater Management (optional)
<input type="checkbox"/> 2. Public Involvement/Participation	<input type="checkbox"/> 4. Construction Site Stormwater Runoff Control	<input type="checkbox"/> 6. Pollution Prevention/Good Housekeeping

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Element ID	BMP Number	A Description of BMP	B Measurable Goal(s)	C Schedule for Implementation/Completion	D Responsible Entity/Department
3	d	Inform public employees, businesses, and the general public of hazards associated with illegal dumping to the MS4	1. Provide information to the general public once per year listing at least 3 hazards associated with dumping to the MS4 and document the type of information and quantity of information provided.	1. Years 3-5	City of Avon Park Utilities Department
			2. Provide information to public employees once per year via email or flyer regarding the hazards of illegal MS4 dumping. Document the number of employees distributed to.	2. Years 1-2	City of Avon Park Utilities Department
			3. Targeted outreach to commercial enterprises via Occupation license renewal or a similar means.	3. Years 3-5	City of Avon Park Utilities Department

**APPENDIX A
PHASE II MS4 STORMWATER MANAGEMENT PROGRAM (SWMP) ELEMENTS FORM**

SECTION A.I. MINIMUM CONTROL MEASURE (check only one)

- | | | |
|--|--|--|
| <input type="checkbox"/> 1. Public Education and Outreach | <input type="checkbox"/> 3. Illicit Discharge Detection/Elimination | <input type="checkbox"/> 5. Post-construction Stormwater Management (optional) |
| <input type="checkbox"/> 2. Public Involvement/Participation | <input checked="" type="checkbox"/> 4. Construction Site Stormwater Runoff Control | <input type="checkbox"/> 6. Pollution Prevention/Good Housekeeping |

SECTION A.II. BEST MANAGEMENT PRACTICES (BMPs) For The Minimum Control Measure Identified In Section A.I. Of This Form

Element ID	BMP Number	A Description of BMP	B Measurable Goal(s)	C Schedule for Implementation/Completion	D Responsible Entity/Department
— 4	a	Develop and implement, to the extent allowable under State or local law, an ordinance or other regulatory mechanism to require erosion and sediment controls, as well as sanctions to ensure compliance, to reduce pollutants in any stormwater runoff to the Phase II MS4 from construction activities that result in a land disturbance of greater than or equal to one acre. Reduction of pollutants associated with stormwater discharges from construction activity disturbing less than one acre must also be included if that construction activity is part of a larger common plan of development or sale that would disturb one acre or more.	1. Review Existing Ordinance.	1.Years 1-2	City of Avon Park Planning and Zoning Department
			2. Adoption of an Ordinance.	2.Years 3-4	City of Avon Park Planning and Zoning Department
— 4	b	Develop and implement requirements for construction site operators to implement appropriate erosion and sediment control best management practices.	1.Establishment of a standard note to be stamped on all construction plan approvals requiring the construction site operator to implement appropriate erosion and sediment control best managements practices in accordance with FDEP criteria.	1. Years 3-5 (Depends on 4a)	Highlands County Building Department
			2. Track and report the number of site approvals that included Erosion & Sedimentation Control Plans. Adopt an Ordinance requiring compliance with State NPDES requirements for construction sites.	2. Years 3-5 (Depends on 4a)	Highlands County Building Department
— 4	c	Develop and implement requirements for construction site operators to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that may cause adverse impacts to water quality.	1. Establishment of a standard note to be incorporated into all building permits stating this requirement. Reference the county Ordinance or adopt a new Ordinance.	1.Years 3-5 (Depends on 4a)	City of Avon Park Public Safety Department
			2. Document and report the number of building permits issued each year and the percentages of permits that remained in compliance with this BMP.	2.Years 3-5 (Depends on 4a)	City of Avon Park Public Safety Department

**APPENDIX A
PHASE II MS4 STORMWATER MANAGEMENT PROGRAM (SWMP) ELEMENTS FORM**

SECTION A.I. MINIMUM CONTROL MEASURE (check only one)

<input type="checkbox"/> 1. Public Education and Outreach	<input type="checkbox"/> 3. Illicit Discharge Detection/Elimination	<input type="checkbox"/> 5. Post-construction Stormwater Management (optional)
<input type="checkbox"/> 2. Public Involvement/Participation	<input checked="" type="checkbox"/> 4. Construction Site Stormwater Runoff Control	<input type="checkbox"/> 6. Pollution Prevention/Good Housekeeping

SECTION A.II. BEST MANAGEMENT PRACTICES (BMPs) For The Minimum Control Measure Identified In Section A.I. Of This Form

Element ID	BMP Number	A	B	C	D
		Description of BMP	Measurable Goal(s)	Schedule for Implementation/Completion	Responsible Entity/Department
4	d	Develop and implement procedures for site plan review that relies on established State of Florida requirements for water quality.	1. Establishment of an Ordinance requiring new commercial site and existing commercial site re-development to demonstrate compliance with minimum state standards for water quality.	1. Years 1-2	City of Avon Park Planning and Zoning Department
			2. Number of site plans reviewed and approved that provide on-site water quality treatment prior to offsite discharge.	2. Years 3-4	
4	e	Develop and implement procedures for receipt and consideration of information submitted by the public.	1. Publish via website a phone number for the public to call in and report information and document the number of registered or investigated complaints resulting from the call-in number published.	1. Years 1-5	Highlands County Engineering Department
4	f	Develop and implement procedures for site inspection and enforcement of control measures	1. Document and report the number of site inspections conducted.	1. Years 3-5	City of Avon Park Public Safety Department
			2. Document and report the number of enforcement actions taken and resolved.	2. Years 3-5	City of Avon Park Public Safety Department
—	—	—	1.	1.	—
			2.	2.	
			3.	3.	
			4.	4.	

**APPENDIX A
PHASE II MS4 STORMWATER MANAGEMENT PROGRAM (SWMP) ELEMENTS FORM**

SECTION A.I. MINIMUM CONTROL MEASURE (check only one)

<input type="checkbox"/> 1. Public Education and Outreach	<input type="checkbox"/> 3. Illicit Discharge Detection/Elimination	<input type="checkbox"/> 5. Post-construction Stormwater Management (optional)
<input type="checkbox"/> 2. Public Involvement/Participation	<input type="checkbox"/> 4. Construction Site Stormwater Runoff Control	<input checked="" type="checkbox"/> 6. Pollution Prevention/Good Housekeeping

SECTION A.II. BEST MANAGEMENT PRACTICES (BMPs) For The Minimum Control Measure Identified In Section A.I. Of This Form

Element ID	BMP Number	A	B	C	D
		Description of BMP	Measurable Goal(s)	Schedule for Implementation/Completion	Responsible Entity/Department
6	a	Develop and implement an operation and maintenance program that has the ultimate goal of preventing or reducing pollutant runoff from MS4 operator activities such as park and open space maintenance, fleet and building maintenance, new construction and land disturbances, and stormwater system maintenance	1. Establishment of a Standard MS4 Urbanized Area Operating Procedures manual that addresses all of the elements of the BMP.	1. Years 1-5	City of Avon Park Utilities Department
			2. Document the quantity of stormwater manholes and piping repaired or replaced.	2. Years 3-5	City of Avon Park Utilities Department
6	b	Using training materials that are available from EPA, the Department or other organizations, include employee training to prevent and reduce stormwater pollution from MS4 operator activities	1. Using training material that are available from FDEP or other and conduct annual employee training for appropriate employees.	1. Years 1-5	City of Sebring Public Works Department
			2. Document the number of employees trained.	2. Years 2-5	City of Sebring Public Works Department
—	—	—	1.	1.	—
			2.	2.	
			3.	3.	
			4.	4.	
—	—	—	1.	1.	—
			2.	2.	
			3.	3.	
			4.	4.	



**FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION**

BOB MARTINEZ CENTER
2600 BLAIRSTONE ROAD
TALLAHASSEE, FLORIDA 32399-2400

RICK SCOTT
GOVERNOR

CARLOS LOPEZ-CANTERA
LT. GOVERNOR

HERSCHEL T. VINYARD JR.
SECRETARY

Sent via ePost

September 26, 2014

Scott Noethlich
City Administrator
City of Sebring
368 South commerce Avenue
Sebring, FL 33870

Subject: City of Sebring Phase II Municipal Separate Storm Sewer System (MS4)
NPDES Permit ID Number FLR04E149 (Cycle 1)
Notice of Permit Coverage for New Permittee

Dear Mr. Noethlich,

The Florida Department of Environmental Protection has received and processed your submittal of the *Notice of Intent to Use Generic Permit for Discharge of Stormwater from Phase II Municipal Separate Storm Sewer Systems* (NOI) and the applicable permit processing fee (fee waiver approved) for permit coverage under the Phase II MS4 Generic Permit.

This letter serves to acknowledge that your NOI is complete and that your request for coverage under the Phase II MS4 Generic Permit is approved. **Coverage under this permit is effective as of September 26, 2014 and will expire on September 25, 2019.** Your permit identification number is FLR04E149.

This letter is not a permit. Coverage under the Phase II MS4 Generic Permit allows your MS4 to discharge stormwater provided that you implement the Stormwater Management Program (SWMP) included as Appendix A of your NOI (both are attached) and comply with all requirements of the Phase II MS4 Generic Permit. A copy of the generic permit, which provides general requirements for developing the SWMP, is available online at http://www.dep.state.fl.us/water/stormwater/npdes/docs/Phase_II_MS4_GP.pdf or by contacting the NPDES Stormwater Section. Please review Appendix A of your NOI and the generic permit carefully, to clearly understand your obligations under the permit.

Please note that annual reports summarizing your SWMP implementation efforts for each year, are required for Years 1, 2, 3 and 4 of your five-year permit coverage term, as follows:

- The **Year 1 Annual Report** should cover the 12-month period from September 26, 2014 through September 25, 2015 and is **due by March 25, 2016**.

- The **Year 2 Annual Report** should cover the 12-month period from September 26, 2015 through September 25, 2016 and is **due by March 25, 2017**.
- The **Year 3 Annual Report** should cover the 12-month period from September 26, 2016 through September 25, 2017 and is **due by March 25 4, 2018**.
- The **Year 4 Annual Report** should cover the 12-month period from September 26, 2017 through September 25, 2018 and is **due by March 25, 2019**.

If you have any questions or if we can assist you with implementing improved documentation procedures, please contact Ken Kuhl at (850) 245-8667 or kenneth.kuhl@dep.state.fl.us, or Candace Richards at (850) 245-7523 or Candace.richards@dep.state.fl.us.

Sincerely,



Edward C. Smith
Program Administrator
NPDES Stormwater Program

ES/kak

Enc: Approved NOI for Cycle 1

Cc: Ken Fields, City of Sebring
Chris Murphy, Consultant
Ramon D. Gavarrete, P.E., Highlands County



5/21/2014

Executive
Director
Marshall Stranburg

To: Chris Murphy
From: Property Tax Oversight, Research and Analysis
Subject: City of Sebring

Below is the requested information related to per capita taxable value and percentage of assessed property that is exempt from ad valorem taxation.

Statewide

Total Just Value	\$1,888,889,024,821
Taxable Value	\$1,313,088,962,720
Exempt Amount	\$423,286,128,729
Population	19,135,459
Per Capita Taxable Value Average	\$68,621
Percentage of Exempt from Taxation	22.41%

City of Sebring

Total Just Value	\$777,494,345
Taxable Value	\$539,895,279
Exempt Amount	\$226,689,470
Population	10,561
Per Capita Taxable Value Average	\$51,122
Percentage of Exempt from Taxation	29.16%
Millage	4.9900

Source: "Ad Valorem Data Book 2013" (FL DOR) and "Florida Estimates of Populations 2013" (UF).

SECTION II. SHARING RESPONSIBILITY

You may rely on another entity to satisfy some or all of your permit obligations if the conditions in Part IX of the MS4 GP are met. Another entity may implement one or more of the measures and/or a component of a measure on your behalf. You may rely on another entity to satisfy all permit obligations (including annual Document and reporting) but only if the entity is permitted under Chapter 62-624, F.A.C. Note the following:

- You will remain responsible for compliance with your permit obligations if the other entity (ies) fails to implement the control measure(s) or a component thereof on your behalf. You must establish a written agreement with the other entity (ies) before submitting this NOI.
- Relying on another entity, or entities, either partially or fully does not preclude you from the obligation to fully complete this NOI, including the information required in Section IV.

A.	1.	Has another entity, regulated under Chapter 62-624, F.A.C., agreed to implement <u>all</u> of your permit obligations on your behalf? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
	If yes, complete Section II.A.2. If no, skip to Section II.B.			
	2.	Name of Entity:		
		Contact Name:		
		Title:		
		Department:		
		Mailing Address:		
		City:	Zip Code:	County:
		Telephone Number:		
		E-mail Address:		

B.	1.	Has another entity agreed to implement one or more of the minimum control measures (or a component thereof) on your behalf? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
	If yes, complete Sections II.B.2. and II.B.3. (See the note below for any additional entities)			
	2.	Control measure(s) or component of a control measure to be implemented by the other entity: See attached table for components implemented by Highlands County of behalf of City of Sebring		
	3.	Name of Entity: Highlands County BOCC		
		Contact Name: Ramon D. Gavarrete, P.E.		
		Title: County Engineer		
		Department: Engineering Department		
		Mailing Address: 600 South Commerce Avenue		
		City: City of Sebring	Zip Code: 33870	County: Highlands
		Telephone Number: 863-402-6835		
E-mail Address: rgavarrete@hcbcc.org				

Note: For each additional entity sharing stormwater management program responsibilities with you, provide on a separate sheet the information requested in Sections II.B.2. and II.B.3. Title the sheet "Section II.B: Additional Entities Information" and attach it to this NOI.

SECTION III. RECEIVING WATERS

Identify the named receiving water bodies to which your Phase II MS4 discharges. Include all such water bodies known to you at the time of this application:

Pending Map preparation		

SECTION IV. MINIMUM CONTROL MEASURES

A. Complete the Phase II MS4 Stormwater Management Program (SWMP) Elements Form in Appendix A for each minimum control measure described in Part VI. of the MS4 GP, except the Post-construction Stormwater Management in New Development and Redevelopment minimum control measure if you have chosen the qualifying alternative program option for this measure under Part X. of the permit. If you choose, however, to implement BMPs for the Post-construction measure, please complete a SWMP Elements Form for the measure.

Include in the SWMP Elements Form all best management practices (BMPs) currently in place or planned for each element of each minimum control measure. There is no limit to the number of BMPs you may include. Make copies of the form as necessary to accommodate all of your BMPs. The completed forms, in their entirety, will be considered by the Department to be the outline of your proposed stormwater management program. Attach all completed forms to this NOI.

B. Provide the total number of pages of SWMP Elements Forms that are attached to this NOI for each minimum control measure:

<u>Minimum Control Measure</u>	<u># of Pages</u>
Public Education and Outreach as to Stormwater Impacts	1
Public Involvement/Public Participation	1
Illicit Discharge Detection and Elimination	2 +
Construction Site Stormwater Runoff Control	2
Post-construction Stormwater Management in New Development and Redevelopment	NA
Pollution Prevention/Good Housekeeping for Municipal Operations	1

SECTION V. MATERIALS TO BE SUBMITTED WITH THIS NOI

Only the following materials are to be submitted to the Department along with your fully completed and signed NOI (check the appropriate box to indicate whether the item is attached or is not applicable):

<u>Attached</u>	<u>N/A</u>	
<input type="checkbox"/>	<input type="checkbox"/>	Exempt per F.S. 218.075 The permit application fee, as prescribed by Rule 62-4.050(4)(d)(6), F.A.C. Make all check and money orders payable to the Florida Department of Environmental Protection.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	A fully completed Phase II MS4 Stormwater Management Program Elements Form (see Appendix A) for <u>each</u> minimum control measure except the Post-construction Stormwater Management in New Development and Redevelopment minimum control measure if you have chosen the qualifying alternative program option for this measure under Part X. of the MS4 GP.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Additional entities information, as required under the note in Section II.B. of this NOI.

DO NOT SUBMIT ANY OTHER MATERIALS

(such as your complete Stormwater Management Plan, ordinances, storm sewer map, public outreach, etc.)

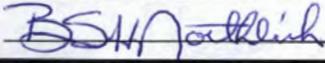
SECTION VI. CERTIFICATION STATEMENT AND SIGNATURE

The Responsible Authority listed in Section I.B. of this NOI must sign the following certification statement:¹

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based upon my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name of Phase II MS4 Responsible Authority (type or print): Scott Noethlich

Title: City Administrator

Signature:  Date: 05/30/2014

¹ Signatory requirements are contained in Rule 62-620.305, F.A.C. DEP Form 62-621.300(7)(b), May 1, 2003

**APPENDIX A
PHASE II MS4 STORMWATER MANAGEMENT PROGRAM (SWMP) ELEMENTS FORM**

SECTION A.I. MINIMUM CONTROL MEASURE (check only one)

<input checked="" type="checkbox"/> 1. Public Education and Outreach	<input type="checkbox"/> 3. Illicit Discharge Detection/Elimination	<input type="checkbox"/> 5. Post-construction Stormwater Management (optional)
<input type="checkbox"/> 2. Public Involvement/Participation	<input type="checkbox"/> 4. Construction Site Stormwater Runoff Control	<input type="checkbox"/> 6. Pollution Prevention/Good Housekeeping

SECTION A.II. BEST MANAGEMENT PRACTICES (BMPs) For The Minimum Control Measure Identified In Section A.I. Of This Form

Element ID	BMP Number	A	B	C	D
		Description of BMP	Measurable Goal(s)	Schedule for Implementation/Completion	Responsible Entity/Department
— 1	a	Implement a public education program to distribute educational materials to the community or conduct equivalent outreach activities about the impacts of stormwater discharges on water bodies and the steps that the public can take to reduce pollutants in stormwater runoff.	1. Document & Report the # of public outreach activities conducted in a year and include a sample of the literature distributed for the events.	1. Years 1-5	Highlands County Engineering Department
			2. Develop a website page or a section with links to common State and Federal NPDES information.	2. Years 3-5	
			3. Document the # of self serve pamphlets or flyers distributed to the general public each year.	3. Years 1-5	
—			1.	1.	
			2.	2.	
			3.	3.	
			4.	4.	
—			1.	1.	
			2.	2.	
			3.	3.	
			4.	4.	
—			1.	1.	
			2.	2.	
			3.	3.	
			4.	4.	

**APPENDIX A
PHASE II MS4 STORMWATER MANAGEMENT PROGRAM (SWMP) ELEMENTS FORM**

SECTION A.I. MINIMUM CONTROL MEASURE (check only one)

<input type="checkbox"/> 1. Public Education and Outreach	<input type="checkbox"/> 3. Illicit Discharge Detection/Elimination	<input type="checkbox"/> 5. Post-construction Stormwater Management (optional)
<input checked="" type="checkbox"/> 2. Public Involvement/Participation	<input type="checkbox"/> 4. Construction Site Stormwater Runoff Control	<input type="checkbox"/> 6. Pollution Prevention/Good Housekeeping

SECTION A.II. BEST MANAGEMENT PRACTICES (BMPs) For The Minimum Control Measure Identified In Section A.I. Of This Form

Element ID	BMP Number	A	B	C	Responsible Entity/Department
		Description of BMP	Measurable Goal(s)	Schedule for Implementation/Completion	
— 2	a	Comply with State and local public notice requirements when implementing a public involvement/public participation program	1. Provide an NPDES Phase II program status report to the City Council at least once (1) per year on Agenda as a Consent item or Action item. Document the date when the item was brought forward and also document the number of NPDES SWMP related agenda items brought before the City Council for consideration during the year.	1. Years 1-5	City of Sebring Public Works Department
—			1.	1.	
—			2.	2.	
—			3.	3.	
—			4.	4.	
—			1.	1.	
—			2.	2.	
—			3.	3.	
—			4.	4.	

**APPENDIX A
PHASE II MS4 STORMWATER MANAGEMENT PROGRAM (SWMP) ELEMENTS FORM**

SECTION A.I. MINIMUM CONTROL MEASURE (check only one)

<input type="checkbox"/> 1. Public Education and Outreach	<input checked="" type="checkbox"/> 3. Illicit Discharge Detection/Elimination	<input type="checkbox"/> 5. Post-construction Stormwater Management (optional)
<input type="checkbox"/> 2. Public Involvement/Participation	<input type="checkbox"/> 4. Construction Site Stormwater Runoff Control	<input type="checkbox"/> 6. Pollution Prevention/Good Housekeeping

SECTION A.II. BEST MANAGEMENT PRACTICES (BMPs) For The Minimum Control Measure Identified In Section A.I. Of This Form

Element ID	BMP Number	A	B	C	D
		Description of BMP	Measurable Goal(s)	Schedule for Implementation/Completion	Responsible Entity/Department
— 3	a	Develop, if not already completed, a storm sewer system map showing the location of all known outfalls and the names and location of all surface waters of the State that receive discharges from those outfalls	1.Document and Report the number of new mapped outfalls compared to the number of known mapped outfalls	1. Years 1-5	City of Sebring Public Works Department
— 3	b	To the extent allowable under State or local law, effectively prohibit through ordinance, or other regulatory mechanism, of non-stormwater (i.e. illicit) discharges into the storm sewer system and implement appropriate enforcement procedures and actions.	1. Review existing Ordinances 2. Adoption of an Illicit Discharges Ordinance 3. Document the number of code enforcement notifications issued following adoption of the ordinance	1. Years 1-2 2. Year 3-5 3.Years 3-5	Highlands County Engineering Department
— 3	c	Develop and implement a plan to detect and eliminate non-stormwater discharges, including illegal dumping to the MS4.	1. Document distribution of a unified written inspection procedure to supervisory level public works and utility field personnel for detection of non-stormwater discharges within the urbanized area 2. Document the number of inspections performed 3. Document the of number of illicit discharges detected 4. Document the number of code enforcement notifications issued following adoption of the ordinance	1. Years 1-5 1. Years 3-5 1. Years 3-5 1. Years 3-5	Highlands County Engineering Department

**APPENDIX A
PHASE II MS4 STORMWATER MANAGEMENT PROGRAM (SWMP) ELEMENTS FORM**

SECTION A.I. MINIMUM CONTROL MEASURE (check only one)

<input type="checkbox"/> 1. Public Education and Outreach	<input checked="" type="checkbox"/> 3. Illicit Discharge Detection/Elimination	<input type="checkbox"/> 5. Post-construction Stormwater Management (optional)
<input type="checkbox"/> 2. Public Involvement/Participation	<input type="checkbox"/> 4. Construction Site Stormwater Runoff Control	<input type="checkbox"/> 6. Pollution Prevention/Good Housekeeping

SECTION A.II. BEST MANAGEMENT PRACTICES (BMPs) For The Minimum Control Measure Identified In Section A.I. Of This Form

Element ID	BMP Number	A	B	C	D
		Description of BMP	Measurable Goal(s)	Schedule for Implementation/Completion	Responsible Entity/Department
3	d	Inform public employees, businesses, and the general public of hazards associated with illegal dumping to the MS4	1. Provide information to the general public once per year listing at least 3 hazards associated with dumping to the MS4 and document the type of information and quantity of information provided	1. Years 3-5	Highlands County Engineering Department
			2. Provide information to public employees once per year via email or flyer regarding the hazards of illegal MS4 dumping. Document the number of employees distributed to	2. Years 1-2	City of Sebring Public Works Department
			3. Targeted outreach to commercial enterprises via Occupation license renewal or a similar means	3. Years 3-5	City of Sebring Building Department

**APPENDIX A
PHASE II MS4 STORMWATER MANAGEMENT PROGRAM (SWMP) ELEMENTS FORM**

SECTION A.I. MINIMUM CONTROL MEASURE (check only one)

- | | | |
|--|--|--|
| <input type="checkbox"/> 1. Public Education and Outreach | <input type="checkbox"/> 3. Illicit Discharge Detection/Elimination | <input type="checkbox"/> 5. Post-construction Stormwater Management (optional) |
| <input type="checkbox"/> 2. Public Involvement/Participation | <input checked="" type="checkbox"/> 4. Construction Site Stormwater Runoff Control | <input type="checkbox"/> 6. Pollution Prevention/Good Housekeeping |

SECTION A.II. BEST MANAGEMENT PRACTICES (BMPs) For The Minimum Control Measure Identified In Section A.I. Of This Form

Element ID	BMP Number	A	B	C	D
		Description of BMP	Measurable Goal(s)	Schedule for Implementation/Completion	Responsible Entity/Department
— 4	a	Develop and implement, to the extent allowable under State or local law, an ordinance or other regulatory mechanism to require erosion and sediment controls, as well as sanctions to ensure compliance, to reduce pollutants in any stormwater runoff to the Phase II MS4 from construction activities that result in a land disturbance of greater than or equal to one acre. Reduction of pollutants associated with stormwater discharges from construction activity disturbing less than one acre must also be included if that construction activity is part of a larger common plan of development or sale that would disturb one acre or more.	1. Review Existing Ordinance.	1.Years 1-2	City of Sebring Public Works Department
			2. Adoption of an Ordinance.	2.Years 3-4	City of Sebring Planning & Zoning Department
— 4	b	Develop and implement requirements for construction site operators to submit and implement appropriate erosion and sediment control best management practices for review and approval by the City.	1.Establishment of a standard note to be stamped on all construction plan approvals requiring the construction site operator to implement appropriate erosion and sediment control best managements practices in accordance with FDEP criteria.	1. Years 3-5 (Depends on 4a)	City of Sebring Planning & Zoning Department
			2. Track and report the number of site approvals that included Erosion & Sedimentation Control Plans. Adopt an Ordinance requiring compliance with State NPDES requirements for construction sites.	2. Years 3-5 (Depends on 4a)	City of Sebring Building Department
— 4	c	Develop and implement requirements for construction site operators to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that may cause adverse impacts to water quality.	1. Establishment of a standard note to be incorporated into all building permits stating this requirement. Reference the county Ordinance or adopt a new Ordinance.	1.Years 3-5 (Depends on 4a)	City of Sebring Planning & Zoning Department
			2. Document and report the number of building permits issued each year and the percentages of permits that remained in compliance with this BMP.	2.Years 3-5 (Depends on 4a)	City of Sebring Planning & Zoning Department

**APPENDIX A
PHASE II MS4 STORMWATER MANAGEMENT PROGRAM (SWMP) ELEMENTS FORM**

SECTION A.I. MINIMUM CONTROL MEASURE (check only one)

<input type="checkbox"/> 1. Public Education and Outreach	<input type="checkbox"/> 3. Illicit Discharge Detection/Elimination	<input type="checkbox"/> 5. Post-construction Stormwater Management (optional)
<input type="checkbox"/> 2. Public Involvement/Participation	<input checked="" type="checkbox"/> 4. Construction Site Stormwater Runoff Control	<input type="checkbox"/> 6. Pollution Prevention/Good Housekeeping

SECTION A.II. BEST MANAGEMENT PRACTICES (BMPs) For The Minimum Control Measure Identified In Section A.I. Of This Form

Element ID	BMP Number	A	B	C	D
		Description of BMP	Measurable Goal(s)	Schedule for Implementation/Completion	Responsible Entity/Department
4	d	Develop and implement procedures for site plan review that relies on established State of Florida requirements for water quality. .	1. Establishment of an Ordinance requiring new commercial site and existing commercial site re-development to demonstrate compliance with minimum state standards for water quality.	1. Years 1-2	City of Sebring Planning & Zoning Department
			2. Number of site plans reviewed and approved that provide on-site water quality treatment prior to offsite discharge.	2. Years 3-4	
4	e	Develop and implement procedures for receipt and consideration of information submitted by the public.	1. Publish via website a phone number for the public to call in and report information and document the number of registered or investigated complaints resulting from the call-in number published.	1.Years 1-5	Highlands County Engineering Department
4	f	Develop and implement procedures for site inspection and enforcement of control measures	1. Document and report the number of site inspections conducted.	1. Years 3-5	City of Sebring Building Department
			2. Document and report the number of enforcement actions taken and resolved.	2.Years 3-5	City of Sebring Building Department
—	—	—	1.	1.	—
			2.	2.	
			3.	3.	
			4.	4.	

**APPENDIX A
PHASE II MS4 STORMWATER MANAGEMENT PROGRAM (SWMP) ELEMENTS FORM**

SECTION A.I. MINIMUM CONTROL MEASURE (check only one)

- | | | |
|--|---|--|
| <input type="checkbox"/> 1. Public Education and Outreach | <input type="checkbox"/> 3. Illicit Discharge Detection/Elimination | <input type="checkbox"/> 5. Post-construction Stormwater Management (optional) |
| <input type="checkbox"/> 2. Public Involvement/Participation | <input type="checkbox"/> 4. Construction Site Stormwater Runoff Control | <input checked="" type="checkbox"/> 6. Pollution Prevention/Good Housekeeping |

SECTION A.II. BEST MANAGEMENT PRACTICES (BMPs) For The Minimum Control Measure Identified In Section A.I. Of This Form

Element ID	BMP Number	A	B	C	D
		Description of BMP	Measurable Goal(s)	Schedule for Implementation/Completion	Responsible Entity/Department
6	a	Develop and implement an operation and maintenance program that has the ultimate goal of preventing or reducing pollutant runoff from MS4 operator activities such as park and open space maintenance, fleet and building maintenance, new construction and land disturbances, and stormwater system maintenance	1. Establishment of a Standard MS4 Urbanized Area Operating Procedures manual that addresses all of the elements of the BMP.	1. Years 1-5	Highlands County Engineering Department
			2. Document MS4 Maintenance by tracking the amount of street sweeping performed and the amount of debris removed from the MS4.	2. Years 3-5	City of Sebring Public Works Department
6	b	Using training materials that are available from EPA, the Department or other organizations, include employee training to prevent and reduce stormwater pollution from MS4 operator activities	1. Using training material that are available from FDEP or other conduct annual employee training for appropriate employees.	1. Years 1-5	City of Sebring Public Works Department
			2. Document the number of employees trained.	2. Years 2-5	City of Sebring Public Works Department
			1.	1.	
			2.	2.	
			3.	3.	
			4.	4.	
			1.	1.	
			2.	2.	
			3.	3.	
			4.	4.	



ESSENTIAL RESOURCES FOR THE STORMWATER PROGRAM

Revised September 2008

EPA 833-F-04-003

This is a list of helpful resources for stormwater program managers. It is by no means a comprehensive list as there are too many helpful materials produced by too many organizations. This list is meant to highlight EPA's tools and resources, along with selected non-EPA resources, to get stormwater program managers started on developing or improving their programs.

This list is divided into seven sections—general stormwater information, public education and outreach, illicit discharge detection and elimination, construction site runoff control, post-construction site runoff control, pollution prevention/good housekeeping, and funding sources.

To order print copies of the documents with an EPA reference number, please send an email to npdesbox-request@epa.gov, or go to <http://www.epa.gov/epahome/publications.htm> to place an order with EPA's publications warehouse, the National Service Center for Environmental Publications.

General Stormwater Information

Key Resources

- **EPA Stormwater Website** - This EPA website contains technical and regulatory information about the NPDES stormwater program. It is organized according to the three types of regulated stormwater discharges—construction activities, industrial activities, and municipal separate storm sewer systems.
www.epa.gov/npdes/stormwater
- **National Menu of Best Management Practices (BMPs) for Phase II** - Contains more than 100 fact sheets detailing BMPs for each minimum control measure.
www.epa.gov/npdes/stormwater/menuofbmps
- **NPDES News** - Use this website to sign up for EPA's email newsletter called NPDES News. Receive periodic updates on the latest happenings in the NPDES program.
cfpub.epa.gov/npdes/newsregister.cfm
- **NPS INFO** – The nonpoint listserv is a forum for open discussion. Participants exchange information on urban runoff, hydrologic modification, technology and more.
https://lists.epa.gov/read/all_forums/subscribe?name=npsinfo
- **Center for Watershed Protection** – The Center for Watershed Protection is a non-profit organization providing local governments, activists and watershed organizations with technical tools for watershed planning and restoration, education and training, and stormwater management.
www.cwp.org/
- **Stormwater Manager's Resource Center** - This website, developed and managed by the Center for Watershed Protection, has many resources for stormwater managers, including guidance documents, slide shows, model ordinances, and fact sheets.
www.stormwatercenter.net/
- **National Management Measures to Control Nonpoint Source Pollution from Urban Areas**– Urban management measures.
www.epa.gov/owow/nps/urbanmm/

Other Resources

- **California Stormwater Quality Association:** Association of California stormwater permittees and others interested in stormwater. CASQA has produced several excellent BMP manuals and guidance documents.
www.casqa.org
- **EPA Nonpoint Source Website** – Contains information and tools to address diffuse, or nonpoint, sources water pollution caused by stormwater runoff.
www.epa.gov/nps/
- **EPA NPDES Webcasts:** This source allows you to view archived training webcasts for various stormwater topics. Over 15 different 2-hour stormwater webcasts are currently archived.
www.epa.gov/npdes/training
- **EPA's Electronic Stormwater Notice of Intent (eNOI) Homepage** - This online resource allows construction sites and industrial facilities to apply for EPA's Construction General Permit (CGP) or Multi-Sector General Permit (MSGP) electronically.
www.epa.gov/npdes/enoi

- **EPA's LID Website:** LID is an approach to land development (or re-development) that works with nature to manage stormwater as close to its source as possible. LID employs principles such as preserving and recreating natural landscape features, minimizing effective imperviousness to create functional and appealing site drainage that treat stormwater as a resource rather than a waste product.
www.epa.gov/owow/nps/lid
- **EPA's Nonpoint Source (NPS) Website:** A resource about nonpoint source pollution and programs to control nonpoint source pollution.
<http://www.epa.gov/nps>
- **Measurable Goals Guidance** - Helps small MS4 communities select measurable goals to evaluate their programs.
<http://cfpub.epa.gov/npdes/stormwater/measurablegoals/index.cfm>
- **Model Ordinances** - Assists managers in developing their own ordinances for the six minimum measures of stormwater control.
<http://www.epa.gov/owow/nps/ordinance/>
- **National Stormwater Quality Database** - A national database of Phase 1 stormwater monitoring data providing a scientific analysis of the data, and recommendations for improving the quality and management value of future NPDES monitoring efforts.
unix.eng.ua.edu/~rpitt/Research/ms4/mainms4.shtml
- **Nonpoint Source News Notes** - A periodic report on the condition of water-related environment, the control of nonpoint water pollution, and ecological management and restoration of wetlands.
www.epa.gov/newsnotes/
- **Stormwater Authority** – An online source for relevant information, news, events and education on stormwater.
www.stormwaterauthority.org/
- **Stormwater Case Studies Archive** - EPA's searchable archive of case studies covering all aspects of stormwater management.
<http://cfpub.epa.gov/npdes/stormwater/casestudies.cfm>
- **Stormwater Strategies: Community Responses to Urban Runoff** – The Natural Resource Defense Council (NRDC) compiled and evaluated over 100 case studies highlighting effective stormwater pollution prevention.
www.nrdc.org/water/pollution/storm/stoinx.asp
- **Stormwater: The Journal for Surface Water Quality Professionals** - This print and online magazine features articles, interviews and news about water quality improvement and protection. To receive a free subscription, go to http://www.forester.net/sw_subscribe.asp
stormh2o.com/sw.html
- **UNH Stormwater Research Center** - The University of New Hampshire's online stormwater database contains factsheets, research materials, articles and links to other stormwater sites.
www.unh.edu/erg/cstev
- **Watershed Academy Web: Online Training in Watershed Management** - This online distance learning program offers self-paced training modules for a basic introduction to the watershed management field.

www.epa.gov/watertrain/

Public Education and Outreach

Key Resources

- **EPA Nonpoint Source Outreach Toolbox** – This toolbox contains nearly 800 print, radio, and TV advertisements in a searchable catalogue in the categories of lawn and garden care, motor vehicle care, pet care, septic system care, household chemicals and waste, and general stormwater and storm drain awareness. It also contains a comprehensive collection of surveys and evaluations of outreach programs; a collection logos, slogans and mascots for community campaigns; and EPA's publication "Getting in Step: A Guide to Conducting Watershed Outreach Campaigns."
www.epa.gov/nps/toolbox
- **Getting In Step: A Guide for Conducting Watershed Outreach Campaigns:** (EPA 841-B-03-002) - The Getting in Step watershed outreach guidebook provides the tools you will need to develop and implement an effective watershed outreach plan. This manual will help you address public perceptions, promote stormwater-friendly activities, and inform or motivate stakeholders.
www.epa.gov/nps/outreach.html
- **EPA Watershed Academy course:** Getting in Step: A Guide to Effective Outreach in Your Watershed
<http://www.epa.gov/watertrain/gettinginstep/>
- **Getting in Step: Engaging and Involving Stakeholders in Your Watershed** - This document, developed by EPA, provides the tools needed to effectively identify, engage, and involve stakeholders to help restore and maintain healthy environmental conditions.
www.epa.gov/owow/watershed/outreach/documents/stakeholderguide.pdf
- **National Menu of BMPs: Public Education, Outreach and Involvement** - These websites have links to several facts sheets on BMPs for educating the public, as well as fact sheets detailing ideas and activities designed to get the public involved.
www.epa.gov/npdes/stormwater/menuofbmps (follow links to public education or public involvement)
- **Stormwater Outreach Materials and Reference Documents** - EPA has developed a set of materials that state or local governments can customize and use in their own stormwater outreach campaigns.
www.epa.gov/npdes/stormwatermonth
- **EPA NPDES Webcast:** Watch the archived webcasts "Using Outreach and Public Involvement to Meet Your Stormwater Phase II Goals" and "Social Marketing: A Tool for More Effective Stormwater Education and Outreach Programs" for more information.
www.epa.gov/npdes/training
- **After the Storm Video** (EPA 840-V-04-001) – Half-hour television program about watersheds co-produced by EPA and The Weather Channel premiered on Feb. 4, 2004.
www.epa.gov/weatherchannel/
- **Public Outreach and Education Case Studies** - EPA's searchable archive of case studies which includes a variety of reports on public outreach and education strategies for stormwater managers.
<http://cfpub.epa.gov/npdes/stormwater/casestudies.cfm> (Click on Public Outreach/ Education under Minimum Control Measures search tab)

Other Resources

- **American Oceans Campaign** - Helpful materials for educating the public, such as a video narrated by Ted Danson, links to stormwater resources in California, and a special report developed by AOC.
www.oceana.org/north-america/media-center/
- **California Stormwater Toolbox** –The California State Water Resources Control Board's innovative public education campaign "Erase the Waste" includes this toolbox containing advertisements, posters, and other outreach materials, as well as a Neighborhood Action Kit in English, Spanish, Chinese, Korean and Vietnamese. The toolbox includes a learning model for grades 4-6 that meets state curriculum standards, an after school program, and an online inventory of stormwater materials in California.
http://www.waterboards.ca.gov/water_issues/programs/outreach/erase_waste/
- **City of Los Angeles Stormwater Program** - This expansive site includes links to public outreach resources, industry BMPs, teacher workshops and educational programs, and much more.
<http://www.lacity.org/SAN/wpd/index.htm>
- **Communicator's Guide for Federal, State, Regional, and Local Communicators** - The Federal Communicator's Network developed this guide to offer some general guidance to improve the trust between government and the public by helping officials communicate clearly to the public and by making government's message relevant.
govinfo.library.unt.edu/npr/library/papers/bkgrd/communicators.html
- **Community Culture and the Environment: A Guide to Understanding a Sense of Place, Nov. 2002** (EPA 842-B-01-003)
The Guide explores the concepts of community and culture and provides tools for identifying, assessing, and working cooperatively within the social dynamics and local values connected to environmental protection.
<http://www.epa.gov/watershed/wacademy/pdf/ccecomplete.pdf>
- **Enviroscapes** - Website for manufacturer of realistic, three-dimensional models of watersheds, landfills, wetlands and more. An effective demonstration tool for students interested in learning about point sources and nonpoint sources of water pollution.
www.enviroscapes.com
- **Think Blue San Diego** - An overview of San Diego's stormwater pollution prevention program Think Blue San Diego. Includes program objectives and organization.
www.sandiego.gov/thinkblue
- **Utah's Getting Your Feet Wet with Social Marketing: A Social Marketing Guide for Watershed Programs.**
ag.utah.gov/conservation/GettingYourFeetWet1.pdf
- **Volunteer Monitoring** - Download helpful fact sheets and methods manuals, learn about upcoming events, and link to other helpful resources.
www.epa.gov/owow/monitoring/volunteer/
- **Water Environment Federation for Students** - Download WEF's materials and curricula for educating various age groups. Also provides information in Spanish.
<http://www.wef.org/AboutWater/ForEducators/CurriculumMaterials/>

Illicit Discharge Detection and Elimination

Key Resources

- **Illicit Discharge Detection and Elimination: A Guidance Manual for Program Development and Technical Assessments** - This comprehensive manual outlines practical, low cost and effective techniques for stormwater managers and practitioners. It is specifically designed to provide valuable guidance for those seeking to establish Illicit Discharge Detection and Elimination (IDDE) programs.
cfpub.epa.gov/npdes/docs.cfm?program_id=6&view=allprog&sort=name#iddemanual
www.cwp.org/idde_verify.htm
- **National Menu of BMPs: Illicit Discharge Detection and Elimination (IDDE)** - This EPA website links to 8 fact sheets outlining various IDDE best management practices.
www.epa.gov/npdes/stormwater/menuofbmps/illicitdischarge
- **EPA NPDES Webcasts:** Watch the archived webcasts “Developing Your IDDE Program (IDDE 101)” and “Conducting Illicit Discharge Detection and Elimination Investigations (IDDE 201)” for more information.
www.epa.gov/npdes/training

Other Resources

- **Illegal Discharge Detection and Elimination Case Studies** - EPA's searchable archive of case studies which includes a variety of reports on Illegal Discharge Detection and Elimination (IDDE) for stormwater managers.
<http://cfpub.epa.gov/npdes/stormwater/casestudies.cfm> (Click on IDDE under Minimum Control Measures search tab)
- **Illicit Discharge Detection and Elimination Manual** - The New England Interstate Water Pollution Control Commission developed this manual to provide an overview of the IDDE component of the Phase II regulations and practical information on various approaches municipalities can use to carry out the requirements of the regulations.
www.neiwpc.org/iddemanual.asp
- **Illicit Discharges Model Ordinances** – EPA developed this website to assist managers in developing their own ordinances.
www.epa.gov/owow/nps/ordinance/discharges.htm
- **Investigation of Inappropriate Pollutant Entries into Storm Drainage Systems: A User's Guide** Information to allow the design and conduct of local investigations to identify the types and to estimate the magnitudes of non-stormwater entries into storm drainage systems (EPA-600-R-92-238).
www.epa.gov/npdes/pubs/investigating_inappropriate_pesds.pdf
- **Sanitary Sewer Overflows (SSOs)** - EPA developed this website to provide more information on SSOs, including fact sheets and an SSO toolbox.
www.epa.gov/npdes/sso

Construction Site Runoff Control

Key Resources

- **Developing Your Stormwater Pollution Prevention Plan: A Guide for Construction Sites** - This manual provides detailed guidance on the development of storm water pollution prevention plans (SWPPP) and identification of best management practices (BMPs) for construction

activities. The SWPPP guide is written in a general format and can be used at most construction sites nationwide, in any state, territory or in Indian country. The guide contains a SWPPP template and sample inspection form which should be customized to meet specific permit requirements and the conditions at the site. (EPA 832-R-060-04).

www.epa.gov/npdes/swpppguide

- **Construction Industry Compliance Assistance Center** - Developed by the National Center for Manufacturing Sciences, this site provides explanations of environmental rules for the construction industry. Also provided are links to detailed information, including state regulations and other resources.
www.cicacenter.org
- **National Menu of BMPs: Construction Site Runoff Control** - This EPA website links to 43 fact sheets outlining various construction best management practices.
www.epa.gov/npdes/stormwater/menuofbmps/construction
- **Construction General Permit** - The website describes EPA's construction general permit and provides links to fact sheets and the electronic Notice of Intent (eNOI) website.
www.epa.gov/npdes/stormwater/cgp

Other Resources

- **California Stormwater Quality Association Handbook on Construction:** A BMP Handbook on reducing pollutants from construction sites.
<http://www.cabmphandbooks.com/Construction.asp>
- **Construction Site Runoff Control Case Studies** - EPA's searchable archive of case studies which contains a variety of reports on site runoff control for contractors and stormwater managers.
<http://cfpub.epa.gov/npdes/stormwater/casestudies.cfm> (Click on Construction Site Runoff Control under Minimum Control Measures search tab)
- **EPA NPDES Webcasts:** Watch the archived webcasts "Construction SWPPPs from A to Z: Everything You Ever Wanted to Know and More!" and "Stormwater Phase II: Developing an Effective Municipal Stormwater Management Program for Construction Sites (Construction 101)" for more information.
www.epa.gov/npdes/training
- **Implementing Construction Site BMPs in the Northern Rocky Mountains** - The goal of this program is to help contractors know when and how to implement, manage and maintain BMPs appropriate for the Northern Rocky Mountains.
stormwater.montana.edu/
- **International Erosion Control Association** - The International Erosion Control Association is a non-profit, member organization that provides education and resource information for professionals in the erosion and sediment control industry.
www.ieca.org/
- **Minnesota Stormwater Construction Inspection Guide:** This stormwater construction inspection guide is designed to assist construction site inspectors, such as staff representing various local units of government, in the procedures for conducting a compliance inspection at construction sites. The focus of this guide is on inspecting construction sites less than five disturbed acres; however, the principles of this inspection guide can be applied to construction sites of any size.
www.pca.state.mn.us/publications/wq-strm2-10.pdf

Notable State Stormwater Management Manuals

- **Delaware** –The Delaware Erosion and Sediment Handbook.
www.dnrec.state.de.us/dnrec2000/Divisions/Soil/Stormwater/New/Delaware%20ESC%20Handbook_06-05.pdf
- **Kentucky Erosion Prevention and Sediment Control Field Guide** - Comprehensive guide to Kentucky's BMPs for erosion and sediment control for highway construction projects.
www.tetrattech-ffx.com/wstraining/pdf/esc_guide.pdf

Post-Construction Site Runoff Control

Key Resources

- **CWP Post-Construction Guide** – “Managing Stormwater in Your Community: A Guide for Building an Effective Post-Construction Program” includes guidance and tools to help municipalities address post-construction runoff.
www.cwp.org/Resource_Library/Controlling_Runoff_and_Discharges/sm.htm
- **Green Infrastructure Page** – EPA developed this webpage to highlight green infrastructure practices and link to helpful documents and other organizations' websites.
www.epa.gov/npdes/greeninfrastructure
- **Low-Impact Development Page** - This webpage provides links to EPA documents and other helpful organizations' websites.
www.epa.gov/nps/lid/
- **National Menu of BMPs: Post-Construction Site Runoff Control** - This EPA website links to 39 fact sheets outlining various structural and non-structural best management practices for post-construction runoff control.
www.epa.gov/npdes/stormwater/menuofbmps/postconstruction
- **Smart Growth** - This EPA site provides information on various smart growth topics, and links to other helpful websites. Three EPA publications described and linked at this site are: *Using Smart Growth Techniques as Stormwater Best Management Practices*, 2005 (EPA 231-B-05-002); *Protecting Water Resources with Higher-Density Development*, 2006 (EPA 231-R-06-001); and *Parking Spaces/Community Places: Finding Balance through Smart Growth Solutions*, 2006 (EPA 231-K-06-001).
www.epa.gov/smartgrowth/
- **EPA's Urban BMP Performance Tool** - This Urban Stormwater BMP Performance Tool has been developed to provide stormwater professionals with easy access to approximately 220 studies assessing the performance of over 275 BMPs.
www.epa.gov/npdes/urbanbmp
- **International Stormwater Best Management Practices (BMP) Database** - A database of over 300 BMP studies, performance analysis results, tools for use in BMP performance studies, monitoring guidance and other study-related publications.
www.bmpdatabase.org/

Other Resources

- **Better Site Design Manual** – The Center for Watershed Protection developed this manual for better site design, also known as low-impact development, to show better engineering principles. It provides 22 guidelines and rationale for each principle.
www.cwp.org

- **Catching the Rain: a Great Lakes Resource Guide for Natural Stormwater Management-** This report by American Rivers outlines natural stormwater management approaches appropriate for the Great Lakes region. It demonstrates alternative stormwater management techniques.
www.americanrivers.org/site/DocServer/CatchingTheRain.pdf?docID=163
- **Center for Watershed Protection's Urban Stormwater Retrofit Manual** - Manual on stormwater retrofit practices that can capture and treat stormwater runoff before it is delivered to the stream.
www.cwp.org
- **EPA NPDES Webcasts:** Watch the archived webcasts "Post-Construction Overview and Introduction to Smart Growth and Low Impact Development (Post-Construction 101)", "Post-Construction Management, Building Green Programs", and "The Art and Science of Stormwater Retrofitting" for more information.
www.epa.gov/npdes/training
- **Green Roofs for Healthy Cities** - This non-profit industry association's website collects and publishes technical information on green roof products and services.
www.greenroofs.org
- **Low Impact Development Center** - The Low Impact Development Center strives to help communities use proper site design techniques to protect their water resources.
www.lowimpactdevelopment.org
- **Low Impact Development Design Strategies** - Prince George's County Maryland developed this manual to push the site design envelope to show how stormwater controls can be integrated into a site in innovative ways.
<http://www.co.pg.md.us/Government/AgencyIndex/DER/ESG/manuals.asp>
- **Low-Impact Development Page** – Developed by EPA, provides links to EPA documents and other helpful organization's web sites.
www.epa.gov/owow/nps/lid/
- **Low Impact Development Practices for Stormwater Management** - This technical information resource sponsored by the housing industry discusses building products, materials, new technologies, business management and housing systems.
www.toolbase.org/TechInventory/TechDetails.aspx?ContentDetailID=909&BucketID=6&CategoryID=11
- **Low Impact Development: Urban Design Tools** - This site provides watershed managers with tools and techniques for meeting regulatory and receiving water protection program goals for urban retrofits, redevelopment projects and new development sites.
www.lid-stormwater.net/
- **Post Construction Controls Model Ordinance** – EPA developed this website to assist managers in developing their own ordinances.
www.epa.gov/owow/nps/ordinance/postcons.htm
- **Puget Sound Online: Low Impact Development** - Sponsored by the Puget Sound Action Team Partnership, this webpage addresses issues and innovations in low impact development, including an LID Technical Manual for Puget Sound.
http://www.psparchives.com/our_work/stormwater/lid.htm

- **Smart Growth for Clean Water: Helping Communities Address the Water Quality Impacts of Sprawl** - This report from the National Association of Local Government Environmental Professionals identifies five smart growth approaches, and profiles several local partnerships that have reaped the economic and environmental benefits of these approaches.
www.nalgep.org/publications/PublicationsDetail.cfm?LinkAdvID=42157
- **Smart Growth Online** - Sponsored by the Smart Growth Network, this site is a forum for discussing smart growth BMPs, innovative policies, tools and ideas.
www.smartgrowth.org/sgn/default.asp?res=800
- **Water Environment Research Foundation's Using Rainwater to Grow Livable Communities**: This website is designed to encourage and facilitate the integration of stormwater BMPs into development projects in your area by providing tools and resources for effective communication and implementation as well as in-depth case studies that examine BMP integration in several cities across the United States.
www.werf.org/livablecommunities

Notable State Stormwater Management Manuals

- **Georgia** - Volumes 1 and 2 of the Georgia Stormwater Management Manual
www.georgiastormwater.com/
- **Maryland** - Maryland Stormwater Design Manual, Volumes I & II.
www.mde.state.md.us/Programs/WaterPrograms/SedimentandStormwater/stormwater_design/index.asp
- **Minnesota** - Stormwater Manual (Version 2)
www.pca.state.mn.us/water/stormwater/stormwater-manual.html#manual
- **Pennsylvania** – Pennsylvania Stormwater BMP Manual
<http://164.156.71.80/WXOD.aspx?fs=2087d8407c0e00008000071900000719&ft=1>
- **Vermont** – The Vermont Stormwater Management Manual
www.vtwaterquality.org/stormwater/docs/sw_manual-vol1.pdf
- **Western Washington** - Stormwater Management Manual for Western Washington
www.ecy.wa.gov/PROGRAMS/wq/stormwater/manual.html

Pollution Prevention/Good Housekeeping

Key Resources

- **National Menu of BMPs: Pollution Prevention and Good Housekeeping** - This EPA website links to 13 fact sheets outlining various best management practices for pollution prevention and good housekeeping.
www.epa.gov/npdes/stormwater/menuofbmps/goodhousekeeping
- **Municipal Pollution Prevention/Good Housekeeping Practices** – A Center for Watershed Protection guidance that helps communities plan and develop effective programs.
www.cwp.org

Other Resources

- **California Stormwater Quality Association Handbook on Municipal Operations** – A BMP Handbook on reducing pollutants in runoff from municipal operations.
<http://www.cabmphandbooks.com/Municipal.asp>

- **EPA NPDES Webcast:** Watch the archived webcast on “Killing Two Birds with One Stone: Building a Local Program to Maintain Your Stormwater Practices and Prevent Pollution for Municipal Operation” to learn more about this topic.
www.epa.gov/npdes/training
- **Pollution Prevention/Good Housekeeping Case Studies** - EPA’s searchable archive of case studies which includes a variety of reports related to pollution prevention/good housekeeping.
<http://cfpub.epa.gov/npdes/stormwater/casestudies.cfm> (Click on Pollution Prevention/Good Housekeeping under Minimum Control Measures search tab)
- **Stormwater Control Operation and Maintenance Model Ordinance** – Model and example ordinances on a variety of topics, including O&M.
www.epa.gov/owow/nps/ordinance/stormwater.htm

Funding Sources

Key Resources

- **An Internet Guide to Financing Stormwater Management** - This site was designed to help communities find ways to fund stormwater management projects.
stormwaterfinance.urbancenter.iupui.edu/

Other Resources

- **Catalog of Federal Funding Sources for Watershed Protection** - The Catalog of Federal Funding Sources for Watershed Protection website is a searchable database of financial assistance sources (grants, loans, and cost-sharing) available to fund a variety of watershed protection projects.
cfpub.epa.gov/fedfund/
- **EPA NPDES Webcast:** Watch the archived webcast on “Financing a Municipal Stormwater Program (Stormwater Utilities 201)” to learn more about this topic.
www.epa.gov/npdes/training
- **Guidance for Municipal Stormwater Funding** - Guidance document produced by the National Association of Flood and Stormwater Management Agencies (NAFSMA) under a grant from EPA. This resource for local governments examines funding approaches including legal, procedural and financial considerations. It focuses on guidelines for developing service/user/utility fees to support funding programs.
www.nafsm.org/Guidance%20Manual%20Version%202X.pdf
- **State Revolving Fund** - State Revolving Fund programs in each state and Puerto Rico are funded by EPA and operated like banks. Assets are used to make low- or no-interest loans.
www.epa.gov/owm/cwfinance/cwsrf/index.htm

Program Planning and Performance

Key Resources

- **California Stormwater Quality Association’s Municipal Stormwater Program Effectiveness Assessment Guidance:** A guide on how municipalities can better assess the effectiveness of their stormwater program.
www.casqa.org (\$30.00)

- **Center for Watershed Protection’s Smart Watershed Benchmarking Tool:** The Smart Watershed Benchmarking Tool is available for free download.
http://cwp.org.master.com/taxis/master/search/+/form/Smart_Watershed.html
- **EPA NPDES Webcast:** Watch the archived webcast on “Assessing the Effectiveness of Your Municipal Stormwater Program” to learn more about this topic.
www.epa.gov/npdes/training
- **EPA’s Measurable Goals Guidance:** Helps small MS4 communities select measurable goals to evaluate their programs.
www.epa.gov/npdes/stormwater
- **EPA’s MS4 Program Evaluation Guide:** A guide for EPA and state staff responsible for assessing the compliance of municipal stormwater programs.
www.epa.gov/npdes/stormwater/municipal

BMP Performance

Key Resources

- **EPA’s Urban BMP Performance Tool:** This Urban Stormwater BMP Performance Tool has been developed to provide stormwater professionals with easy access to approximately 220 studies assessing the performance of over 275 BMPs.
www.epa.gov/npdes/urbanbmptool
- **EPA NPDES Webcast:** Watch the archived webcast on “BMP Performance” to learn more about this topic.
www.epa.gov/npdes/training
- **International Stormwater BMP Database:** A database of over 300 BMP studies, performance analysis results, tools for use in BMP performance studies, monitoring guidance and other study-related publications.
www.bmpdatabase.org
- **Center for Watershed Protection’s National Pollutant Removal Database:** National Pollutant Removal Performance Database Technical Brief (Version 3.0) and the National Pollutant Removal Performance Database for Stormwater Treatment Practices, version 2.
http://www.cwp.org/Resource_Library/Controlling_Runoff_and_Discharges/sm.htm (free)



Stormwater Phase II Final Rule

Small MS4 Stormwater Program Overview

Stormwater Phase II Final Rule Fact Sheet Series

Overview

1.0 – Stormwater Phase II Final Rule: An Overview

Small MS4 Program

2.0 – Small MS4 Stormwater Program Overview

2.1 – Who's Covered? Designation and Waivers of Regulated Small MS4s

2.2 – Urbanized Areas: Definition and Description

Minimum Control Measures

2.3 – Public Education and Outreach

2.4 – Public Participation/Involvement

2.5 – Illicit Discharge Detection and Elimination

2.6 – Construction Site Runoff Control

2.7 – Post-Construction Runoff Control

2.8 – Pollution Prevention/Good Housekeeping

2.9 – Permitting and Reporting: The Process and Requirements

2.10 – Federal and State-Operated MS4s: Program Implementation

Construction Program

3.0 – Construction Program Overview

3.1 – Construction Rainfall Erosivity Waiver

Industrial “No Exposure”

4.0 – Conditional No Exposure Exclusion for Industrial Activity

Polluted storm water runoff is often transported to municipal separate storm sewer systems (MS4s) and ultimately discharged into local rivers and streams without treatment. EPA's Stormwater Phase II Rule establishes an MS4 stormwater management program that is intended to improve the Nation's waterways by reducing the quantity of pollutants that stormwater picks up and carries into storm sewer systems during storm events. Common pollutants include oil and grease from roadways, pesticides from lawns, sediment from construction sites, and carelessly discarded trash, such as cigarette butts, paper wrappers, and plastic bottles. When deposited into nearby waterways through MS4 discharges, these pollutants can impair the waterways, thereby discouraging recreational use of the resource, contaminating drinking water supplies, and interfering with the habitat for fish, other aquatic organisms, and wildlife.

In 1990, EPA promulgated rules establishing Phase I of the National Pollutant Discharge Elimination System (NPDES) stormwater program. The Phase I program for MS4s requires operators of “medium” and “large” MS4s, that is, those that generally serve populations of 100,000 or greater, to implement a stormwater management program as a means to control polluted discharges from these MS4s. The Stormwater Phase II Rule extends coverage of the NPDES stormwater program to certain “small” MS4s but takes a slightly different approach to how the stormwater management program is developed and implemented.

What Is a Phase II Small MS4?

A small MS4 is any MS4 not already covered by the Phase I program as a medium or large MS4. The Phase II Rule automatically covers on a nationwide basis all small MS4s located in “urbanized areas” (UAs) as defined by the Bureau of the Census (unless waived by the NPDES permitting authority), and on a case-by-case basis those small MS4s located outside of UAs that the NPDES permitting authority designates. For more information on Phase II small MS4 coverage, see Fact Sheets 2.1 and 2.2.

What Are the Phase II Small MS4 Program Requirements?

Operators of regulated small MS4s are required to design their programs to:

- Reduce the discharge of pollutants to the “maximum extent practicable” (MEP);
- Protect water quality; and
- Satisfy the appropriate water quality requirements of the Clean Water Act.

Implementation of the MEP standard will typically require the development and implementation of BMPs and the achievement of measurable goals to satisfy each of the six minimum control measures.

The Phase II Rule defines a small MS4 stormwater management program as a program comprising six elements that, when implemented in concert, are expected to result in significant reductions of pollutants discharged into receiving waterbodies.

The six MS4 program elements, termed “minimum control measures,” are outlined below. For more information on each of these required control measures, see Fact Sheets 2.3 – 2.8.

- 1 *Public Education and Outreach***
Distributing educational materials and performing outreach to inform citizens about the impacts polluted stormwater runoff discharges can have on water quality.
- 2 *Public Participation/Involvement***
Providing opportunities for citizens to participate in program development and implementation, including effectively publicizing public hearings and/or encouraging citizen representatives on a stormwater management panel.
- 3 *Illicit Discharge Detection and Elimination***
Developing and implementing a plan to detect and eliminate illicit discharges to the storm sewer system (includes developing a system map and informing the community about hazards associated with illegal discharges and improper disposal of waste).
- 4 *Construction Site Runoff Control***
Developing, implementing, and enforcing an erosion and sediment control program for construction activities that disturb 1 or more acres of land (controls could include silt fences and temporary stormwater detention ponds).
- 5 *Post-Construction Runoff Control***
Developing, implementing, and enforcing a program to address discharges of post-construction stormwater runoff from new development and redevelopment areas. Applicable controls could include preventative actions such as protecting sensitive areas (e.g., wetlands) or the use of structural BMPs such as grassed swales or porous pavement.
- 6 *Pollution Prevention/Good Housekeeping***
Developing and implementing a program with the goal of preventing or reducing pollutant runoff from municipal operations. The program must include municipal staff training on pollution prevention measures and techniques (e.g., regular street sweeping, reduction in the use of pesticides or street salt, or frequent catch-basin cleaning).

What Information Must the NPDES Permit Application Include?

The Phase II program for MS4s is designed to accommodate a general permit approach using a Notice of Intent (NOI) as the permit application. The operator of a regulated small MS4 must include in its permit application, or NOI, its chosen BMPs and measurable goals for each minimum control measure. To help permittees identify the most appropriate BMPs for their programs, EPA issued a Menu of BMPs to serve as guidance. NPDES permitting authorities can modify the EPA menu or develop their own list. For more information on application requirements, see Fact Sheet 2.9.

What Are the Implementation Options?

The rule identifies a number of implementation options for regulated small MS4 operators. These include sharing responsibility for program development with a nearby regulated small MS4, taking advantage of existing local or State programs, or participating in the implementation of an existing Phase I MS4's stormwater program as a co-permittee. These options are intended to promote a regional approach to stormwater management coordinated on a watershed basis.

What Kind of Program Evaluation/Assessment Is Required?

Permittees need to evaluate the effectiveness of their chosen BMPs to determine whether the BMPs are reducing the discharge of pollutants from their systems to the “maximum extent practicable” and to determine if the BMP mix is satisfying the water quality requirements of the Clean Water Act. Permittees also are required to assess their progress in achieving their program’s measurable goals. While monitoring is not required under the rule, the NPDES permitting authority has the discretion to require monitoring if deemed necessary. If there is an indication of a need for improved controls, permittees can revise their mix of BMPs to create a more effective program. For more information on program evaluation/assessment, see Fact Sheet 2.9.

For Additional Information

Contacts

- ☞ U.S. EPA Office of Wastewater Management
<http://www.epa.gov/npdes/stormwater>
Phone: 202-564-9545

- ☞ Your NPDES Permitting Authority. Most States and Territories are authorized to administer the NPDES Program, except the following, for which EPA is the permitting authority:

Alaska	Guam
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Idaho	Midway and Wake Islands
Massachusetts	Northern Mariana Islands
New Hampshire	Puerto Rico
New Mexico	Trust Territories
American Samoa	

- ☞ A list of names and telephone numbers for each EPA Region and State is located at <http://www.epa.gov/npdes/stormwater> (click on “Contacts”).

Reference Documents

- ☞ EPA’s Stormwater Web Site
<http://www.epa.gov/npdes/stormwater>
 - Stormwater Phase II Final Rule Fact Sheet Series
 - Stormwater Phase II Final Rule (64 *FR* 68722)
 - National Menu of Best Management Practices for Stormwater Phase II
 - Measurable Goals Guidance for Phase II Small MS4s
 - Stormwater Case Studies
 - And many others



Stormwater Phase II Final Rule

Who's Covered? Designation and Waivers of Regulated Small MS4s

Stormwater Phase II Final Rule Fact Sheet Series

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4.0 – Conditional No Exposure
Exclusion for Industrial Activity

Who Is Affected by the Phase II Small MS4 Program?

The Stormwater Phase II Final Rule applies to operators of *regulated small* municipal separate storm sewer systems (MS4s), which are designated based on the criteria discussed in this fact sheet. In this fact sheet, the definition of an MS4 and the distinction between small, medium, and large MS4s is reviewed. Conditions under which a small MS4 may be designated as a *regulated* small MS4, as well as the conditions for a waiver from the Phase II program requirements, are outlined. This fact sheet also attempts to clarify possible implementation issues related to determining one's status as an operator of a regulated small MS4.

What Is a Municipal Separate Storm Sewer System (MS4)?

What constitutes an MS4 is often misinterpreted and misunderstood. The term MS4 does not solely refer to municipally-owned storm sewer systems, but rather is a term of art with a much broader application that can include, in addition to local jurisdictions, State departments of transportation, universities, local sewer districts, hospitals, military bases, and prisons. An MS4 also is not always just a system of underground pipes – it can include roads with drainage systems, gutters, and ditches. The regulatory definition of an MS4 is provided below.

According to 40 CFR 122.26(b)(8), "*municipal separate storm sewer* means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):

- (i) Owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law)...including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the Clean Water Act that discharges into waters of the United States.
- (ii) Designed or used for collecting or conveying stormwater;
- (iii) Which is not a combined sewer; and
- (iv) Which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2."

What Is a Small, Medium, or Large MS4?

- ❑ EPA’s NPDES (National Pollutant Discharge Elimination System) stormwater permitting program labels MS4s as either “small,” “medium,” or “large” for the purposes of regulation.
- ❑ A **small MS4** is any MS4 that is not already covered by the Phase I stormwater program. Small MS4s include Federally-owned systems, such as military bases.
- ❑ The Phase I stormwater program covers *medium* and *large* MS4s. Phase I MS4s were automatically designated nationwide as **medium MS4s** if they were located in an incorporated place or county with a population between 100,000 - 249,999 or as **large MS4s** if located in an incorporated place or county with a population of 250,000 or greater. Many MS4s in areas below 100,000 in population, however, have been individually brought into the Phase I program by NPDES permitting authorities. Such already regulated MS4s do not have to develop a Phase II program.

Are All Small MS4s Covered by the Phase II Final Rule?

No. The universe of small MS4s is quite large since it includes every MS4 except for the approximately 900 medium and large MS4s already regulated under the Phase I stormwater program. Only a select sub-set of small MS4s, referred to as **regulated small MS4s**, is covered by the Phase II Final Rule, either through automatic nationwide designation or designation on a case-by-case basis by the NPDES permitting authority.

How Is A Small MS4 Designated as a Regulated Small MS4?

A small MS4 can be designated by the permitting authority as a **regulated** small MS4 in one of three ways:

① Automatic Nationwide Designation

The Phase II Final Rule requires nationwide coverage of all operators of small MS4s that are located within the boundaries of a Bureau of the Census-defined “urbanized area” (UA) based on the latest decennial Census. Once a small MS4 is designated into the program based on the UA boundaries, it cannot be removed from the program on that basis that a subsequent decennial UA calculation shows that the small MS4 is no longer within the UA boundaries. However, the designated small MS4 remains eligible for a waiver if it meets the criteria.

❑ *Urbanized Areas*

An **urbanized area (UA)** is a densely settled core of census tracts and/or census blocks that have population of at least 50,000, along with adjacent territory containing non-residential urban land uses as well as territory with low population density included to link outlying densely settled territory with the densely settled core. It is a calculation used by the Bureau of the Census to determine the geographic boundaries of the most heavily developed and dense urban areas.

More information about urbanized areas maps is available at: <http://www.epa.gov/npdes/stormwater/urbanmaps>

Additionally, information about urbanized areas is available directly from the U.S. Bureau of the Census at: <http://www.census.gov/geo/www/ua/2010urbanruralclass.html>

② Potential Designation by the NPDES Permitting Authority – Required Evaluation

An operator of small MS4 located outside of a UA have been designated as a regulated small MS4 if the NPDES permitting authority determined that its discharges cause, or have the potential to cause, an adverse impact on water quality. The Phase II Final Rule required the NPDES permitting authority to develop a set of designation criteria and apply them, *at a minimum*, to all small MS4s located outside of a UA serving a jurisdiction with a population of at least 10,000 and a population density of at least 1,000 people/square mile.

❑ *Designation Criteria*

EPA recommended that the NPDES permitting authority use a balanced consideration of the following designation criteria on a watershed or other local basis:

- ✓ Discharge to sensitive waters;
- ✓ High population density;
- ✓ High growth or growth potential;
- ✓ Contiguity to a UA;
- ✓ Significant contributor of pollutants to waters of the United States; and
- ✓ Ineffective protection of water quality concerns by other programs.

③ Potential Designation by the NPDES Permitting Authority – Physically Interconnected

Under the final rule, the NPDES permitting authority was required to designate any small MS4 located outside of a UA that contributes substantially to the pollutant loadings of a *physically interconnected* MS4 regulated by the NPDES stormwater program. The final rule did not set a deadline for designation of small MS4s meeting this criterion.

Physically interconnected means that one MS4 is connected to a second MS4 in such a way that it allows for *direct* discharges into the second system.

State and EPA permitting authorities can be contacted to obtain a full list of regulated MS4s, including both the automatically designated MS4s and those that were additionally designated.

Are Waivers from the Phase II Permit/Program Requirements Possible?

Yes, two waiver options are available to operators of automatically designated small MS4s if discharges do not cause, or have the potential to cause, water quality impairment.

The first applies where:

- (1) the jurisdiction served by the system is less than 1,000 people within the urbanized area;
- (2) the system is not contributing substantially to the pollutant loadings of a physically interconnected regulated MS4; and
- (3) if the small MS4 discharges any pollutants identified as a cause of impairment of any water body to which it discharges, stormwater controls are not needed based on wasteload allocations that are part of an EPA approved or established “total maximum daily load” (TMDL) that addresses the pollutant(s) of concern.

TMDLs are water quality assessments that determine the source or sources of pollutants of concern for a particular waterbody, consider the maximum amount of pollutants the waterbody can assimilate, and then allocate to each source a set level of pollutants that it is allowed to discharge (i.e., a “wasteload allocation”). Small MS4s that are not given a wasteload allocation would meet the third criterion above.

The second applies where:

- (1) the jurisdiction served by the system is less than 10,000 people;
- (2) an evaluation of all waters of the U.S. that receive a discharge from the system shows that stormwater controls are not needed based on wasteload allocations that are part of an EPA approved or established TMDL that addresses the pollutant(s) of concern or an equivalent analysis; and
- (3) it is determined that future discharges from the small MS4 do not have the potential to result in exceedances of water quality standards.

The NPDES permitting authority is required to periodically review any waivers granted to MS4 operators to determine whether any information required for granting the waiver has changed. Minimally, such a review needs to be conducted once every five years.

Can More than One MS4 in the Same Political Jurisdiction Be Automatically Designated?

Yes. Since the final rule provides automatic coverage of all small MS4s within a UA, the result would likely be coverage of several governments and agencies with multiple, perhaps overlapping, jurisdictions. For example, a city that is located within a UA and operates its own small MS4 could be designated alongside the State’s department of transportation (DOT) and the county’s DOT if the State and county operate roads that are within the borders of the city. All three entities would be responsible for developing a stormwater management program for the portion of their respective MS4s within the city limits. In such a case, the permittees are strongly encouraged to work together to form a unified stormwater management program.

Who Is Responsible if the Small MS4 Operator Lacks the Necessary Legal Authority?

Some regulated small MS4s may lack the necessary legal authority to implement one or more of the required minimum control measures that comprise the Phase II stormwater management program. For example, a local government that is a small MS4 operator may be in a State that does not have an enabling statute that allows local regulatory control of construction site runoff into the sewer system. Another example is a State DOT that may not have the legal authority to require and enforce controls on illicit discharges into its system. In these situations the small MS4 is encouraged to work with the neighboring regulated small MS4s. As co-permittees, they could form a shared stormwater management program in which each permittee is responsible for activities that are within their individual legal authorities and abilities.

For Additional Information

Contacts

- ☞ U.S. EPA Office of Wastewater Management
Phone: 202-564-9545
<http://www.epa.gov/npdes/stormwater>

- ☞ Your NPDES Permitting Authority. Most States and Territories are authorized to administer the NPDES Program, except the following, for which EPA is the permitting authority:

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Reference Documents

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 - Stormwater Phase II Final Rule (64 *FR* 68722)
 - National Menu of Best Management Practices for Stormwater Phase II
 - Measurable Goals Guidance for Phase II Small MS4s
 - Stormwater Case Studies

- ☞ Census Urbanized Area Information
<http://www.epa.gov/npdes/stormwater/urbanmaps>
 - General Information:
<http://www.census.gov/geo/www/ua/uacubndy.html>



Stormwater Phase II Final Rule

Urbanized Areas: Definition and Description

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3.1 – Construction Rainfall
Erosivity Waiver

Industrial "No Exposure"

4.0 – Conditional No Exposure
Exclusion for Industrial Activity

As discussed in Fact Sheet 2.1, *Who's Covered? Designation and Waivers of Regulated Small MS4s*, the Phase II Final Rule covers all small municipal separate storm sewer systems (MS4s) located within an "urbanized area" (UA). UAs constitute the largest and most dense areas of settlement. UA calculations delineate boundaries around these dense areas of settlement and, in doing so, identify the areas of concentrated development. UA designations are used for several purposes in both the public and private sectors. For example, the Federal Government has used UAs to calculate allocations for transportation funding, and some planning agencies and development firms use UA boundaries to help ascertain current, and predict future, growth areas.

What Is an Urbanized Area (UA)?

The Bureau of the Census determines UAs by applying a detailed set of published UA criteria (see 55 *FR* 42592, October 22, 1990) to the latest decennial census data. Although the full UA definition is complex, the Bureau of the Census' general definition of a UA, based on population and population density, is provided below.

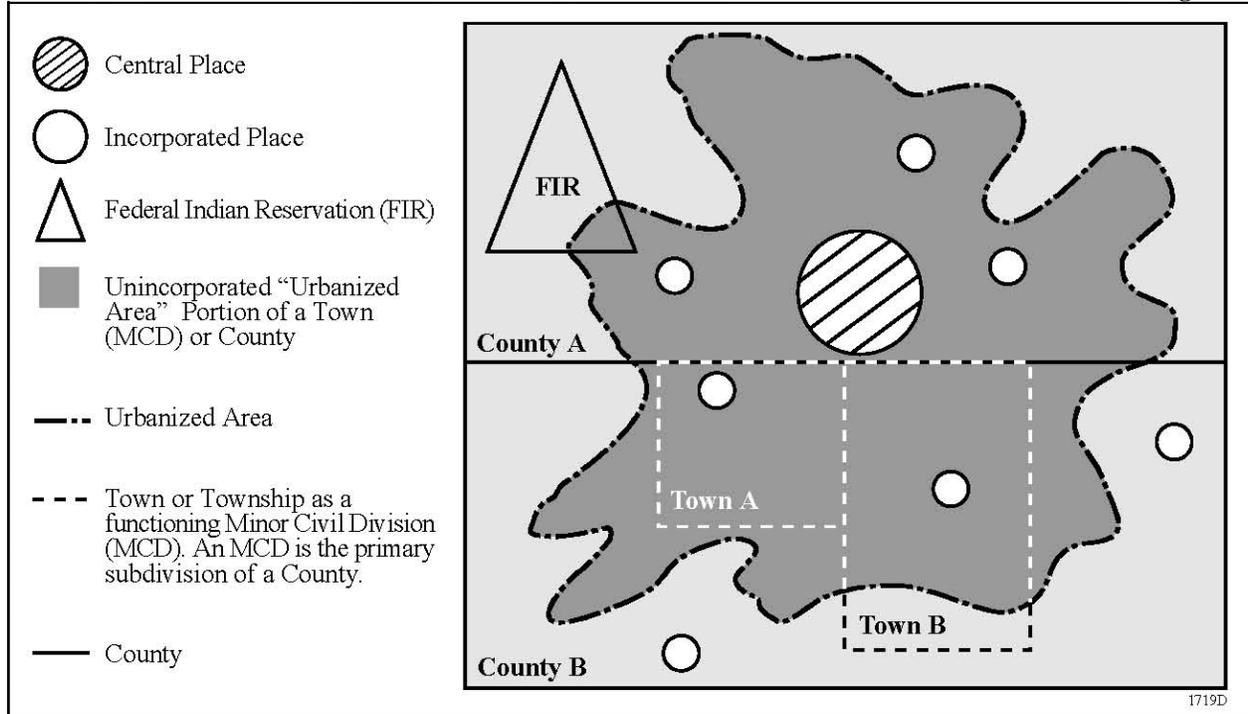
An **urbanized area (UA)** is a densely settled core of census tracts and/or census blocks that have population of at least 50,000, along with adjacent territory containing non-residential urban land uses as well as territory with low population density included to link outlying densely settled territory with the densely settled core. It is a calculation used by the Bureau of the Census to determine the geographic boundaries of the most heavily developed and dense urban areas.

The basic unit for delineating the UA boundary is the census block. Census blocks are based on visible physical boundaries, such as the city block, when possible, or on invisible political boundaries, when not. An urbanized area can comprise places, counties, Federal Indian Reservations, and minor civil divisions (MCDs - towns and townships).

How Can Status as a Regulated Small MS4 Be Determined?

The drawing below (see Figure 1) is a simplified UA illustration that demonstrates the concept of UAs in relation to the Phase II Final Rule. The "urbanized area" includes within its boundaries incorporated places, a portion of a Federal Indian reservation, an entire MCD, a portion of another MCD, and portions of two counties. Any and all operators of small MS4s located within the boundaries of the UA are covered under the Phase II Final Rule, regardless of political boundaries. Operators of small MS4s located outside of the UA are subject to potential designation into the Phase II MS4 program by the NPDES permitting authority.

Figure 1



Operators of small MS4s can determine if they are located within a UA, and therefore covered by the Phase II storm water program, by contacting one or more of the institutions listed below for more detailed information on the location of the UA boundary. EPA and the States have compiled a list of municipalities to be covered under the Phase II Rule, but the urbanized area boundaries are important in some cases for determining the specific area within a municipality’s boundaries that is covered (e.g., a county included in Phase II might only be required to implement their program for the urbanized area of the county).

The State or NPDES Permitting Authority (may be the State or the U.S. EPA Region)

Storm Water Coordinators: The NPDES permitting authority may be the State or the U.S. EPA Region. The Storm Water Coordinators for each U.S. EPA Region are listed in the *For Additional Information* section in Fact Sheet 2.9. These regional contacts can assist with UA information and provide the names of State storm water contacts. Regional and State contact information can also be obtained from OWM.

State Data Centers: Each State’s Data Center receives listings of all entities that are located in UAs, as well as detailed maps and electronic files of UA boundaries. The Bureau of the Census web site includes a list of contact names and phone numbers for the data in each State at www.census.gov/sdc/www.

State Planning/Economic/Transportation Agencies: These agencies typically use UAs to assess current development and forecast future growth trends and, therefore, should have detailed UA information readily available to help determine the UA boundaries in any given area.

County or Regional Planning Commissions/Boards

As with State agencies, these entities are likely to have detailed UA data and maps to help determine UA boundaries.

U.S. EPA

NPDES Website: Information about urbanized areas maps is available at EPA’s website: <http://www.epa.gov/npdes/stormwater/urbanmaps>

Enviromapper Website: EPA modified a Web-based geographic program called *Enviromapper*. This allows MS4 operators to enter a location and see a detailed map of the UA boundary (called “city boundaries”). *Enviromapper* can be accessed at <http://www.epa.gov/emefdata/em4ef.home>

❑ The Bureau of the Census

The site provides information on downloading UA maps and other electronic files for use with computerized mapping systems.

<http://www.census.gov/geo/www/ua/2010Urbanruralclass.html>

How Will Subsequent Censuses Affect the Determination of Status as a Regulated Small MS4?

Any additional automatic designations of small MS4s based on subsequent census years is governed by the Bureau of the Census' definition of a UA in effect for that year and the UA boundaries determined as a result of the definition. Once a small MS4 is designated into the program based on the UA boundaries, it cannot be waived from the program if in a subsequent UA calculation the small MS4 is no longer within the UA boundaries. An automatically designated small MS4 remains regulated unless, or until, it meets the criteria for a waiver (see Fact Sheet 2.1 for more information on the regulated small MS4 waiver option).

For Additional Information

Contacts

☞ U.S. EPA Office of Wastewater Management
Phone: 202-564-9545
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☞ Your NPDES Permitting Authority. Most States and Territories are authorized to administer the NPDES Program, except the following, for which EPA is the permitting authority:

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Reference Documents

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- General Information:
<http://www.census.gov/geo/www/ua/uaucbndy.html>



Stormwater Phase II Final Rule

Public Education and Outreach Minimum Control Measure

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Industrial "No Exposure"

4.0 – Conditional No Exposure Exclusion for Industrial Activity

This fact sheet profiles the Public Education and Outreach minimum control measure, one of six measures an operator of a Phase II-regulated small municipal separate storm sewer system (MS4) is required to include in its stormwater management program to meet the conditions of its National Pollutant Discharge Elimination System (NPDES) stormwater permit. This fact sheet outlines the Phase II Final Rule requirements and offers some general guidance on how to satisfy them. It is important to keep in mind that the regulated small MS4 operator has a great deal of flexibility in choosing exactly how to satisfy the minimum control measure requirements.

Why Is Public Education and Outreach Necessary?

An informed and knowledgeable community is crucial to the success of a stormwater management program since it helps to ensure the following:

- **Greater support** for the program as the public gains a greater understanding of the reasons why it is necessary and important. Public support is particularly beneficial when operators of small MS4s attempt to institute new funding initiatives for the program or seek volunteers to help implement the program; and
- **Greater compliance** with the program as the public becomes aware of the personal responsibilities expected of them and others in the community, including the individual actions they can take to protect or improve the quality of area waters.

What Is Required?

To satisfy this minimum control measure, the operator of a regulated small MS4 needs to:

- Implement a public education program to distribute educational materials to the community, or conduct equivalent outreach activities about the impacts of stormwater discharges on local waterbodies and the steps that can be taken to reduce stormwater pollution; and
- Determine the appropriate best management practices (BMPs) and measurable goals for this minimum control measure. Some program implementation approaches, BMPs (i.e., the program actions/activities), and measurable goals are suggested below.

What Are Some Guidelines for Developing and Implementing This Measure?

Three main action areas are important for successful implementation of a public education and outreach program:

① Forming Partnerships

Operators of regulated small MS4s are encouraged to utilize partnerships with other governmental entities to fulfill this minimum control measure's requirements. It is generally more cost-effective to use an existing program, or to develop a new regional or state-wide education program, than to have numerous operators developing their own local programs. Operators also are encouraged to seek assistance from non-governmental organizations (e.g., environmental, civic, and industrial organizations), since many already have educational materials and perform outreach activities.

② Using Educational Materials and Strategies

Operators of regulated small MS4s may use stormwater educational information provided by their State, Tribe, EPA Region, or environmental, public interest, or trade organizations instead of developing their own materials. Operators should strive to make their materials and activities relevant to local situations and issues, and incorporate a variety of strategies to ensure maximum coverage. Some examples include:

- **Brochures or fact sheets** for general public and specific audiences;
- **Recreational guides** to educate groups such as golfers, hikers, paddlers, climbers, fishermen, and campers;
- **Alternative information sources**, such as web sites, bumper stickers, refrigerator magnets, posters for bus and subway stops, and restaurant placemats;
- **A library of educational materials** for community and school groups;
- **Volunteer citizen educators** to staff a **public education task force**;
- **Event participation** with educational displays at home shows and community festivals;
- **Educational programs** for school-age children;
- **Storm drain stenciling** of storm drains with messages such as "Do Not Dump - Drains Directly to Lake;"
- **Stormwater hotlines** for information and for citizen reporting of polluters;
- **Economic incentives** to citizens and businesses (e.g., rebates to homeowners purchasing mulching lawnmowers or biodegradable lawn products); and
- **Tributary signage** to increase public awareness of local water resources.

③ Reaching Diverse Audiences

The public education program should use a mix of appropriate local strategies to address the viewpoints and concerns of a variety of audiences and communities, including minority and disadvantaged communities, as well as children. Printing posters and brochures in more than one language or posting large warning signs (e.g., cautioning against fishing or swimming) near storm sewer outfalls are methods that can be used to reach audiences less likely to read standard materials. Directing materials or outreach programs toward specific groups of commercial, industrial, and institutional entities likely to have significant stormwater impacts is also recommended. For example, information could be provided to restaurants on the effects of grease clogging storm drains and to auto garages on the effects of dumping used oil into storm drains.

What Are Appropriate Measurable Goals?

Measurable goals, which are required for each minimum control measure, are intended to gauge permit compliance and program effectiveness. The measurable goals, as well as the BMPs, should reflect the needs and characteristics of the operator and the area served by its small MS4. Furthermore, they should be chosen using an integrated approach that fully addresses the requirements and intent of the minimum control measure. Finally, they should allow the MS4 to make improvements to its program over each 5-year permit term by providing data on program successes and shortfalls.

EPA has developed a Measurable Goals Guidance for Phase II MS4s that is designed to help program managers comply with the requirement to develop measurable goals. The guidance presents an approach for MS4 operators to develop measurable goals as part of their stormwater management plan. For example, an MS4 could develop a stormwater public education campaign for radio and television. The goal of the campaign might be to increase the number of dog owners who pick up after their pets. To measure the program's progress towards this goal, the program manager might perform a stormwater public awareness survey at the beginning, during, and at the end of the permit term to gauge any change in pet owner behavior over time. As another example, an MS4 might want to encourage "do-it-yourselfers" to recycle used motor oil by establishing and advertising a municipal drop-off center. The MS4 could measure progress toward this goal by tracking the amount of motor oil collected and correlating those data to the timing of public service announcements and other advertisements to see if their message is being received.

For Additional Information

Contacts

☞ U.S. EPA Office of Wastewater Management
<http://www.epa.gov/npdes/stormwater>
Phone: 202-564-9545

☞ Your NPDES Permitting Authority. Most States and Territories are authorized to administer the NPDES Program, except the following, for which EPA is the permitting authority:

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Reference Documents

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 - Stormwater Phase II Final Rule (64 *FR* 68722)
 - National Menu of Best Management Practices for Stormwater Phase II
 - Measurable Goals Guidance for Phase II Small MS4s
 - Stormwater Case Studies
 - Stormwater Month Materials
 - And many others
- ☞ Getting In Step
<http://www.epa.gov/owow/watershed/outreach/documents/getnstep.pdf>



Stormwater Phase II Final Rule

Public Participation/ Involvement Minimum Control Measure

Stormwater Phase II Final Rule Fact Sheet Series

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This fact sheet profiles the Public Participation/Involvement minimum control measure, one of six measures the operator of a Phase II regulated small municipal separate storm sewer system (MS4) is required to include in its stormwater management program to meet the conditions of its National Pollutant Discharge Elimination System (NPDES) permit. This fact sheet outlines the Phase II Final Rule requirements and offers some general guidance on how to satisfy them. It is important to keep in mind that the small MS4 operator has a great deal of flexibility in determining how to satisfy the minimum control measure requirements.

Why Is Public Participation and Involvement Necessary?

EPA believes that the public can provide valuable input and assistance to a regulated small MS4's municipal stormwater management program and, therefore, suggests that the public be given opportunities to play an active role in both the development and implementation of the program. An active and involved community is crucial to the success of a stormwater management program because it allows for:

- **Broader public support** since citizens who participate in the development and decision making process are partially responsible for the program and, therefore, may be less likely to raise legal challenges to the program and more likely to take an active role in its implementation;
- **Shorter implementation schedules** due to fewer obstacles in the form of public and legal challenges and increased sources in the form of citizen volunteers;
- **A broader base of expertise and economic benefits** since the community can be a valuable, and free, intellectual resource; and
- **A conduit to other programs** as citizens involved in the stormwater program development process provide important cross-connections and relationships with other community and government programs. This benefit is particularly valuable when trying to implement a stormwater program on a watershed basis, as encouraged by EPA.

What Is Required?

To satisfy this minimum control measure, the operator of a regulated small MS4 must:

- Comply with applicable State, Tribal, and local public notice requirements; and
- Determine the appropriate best management practices (BMPs) and measurable goals for this minimum control measure. Possible implementation approaches, BMPs (i.e., the program actions and activities), and measurable goals are described below.

What Are Some Guidelines for Developing and Implementing This Measure?

Operators of regulated small MS4s should include the public in developing, implementing, updating, and reviewing their stormwater management programs. The public participation program should make every effort to reach out and engage all economic and ethnic groups. EPA recognizes that there are challenges associated with public involvement. Nevertheless, EPA strongly believes that these challenges can be addressed through an aggressive and inclusive program. Challenges and example practices that can help ensure successful participation are discussed below.

Implementation Challenges

The best way to handle common notification and recruitment challenges is to know the audience and think creatively about how to gain its attention and interest. Traditional methods of soliciting public input are not always successful in generating interest, and subsequent involvement, in all sectors of the community. For example, municipalities often rely solely on advertising in local newspapers to announce public meetings and other opportunities for public involvement. Since there may be large sectors of the population who do not read the local press, the audience reached may be limited. Therefore, alternative advertising methods should be used whenever possible, including radio or television spots, postings at bus or subway stops, announcements in neighborhood newsletters, announcements at civic organization meetings, distribution of flyers, mass mailings, door-to-door visits, telephone notifications, and multilingual announcements. These efforts, of course, are tied closely to the efforts for the public education and outreach minimum control measure (see Fact Sheet 2.3).

In addition, advertising and soliciting help should be targeted at specific population sectors, including ethnic, minority, and low-income communities; academia and educational institutions; neighborhood and community groups; outdoor recreation groups; and business and industry. The goal is to involve a diverse cross-section of people who can offer a multitude of concerns, ideas, and connections during the program development process.

Possible BMPs

There are a variety of practices that could be incorporated into a public participation and involvement program, such as:

- **Public meetings/citizen panels** allow citizens to discuss various viewpoints and provide input concerning appropriate stormwater management policies and BMPs;
- **Volunteer water quality monitoring** gives citizens first-hand knowledge of the quality of local water bodies and provides a cost-effective means of collecting water quality data;

- **Volunteer educators/speakers** who can conduct workshops, encourage public participation, and staff special events;
- **Storm drain stenciling** is an important and simple activity that concerned citizens, especially students, can do;
- **Community clean-ups** along local waterways, beaches, and around storm drains;
- **Citizen watch groups** can aid local enforcement authorities in the identification of polluters; and
- **“Adopt A Storm Drain” programs** encourage individuals or groups to keep storm drains free of debris and to monitor what is entering local waterways through storm drains.

What Are Appropriate Measurable Goals?

Measurable goals, which are required for each minimum control measure, are intended to gauge permit compliance and program effectiveness. The measurable goals, as well as the BMPs, greatly depend on the needs and characteristics of the operator and the area served by the small MS4. Furthermore, they should be chosen using an integrated approach that fully addresses the requirements and intent of the minimum control measure.

EPA has developed a Measurable Goals Guidance for Phase II MS4s that is designed to help program managers comply with the requirement to develop measurable goals. The guidance presents an approach for MS4 operators to develop measurable goals as part of their stormwater management plan. For example, an MS4 could conclude as part of its Illicit Discharge Detection and Elimination program that a certain section of town has a high incidence of used motor oil dumping. The watershed has numerous automotive businesses including small repair shops, large auto dealerships, gas stations, and body shops. In addition, there are several large apartment complexes with areas that could be used as “do-it-yourself” oil change areas. The MS4 organizes a public meeting in the watershed to not only educate residents about stormwater issues and permit requirements, but also to ask for input regarding possible dumping areas and to determine if the community needs an oil recycling facility or some other way to safely dispose of used motor oil. In this way, the MS4 might better understand who the target audience is for illegal dumping control while implementing a valuable service for the watershed community.

For Additional Information

Contacts

- ☞ U.S. EPA Office of Wastewater Management
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Stormwater Phase II Final Rule

Illicit Discharge Detection and Elimination Minimum Control Measure

Stormwater Phase II Final Rule Fact Sheet Series

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Construction Program

3.0 – Construction Program Overview

3.1 – Construction Rainfall Erosivity Waiver

Industrial “No Exposure”

4.0 – Conditional No Exposure Exclusion for Industrial Activity

This fact sheet profiles the Illicit Discharge Detection and Elimination minimum control measure, one of six measures the operator of a Phase II regulated small municipal separate storm sewer system (MS4) is required to include in its stormwater management program to meet the conditions of its National Pollutant Discharge Elimination System (NPDES) permit. This fact sheet outlines the Phase II Final Rule requirements and offers some general guidance on how to satisfy them. It is important to keep in mind that the small MS4 operator has a great deal of flexibility in choosing exactly how to satisfy the minimum control measure requirements.

What Is An “Illicit Discharge”?

Federal regulations define an illicit discharge as “...any discharge to an MS4 that is not composed entirely of stormwater...” with some exceptions. These exceptions include discharges from NPDES-permitted industrial sources and discharges from fire-fighting activities. Illicit discharges (see Table 1) are considered “illicit” because MS4s are not designed to accept, process, or discharge such non-stormwater wastes.

Why Are Illicit Discharge Detection and Elimination Efforts Necessary?

Discharges from MS4s often include wastes and wastewater from non-stormwater sources. A study conducted in 1987 in Sacramento, California, found that almost one-half of the water discharged from a local MS4 was not directly attributable to precipitation runoff. A significant portion of these dry weather flows were from illicit and/or inappropriate discharges and connections to the MS4.

Illicit discharges enter the system through either direct connections (e.g., wastewater piping either mistakenly or deliberately connected to the storm drains) or indirect connections (e.g., infiltration into the MS4 from cracked sanitary systems, spills collected by drain outlets, or paint or used oil dumped directly into a drain). The result is untreated discharges that contribute high levels of pollutants, including heavy metals, toxics, oil and grease, solvents, nutrients, viruses, and bacteria to receiving waterbodies. Pollutant levels from these illicit discharges have been shown in EPA studies to be high enough to significantly degrade receiving water quality and threaten aquatic, wildlife, and human health.

Table 1

Sources of Illicit Discharges
Sanitary wastewater
Effluent from septic tanks
Car wash wastewaters
Improper oil disposal
Radiator flushing disposal
Laundry wastewaters
Spills from roadway accidents
Improper disposal of auto and household toxics

What Is Required?

Recognizing the adverse effects illicit discharges can have on receiving waters, the Phase II Final Rule requires an operator of a regulated small MS4 to develop, implement and enforce an illicit discharge detection and elimination program. This program must include the following:

- A storm sewer system map, showing the location of all outfalls and the names and location of all waters of the United States that receive discharges from those outfalls;
- Through an ordinance, or other regulatory mechanism, a prohibition (to the extent allowable under State, Tribal, or local law) on non-stormwater discharges into the MS4, and appropriate enforcement procedures and actions;
- A plan to detect and address non-stormwater discharges, including illegal dumping, into the MS4;
- The education of public employees, businesses, and the general public about the hazards associated with illegal discharges and improper disposal of waste; and
- The determination of appropriate best management practices (BMPs) and measurable goals for this minimum control measure. Some program implementation approaches, BMPs (i.e., the program actions/activities), and measurable goals are suggested below.

Does This Measure Need to Address All Illicit Discharges?

No. The illicit discharge detection and elimination program does not need to address the following categories of non-stormwater discharges or flows unless the operator of the regulated small MS4 identifies them as significant contributors of pollutants to its MS4:

- Water line flushing;
- Landscape irrigation;
- Diverted stream flows;
- Rising ground waters;
- Uncontaminated ground water infiltration;
- Uncontaminated pumped ground water;
- Discharges from potable water sources;
- Foundation drains;
- Air conditioning condensation;
- Irrigation water;
- Springs;
- Water from crawl space pumps;

- Footing drains;
- Lawn watering;
- Individual residential car washing;
- Flows from riparian habitats and wetlands;
- Dechlorinated swimming pool discharges; and
- Street wash water.

What Are Some Guidelines for Developing and Implementing This Measure?

The objective of the illicit discharge detection and elimination minimum control measure is to have regulated small MS4 operators gain a thorough awareness of their systems. This awareness allows them to determine the types and sources of illicit discharges entering their system; and establish the legal, technical, and educational means needed to eliminate these discharges. Permittees could meet these objectives in a variety of ways depending on their individual needs and abilities, but some general guidance for each requirement is provided below.

The Map

The storm sewer system map is meant to demonstrate a basic awareness of the intake and discharge areas of the system. It is needed to help determine the extent of discharged dry weather flows, the possible sources of the dry weather flows, and the particular waterbodies these flows may be affecting. An existing map, such as a topographical map, on which the location of major pipes and outfalls can be clearly presented demonstrates such awareness.

EPA recommends collecting all existing information on outfall locations (e.g., review city records, drainage maps, storm drain maps), and then conducting field surveys to verify locations. It probably will be necessary to walk (i.e., wade through small receiving waters or use a boat for larger waters) the streambanks and shorelines for visual observation. More than one trip may be needed to locate all outfalls.

Legal Prohibition and Enforcement

EPA recognizes that some permittees may have limited authority under State, Tribal or local law to establish and enforce an ordinance or other regulatory mechanism prohibiting illicit discharges. In such a case, the permittee is encouraged to obtain the necessary authority, if possible.

The Plan

The plan to detect and address illicit discharges is the central component of this minimum control measure. The plan is dependant upon several factors, including the permittee's available resources, size of staff, and degree and character of its illicit discharges. As guidance only, the four steps of a recommended plan are outlined below:

① Locate Problem Areas

EPA recommends that priority areas be identified for detailed screening of the system based on the likelihood of illicit connections (e.g., areas with older sanitary sewer lines). Methods that can locate problem areas include: visual screening; water sampling from manholes and outfalls during dry weather; the use of infrared and thermal photography, cross-training field staff to detect illicit discharges, and public complaints.

② Find the Source

Once a problem area or discharge is found, additional efforts usually are necessary to determine the source of the problem. Methods that can find the source of the illicit discharge include: dye-testing buildings in problem areas; dye- or smoke-testing buildings at the time of sale; tracing the discharge upstream in the storm sewer; employing a certification program that shows that buildings have been checked for illicit connections; implementing an inspection program of existing septic systems; and using video to inspect the storm sewers.

③ Remove/Correct Illicit Connections

Once the source is identified, the offending discharger should be notified and directed to correct the problem. Education efforts and working with the discharger can be effective in resolving the problem before taking legal action.

④ Document Actions Taken

As a final step, all actions taken under the plan should be documented. This illustrates that progress is being made to eliminate illicit connections and discharges. Documented actions should be included in annual reports and include information such as: the number of outfalls screened; any complaints received and corrected; the number of discharges and quantities of flow eliminated; and the number of dye or smoke tests conducted.

Educational Outreach

The Center for Watershed Protection and Robert Pitt (2004) researched the most cost-effective and efficient techniques that can be employed to identify and correct inappropriate discharges. Data from Montgomery County, Maryland, was analyzed and it was determined that staff identify and correct about six inappropriate discharges per year as a result of regular screening. By contrast, over 185 inappropriate discharges are corrected each year in Montgomery County as a direct result of citizen complaints and calls to a storm water compliant hotline. Public education and labeling of outfalls and other storm drain infrastructure is an important element of establishing a successful citizen hotline. Outreach to public employees, businesses, property owners, the general public, and elected officials regarding ways to detect and eliminate illicit discharges is an integral part of this minimum measure.

Suggested educational outreach efforts include:

- Developing *informative brochures, and guidances* for specific audiences (e.g., carpet cleaning businesses) and school curricula;
- Designing a program to *publicize and facilitate public reporting* of illicit discharges;
- *Coordinating volunteers* for locating, and visually inspecting, outfalls or to stencil storm drains; and
- Initiating *recycling programs* for commonly dumped wastes, such as motor oil, antifreeze, and pesticides.

What Are Appropriate Measurable Goals?

Measurable goals, which are required for each minimum control measure, are intended to gauge permit compliance and program effectiveness. The measurable goals, as well as the BMPs, should reflect the needs and characteristics of the operator and the area served by its small MS4. Furthermore, they should be chosen using an integrated approach that fully addresses the requirements and intent of the minimum control measure.

EPA has developed a Measurable Goals Guidance for Phase II MS4s that is designed to help program managers comply with the requirement to develop measurable goals. The guidance presents an approach for MS4 operators to develop measurable goals as part of their stormwater management plan. For example, an MS4 could establish a measurable goal of responding to all complaints received by the citizen complaint hotline within 24 hours to minimize water quality impacts or recurrent dumping. A complaint tracking system could be used to log response and enforcement activity.

The educational outreach measurable goals for this minimum control measure could be combined with the measurable goals for the Public Education and Outreach minimum control measure (see Fact Sheet 2.3).

Sources

Center for Watershed Protection and R. Pitt. 2004. Illicit Discharge Detection and Elimination: A Guidance Manual for Program Development and Technical Assessments. Center for Watershed Protection, Ellicott City, MD, and University of Alabama, Birmingham, AL.

Maryland Department of the Environment, Water Management Administration. 1997. *Dry Weather Flow and Illicit Discharges in Maryland Storm Drain Systems*. Baltimore, Maryland.

U.S. EPA Office of Water. 1993. *Investigation of Inappropriate Pollutant Entries into Storm Drainage Systems: A User's Guide*. EPA/600/R-92/238. Washington, D.C.

Wayne County Rouge River National Wet Weather Demonstration Project. 1997. *Guidance for Preparing a Program for the Elimination of Illicit Discharges*. Wayne County, Michigan.

For Additional Information

Contacts

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- And many others

☞ Illicit Discharge Detection and Elimination: A Guidance Manual for Program Development and Technical Assessments
http://www.cwp.org/idde_verify.htm



Stormwater Phase II Final Rule

Construction Site Runoff Control Minimum Control Measure

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Industrial "No Exposure"

4.0 – Conditional No Exposure Exclusion for Industrial Activity

This fact sheet profiles the Construction Site Runoff Control minimum control measure, one of six measures that the operator of a Phase II regulated small municipal separate storm sewer system (MS4) is required to include in its stormwater management program to meet the conditions of its National Pollutant Discharge Elimination System (NPDES) permit. This fact sheet outlines the Phase II Final Rule requirements and offers some general guidance on how to satisfy them. It is important to keep in mind that the small MS4 operator has a great deal of flexibility in choosing exactly how to satisfy the minimum control measure requirements.

Why Is The Control of Construction Site Runoff Necessary?

Polluted stormwater runoff from construction sites often flows to MS4s and ultimately is discharged into local rivers and streams. Of the pollutants listed in Table 1, sediment is usually the main pollutant of concern.

According to the 2000 National Water Quality Inventory, States and Tribes report that sedimentation is one of the most widespread pollutants affecting assessed rivers and streams, second only to pathogens (bacteria). Sedimentation impairs 84,503 river and stream miles (12% of the assessed river and stream miles and 31% of the impaired river and stream miles). Sources of sedimentation include agriculture, urban runoff, construction, and forestry. Sediment runoff rates from construction sites, however, are typically 10 to 20 times greater than those of agricultural lands, and 1,000 to 2,000 times greater than those of forest lands. During a short period of time, construction sites can contribute more sediment to streams than can be deposited naturally during several decades. The resulting siltation, and the contribution of other pollutants from construction sites, can cause physical, chemical, and biological harm to our nation's waters. For example, excess sediment can quickly fill rivers and lakes, requiring dredging and destroying aquatic habitats.

Table 1

Pollutants Commonly Discharged From Construction Sites
Sediment
Solid and sanitary wastes
Phosphorous (fertilizer)
Nitrogen (fertilizer)
Pesticides
Oil and grease
Concrete truck washout
Construction chemicals
Construction debris

What Is Required?

The Phase II Final Rule requires an operator of a regulated small MS4 to develop, implement, and enforce a program to reduce pollutants in stormwater runoff to their MS4 from construction activities that result in a land disturbance of greater than or equal to one acre.

The small MS4 operator is required to:

- Have an ordinance or other regulatory mechanism requiring the implementation of proper erosion and sediment controls, and controls for other wastes, on applicable construction sites;
- Have procedures for site plan review of construction plans that consider potential water quality impacts;

- Have procedures for site inspection and enforcement of control measures;
- Have sanctions to ensure compliance (established in the ordinance or other regulatory mechanism);
- Establish procedures for the receipt and consideration of information submitted by the public; and
- Determine the appropriate best management practices (BMPs) and measurable goals for this minimum control measure. Suggested BMPs (i.e., the program actions/activities) and measurable goals are presented below.

What Are Some Guidelines for Developing and Implementing This Measure?

Further explanation and guidance for each component of a regulated small MS4's construction program is provided below.

Regulatory Mechanism

Through the development of an ordinance or other regulatory mechanism, the small MS4 operator must establish a construction program that controls polluted runoff from construction sites with a land disturbance of greater than or equal to one acre. Because there may be limitations on regulatory legal authority, the small MS4 operator is required to satisfy this minimum control measure only to the maximum extent practicable and allowable under State, Tribal, or local law.

Site Plan Review

The small MS4 operator must include in its construction program requirements for the implementation of appropriate BMPs on construction sites to control erosion and sediment and other waste at the site. To determine if a construction site is in compliance with such provisions, the small MS4 operator should review the site plans submitted by the construction site operator before ground is broken.

Site plan review aids in compliance and enforcement efforts since it alerts the small MS4 operator early in the process to the planned use or non-use of proper BMPs and provides a way to track new construction activities. The tracking of sites is useful not only for the small MS4 operator's recordkeeping and reporting purposes, which are required under their NPDES stormwater permit (see Fact Sheet 2.9), but also for members of the public interested in ensuring that the sites are in compliance.

Inspections and Penalties

Once construction commences, BMPs should be in place and the small MS4 operator's enforcement activities should begin. To ensure that the BMPs are properly installed, the small MS4 operator is required to develop procedures for site inspection and enforcement of control measures to deter infractions. Procedures could include steps to identify priority sites for inspection and enforcement based on the nature and extent of the construction activity, topography, and the characteristics of soils and receiving water quality. Inspections give the MS4 operator an opportunity to provide additional guidance and education, issue warnings, or assess penalties. In early 2002, EPA's Office of Compliance established a national workgroup to address issues related to the construction industry. The workgroup has developed a construction industry compliance assistance Web site as a tool for builders and developers (www.cicacenter.org). Inspectors can use the Web site to find plain language explanations of the major environmental laws affecting the construction industry as well as guidance that can be distributed developers and construction site operators.

To conserve staff resources, one possible option for small MS4 operators is to have inspections performed by the same inspector that visits the sites to check compliance with health and safety building codes.

Information Submitted by the Public

A final requirement of the small MS4 program for construction activity is the development of procedures for the receipt and consideration of public inquiries, concerns, and information submitted regarding local construction activities. This provision is intended to further reinforce the public participation component of the regulated small MS4 stormwater program (see Fact Sheet 2.4) and to recognize the crucial role that the public can play in identifying instances of noncompliance.

The small MS4 operator is required only to *consider* the information submitted, and may not need to follow-up and respond to every complaint or concern. Although some form of enforcement action or reply is not required, the small MS4 operator is required to demonstrate acknowledgment and consideration of the information submitted. A simple tracking process in which submitted public information, both written and verbal, is recorded and then given to the construction site inspector for possible follow-up will suffice.

What Are Appropriate Measurable Goals?

Measurable goals, which are required for each minimum control measure, are intended to gauge permit compliance and program effectiveness. The measurable goals, as well as the BMPs, should reflect the needs and characteristics of the operator and the area served by its small MS4. Furthermore, they should be chosen using an integrated approach that fully addresses the requirements and intent of the minimum control measure.

EPA has developed a Measurable Goals Guidance for Phase II MS4s that is designed to help program managers comply with the requirement to develop measurable goals. The guidance presents an approach for MS4 operators to develop measurable goals as part of their stormwater management plan. For example, an MS4 program goal might be to educate at least 80 percent of all construction site operators and contractors about proper selection, installation, inspection, and maintenance of BMPs by the end of the permit term, which will help to ensure compliance with erosion and sediment control requirements. This goal could be tracked by documenting attendance at local, State, or Federal training programs. Attendance can be encouraged by decreasing permitting fees for those contractors who have been trained and provide proof of attendance when applying for permits.

Are Construction Sites Covered Under the NPDES Stormwater Program?

Yes. On March 10, 2003, Phase II NPDES regulations came into effect that extended coverage to construction sites that disturb one to five acres in size, including smaller sites that are part of a larger common plan of development or sale (see Fact Sheet 3.0 for information on the Phase II construction program). Sites disturbing five acres or more were regulated previously. Most states have been authorized to implement the NPDES stormwater program and have issued, or are developing state-specific construction general permits. EPA remains the permitting authority in a few states, territories, and on most land in Indian Country, however. For construction (and other land disturbing activities) in areas where EPA is the permitting authority, operators must meet the requirements of the EPA Construction General Permit (CGP). Permitting authority information can be found in Appendix B of the CGP. CGP permit requirements include the submission of a Notice of Intent and the development of a stormwater pollution prevention plan (SWPPP). The SWPPP must include a site description and measures and controls to prevent or minimize pollutants in stormwater discharges.

Even though all construction sites that disturb more than one acre are covered by national NPDES regulations, the construction site runoff control minimum measure for the small MS4 program is needed to induce more localized site regulation and enforcement efforts, and to enable operators of regulated small MS4s to more effectively control construction site discharges into their MS4s.

To aid operators of regulated construction sites in their efforts to comply with both local requirements and their NPDES permit, the Phase II Final Rule includes a provision that allows the NPDES permitting authority to reference a “qualifying State, Tribal or local program” in the NPDES general permit for construction. This means that if a construction site is located in an area covered by a qualifying local program, then the construction site operator’s compliance with the local program constitutes compliance with their NPDES permit. A regulated small MS4’s stormwater program for construction could be a “qualifying program” if the MS4 operator requires a SWPPP, in addition to the requirements summarized in this fact sheet.

The ability to reference other programs in the NPDES permit is intended to reduce confusion between overlapping and similar local and NPDES permitting authority requirements, while still providing for both local and national regulatory coverage of the construction site. The provision allowing NPDES permitting authorities to reference other programs has no impact on, or direct relation to, the small MS4 operator’s responsibilities under the construction site runoff control minimum measure profiled here.

Is a Small MS4 Required to Regulate Construction Sites that the Permitting Authority has Waived from the NPDES Construction Program?

No. If the NPDES permitting authority waives requirements for stormwater discharges associated with small construction activity (see 40 CFR § 122.26(b)(15)(i)), the small MS4 operator is not required to develop, implement, and/or enforce a program to reduce pollutant discharges from such construction sites.

For Additional Information

Contacts

- ☞ U.S. EPA Office of Wastewater Management
<http://www.epa.gov/npdes/stormwater>
Phone: 202-564-9545
- ☞ Your NPDES Permitting Authority. Most States and Territories are authorized to administer the NPDES Program, except the following, for which EPA is the permitting authority:
- | | |
|----------------------|--------------------------|
| Alaska | Guam |
| District of Columbia | Johnston Atoll |
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| New Hampshire | Puerto Rico |
| New Mexico | Trust Territories |
| American Samoa | |
- ☞ A list of names and telephone numbers for each EPA Region and State is located at <http://www.epa.gov/npdes/stormwater> (click on “Contacts”).

Reference Documents

- ☞ EPA’s Stormwater Web Site
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- Stormwater Phase II Final Rule Fact Sheet Series
 - Stormwater Phase II Final Rule (64 *FR* 68722)
 - National Menu of Best Management Practices for Stormwater Phase II
 - Measurable Goals Guidance for Phase II Small MS4s
 - Stormwater Case Studies
 - And many others
 - EPA Construction General Permit and Fact Sheet
www.epa.gov/npdes/stormwater/cgp
 - EPA Stormwater Management for Construction Activities and Best Management Practices: Developing Pollution Prevention Plans Guidance
- ☞ Construction Industry Compliance Assistance Center. <http://www.cicacenter.org/>



Stormwater Phase II Final Rule

Post-Construction Runoff Control Minimum Control Measure

Stormwater Phase II Final Rule Fact Sheet Series

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Small MS4 Program

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3.0 – Construction Program Overview

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Industrial "No Exposure"

4.0 – Conditional No Exposure Exclusion for Industrial Activity

This fact sheet profiles the Post-Construction Runoff Control minimum control measure, one of six measures that the operator of a Phase II regulated small municipal separate storm sewer system (MS4) is required to include in its stormwater management program in order to meet the conditions of its National Pollutant Discharge Elimination System (NPDES) permit. This fact sheet outlines the Phase II Final Rule requirements for post-construction runoff control and offers some general guidance on how to satisfy those requirements. It is important to keep in mind that the small MS4 operator has a great deal of flexibility in choosing exactly how to satisfy the minimum control measure requirements.

Why Is The Control of Post-Construction Runoff Necessary?

Post-construction stormwater management in areas undergoing new development or redevelopment is necessary because runoff from these areas has been shown to significantly affect receiving waterbodies. Many studies indicate that prior planning and design for the minimization of pollutants in post-construction stormwater discharges is the most cost-effective approach to stormwater quality management.

There are generally two forms of substantial impacts of post-construction runoff. The first is caused by an increase in the type and quantity of pollutants in stormwater runoff. As runoff flows over areas altered by development, it picks up harmful sediment and chemicals such as oil and grease, pesticides, heavy metals, and nutrients (e.g., nitrogen and phosphorus). These pollutants often become suspended in runoff and are carried to receiving waters, such as lakes, ponds, and streams. Once deposited, these pollutants can enter the food chain through small aquatic life, eventually entering the tissues of fish and humans. The second kind of post-construction runoff impact occurs by increasing the quantity of water delivered to the waterbody during storms. Increased impervious surfaces (e.g., parking lots, driveways, and rooftops) interrupt the natural cycle of gradual percolation of water through vegetation and soil. Instead, water is collected from surfaces such as asphalt and concrete and routed to drainage systems where large volumes of runoff quickly flow to the nearest receiving water. The effects of this process include streambank scouring and downstream flooding, which often lead to a loss of aquatic life and damage to property.

What Is Required?

The Phase II Final Rule requires an operator of a regulated small MS4 to develop, implement, and enforce a program to reduce pollutants in post-construction runoff to their MS4 from new development and redevelopment projects that result in the land disturbance of greater than or equal to 1 acre. The small MS4 operator is required to:

- Develop and implement strategies which include a combination of structural and/or non-structural best management practices (BMPs);
- Have an ordinance or other regulatory mechanism requiring the implementation of post-construction runoff controls to the extent allowable under State, Tribal or local law;

- Ensure adequate long-term operation and maintenance of controls;
- Determine the appropriate best management practices and measurable goals for this minimum control measure.

What Is Considered a “Redevelopment” Project?

The Phase II Final Rule applies to “redevelopment” projects that alter the “footprint” of an existing site or building in such a way that there is a disturbance of equal to or greater than 1 acre of land. Redevelopment projects do not include such activities as exterior remodeling. Because redevelopment projects may have site constraints not found on new development sites, the Phase II Final Rule provides flexibility for implementing post-construction controls on redevelopment sites that consider these constraints.

What Are Some Guidelines for Developing and Implementing This Measure?

This section includes some non-structural and structural BMPs that could be used to satisfy the requirements of the post-construction runoff control minimum measure. It is important to recognize that many BMPs are climate-specific, and not all BMPs are appropriate in every geographic area. Because the requirements of this measure are closely tied to the requirements of the construction site runoff control minimum measure (see Fact Sheet 2.6), EPA recommends that small MS4 operators develop and implement these two measures in tandem.

Non-Structural BMPs

- **Planning Procedures.** Runoff problems can be addressed efficiently with sound planning procedures. Local master plans, comprehensive plans, and zoning ordinances can promote improved water quality in many ways, such as guiding the growth of a community away from sensitive areas to areas that can support it without compromising water quality.
- **Site-Based BMPs.** These BMPs can include buffer strip and riparian zone preservation, minimization of disturbance and imperviousness, and maximization of open space.

Structural BMPs

- **Stormwater Retention/Detention BMPs.** Retention or detention BMPs control stormwater by gathering runoff in wet ponds, dry basins, or multichamber catch basins and slowly releasing it to receiving waters or drainage systems. These practices can be designed to both control stormwater volume and settle out particulates for pollutant removal.

- **Infiltration BMPs.** Infiltration BMPs are designed to facilitate the percolation of runoff through the soil to ground water, and, thereby, result in reduced stormwater runoff quantity and reduced mobilization of pollutants. Examples include infiltration basins/trenches, dry wells, and porous pavement.
- **Vegetative BMPs.** Vegetative BMPs are landscaping features that, with optimal design and good soil conditions, remove pollutants, and facilitate percolation of runoff, thereby maintaining natural site hydrology, promoting healthier habitats, and increasing aesthetic appeal. Examples include grassy swales, filter strips, artificial wetlands, and rain gardens.

What Are Appropriate Measurable Goals?

Measurable goals, which are required for each minimum control measure, are intended to gauge permit compliance and program effectiveness. The measurable goals, as well as the BMPs, should reflect needs and characteristics of the operator and the area served by its small MS4. Furthermore, the measurable goals should be chosen using an integrated approach that fully addresses the requirements and intent of the minimum control measure.

EPA has developed a Measurable Goals Guidance for Phase II MS4s that is designed to help program managers comply with the requirement to develop measurable goals. The guidance presents an approach for MS4 operators to develop measurable goals as part of their stormwater management plan. For example, an MS4 program goal might be to reduce by 30 percent the road surface areas directly connected to storm sewer systems (using traditional curb and gutter infrastructure) in new developments and redevelopment areas over the course of the first permit term. Using “softer” stormwater conveyance approaches, such as grassy swales, will increase infiltration and decrease the volume and velocity of runoff leaving development sites. Progress toward the goal could be measured by tracking the linear feet of curb and gutter not installed in development projects that historically would have been used.

For Additional Information

Contacts

- ☞ U.S. EPA Office of Wastewater Management
<http://www.epa.gov/npdes/stormwater>
Phone: 202-564-9545

- ☞ Your NPDES Permitting Authority. Most States and Territories are authorized to administer the NPDES Program, except the following, for which EPA is the permitting authority:

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American Samoa	

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Reference Documents

- ☞ EPA’s Stormwater Web Site
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 - National Menu of Best Management Practices for Stormwater Phase II
 - Measurable Goals Guidance for Phase II Small MS4s
 - Stormwater Case Studies
 - And many others

- ☞ Other EPA Web sites
 - Ordinance Database
www.epa.gov/owow/nps/ordinance
 - Urban Nonpoint Source Guidance
www.epa.gov/owow/nps/urbanmm/index.html
 - Low Impact Development Web site
www.epa.gov/owow/nps/lid



Stormwater Phase II Final Rule

Pollution Prevention/Good Housekeeping Minimum Control Measure

Stormwater Phase II Final Rule Fact Sheet Series

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3.0 – Construction Program Overview

3.1 – Construction Rainfall Erosivity Waiver

Industrial "No Exposure"

4.0 – Conditional No Exposure Exclusion for Industrial Activity

This fact sheet profiles the Pollution Prevention/Good Housekeeping for Municipal Operations minimum control measure, one of six measures the operator of a Phase II regulated small municipal separate storm sewer system (MS4) is required to include in its storm water management program to meet the conditions of its National Pollutant Discharge Elimination System (NPDES) permit. This fact sheet outlines the Phase II Final Rule requirements and offers some general guidance on how to satisfy them. It is important to keep in mind that the small MS4 operator has a great deal of flexibility in choosing exactly how to satisfy the minimum control measure requirements.

Why Is Pollution Prevention/Good Housekeeping Necessary?

The Pollution Prevention/Good Housekeeping for municipal operations minimum control measure is a key element of the small MS4 stormwater management program. This measure requires the small MS4 operator to examine and subsequently alter their own actions to help ensure a reduction in the amount and type of pollution that: (1) collects on streets, parking lots, open spaces, and storage and vehicle maintenance areas and is discharged into local waterways; and (2) results from actions such as environmentally damaging land development and flood management practices or poor maintenance of storm sewer systems.

While this measure is meant primarily to improve or protect receiving water quality by altering municipal or facility operations, it also can result in a cost savings for the small MS4 operator, since proper and timely maintenance of storm sewer systems can help avoid repair costs from damage caused by age and neglect.

What Is Required?

Recognizing the benefits of pollution prevention practices, the rule requires an operator of a regulated small MS4 to:

- Develop and implement an operation and maintenance program with the ultimate goal of preventing or reducing pollutant runoff from municipal operations into the storm sewer system;
- Include employee training on how to incorporate pollution prevention/good housekeeping techniques into municipal operations such as park and open space maintenance, fleet and building maintenance, new construction and land disturbances, and stormwater system maintenance. To minimize duplication of effort and conserve resources, the MS4 operator can use training materials that are available from EPA, their State or Tribe, or relevant organizations;
- Determine the appropriate best management practices (BMPs) and measurable goals for this minimum control measure. Some program implementation approaches, BMPs (i.e., the program actions/activities), and measurable goals are suggested below.

What Are Some Guidelines for Developing and Implementing This Measure?

The intent of this control measure is to ensure that existing municipal, State or Federal operations are performed in ways that will minimize contamination of stormwater discharges. EPA encourages the small MS4 operator to consider the following components when developing their program for this measure:

- **Maintenance activities, maintenance schedules, and long-term inspection procedures** for structural and non-structural controls to reduce floatables and other pollutants discharged from the separate storm sewers;
- **Controls for reducing or eliminating the discharge of pollutants** from areas such as roads and parking lots, maintenance and storage yards (including salt/sand storage and snow disposal areas), and waste transfer stations. These controls could include programs that promote recycling (to reduce litter), minimize pesticide use, and ensure the proper disposal of animal waste;
- **Procedures for the proper disposal of waste** removed from separate storm sewer systems and areas listed in the bullet above, including dredge spoil, accumulated sediments, floatables, and other debris; and
- **Ways to ensure that new flood management projects assess the impacts on water quality** and examine existing projects for incorporation of additional water quality protection devices or practices. EPA encourages coordination with flood control managers for the purpose of identifying and addressing environmental impacts from such projects.

The effective performance of this control measure hinges on the proper maintenance of the BMPs used, particularly for the first two bullets above. For example, structural controls, such as grates on outfalls to capture floatables, typically need regular cleaning, while non-structural controls, such as training materials and recycling programs, need periodic updating.

What Are Appropriate Measurable Goals?

Measurable goals, which are required for each minimum control measure, are meant to gauge permit compliance and program effectiveness. The measurable goals, as well as the BMPs, should consider the needs and characteristics of the operator and the area served by its small MS4. The measurable goals should be chosen using an integrated

approach that fully addresses the requirements and intent of the minimum control measure.

EPA has developed a Measurable Goals Guidance for Phase II MS4s that is designed to help program managers comply with the requirement to develop measurable goals. The guidance presents an approach for MS4 operators to develop measurable goals as part of their stormwater management plan. For example, an MS4 program goal might be to incorporate the use of road salt alternatives for highway deicing and reduce traditional road salt use by 50 percent in the first year of the permit term.

For Additional Information

Contacts

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