
**CITY OF HEDWIG VILLAGE
STORM WATER MANAGEMENT PROGRAM**

AUGUST 2024

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Acronyms and Abbreviations

| | |
|-------|---|
| BMP | Best Management Practices |
| CFR | U.S. Code of Federal Regulations |
| CRZ | Critical Root Zone |
| CWA | Clean Water Act |
| EPA | Environmental Protection Agency |
| JTF | Joint Task Force |
| MCM | Minimum Control Measure |
| MPN | Most Probable Number |
| MS4 | Municipal Separate Storm Sewer System |
| NEC | No Exposure Certificate |
| NOC | Notice of Change |
| NOI | Notice of Intent |
| NPDES | National Pollutant Discharge Elimination System |
| O&M | Operation and Maintenance |
| SWMP | Storm Water Management Program |
| TCEQ | Texas Commission on Environmental Quality |
| TMDL | Total Maximum Daily Load |
| TPDES | Texas Pollutant Discharge Elimination System |

1.0 INTRODUCTION

1.1 REGULATORY BACKGROUND

In 1972, Congress amended the Federal Water Pollution Control Act (commonly referred to as the Clean Water Act ["CWA"]) to prohibit the discharge of any pollutant to waters of the United States from a point source unless the discharge is authorized by a National Pollutant Discharge Elimination System ("NPDES") permit. The NPDES program is designed to track point sources and requires the implementation of controls necessary to minimize the discharge of pollutants.

In 1987, Congress amended the CWA to require implementation, in two phases, of a comprehensive national program for addressing storm water discharges. The first phase of the program, commonly referred to as "Phase I", was promulgated by the Environmental Protection Agency ("EPA") on November 16, 1990 (*Federal Register*, Volume 55, Page 47,990 [55 FR 47990]). Phase I requires NPDES permits for storm water discharge from a large number of priority sources, including municipal separate storm sewer systems ("MS4's") generally serving populations of 100,000 or more, and several categories of industrial activity, including construction sites that disturb 5 or more acres of land.

The EPA promulgated the second phase of the storm water regulatory program, commonly referred to as "Phase II," on December 8, 1999 (64 FR 68722). Phase II regulations address storm water discharges from certain MS4's serving populations of less than 100,000 people (called "small MS4's"). In summary, the regulations, which may be found in Title 40, Part 122, of the Code of Federal Regulations ("CFR") (40 CFR 122), require that all small MS4 operators located in *Urbanized Areas* (as defined by the latest U.S. census) must "develop, implement, and enforce controls to reduce the discharge of pollutants from municipal separate storm sewers which receive discharges from areas of new development and significant redevelopment."

The EPA has delegated authority to issue MS4 storm water discharge permits to the State of Texas. Under the authority of the Texas Water Code and the CWA, the Texas Commission on Environmental Quality ("TCEQ") is the regulatory body responsible for issuing permits to discharge waste from small MS4 systems to waters of the state.

Since the City of Hedwig Village (hereinafter, the "City") is a regulated small MS4 operator, it must obtain a permit from the TCEQ for the discharge of storm water runoff.

In summary, the permit requires the City to comply with a number of administrative and legal requirements and to develop, implement, and enforce a storm water management program designed to reduce the discharge of pollutants from the MS4 to the maximum extent practicable to protect water quality. The SWMP must address six areas (called "Minimum Control Measures") as follows:

- Public Education and Outreach
- Public Involvement/Participation
- Illicit Discharge Detection and Elimination (IDDE)
- Construction Site Stormwater Runoff Control
- Post Construction Stormwater Management in New Development and Redevelopment
- Pollution Prevention and Good Housekeeping for Municipal Operations

For each minimum control measure ("MCM") the City must:

- Select appropriate Best Management Practices ("BMP's"), which are various methods of reducing pollutants in storm water runoff
- Define clear, measurable goals for each BMP
- Establish an implementation schedule
- Assign a responsible person or persons for implementing all activities

1.2 THE PURPOSE OF THIS DOCUMENT

This document serves as the City's SWMP. It includes all selected BMP's for each of the minimum control measures (MCM's), measurable goals for each BMP, an implementation schedule, and a listing of the person responsible for implementation of all activities. This document provides a clear road map for implementing storm water quality management activities to improve runoff quality and to maintain permit compliance.

1.3 ENTITIES ASSISTING WITH THE DEVELOPMENT OF THIS DOCUMENT

The City of Hedwig Village was assisted by Schaumburg and Polk, Inc., a private consulting firm, in the development of this SWMP.

1.4 ORGANIZATION OF THIS DOCUMENT

This document is organized into various sections as follows:

Section 1 – Introduction: This section provides background information on the storm water regulatory program, defines the purpose of this document, and describes document organization.

Section 2 – City Background: This section provides general information about the city, including setting and character, form of government, and legal authority.

Section 3 – Public Education and Outreach: This section describes the regulatory requirements, permit requirements, current city programs, selected BMP's, measurable goals, implementation schedule, and responsible parties pertaining to MCM-1.

Section 4 – Public Involvement/Participation: This section describes the regulatory requirements, permit requirements, current city programs, selected BMP's, measurable goals, implementation schedule, and responsible parties pertaining to MCM-2.

Section 5 – Illicit Discharge Detection and Elimination (IDDE): This section describes the regulatory requirements, permit requirements, current city programs, selected BMP's, measurable goals, implementation schedule, and responsible parties pertaining to MCM-3.

Section 6 – Construction Site Storm Water Runoff Control: This section describes the regulatory requirements, permit requirements, current city programs, selected BMP's, measurable goals, implementation schedule, and responsible parties pertaining to MCM-4.

Section 7 – Post-Construction Storm Water Management in New Development and Redevelopment: This section describes the regulatory requirements, permit requirements, current city programs, selected BMP's, measurable goals, implementation schedule, and responsible parties pertaining to MCM-5.

Section 8 – Pollution Prevention/Good Housekeeping for Municipal Operations: This section describes the regulatory requirements, permit requirements, current city programs, selected BMP's, measurable goals, implementation schedule, and responsible parties pertaining to MCM-6.

Section 9 – Record-Keeping and Reporting: This section describes the annual reporting requirements of the permit.

2.0 CITY BACKGROUND

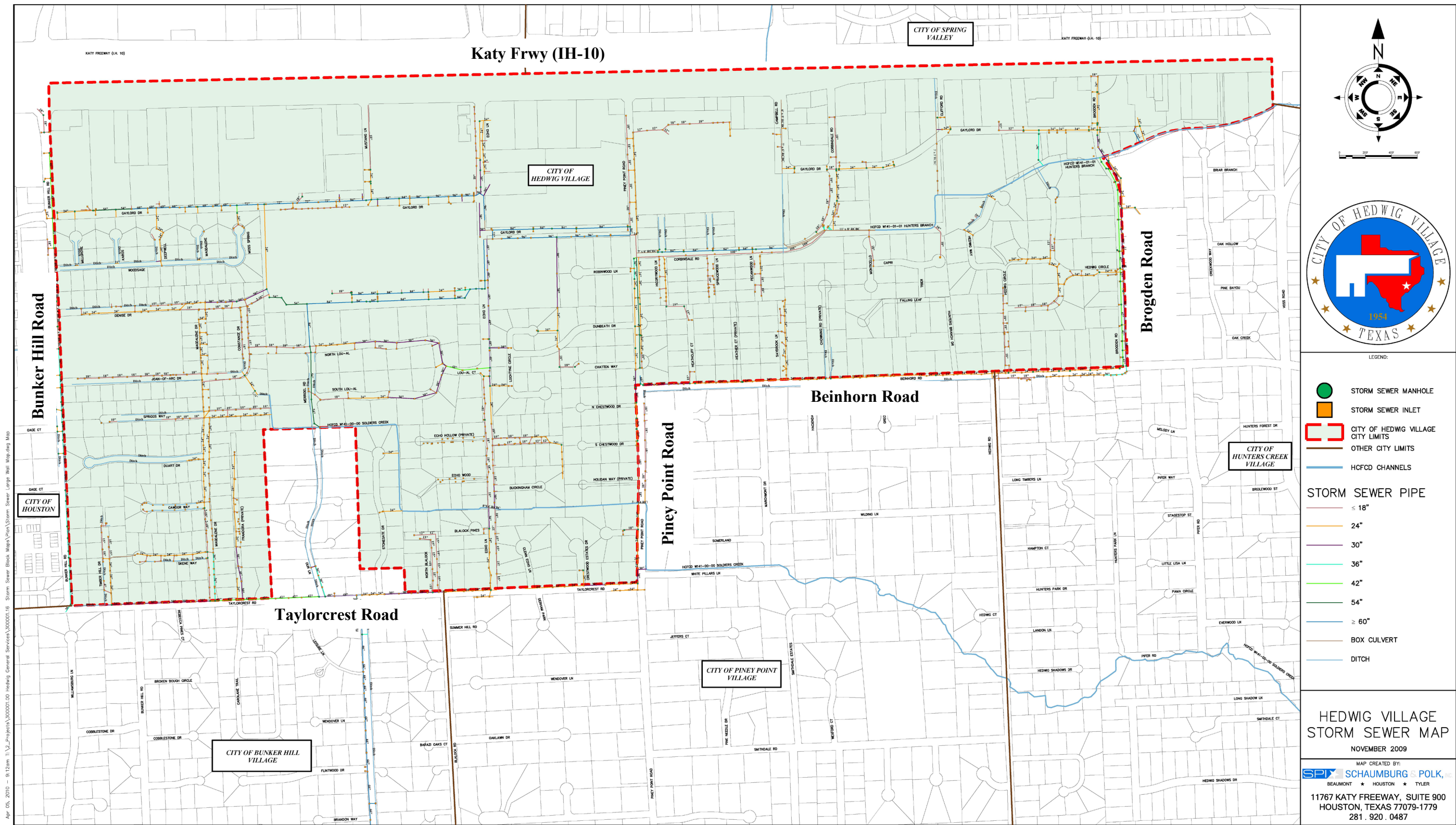
2.1 SETTING AND CHARACTER

The city of Hedwig Village is located within the central portion of Harris County approximately 3.5 miles due west of the western intersection of IH 10 and 610. The city is bordered by IH 10 to the north, the city of Houston to the west, Bunker Hill Village and Piney Point Village to the south, and Hunter's Creek Village to the east.

The city is moderately flat with an elevation approximately 43 feet above mean sea level. Two major types of soil are found in the area. The Addicks-Urban land complex (Ak) soil is composed of a mixture of disturbed loamy soils and is found in areas with nearly level topography. The soil is common to developed urban areas where fill material within the soil profile is not uncommon. The soil has moderate to severe limitations for urban development with poor drainage as the greatest limitation. The Gessner-Urban land complex (Gu) soil is typical of broad, flat topography in built-up areas. Gessner soils are loamy and drain poorly. Water stands on the surface for long periods after rains, and the soil remains wet long after water on the surface has evaporated. Most areas are muddy and boggy when wet (USDA, 1976).

The 2020 U.S. Census identifies a total population of 2,370 individuals within the city, and current estimates place the population at 2,320. Most residents are employed outside of Hedwig Village and within the Greater Metropolitan Houston area.

Figure 2-1 City of Hedwig Village Vicinity Map and Storm Sewer Map



RECEIVING WATERBODIES

Storm water runoff from the city drains to one of three major receiving waters: Soldiers Creek, Hunters Branch, and Buffalo Bayou. Soldiers Creek is located in the southern area of the city and does not appear on the Hedwig Village, Texas, Quadrangle Map. Soldiers Creek drains to Buffalo Bayou. Hunters Branch is to the east and appears as an intermittent channel on the Quadrangle Map. Hunters Branch flows to Briar Branch, which flows to Spring Branch, which flows to Buffalo Bayou. Segment 1014 (Buffalo Bayou Above Tidal) is located southeast of Hedwig Village and acts as a receiver of discharges from Hedwig Village. The Above Tidal segment begins from a point 400 meters (440 yards) upstream of Shepherd Drive in Harris County to SH 6 in Harris County.

The State of Texas routinely monitors receiving water quality and assesses receiving water conditions. This information is summarized by TCEQ in two reports required under the CWA. Section 305(b) of the CWA requires each state to provide the following information: a description of the water quality of all navigable waters in the state; an assessment of the status of waters of the state with regard to their support of recreational activities and fish and wildlife propagation; an assessment of the state's water pollution control activities toward achieving the CWA goal of having water bodies which support recreational activities and fish and wildlife propagation; an estimate of the costs and benefits of implementing the CWA; and a description of the nature and extent of non-point sources of pollution and recommendations for programs to address non-point source pollution. Section 303(d) directs states to identify and prioritize waters for which point source effluent limits required by the CWA and the state are not stringent enough to allow those waters to meet water quality standards.

The three major City of Hedwig Village receiving waters are summarized in Table 2-1 below. Soldiers Creek, Hunters Branch, and Briar Branch do not appear on the State of Texas Clean Water Act Section 303(d) list of impaired waters (TCEQ, 2024a) or List of Water Body Assessments (TCEQ, 2024b). Both Buffalo Bayou and Spring Branch are identified on the 303(d) list as impaired by bacteria. The Buffalo Bayou Above Tidal segment's bacteria impairment begins from a point immediately upstream of Shepherd Drive upstream to SH 6.

| Table 2-1 | | | | |
|---|-------------------|--|-------------------------|------------------------------------|
| List of Waters within the City of Hedwig Village | | | | |
| Name | Segment ID | Drains To | Listed In 303(d) | 303(d) Impairment Parameter |
| San Jacinto River Basin Watershed | | | | |
| Soldiers Creek | None | Buffalo Bayou | No | |
| Hunters Branch | None | Briar Branch to Spring Branch to Buffalo Bayou | No | |
| Buffalo Bayou Above Tidal | 1014 | Galveston Bay | N | Bacteria. 1014_01 |

According to Table 11 of the *Implementation Plan for TMDLs to Reduce Bacteria in the Houston-Galveston Region*, which shows the summary calculations for Buffalo and White Oak Bayous assessment units, the total maximum daily load (TMDL) for Buffalo Bayou (assessment unit 1014_01) is 1841.94 billion MPN/day. The indicator bacteria species used is *E. coli*, for this and all portions of Buffalo Bayou. The waste load allocation (WLA) for wastewater treatment facilities is 35.93 billion MPN/day, and the WLA for stormwater is 837.68 billion MPN/day. The load allocation (LA) for this assessment unit is 93.08 billion MPN/day. The margin of safety (MOS) is 0. The upstream load is 856.98 billion MPN/day. Finally, the future wastewater treatment facility (WWTF) capacity is 18.28 billion MPN/day.

The (TMDL) for the section of Buffalo Bayou that pertains to Hedwig Village (assessment unit 1014O_01) is 434.9 billion MPN/day. The indicator bacteria species used is *E. coli*. The waste load allocation (WLA) for wastewater treatment facilities is 0.03 billion MPN/day, and the WLA for stormwater is 209.26 billion MPN/day. This WLA number will serve as the City's benchmark. The load allocation (LA) for this assessment unit is 23.25 billion MPN/day. The margin of safety (MOS) is 0. The upstream load is 202.34 billion MPN/day. Finally, the future wastewater treatment facility (WWTF) capacity is 0.02 billion MPN/day. These figures are reflections of the Buffalo Bayou allocated loads that pertain to Hedwig Village.

The City of Hedwig Village does not own or maintain any sanitary sewer facilities, and therefore has no jurisdiction over wastewater effluents. Furthermore, there are no on-site sewage facilities within the city limits. However, in order to stay under the TMDL for Buffalo Bayou, the City has enacted measurements as part of MCM's 1, 2, and 6 to address the control of effluents. These include public education materials to increase general awareness and park maintenance to minimize pet waste.

2.2 FORM OF GOVERNMENT

The City is operated by an elected Mayor and five City Council Members and has a City Administrator. The City Council and the Planning and Zoning Commission regulate development within the City. The City does not have a Public Works Department or Engineering Department; rather, the City contracts with consultants and contractors to perform many of these duties.

2.3 LEGAL AUTHORITY

In accordance with Local Government Code §5.001(3), the City is a Type A general-law municipality.

2.4 CONSTRUCTION AND DEVELOPMENT

The city is essentially fully built-out. There are no significant natural resources or agricultural developments in the area. The majority of existing structures are residential with approximately 100 commercial developments along the IH 10 corridor in the northern portion of the city. Most new construction activities are either redevelopments of or expansions to existing structures. The City typically has zero to three construction activities that disturb greater than 1 acre during a calendar year.

2.5 EXISTING PROGRAMS

Existing activities include previously qualified Best Management Practices (BMPs) such as customer service phone line for citizens to voice concerns, public education brochures, and stream cleaning and monitoring. Complete listings and detailed descriptions of each existing program are listed in Sections three through eight.

2.6 RATIONALE STATEMENT FOR SWMP

During the development of this SWMP, the City considered BMP's that would protect water quality, comply with the Phase II storm water regulations, and ensure program costs that would not create undue hardship on city residents and businesses. Established Phase I storm water programs, the City's existing SWMP, and proposed Phase II programs for other MS4 operators, were reviewed and evaluated. A variety of BMP's for each minimum control measure were considered and compared. BMPs' were ultimately selected based on an evaluation of overall effectiveness, affordability, and suitability to the community. The program will allow continual adjustment and refinement through City implementation experience and feedback from all sectors of the residential and business community.

3.0 MCM-1 PUBLIC EDUCATION AND OUTREACH

The following section describes regulatory requirements, permit application requirements, current City programs, selected BMP's, measurable goals, implementation schedule, and responsible parties pertaining to MCM-1. Table 3-4, found at the end of this section, summarize the measurable goals, implementation schedule, and responsible party for each BMP.

3.1 REGULATORY REQUIREMENTS

40 CFR 122.34 (b)(1) – *The permit must identify the minimum elements and require implementation of a public education program to distribute educational materials to the community or conduct equivalent outreach activities about the impacts of storm water discharges on water bodies and the steps that the public can take to reduce pollutants in storm water runoff.*

3.2 PERMIT APPLICATION REQUIREMENTS

[From The General Permit to Discharge Under the Texas Pollutant Discharge Elimination System dated August 2024.]

The small MS4 operator shall implement a public education and outreach program to distribute educational materials to the community and conduct equivalent outreach about the impacts of stormwater discharges on water bodies and the steps that the public can take to reduce pollutants in stormwater runoff.

The public education and outreach program shall at a minimum include the following target audiences, as applicable:

- 1. Traditional MS4s and counties shall address the residents being served;*
- 2. Non-traditional MS4s (other than counties) shall address the community served by the MS4 as listed below:*
 - a. Universities shall target the faculty, other staff, and students;*
 - b. Military bases shall target military personnel (and dependents), and employees (including contractors);*
 - c. Military bases shall target military personnel (and dependents), and employees (including contractors);*

- d. *Municipal Utility Districts and other special districts shall target staff and contractors; and*
 - e. *Transportation authorities shall address staff, contractors, and users.*
3. *Small ms4 operators shall address additional target audiences within the small MS4 service area (such as but not limited to, those listed in Table 2) as listed below:*
- a. *Levels 1, 2a, and 2b: No requirement for additional audiences;*
 - b. *Level 3: A minimum of one additional audience; or*
 - c. *Level 4: A minimum of two additional audiences.*

Table 3-1: Additional Target Audiences

| Additional Target Audiences |
|---|
| Schools, educational organizations, or youth service and youth groups |
| Businesses, including commercial facilities, home-base and mobile businesses |
| Institutions or formal organizations such as churches, hospitals, and service organizations |
| Developers or construction site operators |
| Homeowner or neighborhood associations |
| Industrial facilities |
| Visitors/tourists |

Small MS4 operators shall target specific pollutant(s) in the permittee's education program (such as, but not limited to, those listed in Table 3). Each small MS4 shall have a minimum of one target pollutant for each target audience from Part IV.D.1(a)(1).a-c of this permit. Small MS4s may implement more than one target pollutant where desired or appropriate to address pollutants in stormwater discharges to the MEP. The target pollutant must be appropriate for the target audience. The same pollutant may be used for more than one target audience and the target pollutant(s) may change annually as needed.

Table 3-2: Pollutants and Sources

| Pollutants and Sources |
|--|
| Grass clippings and leaf litter |
| Fertilizer and pesticides |
| Litter, trash containment, balloon releases |
| Dumping of solid waste |
| Illegal disposal of household hazardous waste |
| Pet waste |
| Failing septic systems |
| Swimming pool discharge, including saltwater pools |
| De-icing/rock salt usage/storage |
| Oil, grease, fluids from vehicles |
| Sediment runoff from construction activities |
| Unauthorized discharge of restaurant waste |
| Vehicle Washing |
| Washwater/grey water |

Small MS4 operators must use appropriate educational resources as BMPs (materials, events, activities, etc.) in conjunction with the selected pollutants for the selected audiences. The message delivered by these BMPs must be applicable to the target audience and relate to the target pollutant (such as a newsletter article about updated illegal dumping and discharge ordinances distributed to auto mechanic businesses or a hazardous household waste disposal flyer when applying for trash or recycling services). BMPs which are ongoing throughout the year or permit term may be counted as one annual BMP. Permittees shall explain how each BMP relates to the target pollutant and target audience. Small MS4 operators may change BMPs during the permit cycle if determined appropriate

through annual reviews and a different BMP may be more effective for the small MS4's target pollutant or target audience. Any changes shall be reflected in the SWMP and explained in the annual report.

1. *If the permittee has a public website, the permittee shall post its SWMP and the annual reports required under Part V.B.2 or a summary of the annual report on the permittee's website.*
 - a. *The SWMP must be posted no later than 30 days after the NOI or NOC approval date; and*
 - b. *The annual report no later than 30 days after the due date.*
2. *Over the permit term, small MS4 operators shall implement a minimum number of public education and outreach BMPs from Table 4, as follows:*
 - a. *Level 1: three BMPs;*
 - b. *Levels 2a and 2b: four BMPs; or*
 - c. *Levels 3 and 4: five BMPs.*

Table 3-3: Required Public Education and Outreach BMPs

| Activity/BMP | Measurable Goals |
|--|--|
| Information on the MS4 operator's website. | <p>Maintain a webpage with current and accurate information and working links.</p> <ul style="list-style-type: none"> • All links shall be checked, and the page shall be updated as necessary at a minimum of once annually. • Must be maintained for the full year, each year. |
| Social Media posts, social media campaign. | <p>Post a minimum of four times each year on a minimum of one social media platform.</p> <ul style="list-style-type: none"> • The message shall address ways attendees can minimize or avoid adverse stormwater impacts or practices to |

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| | <p>improve the quality of stormwater runoff.</p> <ul style="list-style-type: none"> • The messages shall be seasonally appropriate. • Must make a minimum of one post per quarter and all quarterly posts must be visible by attendees for the full year, each year. |
| Maintain or mark storm drains and inlets with, “No Dumping – Drains to Creek” or a similar message. | <p>Placard, stencil, or paint a minimum of 10% of all known stormwater inlets in the MS4 area each year.</p> <p>Where all known stormwater inlets have been marked, inspect, and maintain the markers for a minimum of 15% of all known stormwater inlets in the MS4 area each year.</p> |
| Media/advertising campaign/public service announcements in areas of high visibility; Billboard/poster; Bus shelter/bench; radio/television/movie theatre; and kiosks. | <p>Develop topics that address activities or pollutants of concern.</p> <p>Advertisement must be active for a minimum of three weeks each year; or must have an estimated public exposure for the duration of the advertising campaign that is equal to twice the population for the small MS4 area (based on the most recent U.S. Census Bureau decennial population value for the small MS4 area).</p> |
| Publish articles in local newspaper or newsletter, may be electronic. | <p>Develop article topics that are group specific and address activities or pollutants of concern at a seasonally appropriate time.</p> <p>A minimum of two articles must be published or emailed to target audience groups each year.</p> |
| Fact sheets/brochures/utility bill inserts/door hangers. | Develop material topics that are group specific and address activities or pollutants of concern. |

| | |
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| | The number of fact sheets, brochures, bill inserts, door hangers, or handouts distributed each year shall at a minimum be enough to reach at least 75% of the intended audience. |
| Permanent stormwater related signage. | Place signage in a location where the message is relevant, and highly visible to target audience. Signage will count as an annual BMP for the year it was put in place and for each subsequent year of this permit cycle as long as each of those years, the permittee inspects and maintains, as necessary, 100% of the signage once annually. |
| Promote, host, or develop educational meetings, seminar, or trainings. | Hold, host, or promote a minimum of two events annually. <ul style="list-style-type: none"> • The events shall address ways attendees can minimize or avoid adverse impacts to stormwater or practices to improve the quality of stormwater runoff. • These events may address different pollutants and audiences. |
| Targeted education campaign via mail, email, or in person. | Minimum of one campaign annually or with a specific event to reach at least 75% of the intended audience. (Examples: Sediment control with small building permit; leaf litter email during street sweeping season, or education brochure to all businesses conducting certain activity) |

1. Small MS4 operators shall create or support the public education and outreach BMP(s) in Part Iv.D.1.(a)(3). To be considered support given to the coordinating groups, the small MS4 operator shall at minimum conduct the following or similar:

a. Plan, or assist with planning, the distribution of materials;

- b. Coordinate volunteers;*
 - c. Contribute supplies, materials, tools, or equipment;*
 - d. Provide assistance from MS4 staff to distribute the materials; or*
 - e. Provide financial support.*
- 2. Small MS4 operators may partner with other MS4 operators to maximize the program and cost effectiveness of the required outreach.*

3.3 DISCUSSION OF CURRENT BMP PROGRAMS

3.3.1 INFORMATION ON THE MS4 OPERATOR'S WEBSITE

Description: The City maintains an informational website. The website has been expanded to include storm water program information. Information to be posted on the website may include: digital copies of educational brochures; downloadable copies of storm water forms (e.g., construction site pollution prevention plan form); contact information for plan review and inspection programs; and customer service phone intake number. Additionally, a link to the TCEQ MS4 website will be added for easy access to regulatory information. The site will be reviewed and updated annually.

Measurable Goals, Implementation Schedule, and Responsible Party: See Table 3-4.

Status: Ongoing; website is reviewed and updated annually.

3.3.2 MAINTAIN OR MARK STORM DRAINS AND INLETS

Description: Storm drain placards have been installed on publicly viewable storm water inlets and other structures, and the City ensured that placards were in place. The City selected and purchased placards that provide an educational message informing viewers that the storm water system drains directly to streams and that no waste placement or dumping should occur. Volunteers were recruited by advertising the event in the City newsletter and posting information on the City website to install additional placards in deficient inlets. Organizations such as the Boy Scouts of America, Garden Clubs, and other Civic organizations were contacted as well. However, concerns were raised regarding safety and liability, so in the end, City forces installed the placards.

City staff conducts ongoing inspections on all placards to ensure they remain in suitable condition to maintain visibility.

Measurable Goals, Implementation Schedule, and Responsible Party: See Table 3-4.

Status: Completed; ongoing inspection and maintenance.

3.3.3 FACT SHEETS/BROCHURES/UTILITY BILL INSERTS/DOOR HANGARS

Description: Educational brochures are procured from third-party sources (Joint Task Force, EPA, TCEQ, Harris County, etc.) and customized for City use. Brochures address various storm water issues and include information such as the impacts polluted storm water runoff can have on water quality, hazards associated with illegal dumping and discharges, phone numbers to report dumping activities, information about bacteria to address impairments to Buffalo Bayou in order to raise wastewater effluent awareness, and other steps residents can take to reduce pollutants in storm water runoff. The MS4 will address the residents being served as its main target audience. New brochures are distributed with the City's email distribution list, and copies are made available to visitors in the City of Hedwig Village City Hall lobby and at city council meetings. Digital copies of new brochures are posted on the City's website at www.hedwigtx.gov. A copy of each item distributed and a locations and times they are made available is maintained by the City. The City will use the distribution list to estimate the percentage of its intended audience reached by the brochures to determine the effectiveness of the BMP.

Measurable Goals, Implementation Schedule, and Responsible Party: See Table 3-4.

Status: Ongoing; brochures are periodically distributed and uploaded to the City's website.

Table 3-4
BMPs for Public Education and Outreach (MCM-1)

| BMP | Measurable Goals | Due Date | Responsible Party |
|---|--|----------------------------|--------------------------|
| Information on the MS4 Operator's Website | 1. Maintain a webpage with current and accurate information and working links. Maintain for the full year, each year. | Years 1-5, Months 1-12 | City Administrator |
| | 2. Check all links and update page as necessary at a minimum of once annually. | Years 1-5, Month 5 | City Administrator |
| Maintain or Mark Storm Drains and Inlets | Placard, stencil, or paint a minimum of 10% of all known stormwater inlets in the MS4 area each year. Where all known stormwater inlets have been marked, inspect, and maintain the markers for a minimum of 15% of all known stormwater inlets in the MS4 area each year. | Years 2 and 5, Month 5 | Inspector |
| Fact Sheets/ Brochures/ Utility Bill Inserts/ Door Hangars | 1. Develop material topics that are group specific and address activities or pollutants of concern. Fact sheets, brochures, bill inserts, door hangers, or handouts shall be distributed each year for at least 75% of the intended audience. | Years 1-5, Months 5 and 12 | City Administrator |
| | 2. Develop and implement a tracking system to estimate what percentage of the intended audience is reached for determining BMP effectiveness. | Years 1-5, Months 5 and 12 | City Administrator |

Note: Year 1 = 2024, Year 2 = 2025, Year 3 = 2026, Year 4 = 2027, Year 5 = 2028

Month 1 = January... Month 12 = December

4.0

MCM-2 PUBLIC INVOLVEMENT/PARTICIPATION

The following section describes regulatory requirements, permit application requirements, current City programs, selected BMP's, measurable goals, implementation schedule, and responsible parties pertaining to MCM-2. Table 4-2, found at the end of this section, summarizes the measurable goals, implementation schedule, and responsible party for each BMP.

4.1 REGULATORY REQUIREMENTS

40 CFR 122.34 (b)(2) – *The permit must identify the minimum elements and require implementation of a public involvement/participation program that complies with State, Tribal, and local public notice requirements.*

4.2 PERMIT APPLICATION REQUIREMENTS

[From The General Permit to Discharge Under the Texas Pollutant Discharge Elimination System dated August 2024.]

All permittees, except prisons/correctional facilities, shall involve the public, and, at minimum, comply with any state and local public notice requirements in the planning and implementation activities related to developing and implementing the SWMP. The small MS4 operator must create opportunities, or support activities that are coordinated by citizen groups, for residents and others to become involved with the SWMP. The activities/BMPs must demonstrate an impact on stormwater runoff by improving water quality.

Over the permit term, small MS4 operators shall implement a minimum number of public involvement/participation activities and measurable goals from Table 5 as follows:

- a. Level 1 small MS4: two BMPs;*
- b. Levels 2a and 2b small MS4: three BMPs; or*
- c. Levels 3 and 4 small MS4: four BMPs.*

Table 4-1: Public Involvement/Participation BMPs

| Activity/BMP | Measurable Goals |
|---|--|
| Stream/lake or watershed clean-up events; litter/trash clean-up events such as Texas Stream Team, Adopt-A-Highway, Adopt-A-Spot, Adopt-A-Street, Adopt-A-Stream, etc. | <p>Host at a minimum two events annually.</p> <ul style="list-style-type: none"> • To be considered an event, the land area cleaned must be a minimum of: <ul style="list-style-type: none"> ○ two acres, ○ 400 yards of stream/streambank/riparian area, or ○ two miles of roadside • These may be combined (such as one acre of land and 200 yards of stream). |
| Habitat improvement; Tree planting; Invasive Vegetation removal; Stream restoration. | <p>Host at a minimum two events annually.</p> <ul style="list-style-type: none"> • To be considered an event, the project must be a minimum of 0.5 acres or 25 yards. • An event may take place in streams, parks, areas adjacent to public waterways, or other green space. • An event may be a combination of locations and areas. |
| Volunteer water quality monitoring. | <p>Host a minimum one event annually.</p> <p>To be considered an event, the monitoring must be conducted at minimum once each year.</p> |
| Stormwater related speaker series. | <p>Host a minimum one event annually.</p> <p>To be considered an event, the monitoring must be conducted at minimum once each year.</p> |

| | |
|---|---|
| MS4 area-wide stormwater survey for input on program implementation. | Provide a minimum of one public survey annually for input on the program implementation to be distributed to reach at least 75% of the intended audience. |
| Hold events to train residents, or work a project for homeowner associations (HOAs), or other public groups to cover stormwater topics such as: Building rain barrels; Fertilizer application training; Rain garden/bio retention creation or maintenance; How to recognize illicit discharge activities and communicate observations to appropriate MS4 staff. | Provide at minimum one project or training annually. |
| Educational display/booth at a school, public event, or similar event to provide information or displays that work to improve public understanding of issues related to water quality. | Provide one booth or display at minimum annually. The booth or display must be staffed during the time which the event is open to the public. |
| Public meeting for input on the program implementation such as a city council meeting, board meeting, or stakeholder meeting. | Host a minimum of one meeting annually for input on the program implementation to be advertised to reach at least 75% of the intended audience. |

Small MS4 operators shall create or support the public involvement/participation BMP(s) in Part IV.D.2.(a). To be considered support given to the coordinating groups the small MS4 operator shall at minimum conduct the following or similar:

- a. Plan, or assist with planning, the event or activity;*
- b. Contribute supplies, materials, tools, or equipment;*
- c. Provide assistance from MS4 staff during the activity;*
- d. Provide assistance with recruiting volunteers for events;*
- e. Make a space available for projects, meetings, or events;*

- f. Advertisement for the events;*
- g. Supply disposal services;*
- h. Arrange land or stream access;*
- i. Provide financial support; or*
- j. Provide donations of goods and services such as food.*

Small MS4 operators may partner with other MS4 operators to maximize the program and cost effectiveness of the required public involvement/participation activities.

4.3 DISCUSSION OF CURRENT BMP PROGRAMS

4.3.1 EDUCATIONAL DISPLAY/BOOTH AT A SCHOOL, PUBLIC EVENT, OR SIMILAR EVENT TO PROVIDE INFORMATION OR DISPLAYS THAT WORK TO IMPROVE PUBLIC UNDERSTANDING OF ISSUES RELATED TO WATER QUALITY

Description: The City will provide or support one booth or display at minimum annually. The booth or display must be staffed during the time which the event is open to the public. This will be conducted at the annual Arbor Day community event, held on the Saturday before Halloween, in which the City plants new trees in the vicinity to replace trees lost during the year.

Measurable Goals, Implementation Schedule, and Responsible Party: See Table 4-2.

Status: Ongoing; City hosts events annually.

4.3.2 PUBLIC MEETING FOR INPUT ON PROGRAM IMPLEMENTATION

Description: The City will host a public meeting to receive public comment/input on the program implementation, such as a city council meeting, board meeting, or stakeholder meeting. This will be a minimum of one meeting annually for input on the program implementation to be advertised to reach at least 75% of the intended audience.

Measurable Goals, Implementation Schedule, and Responsible Party: See Table 4-2.

Status: Completed

| Table 4-2 BMP's for Public Involvement/Participation (MCM-2) | | | |
|---|--|---------------------|--------------------------|
| BMP | Measurable Goals | Due Date | Responsible Party |
| Educational display/booth at a school, public event, or similar event to provide information or displays that work to improve public understanding of issues related to water quality | Provide or support one booth or display at minimum annually. The booth or display must be staffed during the time which the event is open to the public. | Years 1-5, Month 10 | City Administrator |
| Public Meeting for Input on Program Implementation | 1. Host a minimum of one meeting annually for input on the program implementation to be advertised to reach at least 75% of the intended audience. | Year 1-5, Month 12 | City Administrator |
| | 2. During the meeting, present the proposed SWMP, solicit feedback on the selected BMP's, and invite suggestions for additional BMP's. Record the date, agenda, and number of participants at the meeting. | Year 1-5, Month 12 | City Administrator |
| | 3. Record, evaluate and incorporate valid comments and suggestions into SWMP. | Year 1-5, Month 12 | City Administrator |

Note: Year 1 = 2024, Year 2 = 2025, Year 3 = 2026, Year 4 = 2027, Year 5 = 2028

Month 1 = January... Month 12 = December

5.0 MCM-3 ILLICIT DISCHARGE DETECTION AND ELIMINATION (IDDE)

The following section describes regulatory requirements, permit application requirements, current City programs, selected BMP's, measurable goals, implementation schedule, and responsible parties pertaining to MCM-3. Tables 5-2 and 5-3, found at the end of this section, summarize the measurable goals, implementation schedule, and responsible party for each BMP.

5.1 REGULATORY REQUIREMENTS

40 CFR 122.34 (b)(3) – *The permit must identify the minimum elements and require the development, implementation, and enforcement of a program to detect and eliminate illicit discharges (as defined at Sec. 122.26(b)(2)) into the small MS4.*

At a minimum, the permit must require the permittee to:

- *Develop, if not already completed, a storm sewer system map, showing the location of all outfalls and the names and locations of all waters of the United States that receive discharges from those outfalls;*
- *To the extent allowable under state, Tribal, or local law, effectively prohibit, through ordinance, or other regulatory mechanism, non-storm water discharges into the storm sewer system and implement appropriate enforcement procedures and actions;*
- *Develop and implement a plan to detect and address non-storm water discharges, including illegal dumping, to the system; and*
- *Inform public employees, businesses, and the general public of hazards associated with illegal discharges and improper disposal of waste.*

The permit must also require the permittee to address the following categories of non-storm water discharges or flows (i.e., illicit discharges) only if the permittee identifies them as a significant contributor of pollutants to the small MS4: Water line flushing, landscape irrigation, diverted stream flows, rising ground waters, uncontaminated ground water infiltration (as defined at 40 CFR 35.2005(b)(20)), 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 (discharges or flows from firefighting activities are excluded from the effective prohibition against non-storm

water and need only be addressed where they are identified as significant sources of pollutants to waters of the United States).

5.2 PERMIT APPLICATION REQUIREMENTS

[From The General Permit to Discharge Under the Texas Pollutant Discharge Elimination System dated August 2024.]

5.2.1 PROGRAM DEVELOPMENT

All permittees shall develop, implement, and enforce a program to investigate, detect, and eliminate illicit discharges into the small MS4. The program must include a plan to detect and address non-stormwater discharges, including illegal dumping to the small MS4.

The Illicit Discharge Detection and Elimination (IDDE) program must include the following:

- 1. A current and accurate MS4 map (see Part IV.D.3.(c)(1));*
- 2. Methods for informing and training MS4 field staff (see Part IV.D.3.(c)(2));*
- 3. Methods for facilitating public reporting of illicit discharges and illegal dumping (see Part IV.D.3.(c)(3));*
- 4. Procedures for responding to illicit discharge, illegal dumping, and spills (see Part IV.D.3.(c)(4));*
- 5. Procedures for tracing the source of an illicit discharge and illegal dumping (see Part IV. D.3.(c)(5));*
- 6. Procedures for removing the source of the illicit discharge and illegal dumping (see Part IV.D.3.(c)(5));*
- 7. Conduct inspections in response to complaints including follow-up inspections, and procedures for inspections (see Part IV.D.3.(c)(6));*
- 8. For Levels 2, 3 and 4, if applicable, procedures to prevent and correct any leaking on-site sewage disposal systems that discharge into the small MS4;*
- 9. For Level 4, procedures for identifying priority areas within the small MS4 likely to have illicit discharges and illegal dumping, and a list of all such areas identified in the small MS4 (see Part IV.D.3.(e)(1));*

10. For Level 4, dry weather field screening to detect illicit discharges and illegal dumping (see Part IV.D.3.(e)(2)); and

11. For Level 4, procedures to reduce the discharge of floatables in the small MS4 (see Part IV.D.3.(e)(3)).

For non-traditional small MS4s, if illicit connections, illegal dumping, or illicit discharges are observed related to another operator's MS4, the permittee shall notify the other MS4 operator within 48 hours of discovery. If notification to the other MS4 operator is not practicable, then the permittee shall notify the appropriate TCEQ Regional Office of the possible illicit connection, illegal dumping, or illicit discharge.

If another MS4 operator notifies the permittee of an illegal connection, illegal dumping, or illicit discharge to the small MS4, then the permittee shall follow the requirements specified in Part IV.D.3.(c)(5).

5.2.2 ALLOWABLE NON-STORM WATER DISCHARGES

Non-stormwater discharges listed in Part II.D do not need to be considered by the permittee as an illicit discharge requiring elimination unless the permittee or the TCEQ identifies the discharge as a significant source of pollutants to the small MS4.

5.2.3 REQUIREMENTS FOR ALL PERMITTEES

All permittees shall meet all the following requirements, including Table 6.

1. MS4 Mapping - *All permittees shall maintain a current and accurate MS4 map, which must be located on site and available for review by TCEQ. The MS4 map must show at a minimum the following information:*
 - a. *The location of all small MS4 outfalls that are operated by the permittee and that discharge into Waters of the U.S.;*
 - b. *The location and name of all surface waters receiving discharges from the small MS4 outfalls; and*
 - c. *Priority areas identified under Part IV.D.3.(e)(1), if applicable.*
2. Education and Training - *All permittees shall implement a method for informing or training all the permittee's field staff that may come into contact with or otherwise observe an illicit discharge, illegal dumping, or illicit connection to the small MS4 as*

part of their normal job responsibilities. Training program materials and attendance lists must be maintained onsite and made available for review by the TCEQ.

3. *Public Reporting of Illicit Discharges and Spills* - All permittees shall publicize and facilitate public reporting of illicit discharges, illegal dumping, or water quality impacts associated with discharges into or from the small MS4. The permittee shall provide a central contact point to receive reports; for example, by including a telephone number for complaints and spill reporting.
4. *All permittees shall develop and maintain onsite procedures for responding to illicit discharges, illegal dumping, and spills.*
5. *Source Investigation and Elimination*
 - a. *Minimum Investigation Requirements* – Upon becoming aware of an illicit discharge or illegal dumping, all permittees shall conduct an investigation to identify and locate the source of such illicit discharge or illegal dumping as soon as practicable.
 - i. *All permittees shall prioritize the investigation of discharges based on their relative risk of pollution. For example, sanitary sewage may be considered a high priority discharge.*
 - ii. *All permittees shall report to the TCEQ immediately upon becoming aware of the occurrence of any illicit flows believed to be an immediate threat to human health or the environment.*
 - iii. *All permittees shall track all investigations and document, at a minimum, the date(s) the illicit discharge or illegal dumping was observed; the results of the investigation; any follow-up of the investigation; and the date the investigation was closed.*
 - b. *Identification and Investigation of the Source of the Illicit Discharge* –All permittees shall investigate and document the source of illicit discharges and illegal dumping where the permittees have jurisdiction to complete such an investigation. If the source of illicit discharge or illegal dumping extends outside the permittee’s boundary, all permittees shall notify the adjacent permitted MS4 operator or the appropriate TCEQ Regional Office.
 - c. *Corrective Action to Eliminate Illicit Discharge*

i. *If and when the source of the illicit discharge or illegal dumping has been determined, all permittees shall immediately notify the responsible party of the problem, and shall require the responsible party to perform all necessary corrective actions to eliminate the illicit discharge and illegal dumping.*

6. *Inspections - The permittee shall conduct inspections, in response to complaints, and shall conduct follow-up inspections to ensure that corrective measures have been implemented by the responsible party. The permittee shall develop written procedures describing the basis for conducting inspections in response to complaints and conducting follow-up inspections.*

Table 5-1: Required IDDE BMPs

| Activity/BMP | Measurable Goals |
|--|--|
| Maintain a current and accurate MS4 map as described in Part IV.D.3.(c)(1). | Review and update, as necessary, at least one time annually to include features which have been added, removed, or changed. |
| Conduct training for all the permittee's field staff as described in Part IV.D.3.(c)(2). Training may be conducted in person or using self-paced training materials such as videos or reading materials. | Conduct a minimum of one training annually for 100% of MS4 field staff that may come into contact with or otherwise observe an illicit discharge, illegal dumping, or illicit connection to the small MS4 as part of their normal job responsibilities. |
| Maintain and publicize a public reporting method for the public to report illicit discharges, illegal dumping, or water quality impacts associated with discharges into or from the small MS4 such as a reporting hotline, online form, or other similar mechanism as described in Part IV.D.3.(c)(3). | Maintain a minimum of one public reporting mechanism 100% of the time during the permit term. Publicize the public reporting mechanism a minimum of two times annually in a method designed to reach at least 75% of the intended audience. In addition, if the MS4 operator has a public website, the public reporting mechanism must be publicized on the public website 100% of the |

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| | time during the permit term. |
| Develop and maintain procedures for responding to illicit discharges, illegal dumping, and spills as described in Part IV.D.3.(c)(4). | Review and update the procedures at least one time annually to address changes and make improvements to the established procedures where applicable. |
| Source investigation and elimination of illicit discharges and illegal dumping as described in Part IV.D.3.(c)(5). | <p>Respond to 100% of known illicit discharges and illegal dumping incidents each year to investigate sources (or some Level 2b MS4s must notify the appropriate agency with the authority to act).</p> <p>Each year, respond to 100% of high priority discharges each year, such as sanitary sewer discharges within 24 hours (or some Level 2b MS4s must notify the appropriate agency with the authority to act).</p> <p>For 100% of known illicit discharges or illegal dumping incidents where the small MS4 does not have jurisdiction, notify the adjacent MS4 operator or the applicable TCEQ regional office each year.</p> <p>Notify TCEQ immediately of 100% of illicit flows believed to be an immediate threat to human health or the environment throughout the permit term.</p> |
| Corrective action to eliminate illicit discharges and illegal dumping as described in Part IV.D.3.(c)(5). | <p>For 100% of illicit discharges or illegal dumping where a source has been determined, notify the responsible party of the problem within 24 hours.</p> <p>Require the responsible party to perform all necessary corrective actions to eliminate the illicit discharge.</p> |
| Inspection Procedures as described in Part IV.D.3.(c)(6). | Review and update the procedures at least one time annually to address changes and make improvements to the established procedures |

| | |
|---|---|
| | where applicable. |
| Inspections in response to complaints as described in Part IV.D.3.(c)(6). | <p>Conduct inspections in response to 100% of complaints each year according to the established procedures (or some Level 2b MS4s must notify the appropriate agency with the authority to act).</p> <p>Conduct follow up inspections in 100% of cases each year where necessary as described in the established procedures (except for some Level 2b MS4s without the appropriate authority to act).</p> |

5.3 DISCUSSION OF CURRENT BMP PROGRAMS

5.3.1 MS4 MAP

Description: The City created a storm sewer map (See Figure 2-1 on Page 2-2) that illustrates the location of major outfalls, drainage area boundaries, and the names and locations of all waters of the United States that receive discharges from those outfalls. The map will be updated at least one time annually to include features which have been added, removed, or changed. Information sources, outfall verification method, and update procedures will be defined on the map. This map was developed by field investigation by qualified personnel, which were selected by the City Administrator and the City Building Official, and generated with Computer Aided Drafting (CAD) software. A hard copy of the map is kept at City Hall at all times. This map will be reviewed at least one time annually and updated any time additions, changes, or modifications to the storm sewer system and/or outfalls are made.

Measurable Goals, Implementation Schedule, and Responsible Party: See Table 5-2.

Status: Completed; system is updated as improvements/modifications are made.

5.3.2 FIELD STAFF TRAINING

Description: The City will conduct training for all the permittee's field staff, as described in Part IV.D.3.(c)(2). This training may be conducted in person or using self-paced training materials such as videos or reading materials. A minimum of one training session will be conducted annually for 100% of MS4 field staff that may come into contact with or otherwise observe an illicit discharge, illegal dumping, or illicit connection to the small MS4 as part of their normal job responsibilities.

Measurable Goals, Implementation Schedule, and Responsible Party: See Table 5-2.

Status: Ongoing

5.3.3 PUBLIC REPORTING METHOD

Description: The City will maintain and publicize a public reporting method for the public to report illicit discharges, illegal dumping, or water quality impacts associated with discharges into or from the small MS4 such as a reporting hotline, online form, or other similar mechanism as described in Part IV.D.3.(c)(3). A minimum of one public reporting mechanism will be maintained 100% of the time during the permit term. The public reporting mechanism will be publicized a minimum of two times annually in a method designed to reach at least 75% of the intended audience. In addition, the public reporting mechanism must be publicized on the public website 100% of the time during the permit term.

The City will continue to operate a phone line for residents to call in questions and complaints. The City will review existing record-keeping and follow-up procedures and make modifications if necessary. The phone line will continue to field calls regarding environmental concerns, dumping activities, construction runoff, and hazard and nuisance conditions. City personnel will continue to investigate valid complaints. The hotline will be advertised to City residents and businesses through the City's email distribution list and City website.

Measurable Goals, Implementation Schedule, and Responsible Party: See Table 5-2.

Status: Ongoing; hotline continually operated

5.3.4 RESPONSE PROCEDURES

Description: The City will develop and maintain procedures for responding to illicit discharges, illegal dumping, and spills as described in Part IV.D.3.(c)(4). The procedures will be reviewed and updated at least one time annually to address changes and make improvements to the established procedures where applicable.

Measurable Goals, Implementation Schedule, and Responsible Party: See Table 5-2.

Status: Ongoing

5.3.5 SOURCE INVESTIGATION AND ELIMINATION OF ILLICIT DISCHARGES AND ILLEGAL DUMPING

Description: The City will conduct source investigation and elimination of illicit discharges and illegal dumping as described in Part IV.D.3.(c)(5). The City will respond to 100% of known illicit discharges and illegal dumping incidents each year to investigate sources. Each year, the City will respond to 100% of high priority discharges each year, such as sanitary sewer discharges within 24 hours. For 100% of known illicit discharges or illegal dumping incidents where the small MS4 does not have jurisdiction, the adjacent MS4 operator or the applicable TCEQ regional office will be notified each year. TCEQ will be notified immediately of 100% of illicit flows believed to be an immediate threat to human health or the environment throughout the permit term.

Measurable Goals, Implementation Schedule, and Responsible Party: See Table 5-2.

Status: Ongoing

5.3.6 CORRECTIVE ACTION TO ELIMINATE ILLICIT DISCHARGES AND ILLEGAL DUMPING

Description: As described in Part IV.D.3.(c)(5), the City will notify the responsible party for 100% of illicit discharges or illegal dumping where a source has been determined. This party will be notified of the problem within 24 hours. The responsible party will be required to perform all necessary corrective actions to eliminate the illicit discharge.

Measurable Goals, Implementation Schedule, and Responsible Party: See Table 5-3.

Status: Ongoing

5.3.7 INSPECTION PROCEDURES

Description: As described in Part IV.D.3.(c)(6), the City will review and update the procedures at least one time annually to address changes and make improvements to the established procedures where applicable.

Measurable Goals, Implementation Schedule, and Responsible Party: See Table 5-3.

Status: Ongoing

5.3.8 INSPECTIONS IN RESPONSE TO COMPLAINTS

Description: The City will conduct inspections in response to complaints as described in Part IV.D.3.(c)(6) by conducting inspections in response to 100% of complaints each year according to the established procedures. The City will conduct follow up inspections in 100% of cases each year where necessary as described in the established procedures.

Measurable Goals, Implementation Schedule, and Responsible Party: See Table 5-3.

Status: Ongoing

5.4 LIST OF INCIDENTAL NON-STORM WATER DISCHARGES

The City has considered and determined the following occasional incidental non-storm water discharges to be insignificant contributors of pollutants to the MS4: 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 condensation, irrigation water, springs, water from crawl space pumps, footing drains, lawn watering, individual residential car washing, charity car washing, flows from riparian habitats and wetlands, dechlorinated swimming pool discharges, and street wash water.

| Table 5-2 BMP's for Illicit Discharge Detection and Elimination (MCM-3) | | | |
|---|---|--------------------------|--------------------------|
| BMP | Measurable Goals | Due Date | Responsible Party |
| Maintain and Current and Accurate MS4 Map | Review and update, as necessary, at least one time annually to include features which have been added, removed, or changed. | Years 1-5, Month 6 | City Administrator |
| Conduct Training for All the Permittee's Field Staff | Conduct a minimum of one training annually for 100% of MS4 field staff that may come into contact with or otherwise observe an illicit discharge, illegal dumping, or illicit connection to the small MS4 as part of their normal job responsibilities. | Years 1-5, Month 4 | City Administrator |
| Maintain and Publicize a Public Reporting Method for the Public to Report Illicit Discharges, Illegal Dumping, or Water Quality Impacts Associated with Discharges Into or From the Small MS4 | 1. Maintain a minimum of one public reporting mechanism 100% of the time during the permit term. | Years 1-5, Months 1 – 12 | City Administrator |
| | 2. Publicize the public reporting mechanism a minimum of two times annually in a method designed to reach at least 75% of the intended audience. | Years 1-5, Months 1, 6 | City Administrator |
| | 3. In addition, the public reporting mechanism must be publicized on the public website 100% of the time during the permit term. | Years 1-5, Months 1 – 12 | City Administrator |
| Develop and Maintain Procedures for Responding to Illicit Discharges, Illegal Dumping, and Spills | Review and update the procedures at least one time annually to address changes and make improvements to the established procedures where applicable. | Years 1-5, Month 2 | City Administrator |
| Source Investigation and Elimination of Illicit Discharges and Illegal Dumping | 1. Respond to 100% of known illicit discharges and illegal dumping incidents each year to investigate sources. | Years 1-5, Months 1 – 12 | City Administrator |
| | 2. Each year, respond to 100% of high priority discharges each year, such as sanitary sewer discharges within 24 hours. | Years 1-5, Months 1 – 12 | City Administrator |
| | 3. For 100% of known illicit discharges or illegal dumping incidents where the small MS4 does not have jurisdiction, notify the adjacent MS4 operator or the applicable TCEQ regional office each year. | Years 1-5, Months 1 – 12 | City Administrator |
| | 4. Notify TCEQ immediately of 100% of illicit flows believed to be an immediate threat to human health or the environment throughout the permit term. | Years 1-5, Months 1 – 12 | City Administrator |

Note: Year 1 = 2024, Year 2 = 2025, Year 3 = 2026, Year 4 = 2027, Year 5 = 2028

Month 1 = January... Month 12 = December

| Table 5-3 BMP's for Illicit Discharge Detection and Elimination (MCM-3) | | | |
|--|---|--------------------------|--------------------------|
| BMP | Measurable Goals | Due Date | Responsible Party |
| Corrective Action to Eliminate Illicit Discharges and Illegal Dumping | 1. For 100% of illicit discharges or illegal dumping where a source has been determined, notify the responsible party of the problem within 24 hours. | Years 1-5, Months 1 – 12 | Schaumburg & Polk, Inc. |
| | 2. Require the responsible party to perform all necessary corrective actions to eliminate the illicit discharge. | Years 1-5, Months 1 – 12 | Schaumburg & Polk, Inc. |
| Inspection Procedures | Review and update the procedures at least one time annually to address changes and make improvements to the established procedures where applicable. | Years 1-5, Month 8 | Schaumburg & Polk, Inc. |
| Inspections in Response to Complaints | 1. Conduct inspections in response to 100% of complaints each year according to the established procedures | Years 1-5, Months 1 – 12 | Schaumburg & Polk, Inc. |
| | 2. Conduct follow up inspections in 100% of cases each year where necessary as described in the established procedures. | Years 1-5, Months 1 – 12 | Schaumburg & Polk, Inc. |

Note: Year 1 = 2024, Year 2 = 2025, Year 3 = 2026, Year 4 = 2027, Year 5 = 2028

Month 1 = January... Month 12 = December

6.0 MCM-4 CONSTRUCTION SITE STORMWATER RUNOFF CONTROL

The following section describes regulatory requirements, permit application requirements, current City programs, selected BMP's, measurable goals, implementation schedule, and responsible parties pertaining to MCM-4. Table 6-2, found at the end of this section, summarizes the measurable goals, implementation schedule, and responsible party for each BMP.

6.1 REGULATORY REQUIREMENTS

40 CFR 122.34 (b)(4) – *The permit must identify the minimum elements and require the development, implementation, and enforcement of a program to reduce pollutants in any storm water runoff to the small MS4 from construction activities that result in a land disturbance of greater than or equal to one acre. Reduction of storm water discharges from 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. If the Director waives requirements for storm water discharges associated with small construction activity in accordance with §122.26(b)(15)(i), the permittee is not required to develop, implement, and/or enforce a program to reduce pollutant discharges from such sites.*

At a minimum, the permit must require the permittee to develop and implement:

- *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, Tribal, or local law;*
- *Requirements for construction site operators to implement appropriate erosion and sediment control best management practices;*
- *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;*
- *Procedures for site plan review that incorporate consideration of potential water quality impacts;*
- *Procedures for receipt and consideration of information submitted by the public; and*
- *Procedures for site inspection and enforcement of control measures.*

6.2 PERMIT APPLICATION REQUIREMENTS

[From The General Permit to Discharge Under the Texas Pollutant Discharge Elimination System dated August 2024.]

6.2.1 REQUIREMENTS AND CONTROL MEASURES

All permittees shall develop, implement, and enforce a program requiring operators of small and large construction activities to select, install, implement, and maintain stormwater control measures that prevent illicit discharges to the MEP. The program must include the development and implementation of an ordinance or other regulatory mechanism, as well as sanctions to ensure compliance to the extent allowable under state, federal, and local law, to require erosion and sediment control.

If TCEQ waives requirements for stormwater discharges associated with small construction from a specific site(s), the permittee is not required to enforce the program to reduce pollutant discharges from such site(s).

6.2.2 REQUIREMENTS FOR ALL PERMITTEES

All permittees shall meet the following requirements including Table 9.

- 1. All permittees shall require that construction site operators implement appropriate erosion and sediment control BMPs. The permittee's construction program must ensure erosion and sediment controls, soil stabilization, and BMP requirements are effectively implemented for all small and large construction activities discharging to its small MS4 consistent with the TPDES CGP, TXR150000.*
- 2. Prohibited Discharges – The following discharges are prohibited:*
 - a. Wastewater from washout of concrete and wastewater from water well drilling operations, unless managed by an appropriate control;*
 - b. Wastewater from washout and cleanout of stucco, paint, from release oils, and other construction materials;*
 - c. Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance;*
 - d. Soaps or solvents used in vehicle and equipment washing; and*
 - e. Discharges from dewatering activities, including discharges from dewatering of trenches and excavations, unless managed by appropriate BMPs.*

3. *Construction Plan Review Procedures – To the extent allowable by state, federal, and local law, all permittees shall maintain and implement site plan review procedures that describe which plans will be reviewed as well as when an operator may begin construction. For those permittees without legal authority to enforce site plan reviews, this requirement is limited to those sites operated by the permittee and its contractors and located within the permittee’s regulated area. The site plan procedures must meet the following minimum requirements:*
 - a. *The site plan review procedures must incorporate consideration of potential water quality impacts.*
 - b. *The permittee may not approve any plans unless the plans contain appropriate site-specific construction site control measures that, at a minimum, meet the requirements described in the TPDES CGP, TXR150000. The permittee may require and accept a plan, such as a stormwater pollution prevention plan (SWP3), that has been developed pursuant to the TPDES CGP, TXR150000.*
4. *Construction Site Inspections and Enforcement – To the extent allowable by state, federal, and local law, all permittees shall implement procedures for inspecting large and small construction projects. Permittees without legal authority to inspect construction sites shall at a minimum conduct inspection of sites operated by the permittee or its contractors and that are located in the permittee’s regulated area.*
 - a. *The permittee shall conduct inspections based on the evaluation of factors that are a threat to water quality, such as: soil erosion potential; site slope; project size and type; sensitivity of receiving water bodies; proximity to receiving water bodies; non-stormwater discharges; and past record of non-compliance by the operators of the construction site.*
 - b. *Inspections must occur during the active construction phase.*
 - i. *All permittees shall develop and implement updated written procedures outlining the inspection and enforcement requirements. These procedures must be maintained on-site or in the SWMP and be made available to TCEQ.*
 - ii. *Inspections of construction sites must, at a minimum:*
 1. *Determine whether the site has appropriate coverage under the TPDES CGP, TXR150000. If no coverage exists, notify the permittee of the need for permit coverage;*

2. *Conduct a site inspection to determine if control measures have been selected, installed, implemented, and maintained according to the small MS4's requirements;*
 3. *Assess compliance with the permittee's ordinances and other regulations; and*
 4. *Provide a written or electronic inspection report.*
- c. *Based on site inspection findings, all permittees shall take all necessary follow-up actions (for example, follow-up-inspections or enforcement) to ensure compliance with permit requirements and the SWMP. These follow-up and enforcement actions must be tracked and documentation maintained for review by the TCEQ. For non-traditional small MS4s with no enforcement powers, the permittee shall notify the adjacent MS4 operator with enforcement authority or the appropriate TCEQ Regional Office.*
5. *Information Submitted By the Public - All permittees shall develop, implement, and maintain procedures for receipt and consideration of information submitted by the public.*
 6. *MS4 Staff Training - All permittees shall ensure that all staff whose primary job duties are related to implementing the construction stormwater program (including permitting, plan review, construction site inspections, and enforcement) are informed or trained to conduct these activities. The training may be conducted by the permittee or by outside trainers.*

Table 6-1: Required Construction Site Stormwater Runoff Control BMPs

| Activity/BMP | Measurable Goals |
|--|--|
| Develop and maintain an ordinance or other regulatory mechanism as described in Part IV.D.4.(a). | Review and update the ordinance or other regulatory mechanism at least one time during the permit term to address changes and make improvements to the ordinance where applicable. |
| Prohibit discharges as described in Part IV.D.4.(b)(2). | <p>Develop and maintain an ordinance or other regulatory mechanism to prohibit these discharges.</p> <p>Review and update the ordinance or other regulatory mechanism at least one time during the permit term to address changes and make improvements to the ordinance where applicable.</p> |
| Maintain and implement site plan review procedures that describe which plans will be reviewed as well as when an operator may begin construction as described in Part IV.D.4.(b)(3). | <p>Review and update site plan review procedures at least one time annually to address changes and make improvements to the established procedures where applicable.</p> <p>Implement site plan review procedures for 100% of new construction site plans received each year.</p> |
| Implement procedures for inspecting large and small construction projects as described in Part IV.D.4.(b)(4). | Review and update inspection procedures at least one time annually to address changes and make improvements to the established procedures where applicable. |
| Conduct construction site inspections as described in Part IV.D.4.(b)(4). | <p>Conduct inspections at 80% of active construction sites annually according to the established procedures (or some Level 2b small MS4s must notify the appropriate agency with the authority to act).</p> <p>Each year, conduct follow up inspections in 100% of cases where necessary as described in the established procedures (except for some Level 2b small MS4s without the appropriate</p> |

| | |
|---|---|
| | authority to act). |
| Develop, implement, and maintain procedures for receipt and consideration of information submitted by the public as described in Part IV.D.4.(b)(5). | <p>Review and update procedures for the receipt and consideration of information submitted by the public at least one time annually to address changes and make improvements to the established procedures where applicable.</p> <p>Maintain one webpage, hotline, or similar method for receipt of information submitted by the public throughout the permit term.</p> |
| <p>Conduct training for all the MS4 staff whose primary job duties are related to implementing the construction stormwater program as described in Part IV.D.4.(b)(6).</p> <p>Training may be conducted in person or using self-paced training materials such as videos or reading materials.</p> | <p>Conduct a minimum of one training annually for 100% of MS4 staff whose primary job duties are related to implementing the construction stormwater program.</p> |

6.3 DISCUSSION OF CURRENT BMP PROGRAMS

6.3.1 DEVELOP AND MAINTAIN ORDINANCE/REGULATORY MECHANISM

Description: The City will develop and maintain an ordinance or other regulatory mechanism as described in Part IV.D.4.(a). The City will continue to enforce an existing waste control ordinance (Section 5-101). An inspector will continue to visit each construction site at least one time during construction period to ensure that operators properly dispose of generated wastes. Construction site operators will be notified of the ordinance prior to the start of construction activities at the time of permitting. The City will record the findings and enforcement actions for each inspection.

The City will review, and if necessary, modify existing ordinances requiring erosion, sediment, and on-site waste controls as well as sanctions to ensure compliance and effectiveness. Any amendments made to the ordinances will be documented and maintained. Residents and businesses will be notified of revisions made to ordinances via the City website and City email distribution list within one month of revision passage.

The ordinances will be reviewed and updated at least one time during the permit term to address changes and make improvements to the ordinance where applicable.

Measurable Goals, Implementation Schedule, and Responsible Party: See Table 6-2.

Status: Ongoing; ordinance is enforced on each construction activity. City will evaluate current ordinances for revision.

6.3.2 PROHIBIT DISCHARGES

Description: The City will develop and maintain an ordinance or other regulatory mechanism to prohibit these discharges as described in Part IV.D.4.(b)(2). The ordinance will be reviewed and updated at least one time during the permit term to address changes and make improvements to the ordinance where applicable.

Measurable Goals, Implementation Schedule, and Responsible Party: See Table 6-1.

Status: Ongoing; City will evaluate current ordinance for revision.

6.3.3 SITE PLAN REVIEW PROCEDURES

Description: The City will maintain and implement site plan review procedures that describe which plans will be reviewed as well as when an operator may begin construction as described in Part IV.D.4.(b)(3). Site plan review procedures will be reviewed and updated at least one time annually to address changes and make improvements to the established procedures where applicable. These procedures will be implemented for 100% of new construction site plans received each year.

Measurable Goals, Implementation Schedule, and Responsible Party: See Table 6-2.

Status: Ongoing; procedures are implemented for each proposed construction activity.

6.3.4 PROCEDURES FOR INSPECTING LARGE AND SMALL CONSTRUCTION PROJECTS

Description: The City will implement procedures for inspecting large and small construction projects as described in Part IV.D.4.(b)(4). Inspection procedures will be reviewed and updated at least one time annually to address changes and make improvements to the established procedures where applicable.

Measurable Goals, Implementation Schedule, and Responsible Party: See Table 6-2.

Status: Ongoing; inspections and enforcement are done for each construction activity

6.3.5 CONSTRUCTION SITE INSPECTION

Description: The City will conduct construction site inspections as described in Part IV.D.4.(b)(4). Inspections will be conducted at 80% of active construction sites annually according to the established procedures. Each year, follow up inspections will be conducted in 100% of cases where necessary as described in the established procedures.).

Measurable Goals, Implementation Schedule, and Responsible Party: See Table 6-2.

Status: Ongoing; procedures are implemented for each proposed construction activity.

6.3.6 PROCEDURES FOR RECEIPT AND CONSIDERATION OF PUBLIC SUBMITTED INFORMATION

Description: The City will develop, implement, and maintain procedures for receipt and consideration of information submitted by the public as described in Part IV.D.4.(b)(5). The City will review and update procedures for the receipt and consideration of information submitted by the public at least one time annually to address changes and make improvements to the established procedures where applicable. A webpage, hotline, or similar method for receipt of information submitted by the public will be maintained throughout the permit term.

Measurable Goals, Implementation Schedule, and Responsible Party: See Table 6-2.

Status: Ongoing; procedures are implemented for each proposed construction activity.

6.3.7 MS4 STAFF TRAINING

Description: The City will conduct training for all the MS4 staff whose primary job duties are related to implementing the construction stormwater program as described in Part IV.D.4.(b)(6). Training may be conducted in person or using self-paced training materials such as videos or reading materials. The City will conduct a minimum of one training annually for 100% of MS4 staff whose primary job duties are related to implementing the construction stormwater program.

Measurable Goals, Implementation Schedule, and Responsible Party: See Table 6-2.

Status: Ongoing; inspections and enforcement are done for each construction activity.

| Table 6-2 BMP's for Construction Site Runoff Control (MCM-4) | | | |
|--|--|--------------------------|--------------------------|
| BMP | Measurable Goals | Date Due | Responsible Party |
| Develop and Maintain an Ordinance or Other Regulatory Mechanism | Review and update the ordinance or other regulatory mechanism at least one time during the permit term to address changes and make improvements to the ordinance where applicable. | Years 1-5, Month 10 | City Administrator |
| Prohibit Discharges | 1. Develop and maintain an ordinance or other regulatory mechanism to prohibit these discharges. | Years 1-5, Months 1 – 12 | City Administrator |
| | 2. Review and update the ordinance or other regulatory mechanism at least one time during the permit term to address changes and make improvements to the ordinance where applicable. | Years 1-5, Month 10 | City Administrator |
| Maintain and Implement Site Plan Review Procedures that Describe Which Plans Will Be Reviewed as Well as When an Operator May Begin Construction | 1. Review and update site plan review procedures at least one time annually to address changes and make improvements to the established procedures where applicable. | Years 1-5, Month 2 | City Administrator |
| | 2. Implement site plan review procedures for 100% of new construction site plans received each year. | Years 1-5, Months 1 – 12 | City Administrator |
| Implement Procedures for Inspecting Large and Small Construction Projects | Review and update inspection procedures at least one time annually to address changes and make improvements to the established procedures where applicable. | Years 1-5, Month 8 | City Administrator |
| Conduct Construction Site Inspection | 1. Conduct inspections at 80% of active construction sites annually according to the established procedures. | Years 1-5, Months 1 – 12 | City Administrator |
| | 2. Each year, conduct follow up inspections in 100% of cases where necessary as described in the established procedures. | Years 1-5, Months 1 – 12 | City Administrator |
| Develop, Implement, and Maintain Procedures for Receipt and Consideration of Information Submitted by the Public | 1. Review and update procedures for the receipt and consideration of information submitted by the public at least one time annually to address changes and make improvements to the established procedures where applicable. | Years 1-5, Month 4 | City Administrator |
| | 2. Maintain one webpage, hotline, or similar method for receipt of information submitted by the public throughout the permit term. | Years 1-5, Months 1 – 12 | City Administrator |
| Conduct Training for all the MS4 Staff Whose Primary Job Duties are Related to Implementing the Construction Stormwater Program | Conduct a minimum of one training annually for 100% of MS4 staff whose primary job duties are related to implementing the construction stormwater program. | Years 1-5, Month 4 | City Administrator |

Note: Year 1 = 2024, Year 2 = 2025, Year 3 = 2026, Year 4 = 2027, Year 5 = 2028

Month 1 = January... Month 12 = December

7.0 MCM-5 POST CONSTRUCTION STORMWATER MANAGEMENT IN NEW DEVELOPMENT AND REDEVELOPMENT

The following section describes regulatory requirements, permit application requirements, current City programs, selected BMP's, measurable goals, implementation schedule, and responsible parties pertaining to MCM-5. Table 7-2, found at the end of this section, summarizes the measurable goals, implementation schedule, and responsible party for each BMP.

7.1 REGULATORY REQUIREMENTS

40 CFR 122.34 (b)(5) – *The permit must identify the minimum elements and require the development, implementation, and enforcement of a program to address storm water 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 small MS4. The permit must ensure that controls are in place that would prevent or minimize water quality impacts.*

At a minimum, the permit must require the permittee to:

- *Develop and implement strategies that include a combination of structural and/or non-structural best management practices (BMPs) appropriate for the community;*
- *Use an ordinance or other regulatory mechanism to address post-construction runoff from new development and redevelopment projects to the extent allowable under State, Tribal, or local law; and*
- *Ensure adequate long-term operation and maintenance of BMPs.*

7.2 PERMIT APPLICATION REQUIREMENTS

[From The General Permit to Discharge Under the Texas Pollutant Discharge Elimination System dated August 2024.]

7.2.1 POST-CONSTRUCTION STORMWATER MANAGEMENT PROGRAM

All permittees shall meet the requirements below including Table 11.

3. *All permittees shall develop, implement, and enforce a program, to the extent allowable under state, federal, and local law, to control stormwater discharges from new development and redeveloped sites that discharge into the small MS4 that disturb one*

acre or more, including projects that disturb less than one acre that are part of a larger common plan of development or sale. The program must be established for private and public development sites. The program may utilize an offsite mitigation and payment in lieu of components to address this requirement.

4. *All permittees shall use, to the extent allowable under state, federal, and local law and local development standards, an ordinance or other regulatory mechanism to address post-construction runoff from new development and redevelopment projects. The permittees shall establish, implement, and enforce a requirement that owners or operators of new development and redeveloped sites design, install, implement, and maintain a combination of structural and non-structural BMPs appropriate for the community and that protects water quality. If the construction of permanent structures is not feasible due to space limitations, health and safety concerns, cost effectiveness, or highway construction codes, the permittee may propose an alternative approach to TCEQ.*

7.2.2 REQUIREMENTS FOR ALL PERMITTEES

All permittees shall meet all the following requirements including Table 11.

1. *All permittees shall document and maintain records of enforcement actions and make them available for review by the TCEQ.*
2. *Long-Term Maintenance of Post-Construction Stormwater Control Measures - All permittees shall, to the extent allowable under state, federal, and local law, ensure the long-term operation and maintenance of structural stormwater control measures installed through one or both of the following approaches:*
 - a. *Maintenance performed by the permittee. (See Part IV.D.6)*
 - b. *Maintenance performed by the owner or operator of a new development or redeveloped site under a maintenance plan. The maintenance plan must be filed in the real property records of the county in which the property is located. The permittee shall require the owner or operator of any new development or redeveloped site to develop and implement a maintenance plan addressing maintenance requirement for any structural control measures installed on site. The permittee shall require operation and maintenance performed is documented and retained on site, such as at the offices of the owner or operator, and made available for review by the small MS4.*

Table 7-1: Required Construction Site Stormwater Runoff Control BMPs

| Activity/BMP | Measurable Goals |
|---|---|
| Develop and maintain an ordinance or other regulatory mechanism as described in Part IV.D.5.(a)(2). | Review and update the ordinance or other regulatory mechanism at least one time during the permit term to address changes and make improvements to the ordinance where applicable. |
| Document and maintain records of enforcement actions and make them available for review by the TCEQ as described in Part IV.D.5.(b)(1). | <p>Maintain records of 100% of enforcement actions taken each year.</p> <p>Make 100% of enforcement records available to TCEQ for review within 24 hours of request.</p> |
| Ensure the long term operation and maintenance of structural stormwater control measures installed as described in Part IV.D.5.(b)(2). | <p>Maintain 100% of stormwater control measures each year where the MS4 operator is responsible for maintenance.</p> <p>Each year, require 100% of the owners or operators of any new development or redeveloped sites to develop and implement a maintenance plan addressing maintenance requirement for any structural control measures installed on site.</p> <p>Require the site owner or operators to maintain documentation onsite of 100% of the maintenance performed and made available for review by the small MS4 operator or TCEQ within 24 hours of the request.</p> |

7.3 DISCUSSION OF CURRENT BMP PROGRAMS

7.3.1 DEVELOP AND MAINTAIN ORDINANCE

Description: The City will develop and maintain an ordinance or other regulatory mechanism as described in Part IV.D.5.(a)(2). The ordinance will be reviewed and updated at least one time during the permit term to address changes and make improvements to the ordinance where applicable.

The City's existing Tree Protection Ordinance requires construction operators to identify the Critical Root Zone ("CRZ") of healthy trees of desirable species on residential construction sites. The ordinance outlines considerations necessary to minimize disturbances to the CRZ and protect the health of the tree. Construction operators will continue to be notified of the tree ordinance prior to construction activities via the City's building permit application. The City's building inspector will continue to visit construction sites at least once during the construction period to ensure that the ordinance is observed. The City will record the number of trees protected by the ordinance during construction activities each year.

Measurable Goals, Implementation Schedule, and Responsible Party: See Table 7-2.

Status: Ongoing; City is implementing existing ordinance and will evaluate current ordinance for revision.

7.3.2 ENFORCEMENT ACTION RECORDS

Description: The City will document and maintain records of enforcement actions and make them available for review by the TCEQ as described in Part IV.D.5.(b)(1). The City will maintain records of 100% of enforcement actions taken each year. 100% of enforcement records will be made available to TCEQ for review within 24 hours of request.

Measurable Goals, Implementation Schedule, and Responsible Party: See Table 7-2.

Status: Ongoing

7.3.3 STRUCTURAL STORMWATER CONTROL MEASURES

Description: The City will ensure the long term operation and maintenance of structural stormwater control measures installed as described in Part IV.D.5.(b)(2). The City will maintain 100% of stormwater control measures each year where the MS4 operator is responsible for maintenance. Each year, the City will require 100% of the owners or operators of any new development or redeveloped sites to develop and implement a maintenance plan addressing maintenance requirement for any structural control measures installed on site. This will also require the site owner or operators to maintain documentation onsite of 100% of the maintenance performed and made available for review by the small MS4 operator or TCEQ within 24 hours of the request.

Measurable Goals, Implementation Schedule, and Responsible Party: See Table 7-2.

Status: Ongoing

| Table 7-2 BMP's for Post-Construction Runoff Control (MCM-5) | | | |
|---|---|--------------------------|--------------------------|
| BMP | Measurable Goals | Date Due | Responsible Party |
| Develop and maintain an ordinance or other regulatory mechanism | Review and update the ordinance or other regulatory mechanism at least one time during the permit term to address changes and make improvements to the ordinance where applicable. | Years 1-5, Month 3 | City Administrator |
| Document and maintain records of enforcement actions and make them available for review by the TCEQ | 1. Maintain records of 100% of enforcement actions taken each year. | Years 1-5, Months 1 – 12 | City Administrator |
| | 2. Make 100% of enforcement records available to TCEQ for review within 24 hours of request. | Years 1-5, Months 1 – 12 | City Administrator |
| Ensure the long-term operation and maintenance of structural stormwater control measures installed | 1. Implement a maintenance plan and schedule addressing 100% of stormwater control measures each year where the MS4 operator is responsible for maintenance. | Years 1-5, Months 1 – 12 | City Administrator |
| | 2. Each year, require 100% of the owners or operators of any new development or redeveloped sites to develop and implement a maintenance plan addressing maintenance requirement for any structural control measures installed on site. | Years 1-5, Months 1 – 12 | City Administrator |
| | 3. Require the site owner or operators to maintain documentation onsite of 100% of the maintenance performed and made available for review by the small MS4 operator or TCEQ within 24 hours of the request. | Years 1-5, Months 1 – 12 | City Administrator |

Note: Year 1 = 2024, Year 2 = 2025, Year 3 = 2026, Year 4 = 2027, Year 5 = 2028

Month 1 = January... Month 12 = December

8.0 MCM-6 POLLUTION PREVENTION AND GOOD HOUSEKEEPING FOR MUNICIPAL OPERATIONS

The following section describes regulatory requirements, permit application requirements, current City programs, selected BMP's, measurable goals, implementation schedule, and responsible parties pertaining to MCM-5. Tables 8-2 and 8-3, found at the end of this section, summarize the measurable goals, implementation schedule, and responsible party for each BMP.

8.1 REGULATORY REQUIREMENTS

40 CFR 122.34 (b)(6) – *The permit must identify the minimum elements and require the development and implementation of an operation and maintenance program that includes a training component and has the ultimate goal of preventing or reducing pollutant runoff from municipal operations. Using training materials that are available from EPA, the State, Tribe, or other organizations, the program must include employee training to prevent and reduce storm water pollution from activities such as park and open space maintenance, fleet and building maintenance, new construction and land disturbances, and storm water system maintenance.*

8.2 PERMIT APPLICATION REQUIREMENTS

[From The General Permit to Discharge Under the Texas Pollutant Discharge Elimination System dated August 2024.]

8.2.1 PROGRAM DEVELOPMENT

All permittees shall develop and implement an operation and maintenance program (O&M), including an employee training component that has the ultimate goal of preventing or reducing pollutant runoff from municipal activities and municipally owned areas including but not limited to: park and open space maintenance; street, road, or highway maintenance; fleet and building maintenance; stormwater system maintenance; new construction and land disturbances; municipal parking lots; vehicle and equipment maintenance and storage yards; waste transfer stations; and salt/sand storage locations.

8.2.2 REQUIREMENTS FOR ALL PERMITTEES

All permittees shall meet the requirements described below including Table 13.

- 1. Program Development - All permittees shall develop and implement an operation and maintenance program (O&M), including an employee training component that has the ultimate goal of preventing or reducing pollutant runoff from municipal activities and municipally owned areas including but not limited to: park and open space maintenance;*

street, road, or highway maintenance; fleet and building maintenance; stormwater system maintenance; new construction and land disturbances; municipal parking lots; vehicle and equipment maintenance and storage yards; waste transfer stations; and salt/sand storage locations.

2. Requirements for All Permittees - All permittees shall meet the requirements described below including Table 13.

a. Permittee-owned Facilities and Control Inventory – All permittees shall develop and maintain an inventory of facilities and stormwater controls that it owns and operates within the regulated area of the small MS4. The inventory must include all applicable permit numbers, registration numbers, and authorizations for each facility or controls. The inventory must be available for review by TCEQ and must include, but is not limited, to the following, as applicable:

- i. Composting facilities;*
- ii. Equipment storage and maintenance facilities;*
- iii. Fuel storage facilities;*
- iv. Hazardous waste disposal facilities;*
- v. Hazardous waste handling and transfer facilities;*
- vi. Incinerators;*
- vii. Landfills;*
- viii. Materials storage yards;*
- ix. Pesticide storage facilities;*
- x. Buildings, including schools, libraries, police stations, fire stations, and office buildings;*
- xi. Parking lots;*
- xii. Golf courses;*
- xiii. Swimming pools;*

- xiv. *Public works yards;*
- xv. *Recycling facilities;*
- xvi. *Salt storage facilities;*
- xvii. *Solid waste handling and transfer facilities;*
- xviii. *Street repair and maintenance sites;*
- xix. *Vehicle storage and maintenance yards; and*
- xx. *Structural stormwater controls.*
- b. *Training and Education – All permittees shall inform or train appropriate employees involved in implementing pollution prevention and good housekeeping practices. All permittees shall maintain a training attendance list for review by TCEQ when requested.*
- c. *Disposal of Waste Material – Waste materials removed from the small MS4 must be disposed of in accordance with 30 TAC Chapters 330 or 335, as applicable.*
- d. *Contractor Requirements and Oversight*
 - i. *Any contractors hired by the permittee to perform maintenance activities on permittee-owned facilities must be contractually required to comply with all of the stormwater control measures, good housekeeping practices, and facility-specific stormwater management operating procedures described in Parts IV.D.6.(b)(2)-(6).*
 - ii. *All permittees shall provide oversight of contractor activities to ensure that contractors are using appropriate control measures and SOPs. Oversight procedures must be maintained on-site and made available for inspection by TCEQ.*
- e. *Municipal Operation and Maintenance Activities*
 - i. *Assessment of permittee-owned operations – All permittees shall evaluate operation and maintenance (O&M) activities for their potential to discharge pollutants in stormwater, including but not limited to:*

1. *Road and parking lot maintenance, including such areas as pothole repair, pavement marking, sealing, and re-paving;*
 2. *Bridge maintenance, including such areas as re-chipping, grinding, and saw cutting;*
 3. *Cold weather operations, including plowing, sanding, and application of deicing and anti-icing compounds and maintenance of snow disposal areas; and*
 4. *Right-of-way maintenance, including mowing, herbicide and pesticide application, and planting vegetation.*
- ii. *All permittees shall identify pollutants of concern that could be discharged from the above O&M activities (for example, metals; chlorides; hydrocarbons such as benzene, toluene, ethyl benzene, and xylenes; sediment; and trash).*
- iii. *All permittees shall develop and implement a set of pollution prevention measures that will reduce the discharge of pollutants in stormwater from the above activities. These pollution prevention measures must include at least two the following:*
1. *Replacing materials and chemicals with more environmentally friendly materials or methods;*
 2. *Tracking application of deicing and anti-icing compounds;*
 3. *Using suspended tarps, booms, or vacuums to capture paint, solvents, rust, paint chips and other pollutants generated by regular bridge maintenance; and*
 4. *Placing barriers around or conducting runoff away from deicing chemical storage areas to prevent discharge into surface waters.*
- iv. *Inspection of pollution prevention measures - All pollution prevention measures implemented at permittee-owned facilities must be visually inspected to ensure they are working properly. The permittee shall develop written procedures that describes frequency of inspections occurring at least one time annually and how they will be conducted. A*

log of inspections must be maintained and made available for review by the TCEQ upon request.

- f. Structural Control Maintenance – If BMPs include structural controls, maintenance of the controls must be performed by the permittee and consistent with maintaining the effectiveness of the BMP. The permittee shall develop written procedures that define the frequency of inspections occurring at least one time annually and how they will be conducted.*

Table 8-1: Required Pollution Prevention and Good Housekeeping for Municipal Operations BMPs

| Activity/BMP | Measurable Goals |
|--|--|
| Permittee-owned Facilities and Control Inventory as described by Part IV.D.6.(b)(1). | <p>Develop and maintain an annual inventory for 100% of the small MS4 owned and operated facilities and controls in the small MS4 area.</p> <p>Review and update the inventory at least one time annually to address changes or additions to the facilities and controls where applicable.</p> |
| <p>Training and Education as described in Part IV.D.6.(b)(2).</p> <p>Training may be conducted in person or using self-paced training materials such as videos or reading materials.</p> | <p>Develop and maintain an annual inventory for 100% of the small MS4 owned and operated facilities and controls in the small MS4 area.</p> <p>Review and update the inventory at least one time annually to address changes or additions to the facilities and controls where applicable.</p> |
| Disposal of Waste Material as described in Part IV.D.6.(b)(3). | Ensure that 100% of waste from the MS4 is disposed of in accordance with 30 TAC Chapters 330 or 335, as applicable each year. |
| Contractor Requirements and Oversight as described in Part IV.D.6.(b)(4). | Each year, ensure that 100% of contractors hired by the MS4 to perform maintenance activities on permittee-owned facilities is contractually required to comply with all of the stormwater control measures, good housekeeping practices, and facility-specific stormwater management operating procedures described in Parts IV |

| | |
|---|---|
| | <p>D.6.(b)(2)-(6).</p> <p>Provide oversight of 100% of contractor activities to ensure that contractors are using appropriate control measures and SOPs each year.</p> <p>Oversight procedures must be maintained on-site 100% of the time and made available for review by TCEQ within 24 hours of request.</p> |
| Assessment of permittee-owned operations as described in Part IV.D.6.(b)(5)a. | <p>Evaluate 100% of O&M activities for their potential to discharge pollutants in stormwater annually including but not limited to:</p> <ul style="list-style-type: none"> • Road and parking lot maintenance, including such areas as pothole repair, pavement marking, sealing, and re-paving; • Bridge maintenance, including such areas as re-chipping, grinding, and saw cutting; • Cold weather operations, including plowing, sanding, and application of deicing and anti-icing compounds and maintenance of snow disposal areas; and • Right-of-way maintenance, including mowing, herbicide and pesticide application, and planting vegetation. |
| Identify pollutants of concern as described in Part IV.D.6.(b)(5)b. | <p>Identify pollutants of concern that could be discharged from all of the O&M activities described in Part IV.D.6.(b)(5)b and maintain a list of 100% of the pollutants identified.</p> <p>Including for example, metals; chlorides; hydrocarbons such as benzene, toluene, ethyl benzene, and xylenes; sediment; and trash.</p> |

| | |
|--|---|
| | Review and update the pollutants of concern list at least one time annually to address changes or additions to the O&M activities where applicable. |
| Pollution Prevention Measures as described in Part IV.D.6.(b)(5)c. | <p>Develop and implement a set of pollution prevention measures that will reduce the discharge of pollutants in stormwater from the permittee-owned operations. Implement at least two of the following pollution prevention measures:</p> <ul style="list-style-type: none"> • Replace at least 50% of the MS4's materials and chemicals with more environmentally friendly materials or methods by the end of the permit term; • Track 100% of the application of deicing and anti-icing compounds in the MS4 area and record the amount of compound used for each application annually; • Use suspended tarps, booms, or vacuums to capture paint, solvents, rust, paint chips and other pollutants during 80% of regular bridge maintenance each year; and • Place barriers around or conduct runoff away from 100% of deicing chemical storage areas to prevent discharge into surface waters each year. |
| Inspection of Pollution Prevention Measures as described in Part IV.D.6.(b)(5)d. | <p>At least one time annually, visually inspect 100% of pollution prevention measures implemented at permittee-owned facilities to ensure they are working properly.</p> <p>Develop and maintain written procedures that describe the frequency of inspections and how they will be conducted.</p> |

| | |
|--|---|
| | <p>Review and update the inspection procedures at least one time annually to address changes or additions to the pollution prevention measures.</p> <p>Maintain a log of 100% of the inspections conducted annually and make the log available for review by the TCEQ within 24 hours of a request.</p> |
| Structural Control Maintenance as described by Part IV.D.6.(b)(6). | <p>At least one time annually, perform maintenance of 100% of the structural controls which require maintenance. Maintenance must be consistent with maintaining the effectiveness of the BMP.</p> <p>The permittee shall develop and maintain written procedures that define the frequency of inspections and how they will be conducted.</p> <p>Review and update the maintenance procedures at least one time annually to address changes or additions to the pollution prevention measures.</p> |

8.3 DISCUSSION OF CURRENT AND NEW BMP PROGRAMS

8.3.1 PERMITTEE-OWNED FACILITIES AND CONTROL INVENTORY

Description: The City will develop and maintain an annual inventory for 100% of the small MS4 owned and operated facilities and controls in the small MS4 area. The inventory will be reviewed and updated at least one time annually to address changes or additions to the facilities and controls where applicable.

Measurable Goals, Implementation Schedule, and Responsible Party: See Table 8-2.

Status: Ongoing

8.3.2 TRAINING AND EDUCATION

Description: The City will conduct a minimum of one training annually for 100% of employees involved in implementing pollution prevention and good housekeeping practices. Training may be conducted in person or using self-paced training materials such as videos or reading materials.

Measurable Goals, Implementation Schedule, and Responsible Party: See Table 8-2.

Status: Ongoing; City will evaluate and update current manual.

8.3.3 DISPOSAL OF WASTE MATERIAL

Description: The City will ensure that 100% of waste from the MS4 is disposed of in accordance with 30 TAC Chapters 330 or 335, as applicable each year.

Measurable Goals, Implementation Schedule, and Responsible Party: See Table 8-2.

Status: Ongoing

8.3.4 CONTRACTOR REQUIREMENTS AND OVERSIGHT

Description: Each year, the City will ensure that 100% of contractors hired by the MS4 to perform maintenance activities on permittee-owned facilities is contractually required to comply with all of the stormwater control measures, good housekeeping practices, and facility-specific stormwater management operating procedures described in Parts IV D.6.(b)(2)-(6). Oversight of 100% of contractor activities will be provided to ensure that contractors are using appropriate control measures and SOPs each year. Oversight procedures must be maintained on-site 100% of the time and made available for review by TCEQ within 24 hours of request.

Measurable Goals, Implementation Schedule, and Responsible Party: See Table 8-2.

Status: Ongoing

8.3.5 ASSESSMENT OF PERMITTEE-OWNED OPERATIONS

Description: The City will evaluate 100% of O&M activities for their potential to discharge pollutants in stormwater annually including but not limited to:

- Road and parking lot maintenance, including such areas as pothole repair, pavement marking, sealing, and re-paving;
- Bridge maintenance, including such areas as re-chipping, grinding, and saw cutting;
- Cold weather operations, including plowing, sanding, and application of deicing and anti-icing compounds and maintenance of snow disposal areas; and
- Right-of-way maintenance, including mowing, herbicide and pesticide application, and planting vegetation.

Measurable Goals, Implementation Schedule, and Responsible Party: See Table 8-3.

Status: Ongoing

8.3.6 IDENTIFY POLLUTANTS OF CONCERN

Description: The City will identify pollutants of concern that could be discharged from all of the O&M activities described in Part IV.D.6.(b)(5)b and maintain a list of 100% of the pollutants identified. (For example, metals; chlorides; hydrocarbons such as benzene, toluene, ethyl benzene, and xylenes; sediment; and trash). The list of pollutants of concern will be reviewed and updated at least one time annually to address changes or additions to the O&M activities where applicable.

Measurable Goals, Implementation Schedule, and Responsible Party: See Table 8-3.

Status: Ongoing

8.3.7 POLLUTION PREVENTION MEASURES

Description: The City will develop and implement a set of pollution prevention measures that will reduce the discharge of pollutants in stormwater from the permittee-owned operations. The following pollution prevention measures will be implemented:

- Track 100% of the application of deicing and anti-icing compounds in the MS4 area and record the amount of compound used for each application annually;
- Place barriers around or conduct runoff away from 100% of deicing chemical storage areas to prevent discharge into surface waters each year.

The City of Hedwig Village does not typically store deicing and anti-icing compounds or chemicals, but may use sand under icy circumstances. Any use of sand in this capacity will be logged and properly protected as stated above.

Measurable Goals, Implementation Schedule, and Responsible Party: See Table 8-3.

Status: Ongoing

8.3.8 INSPECTION OF POLLUTION PREVENTION MEASURES

Description: At least one time annually, the City will visually inspect 100% of pollution prevention measures implemented at permittee-owned facilities to ensure they are working properly. Written procedures will be developed and maintained that describe the frequency of inspections and how they will be conducted. Review and update the inspection procedures at least one time annually to address changes or additions to the pollution prevention measures. A log of 100% of the inspections conducted annually will be maintained and made available for review by the TCEQ within 24 hours of a request.

Measurable Goals, Implementation Schedule, and Responsible Party: See Table 8-3.

Status: Ongoing

8.3.9 STRUCTURAL CONTROL MAINTENANCE

Description: At least one time annually, the City will perform maintenance of 100% of the structural controls which require maintenance. Maintenance must be consistent with maintaining the effectiveness of the BMP. The permittee shall develop and maintain written procedures that define the frequency of inspections and how they will be conducted. The maintenance procedures will be reviewed and updated at least one time annually to address changes or additions to the pollution prevention measures.

Measurable Goals, Implementation Schedule, and Responsible Party: See Table 8-3.

Status: Ongoing

8.4 DISPOSAL OF WASTE

As the City of Hedwig Village begins implementation of the SWMP, the City will characterize all wastes removed from the MS4 or collected as a result of municipal operation and maintenance activities. Based on waste characterization, the City will determine how to properly dispose of the waste materials in order to comply with all applicable federal, state, and local regulations. The City will develop and document standard operating procedures for collecting, managing, and disposing of waste materials in order to improve the decrease of bacteria through illicit discharge and dumping in the area. The standard operating procedures will be incorporated into the City's O&M training program.

8.5 MUNICIPAL OPERATIONS SUBJECT TO O&M TRAINING PROVISIONS

City or contractor staff working at City Hall or the City's landscaping storage yard will receive training.

8.6 MUNICIPALLY OWNED OR OPERATED INDUSTRIAL ACTIVITIES SUBJECT TO TPDES STORM WATER REGULATIONS

The City does not own or operate any facilities subject to industrial storm water regulations.

| Table 8-2 BMP's for Pollution Prevention and Good Housekeeping for Municipal Operations (MCM-6) | | | |
|--|--|--------------------------|--------------------------|
| BMP | Activity | Date Due | Responsible Party |
| Permittee-owned Facilities and Control Inventory | 1. Develop and maintain an annual inventory for 100% of the small MS4 owned and operated facilities and controls in the small MS4 area. | Years 1-5, Months 1 – 12 | City Administrator |
| | 2. Review and update the inventory at least one time annually to address changes or additions to the facilities and controls where applicable. | Years 1-5, Month 11 | City Administrator |
| Training and Education | 1. Conduct a minimum of one training annually for 100% of employees involved in implementing pollution prevention and good housekeeping practices. | Years 1-5, Month 11 | City Administrator |
| | 2. Ensure training of 100% of applicable contract staff is conducted at least one time annually using contract language or another similar method. | Years 1-5, Month 11 | City Administrator |
| Disposal of Waste Material | Ensure that 100% of waste from the MS4 is disposed of in accordance with 30 TAC Chapters 330 or 335, as applicable each year. | Years 1-5, Months 1 – 12 | City Administrator |
| Contractor Requirements and Oversight | 1. Each year, ensure that 100% of contractors hired by the MS4 to perform maintenance activities on permittee-owned facilities is contractually required to comply with all of the stormwater control measures, good housekeeping practices, and facility-specific stormwater management operating procedures described in Parts IV D.6.(b)(2)-(6). | Years 1-5, Months 1 – 12 | City Administrator |
| | 2. Provide oversight of 100% of contractor activities to ensure that contractors are using appropriate control measures and SOPs each year. | Years 1-5, Months 1 – 12 | City Administrator |
| | 3. Oversight procedures must be maintained on-site 100% of the time and made available for review by TCEQ within 24 hours of request. | Years 1-5, Months 1 – 12 | City Administrator |
| Assessment of permittee-owned operations | Evaluate 100% of O&M activities for their potential to discharge pollutants in stormwater annually including but not limited to: <ul style="list-style-type: none"> Road and parking lot maintenance, including such areas as pothole repair, pavement marking, sealing, and re-paving; Bridge maintenance, including such areas as re-chipping, grinding, and saw cutting; Cold weather operations, including plowing, sanding, and application of deicing and anti-icing compounds and maintenance of snow disposal areas; and Right-of-way maintenance, including mowing, herbicide and pesticide application, and planting vegetation. | Years 1-5, Months 1 – 12 | City Administrator |
| Identify pollutants of concern | 1. Identify pollutants of concern that could be discharged from all of the O&M activities described in Part IV.D.6.(b)(5)b and maintain a list of 100% of the pollutants identified. Including for example, metals; chlorides; hydrocarbons such as benzene, toluene, ethyl benzene, and xylenes; sediment; and trash. | Years 1-5, Month 1 | City Administrator |
| | 2. Review and update the pollutants of concern list at least one time annually to address changes or additions to the O&M activities where applicable. | Years 1-5, Month 1 | City Administrator |

Note: Year 1 = 2024, Year 2 = 2025, Year 3 = 2026, Year 4 = 2027, Year 5 = 2028

Month 1 = January... Month 12 = December

| Table 8-3 BMP's for Pollution Prevention and Good Housekeeping for Municipal Operations (MCM-6) | | | |
|--|---|--------------------------|--------------------------|
| BMP | Activity | Date Due | Responsible Party |
| Pollution Prevention Measures | Develop and implement a set of pollution prevention measures that will reduce the discharge of pollutants in stormwater from the permittee-owned operations. Implement the following pollution prevention measures: <ul style="list-style-type: none"> Track 100% of the application of deicing and anti-icing compounds in the MS4 area and record the amount of compound used for each application annually; Place barriers around or conduct runoff away from 100% of deicing chemical storage areas to prevent discharge into surface waters each year. | Years 1-5, Months 1 – 12 | City Administrator |
| Inspection of Pollution Prevention Measures | 1. At least one time annually, visually inspect 100% of pollution prevention measures implemented at permittee-owned facilities to ensure they are working properly. | Years 1-5, Month 11 | City Administrator |
| | 2. Develop and maintain written procedures that describe the frequency of inspections and how they will be conducted. | Years 1-5, Month 7 | City Administrator |
| | 3. Review and update the inspection procedures at least one time annually to address changes or additions to the pollution prevention measures. | Years 1-5, Month 9 | City Administrator |
| | 4. Maintain a log of 100% of the inspections conducted annually and make the log available for review by the TCEQ within 24 hours of a request. | Years 1-5, Month 11 | City Administrator |
| Structural Control Maintenance | 1. At least one time annually, perform maintenance of 100% of the structural controls which require maintenance. Maintenance must be consistent with maintaining the effectiveness of the BMP. | Years 1-5, Month 10 | City Administrator |
| | 2. The permittee shall develop and maintain written procedures that define the frequency of inspections and how they will be conducted. | Years 1-5, Month 3 | City Administrator |
| | 3. Review and update the maintenance procedures at least one time annually to address changes or additions to the pollution prevention measures. | Years 1-5, Month 5 | City Administrator |

Note: Year 1 = 2024, Year 2 = 2025, Year 3 = 2026, Year 4 = 2027, Year 5 = 2028

Month 1 = January... Month 12 = December

9.0

RECORD-KEEPING AND REPORTING

Record-keeping and reporting requirements are defined below.

9.1 REGULATORY REQUIREMENTS

40 CFR 122.34 (d)(1) – The permit must require the permittee to evaluate compliance with the terms and conditions of the permit, including the effectiveness of the components of its storm water management program, and the status of achieving the measurable requirements in the permit.

40 CFR 122.34 (d)(2) – The permit must require that the permittee keep records required by the NPDES permit for at least 3 years and submit such records to the NPDES permitting authority when specifically asked to do so. The permit must require the permittee to make records, including a written description of the storm water management program, available to the public at reasonable times during regular business hours (see §122.7 for confidentiality provision). (The permittee may assess a reasonable charge for copying. The permit may allow the permittee to require a member of the public to provide advance notice.)

40 CFR 122.34 (d)(3) – Unless the permittee is relying on another entity to satisfy NPDES permit obligations under §122.35(a), the permittee must submit annual reports to the [TCEQ] for the first permit term. For subsequent permit terms, [the MS4 operator] must submit reports in years two and four unless the [TCEQ] requires more frequent reports. As of December 21, 2020 all reports submitted in compliance with this section must be submitted electronically by the owner, operator, or the duly authorized representative of the small MS4 to the NPDES permitting authority or initial recipient, as defined in 40 CFR 127.2(b), in compliance with this section and 40 CFR part 3 (including, in all cases, subpart D to part 3), § 122.22, and 40 CFR part 127. Part 127 is not intended to undo existing requirements for electronic reporting. Prior to this date, and independent of part 127, the owner, operator, or the duly authorized representative of the small MS4 may be required to report electronically if specified by a particular permit or if required to do so by state law. The report must include:

- (i) The status of compliance with permit terms and conditions*
- (ii) Results of information collected and analyzed, including monitoring data, if any, during the reporting period*
- (iii) A summary of the storm water activities the permittee proposes to undertake to comply with the permit during the next reporting cycle*
- (iv) Any changes made during the reporting period to the permittee's storm water management program*

- (v) *Notice that the permittee is relying on another governmental entity to satisfy some of the permit obligations (if applicable), consistent with §122.34(a)*

9.2 RECORD-KEEPING

The City will maintain the following records at a location accessible to the TCEQ for a period of at least three years, or for the term of the permit, whichever is longer:

1. TPDES Permit
2. Required Annual Reports as well as supporting documents and data used to generate the reports
3. Current Storm Water Management Program Document
4. Audit Logs and other SWMP supporting materials

The City will make the records available to the public during regular business hours if requested to do so in writing. The SWMP will be made available within two working days following the request from the public. Other records will be provided within 10 working days unless the request requires an unusual amount of time or effort to assemble, in which case Texas law regarding the Public Information Act will be followed. Reasonable charges, in accordance with Texas law, may be levied by the City for researching and preparing any requested materials.

9.3 REPORTING

The City will submit an annual report to TCEQ by March 31 (of the following year) for each year of the permit term. The annual report will contain the following:

1. The status of compliance with permit conditions, an assessment of the appropriateness of the identified BMP's, progress toward achieving the statutory goal of reducing the discharge of pollutants, the measurable goals for each of the minimum control measures, and an evaluation of the success of the implementation of the goals
2. Status of any additional control measures implemented by the City (if applicable).
3. Any minimum control measure activities initiated prior to permit issuance (up to three years) as part of the first year's annual report.

4. A summary of the results of information collected and analyzed, if any, during the reporting period, including monitoring data used to assess the success of the program at reducing the discharge of pollutants.
5. A summary of the storm water activities the City plans to undertake during the next reporting cycle (including implementation schedule).
6. Proposed changes to the storm water management program, including changes to any BMP's or any identified measurable goals that apply to the program elements.
7. Notice that the City is relying on another government entity to satisfy some of the Permit obligations (not currently applicable).
8. A signed certification page.

10.0 REFERENCES

MuniCode 2024. Hedwig Village Code of Ordinances.

https://library.municode.com/tx/hedwig_village/codes/code_of_ordinances. Municode Online Codes. 2024

<https://www.tceq.texas.gov/downloads/water-quality/assessment/integrated-report-2024/2024-imp-index>

TCEQ. 2013. Implementation Plan for Seventy-Two Total Maximum Daily Loads for Bacteria in the Houston-Galveston Region (PDF).

<https://www.tceq.texas.gov/downloads/water-quality/tmdl/houston-galveston-recreational-42/42-houston-region-bacteria-iplan-approved.pdf>

TCEQ. 2021. Buffalo and Whiteoak Bayous: A Community Project to Protect Recreational Uses (PDF).

<https://www.tceq.texas.gov/downloads/water-quality/tmdl/houston-galveston-recreational-42/22-buffalo-whiteoak-bayous-tmdl-addendum-three.pdf>

USDA. United States Department of Agriculture. *Soil Survey*. Harris County, Texas. 1976.

TCEQ. “General Permit TXR040000 for Phase II (Small) MS4s”. *Texas Commission on Environmental Quality*, 2023. https://www.tceq.texas.gov/permitting/stormwater/ms4/WQ_ms4_small.html

TCEQ. “General Permit to Discharge Under the Texas Pollutant Discharge Elimination System Under Provisions of 402 of the Clean Water Act and Chapter 26 of the Texas Water Code”. *Texas Commission on Environmental Quality*, 2024.

<https://www.tceq.texas.gov/downloads/permitting/stormwater/general/ms4/2024-txr040000-general-permit-signed.pdf>

United States, Congress, Office of the Federal Register. “Title 40 Protection of Environment.” *Title 40 Protection of Environment*, Office of the Federal Register National Archives and Records Administration as a Special Edition of the Federal Register, 2022.

<https://www.govinfo.gov/content/pkg/CFR-2022-title40-vol24/pdf/CFR-2022-title40-vol24-chapI-subchapD.pdf>

Appendix A

Good Housekeeping Rules Manual (Materials to be added as developed)

City of Hedwig Village, Texas
GOOD HOUSEKEEPING RULES MANUAL
February 2025

Background

This *Good Housekeeping Rules Manual* has been prepared to satisfy the obligation of the City of Hedwig Village (City) that is described in Section 7.3.2 of the City's *Storm Water Management Program* (SWMP) 2024 revision. Section 7 of the SWMP outlines Minimum Control Measure No. 5 (MCM-5), entitled "Pollution Prevention/Good Housekeeping for Municipal Operations." Section 7.3.2 requires that the City prepare, maintain and implement a manual to address how the City will minimize its own impacts to storm water quality from municipal operations.

Operations Not Covered in this Manual

1. This manual does not address storm water quality measures to be designed, maintained and/or implemented by private development.
2. This manual does not address storm water quality measures to be designed, maintained and/or implemented on public facilities within the city limits but not owned or maintained by the City. These facilities include, but are not limited to, Harris County Flood Control District Unit No. W141-00-00 (Soldiers Creek; owned/maintained by the Harris County Flood Control District), Harris County Flood Control District Unit No. W141-01-01 (Hunters Branch; owned/maintained by the Harris County Flood Control District), public infrastructure within State right-of-way (owned/maintained/regulated by the Texas Department of Transportation), and public utilities such as water distribution systems, wastewater collection systems, treatment plants, lift stations, etc. (owned/maintained by the Memorial Villages Water Authority). The City has no jurisdiction over these facilities.

Measures to be Implemented

1. Capital projects. These projects include roadway, sidewalk, park or building facility projects designed and constructed with City-secured funds. Any such project should be designed by a licensed professional engineer and/or registered architect, and must include appropriate components to ensure compliance with TPDES Permit No. TXR150000, related to storm water discharges. City staff shall require that all capital projects are designed in accordance with permit requirements, and notify the engineer/architect if they have reason to believe the design is non-compliant. During the construction of capital projects, City staff shall periodically monitor construction progress, and shall notify the contractor if they have reason to believe the storm water pollution prevention measures are not working as intended in the design. Although the contractor is responsible for the implementation of

the storm water pollution prevention plan, City staff understand that the City, as well as the contractor, may be fined by the Texas Commission on Environmental Quality for non-compliance.

2. Right-of-way maintenance. This operation typically consists of roadside ditch cleaning or re-grading, and is performed by in-house or contract staff without engineered plans. When conducting right-of-way maintenance, City staff or contractors shall take logical measures to ensure that pollutants, including loose soil from disturbed ground, do not escape the disturbed section into a downstream channel. Such measures should include, but not be limited to, (a) the installation of silt fence barriers downstream of the disturbed soil but upstream of the ditch's outfall into a storm sewer or channel, and (b) immediate installation of sod over disturbed areas where work is complete.

END OF DOCUMENT

Appendix B

Audit Logs for O&M Activities and Pesticide/Herbicide Licenses

Appendix C

Interlocal Agreement with Harris County for Administration and Implementation of Phase II Stormwater Protection Education Program

INTERLOCAL AGREEMENT (Regional Public Education Services Program)

1. PARTIES

1.1 The Parties to this Interlocal Agreement ("Agreement") are **Harris County Flood Control District** a body corporate and politic under the laws of the State of Texas, hereinafter referred to as the "District," or "HCFCD," and **City of Hedwig Village**, a municipal corporation, organized and existing by virtue of the Laws of the State of Texas ("City"). This Agreement is entered into pursuant to Chapter 791 of the Texas Government Code, the Interlocal Cooperation Act, in order to increase the efficiency and effectiveness of local government. Each of HCFCD and the City is individually referred to herein sometimes as a "Party," and they are collectively referred to herein sometimes as the "Parties."

2. PURPOSE

2.1 The United States Environmental Protection Agency ("EPA") has promulgated regulations requiring operators of discharges from certain municipal separate storm sewer systems (MS4s) to obtain National Pollutant Discharge Elimination System ("NPDES") permits for stormwater discharges to waters of the United States. NPDES rules allow States to administer their own MS4 permit programs on behalf of the EPA. The Texas Commission on Environmental Quality (TCEQ), issues Texas Pollutant Discharge Elimination System (TPDES) permits that mirror NPDES requirements. Pursuant to Part III (A)(I) of General Permit No. TXR040000 of the TPDES, subject MS4s are required to implement a public education and outreach program on stormwater impacts. The District and the City are responsible under the regulations and permits applicable to each for public education programs. Therefore, the City and District desire that the District administer, in accordance with this Agreement, a regional public education services program related to stormwater quality and other related issues that impact the water quality of our local watersheds in regard to, but not limited to, dissemination of information regarding (a) prevention of litter; (b) proper management of pesticides, herbicides, and fertilizers; (c) public reporting of illicit discharges; (d) proper management of used oil and household hazardous wastes; and (e) proper construction methods.

3. SCOPE OF WORK/SERVICES AND DELIVERABLES

3.1 The District shall provide the work, products, services, licenses and/or deliverables required to be provided by the District and as set out in this Agreement and in Attachment A and all other referenced attachments attached and incorporated in this Agreement (all together referred to as the "Program"). The provisions in this Agreement labeled 'Scope of Services' or 'Scope of Work' shall take precedence over anything conflicting in any attached proposal.

3.2 The District will provide the City with a written summary of all regional public education campaign activities provided under this Agreement. If the City chooses to use this information to demonstrate permit compliance in their annual report to the TCEQ or for any other purpose, it will be the City's responsibility to determine appropriateness of that usage. The District in no way guarantees that components of the Program will comply with the City's TPDES permit requirements.

4. ADDITIONAL AND SPECIAL REQUIREMENTS

4.1 The District shall comply with and be subject to the whistleblower rights and remedies in the pilot program on Contractor employee whistleblower protections established at 41 U.S.C. 4712 by section 828 of the National Defense Authorization Act for Fiscal Year 2013 (Pub. L. 112-239) and FAR 3.908. The District shall inform its employees in writing, in the predominant language of the workforce, of employee whistleblower rights, remedies, and protections under 41 U.S.C. 4712, as described in section 3.908 of the Federal Acquisition Regulation. During the applicable time period, the District (as well as any of the District's agents, employees, volunteers, and subcontractors performing work under this Agreement) shall not retaliate against employees (including discharge, demotion, or other discrimination as a reprisal) who discloses information that the employee reasonably believes is evidence of (a) gross mismanagement of a Federal contract or grant, gross waste of, or abuse of authority related to, the use of a Federal contract or grant; (b) a violation of a rule or regulation related to a federal agency contract or grant; or (c) a substantial and specific danger to public health or safety danger or a violation of law, rule, or regulation related to a Federal contract or grant. The District shall inform the other Party immediately of any information it receives from any source alleging a violation of this section.

Each Party shall comply (and enforce compliance by Each Party's agents, employees, volunteers, subcontractors, and sub-recipients as applicable, providing work, products, services, licenses and/or deliverables under this Agreement) with this provision. The District and the person executing this Agreement on behalf of the District certify and represent that the District will comply with the requirements of this provision. The District shall require the language of this provision be included in all covered sub-awards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all covered sub-recipients certify and disclose accordingly. The person whose signature appears on this Agreement is authorized to sign this certification/representation on the behalf of the District. This certification/representation applies to this Agreement and is a material representation of fact upon which the City relied when entering into this transaction. This certification/representation shall be binding on the District (as well as successors, transferees, and assignees, if any) as long as they receive or retain federal or state funds. The District agrees that any government agency or entity may seek judicial enforcement of this certification/representation under this Agreement.

5. AMOUNT OF COMPENSATION AND BASIS FOR PAYMENT

5.1 For and in consideration of the work, products, services, licenses and/or deliverables provided under this Agreement and during the Term of this Agreement, subject to the limitations in this Agreement, the City shall pay the District \$1,355.21 on or before the 60th day after the Effective Date of this Agreement, and will pay the District the same amount each subsequent year on or before the anniversary of the Effective Date to cover the actual cost to the District. The District may use funds provided by the City under this Agreement to pay costs of the Program.

6. TERM OF THE AGREEMENT

6.1 The term of this Agreement shall be one (1) year, beginning on the date approved in Commissioners Court (Effective Date), and will automatically renew thereafter on an annual basis, unless terminated as hereinafter provided. The initial term and any renewal term(s) are individually and collectively referred to as the "Term."

7. TERMINATION PROVISIONS

7.1 Either Party may terminate this Agreement at any time prior to the expiration of any Term, without cause, by giving thirty (30) days' written notice to the other Party. Upon termination, the District shall deliver an accounting of all funds expended under this Agreement. The District will refund, within ninety (90) days after the date of termination, to the City any funds provided by the City that are in excess of the costs of the Program incurred prior to termination of this Agreement.

8. IMMUNITY

8.1 Neither Party waives any immunity or defense on behalf of itself, its employees or agents as a result of the execution of this Agreement.

9. MISCELLANEOUS

9.1 Any notice or billing invoice required or permitted to be given ("Notice") by the District to the City may be given by hand delivery, email, or certified United States Mail, postage prepaid, return receipt requested, addressed to:

Brian T. Muecke
Mayor
City of Hedwig Village
955 Piney Point Rd.
Hedwig Village Texas 77024

9.2 Any Notice required or permitted to be given by the City to the District may be given by hand delivery, facsimile, email, or certified United States Mail, postage or fee prepaid, return receipt requested, addressed to:

Harris County Flood Control District
9900 Northwest Freeway
Houston, Texas 77092
Attention: Executive Director

9.3 Such Notice shall be considered given and complete upon successful electronic transmission or upon deposit in the United States Mail.

9.4 Either Party may change its address for Notice by giving the other Party ten (10) days prior written notice specifying the new address.

9.5 This Agreement shall be construed according to the laws of the State of Texas without giving effect to its conflict of laws provisions. Venue lies only in Harris County, and any alternative dispute resolution, suit, action, claim, or proceeding with respect to or arising out of this Agreement must be brought solely in the courts or locations that are situated in the State of Texas, County of Harris. Both Parties irrevocably waive any claim that any proceeding brought in Harris County has been brought in an inconvenient forum.

9.6 Pursuant to the requirements of the Uniform Electronic Transactions Act in Chapter 322 of the Texas Business and Commerce Code and the Federal Electronic Signatures in Global and National Commerce Act (beginning at 15 U.S.C. Section 7001), the Parties have agreed that the transactions under this Agreement may be conducted by electronic means. Pursuant to these statutes, this Agreement may not be denied legal effect or enforceability solely because

it is in electronic form or because it contains an electronic signature. This Agreement may be executed in duplicate counterparts and with electronic or facsimile signatures with the same effect as if the signatures were on the same document. Each multiple original of this document shall be deemed an original, but all multiple copies together shall constitute one and the same instrument.

9.7 Signatory Authorized to Execute Agreement. The person executing this Agreement on behalf of each Party represents that he or she is duly authorized by the policy of the Party's governing body to execute this Agreement on behalf of the Party.

IN TESTIMONY OF WHICH, this Agreement, in triplicate counterparts, each having equal force and effect of an original has been executed on behalf of the Parties hereto as follows:

a. It has, on the _____ day of _____, 20__, been executed on behalf of Harris County Flood Control District by the County Judge of Harris County, Texas, pursuant to an order of the Commissioners Court of Harris County authorizing such execution.

b. It has, on the _____ day of _____, 20__, been executed on behalf of City of Hedwig Village by its Mayor and attested to by the City Administrator /City Secretary.

EXECUTED in triplicate originals JAN 0 8 2019.

APPROVED AS TO FORM:

HARRIS COUNTY FLOOD CONTROL
DISTRICT

VINCE RYAN

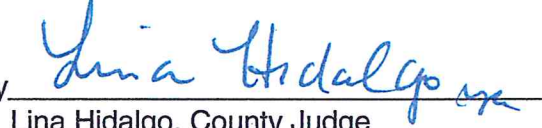
Harris County Attorney

By


Mitzi Turner

Assistant County Attorney

By


Lina Hidalgo, County Judge

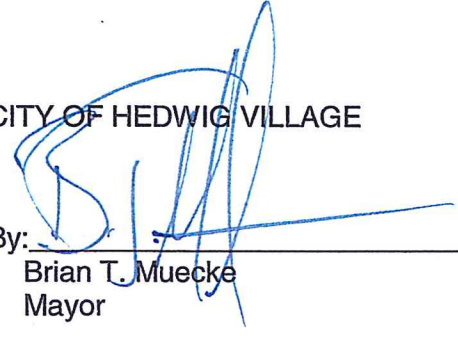
ATTEST:

By:


Kelly Johnson
City Administrator / City Secretary

CITY OF HEDWIG VILLAGE

By:


Brian T. Muecke
Mayor

Attachment A

The District will administer the Program, which may include tasks such as:

- Development and production of color and black-and-white newspaper advertisements in local newspapers.
- Development and production of full color newspaper inserts focusing on key regional issues related to watershed protection and stormwater quality.
- Password-protected, web-based access to electronic versions of program related brochures, flyers, direct mail postcards, booklets, newspaper advertisements, newspaper inserts,
- Phase II "hot button" on the front page of the regional website with links to all participating Phase II City homepage(s) or page of their choice.
- Frequent Regional Public Education Services Program (formerly Regional Watershed Protection Program) announcements via e-mail.
- Stakeholder group meetings (as needed for special announcements).

The District will provide the City with a written summary of all regional public education campaign activities provided under this agreement. If the City chooses to use this information to demonstrate permit compliance in their annual report to the Texas Commission on Environmental Quality or for any other purpose, it will be the City's responsibility to determine appropriateness of that usage. The District in no way guarantees that components of the Program will comply with the City's TPDES MS4 permit requirements.

THE STATE OF TEXAS §
 §
 COUNTY OF HARRIS §

The Commissioners Court of Harris County, Texas, convened at a meeting of said Court at the Harris County Administration Building in the City of Houston, Texas, on JAN 08 2019, with the following members present, to-wit:

| | |
|---------------|------------------------------|
| Lina Hidalgo | County Judge |
| Rodney Ellis | Commissioner, Precinct No. 1 |
| Adrian Garcia | Commissioner, Precinct No. 2 |
| Steve Radack | Commissioner, Precinct No. 3 |
| R. Jack Cagle | Commissioner, Precinct No. 4 |

and the following members absent, to-wit: none, constituting a quorum, when among other business, the following was transacted:

**ORDER AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT
 BETWEEN HARRIS COUNTY FLOOD CONTROL DISTRICT AND
 CITY OF HEDWIG VILLAGE
 FOR STORMWATER QUALITY PUBLIC EDUCATION FUNDING.**

Commissioner Cagle introduced an order and moved that Commissioners Court adopt the order. Commissioner Garcia seconded the motion for adoption of the order. The motion, carrying with it the adoption of the order, prevailed by the following vote:

| | | Yes | No | Abstain |
|--------------|---------------------|-------------------------------------|--------------------------|--------------------------|
| AYES: | Judge Hidalgo | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| NAYS: | Commissioner Ellis | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| ABSTENTIONS: | Commissioner Garcia | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Commissioner Radack | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Commissioner Cagle | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

The County Judge thereupon announced that the motion had duly and lawfully carried and that the order had been duly and lawfully adopted. The order thus adopted follows:

IT IS ORDERED that:

1. The Harris County Judge is authorized to execute the attached Interlocal Agreement with the Harris County Flood Control District and the City of Hedwig Village for Stormwater Quality Public Education Funding. The attached Agreement may be executed with an electronic or facsimile signature.
2. The Harris County Flood Control District and all other Harris County officials and employees are authorized to do any and all things necessary or convenient to accomplish the purpose of this Order.

com city of hedwig 2019-89.docx

Presented to Commissioners Court

JAN 08 2019

APPROVE clg

Recorded Vol. _____ Page _____

Appendix D

Illicit Discharge Detection and Elimination Program

Code of Ordinances, City of Hedwig Village
Chapter 30 – Environment
Article II – Condition of Premises

Section 30-32 – Specific conditions. Add the following at the end of this section:

- (5) The introduction of any discharge into the MS4 other than those discharges permitted by Section 30-39.

Section 30-38 – Definitions. Add this section with the following:

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

- (a) *Discharge* shall mean the introduction or addition of any pollutant, storm water or other substance into the MS4, or to allow, permit or suffer any such introduction or addition.
- (b) *EPA* shall mean the Federal Environmental Protection Agency and any successor agencies thereto.
- (c) *Municipal separate storm sewer system* or *MS4* shall mean the system of conveyances owned or operated by the City or any co-permittee of the City that is designed or used for the collection or conveyance of storm water.
- (d) *NPDES* shall mean the National Pollutant Discharge Elimination System.
- (e) *NPDES permit* shall mean a permit issued by the EPA (or by the State under authority assumed pursuant to Section 1342(b) of Title 33 of the United States Code) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group or general basis.
- (f) *Pollutant* shall mean, but not be limited to, dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, filter backwash, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and other material discharged into the MS4 or any waters of the United States.
- (g) *TCEQ* shall mean the Texas Commission on Environmental Quality and any successor agency thereto.
- (h) *TPDES* means the Texas Pollutant Discharge Elimination System that was assumed by the State from the EPA pursuant to Section 1342(b) of Title 33 of the United States Code.
- (i) *TPDES permit* shall mean a permit issued by the TCEQ that authorizes the discharge of pollutants into water in the state, whether the permit is applicable on an individual, group or general basis.
- (j) *Waters of the United States* shall mean all waters that are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce; all interstate waters, including interstate wetlands; all other waters the use, degradation or destruction of which would affect or could affect interstate or foreign commerce; all impoundments of waters otherwise defined as "waters of the United States" under this definition; all tributaries of water identified in this

definition; all wetlands adjacent to waters identified in this definition; and any other waters within the federal definition of "waters of the United States" in Section 122.2 of Title 40 of the CFR; but not including any waste treatment systems, treatment ponds, or lagoons designed to meet the requirements of the Federal Clean Water Act.

- (k) *Wetlands* shall mean an area that is inundated or saturated by surface or ground water at a frequency and duration sufficient to support and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas.

Section 30-39 – Discharge to the MS4 prohibited. Add this section with the following:

- (a) A person commits an offense if the person threatens to introduce, introduces or causes to be introduced into the MS4 any discharge that is not composed entirely of storm water.
- (b) It is an affirmative defense to any enforcement action for a violation of subsection (a) that the discharge was composed entirely of one or more of the following categories of discharges:
- (1) A discharge authorized by, and in strict compliance with, an NPDES or TPDES permit (other than the NPDES permit for discharges from the MS4);
 - (2) A discharge or flow resulting from fire fighting by the fire department if that discharge is not reasonably expected to be a significant source of pollutants to the MS4;
 - (3) A discharge or flow of fire protection water if that discharge is not reasonably expected to be a significant source of pollutants to the MS4;
 - (4) Water line flushing, provided that the water is not significantly chlorinated when reaching a receiving water;
 - (5) Landscape irrigation;
 - (6) Diverted stream flows;
 - (7) Rising ground waters;
 - (8) Ground water infiltration;
 - (9) Infiltration (as defined in Section 35.2005(20) of Title 40 of the CFR) to separate storm sewers;
 - (10) Pumped ground water;
 - (11) Discharged from foundation drains;
 - (12) Discharges from potable water sources, providing the water is not significantly chlorinated when reaching a receiving water;
 - (13) Irrigation water;
 - (14) Air conditioning condensation;
 - (15) Water from crawl space pumps;
 - (16) Springs;
 - (17) Lawn watering;
 - (18) Discharges from footing drains;
 - (19) Flows from riparian habitats and wetlands;
 - (20) Non-commercial car washing (until such time as TCEQ issues a general permit for such discharges);

- (21) Pavement wash waters provided cleaning chemicals are not used (until such time as TCEQ issues a general permit for such discharges);
 - (22) Dechlorinated swimming pool discharges; or
 - (23) Materials resulting from a spill where the discharge is necessary to prevent loss of life, personal injury or severe property damage provided that the party responsible for the spill takes all reasonable steps to minimize or prevent any adverse effects to human health or the environment.
- (c) No affirmative defense shall be available under subsection (b) if:
- (1) The discharge or flow in question has been determined by the city engineer to be a source of pollutant or pollutants to the waters of the United States or to the MS4;
 - (2) Written notice of such determination has been provided to the discharger; and
 - (3) The discharge has continued after the expiration of the time given in the notice to cease the discharge.