Notice of Intent (NOI) for Small Municipal Separate Storm Sewer Systems (MS4) authorized under TPDES Phase II MS4 General Permit TXR040000

IMPORTANT:

Use the INSTRUCTIONS to fill out each question in this form.

Once approved, your permit authorization can be viewed at: http://www.tceq.texas.gov/goto/wq-dpa

APPLICATION FEE:

You must pay the **$400** Application Fee to TCEQ for the application to be complete.

Payment and NOI must be mailed to separate addresses.

You can pay online at: http://www.tceq.texas.gov/goto/epay

Select Fee Type: GENERAL PERMIT MS4 PHASE II STORMWATER DISCHARGE NOI APPLICATION

Provide your payment information below, for verification of payment:

Mailed — Check/Money Order Number: Click here to enter text

Check/Money Order Amount: Click here to enter text

Name Printed on Check: Click here to enter text

EPAY — Voucher Number: 426572

Is a copy of the Payment Voucher enclosed? ☒ Yes

One (1) copy of the NOI, Stormwater Management Program (SWMP) cover sheet, and SWMP MUST be submitted with the original NOI, SWMP cover sheet, and SWMP.

Is the copy attached? ☒ Yes

REASON FOR APPLICATION:

Select the reason you are submitting this application:

☐ New authorization

☒ Renewal of authorization number: TXR040157

Note: An authorization cannot be renewed after July 23, 2019

Section 1. OPERATOR (Applicant)

a) If the applicant is currently a customer with TCEQ, what is the Customer Number (CN) issued to this entity? CN 600669436

b) What is the exact Legal Name of the entity (applicant) applying for this permit?

City of Live Oak

c) Complete and attach a Core Data Form (TCEQ-10400) for this customer.

Section 2. ANNUAL BILLING CONTACT

The operator is responsible for paying the annual water quality fee. The annual fee will be assessed to permits active on September 1 of each year. TCEQ will send a bill to the address provided in this section. The operator is responsible for terminating the permit when it is no longer needed.

Provide the name and contact information of the billing contact.

Prefix (Mr. or Ms.): Mr.

First and Last Name: Anas Garfaoui

Title: Interim City Manager

Organization Name: City of Live Oak

Phone Number: (210) 653-9140

Fax Number: (210) 599-3753

Email: agarfaoui@liveoaktx.net

Mailing Address: 8001 Shin Oak Drive

City, State, and Zip Code: Live Oak, Texas 78233

Section 3. APPLICATION CONTACT

This is the person TCEQ will contact if additional information is needed about this application.

Provide the name and contact information of the application contact.

Prefix (Mr. or Ms.): Mr.

First and Last Name: Kyle Stengl

Title: Stormwater Manager

Organization Name: Givler Engineering, Inc.

Phone Number: (210) 342-3991

Fax Number: (210) 853-4937

Email: stengl@givlerengineering.com

Mailing Address: 515 Busby Drive

City, State, and Zip Code: San Antonio, Texas 78209

Section 4. REGULATED ENTITY (RE) INFORMATION FOR SITE

a) If this is an existing permitted site, what is the Regulated Entity Number (RN) issued to this site? RN 105531248

b) Name of site as known by the local community:

City of Live Oak MS4

c) Name of the urbanized area(s) the Phase II MS4 is located within:

City of San Antonio

d) Provide a brief description of the regulated MS4 boundaries: *Example: Area within the City of XXXX limits that is located within the xxx urbanized area*:

Area within the City of Live Oak limits that is located within the San Antonio urbanized area.

Section 5. GENERAL CHARACTERISTICS

a) Is this site located on Indian Country Lands?

☐ Yes, do not submit this form. You must obtain authorization through U.S. EPA Region 6.

☒ No, continue to item b

b) Has TCEQ formally "designated" the small MS4 as needing coverage under this general permit?

☐ Yes. Attach a copy of the documentation sent to the MS4 by TCEQ.

☒ No

c) Select the MS4 level, which is based on the population served within the urbanized area (UA) **based on the most recent Decennial Census at the time of issuance of the general permit.**

☐ **Level 1:** Traditional small MS4s with a population of less than 10,000.

☒ **Level 2:** Traditional small MS4s with a population of at least 10,000 but less than 40,000.

Non-traditional MS4s: This level also includes all non-traditional small MS4s regardless of population unless the non-traditional MS4 can demonstrate that it meets the criteria for a waiver from permit coverage. *Examples of non-traditional small MS4s include counties, drainage districts, transportation entities, military bases, universities, colleges, correctional institutions, municipal utility districts, and other special districts.*

☐ **Level 3:** Traditional small MS4s with a population of at least 40,000 but less than 100,000.

☐ **Level 4:** Traditional small MS4s with a population of 100,000 or more.

d) What is the estimated current population served by your MS4 (regulated area?)

16,576 People

e) Is the MS4 part of a coalition?

☐ Yes

☒ No

f) If yes, list the entity names of the coalition members responsible for implementation of the SWMP *and* their unique TXR04#### number.

1. Click here to enter text. TXR04 Click here to enter text.
2. Click here to enter text. TXR04 Click here to enter text.
3. Click here to enter text. TXR04 Click here to enter text.
4. Click here to enter text. TXR04 Click here to enter text.
5. Click here to enter text. TXR04 Click here to enter text.
6. Click here to enter text. TXR04 Click here to enter text.

If needed, add a copy of this page to add more entities.

g) What is your annual reporting year?

☐ Calendar year

☒ Small MS4 General Permit year

☐ MS4 Fiscal year – What is the last month and day of the fiscal year? Click here to enter text.

h) Stormwater Management Program (SWMP)

1. I certify that the SWMP submitted with this NOI has been developed according to the provisions of the Small MS4 General Permit TXR040000. ☒ Yes
2. I certify that the SWMP Cover Sheet is completed and attached to the front of the SWMP. ☒ Yes
3. Have the program elements in the previous SWMP been re-assessed and modified and new program elements been developed and implemented, as necessary?

   ☒ Yes

   ☐ No. This facility did not have a previous authorization.
4. Is the optional 7th Minimum Control Measure (MCM) for Municipal Construction Activities selected and included with the attached SWMP?

   ☒ No. Continue to Question 5.

   ☐ Yes.

   If yes, is MCM 7 limited to the regulated area within the urbanized area?

   ☐ Yes. Continue to Question 5.

   ☐ No

   If No, then MCM 7 is included in the geographic area or boundary outside of the urbanized area. Note: *In this case, you must incorporate the entire area*

(urbanized and non-urbanized areas) in the SWMP and implement <u>all</u> MCMs 1-7 in the urbanized and non-urbanized areas.

5. Provide the name and contact information of the person responsible for implementing or coordinating implementation of the SWMP.

   Prefix (Mr. or Ms.): Mr.

   First and Last Name: Kyle Stengl

   Title: Stormwater Manager

   Organization Name: Givler Engineering, Inc.

   Phone Number: (210) 342-3991

   Fax Number: (210) 853-4937

   Email: stengl@givlerengineering.com

   Mailing Address: 515 Busby Drive

   City, State, and Zip Code: San Antonio, Texas 78209

i) Discharge Information

1. What is the name of the waterbody(ies) receiving stormwater discharges from the MS4? Tributaries of Selma Creek, Tributaries of Bietel Creek, and Salitrillo Creek
2. What is the classified segment number(s) that the discharges will eventually reach? 1910, 1913

   Does the small MS4 discharge directly or indirectly into the classified segment(s)?

   ☒ Directly

   ☐ Indirectly

3. Are any of the waterbody(ies) receiving discharges from the small MS4 identified as impaired waters (Category 4 or 5) in the *Texas Integrated Report of Surface Water Quality*?

   ☒ Yes

   What is the name of the impaired waterbody(ies) receiving the discharge from the small MS4? Salado Creek and Mid Cibolo Creek

   What is/are the pollutants(s) of concern? Bacteria, organic material (BOD5) and NH3

   ☐ No

4. Does the impaired water body(ies) have a TMDL (Category 4 waterbody)?

   ☒ Yes

   What is/are the pollutants with a TMDL? Bacteria, organic material (BOD5) and NH3

   ☐ No

5. Does your MS4 discharge into any other MS4 entity's jurisdiction prior to discharge into water in the state?

   ☐ Yes

   What is the name of the MS4 operator? Click here to enter text.

   ☒ No

6. Edwards Aquifer Rule

   Is the discharge or potential discharge within the Recharge Zone, Contributing Zone, within the Contributing Zone within the Transition Zone, or zero to ten (0 to 10) miles upstream of the Recharge Zone of the Edwards Aquifer?

   ☐ Yes – **NOTE: A copy of the agency approved Water Pollution Abatement Plan (WPAP) required by the Edwards Aquifer Rule (30 TAC Chapter 213) must be either included or referenced in the SWMP.**

   ☒ No

j) Public Participation Process

1. Provide the name and contact information of the person responsible for publishing notice of the executive director's preliminary determination on the MS4's NOI and SWMP?

   Prefix (Mr. or Ms.): Ms.

   First and Last Name: Isa Gaytan

   Title: City Secretary TRMC

   Company: City of Live Oak

   Phone Number: (210) 653-9140

   Fax Number: (210) 653-0015

   Email: igaytan@liveoaktx.net

   Mailing Address: 8001 Shin Oak Drive

   Internal Routing (Mail Code, Etc.): Click here to enter text.

   City, State, and Zip Code: Live Oak, Texas 78233

2. Provide the name and location of the public place where copies of the NOI, SWMP, Small MS4 General Permit TXR040000, and general permit fact sheet may be viewed and copied by the public?

   Name of Public Place: Live Oak City Hall

   Address of Public Place: 8001 Shin Oak Drive, Live Oak, Texas 78233

   County of Public Place: Bexar

3. Provide the address for the website where the MS4's SWMP and annual report will be posted. https://www.liveoaktx.net/

   ☐ Do not have a website.

Section 6. CERTIFICATION

I certify that I have obtained a copy and understand the terms and conditions of the Phase II (Small) MS4 General Permit TXR040000 issued January 24, 2019.

☒ Yes

I certify that the small MS4 qualifies for coverage under the Phase II (Small) MS4 General Permit TXR040000.

☒ Yes

I understand that a Notice of Termination (NOT) must be submitted when this authorization is no longer needed.

☒ Yes

I understand that authorizations active on September 1st of each year will be assessed an Annual Water Quality Fee.

☒ Yes

RECEIVED
TCEQ
2023 NOV -7 AM 11:12

Received Paper Tyler 11/7/23

Operator Certification

Operator Signatory Name: Anas Garfaoui

Operator Signatory Title: Interim City Manager

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

I further certify that I am authorized under 30 Texas Administrative Code §305.44 to sign and submit this document, and can provide documentation in proof of such authorization upon request.

Signature (use blue ink): _____ Date: 11/6/23

STORMWATER MANAGEMENT PROGRAM (SWMP) COVER SHEET

This cover sheet MUST be attached to the front of the SWMP.

Operator

Operator name: City of Live Oak

Required Program Elements

The SWMP needs to include:

- BMPs and measurable goals that are clear, specific, and measurable,
- Annual Reporting Year selected, and
- Estimated population served by the MS4.

Legal Authorities

Include in the SWMP the list of local legal authorities (i.e., ordinance, rule) that the MS4 has adopted to implement any of the MCMs. List all and what MCM they each cover.

Minimum Control Measures

For each MCM, complete the table by entering the page number where the required element can be found in the SWMP

MCM 1: Public Education, Outreach, and Involvement

Table 1: Required Elements for MCM 1

MCM 1 Required Elements	SWMP page number
SWMP includes a stormwater education and outreach program to educate public employees, business, and the general public about hazards associated with the illegal discharges and improper disposal of waste and about the impacts stormwater can have on water quality, and steps they can take to reduce pollutants in stormwater	Tab 1
Clearly define the goals and objectives of the program based on high-priority community-wide issues	1-1
Identify the target audiences	1-1
Develop or use appropriate educational material	1-1
Procedures to distribute educational material	1-1
Make the educational material available to the target audience at least annually	1-1

MCM 1 Required Elements	SWMP page number
Post the SWMP and annual reports on the MS4's website, if the MS4 has a website	1-1
Include the MS4's website address where the SWMP and annual reports will be found, if the MS4 has a website	1-1
SWMP includes a program that complies with state and local public notice requirements	Tab 1
Include public input in the implementation of the program	1-1, 1-2
Include opportunities for citizen to participate in implementation of control measures	1-1, 1-2
Ensure the public can easily can find information about the SWMP.	1-1, 1-2
SWMP lists Best Management Practices (BMPs) used to fulfill this MCM. Examples of possible BMPs could be stream-clean-ups, storm drain stenciling, volunteer water quality monitoring, brochures, billboards, and websites.	1-1, 1-2, 1-3, 1-4, 1-5
SWMP includes measurable goals that are clear, specific, and measurable, and the method of measurement, for addressing stormwater quality	1-1, 1-2, 1-3, 1-4, 1-5
SWMP has been fully implemented, or includes a schedule of implementation not to exceed five (5) years from the general permit issuance date of January 24, 2019	1-1, 1-2, 1-3, 1-4, 1-5

MCM 2: Illicit Discharge Detection and Elimination

Table 2: Required Elements for MCM 2

MCM 2 Required Elements	SWMP page number
Description of the program that will be used to detect, investigate and eliminate illicit discharges. The program includes a plan to detect and address illicit discharges, including illegal dumping to the MS4 system.	Tab 2
MS4 map: The map includes: • Location of all small MS4 outfalls operated by the MS4 and that discharge into waters of the U.S.; • Location and name of all surface waters receiving discharge from the MS4s outfalls; • For Level 3 and 4 small MS4s: Location of MS4 owned or operated facilities and stormwater controls; and • For Level 4 small MS4s: Location of priority areas.	Tab 2
Methods for informing and training MS4 field staff	2-2, 2-3
Procedures for tracing the source of an illicit discharge	2-2, 2-3

MCM 2 Required Elements	SWMP page number
Procedures for removing the source of the illicit discharge	2-3
Procedures to facilitate public reporting of illicit discharges or water quality impacts associated with discharges into or from the small MS4	2-3
Procedures for responding to illicit discharges and spills	2-2, 2-3
Procedures for inspections in response to complaints	2-2, 2-3
For Level 2, 3, and 4 small MS4: Procedures to prevent and correct leaking on-site sewage disposal systems	2-4
For Level 3 and 4 small MS4s: Procedures for follow-up investigation to verify that the illicit discharge has been eliminated	N/A
For Level 4 small MS4s: Procedures for identifying and creating a list of priority areas within the small MS4s likely to have illicit discharges	N/A
For Level 4 small MS4s: Procedures for a dry weather field screening program to assist in detecting and eliminating illicit discharges to the small MS4. Dry weather field screening consists of (1) field observations and (2) field screening.	N/A
For Level 4 small MS4s: Procedures to reduce the discharge of floatables in the small MS4	N/A
SWMP lists BMPs used to fulfill this MCM. Examples of possible BMPs could be hazardous materials disposal opportunities, inspections of the storm sewer system, and dye testing.	1-1, 1-2, 1-3, 1-4
SWMP includes measurable goals that are clear, specific, and measurable, and the method of measurement, for addressing stormwater quality	1-1, 1-2, 1-3, 1-4
SWMP has been fully implemented, or includes a schedule of implementation not to exceed five (5) years from the general permit issuance date of January 24, 2019	1-1, 1-2, 1-3, 1-4, Tab 8

MCM 3: Construction Site Stormwater Runoff Control

Table 3: Required Elements for MCM 3

MCM 3 Required Elements	SWMP page number
Program requires operators of construction sites one acre and greater (including larger common plan) to select, install, implement, and maintain stormwater control measures	Tab 3
Description of ordinance or other regulatory mechanism to require erosion and sediment controls, as well as sanctions to ensure compliance, to the extent allowable under state and local law	3-3

MCM 3 Required Elements	SWMP page number
Program requires construction site operators to implement BMPs for erosion and sediment control	3-1, 3-2, 3-3
Program requires construction site operators to have procedures for initiating and completing soil stabilization measures	3-3
Program requires construction site operators to implement BMPs to control pollutants from equipment and vehicle washing and other wash waters	3-2
Program requires construction site operators to implement BMPs to minimize exposure to stormwater of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste, and other materials	3-2
Program requires construction site operators to implement BMPs to minimize the discharge of pollutants from spills and leaks.	3-2, 3-3
Program ensures that the construction site has developed a stormwater pollution prevention plan in accordance with the TPDES Construction General Permit TXR150000	3-3
Program prohibits illicit discharges such as wash out wastewater, fuels, oils, soaps, solvents, and dewatering activities	3-1, 3-2, 3-3
Procedures for construction site plan review to consider water quality impacts	3-2
Procedures for construction site inspections and enforcement of control measures, to the extent allowable under state and local law	3-3
Procedures for receipt and consideration of information submitted by the public	3-2, 3-3
Procedures for MS4 staff training	5-2
For Level 3, and 4 small MS4s: Procedures to develop and maintain an inventory of all permitted active public and private construction sites greater than one acre (and sites that are less than one acre if part of larger common plan of development or sale)	N/A
SWMP lists BMPs used to fulfill this MCM. Examples may include: notification to discharger of responsibilities under TPDES CGP; hire staff to review construction site plans; provide a web page for public input on construction activities; perform site inspections and enforcement; provide education and training for construction site operators; and mechanism to prohibit discharges into MS4 where necessary.	3-1, 3-2, 3-3
SWMP includes measurable goals that are clear, specific, and measurable, and the method of measurement, for addressing stormwater quality	3-1, 3-2, 3-3

MCM 3 Required Elements	SWMP page number
SWMP has been fully implemented, or includes a schedule of implementation not to exceed five (5) years from the general permit issuance date of January 24, 2019	3-1, 3-2, 3-3

MCM 4: Post Construction Stormwater Management in New Development and Redevelopment

Table 4: Required Elements for MCM 4

MCM 4 Required Elements	SWMP page number
Description of a program that will be developed, implemented and enforced, to control stormwater discharges from private and public new development and redeveloped sites that discharge into the small MS4 that disturb one acre or more (and sites that disturb less than one acre that are part of a larger common plan of development or sale)	Tab 4
Description of ordinance or other regulatory mechanism that is in place or planned which will regulate discharges from new development and redevelopment projects	4-2
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	4-1
Procedures to document and maintain records of enforcement actions	4-2
Procedures to ensure long-term operation and maintenance of post construction stormwater control measures	4-1
Operation and maintenance of post construction stormwater control measures is documented	4-1, 4-2, 4-3
For Level 4 small MS4s: Develop and implement an inspection program to ensure that all post construction stormwater control measures are operating correctly and are being maintained. Inspections must be documented	N/A
SWMP lists BMPs used to fulfill this MCM. Examples may include: local ordinance in place or planned; guidance document for developers to use; specific BMPs established for particular watersheds; list of appropriate BMPs provided to operators; elimination of curbs and gutters; incentives for use of permeable choices, such as porous pavement; requirements for wet ponds or other BMPs for certain size sites; and xeriscaping.	4-1, 4-2, 4-3
SWMP includes measurable goals that are clear, specific, and measurable, and the method of measurement, for addressing stormwater quality	4-1, 4-2, 4-3

MCM 4 Required Elements	SWMP page number
SWMP has been fully implemented, or includes a schedule of implementation not to exceed five (5) years from the general permit issuance date of January 24, 2019	4-1, 4-2, 4-3

MCM 5: Pollution Prevention and Good Housekeeping for Municipal Operations

Table 5: Required Elements for MCM 5

MCM 5 Required Elements	SWMP page number
Description of an operation and maintenance (O&M) program, including an employee training component, to reduce/prevent pollution from municipal activities and municipally owned areas included 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	Tab 5
Develop and maintain an inventory of facilities and stormwater controls that are owned or operated by the MS4	5-4, 5-5
Procedures to inform or train staff involved in implementing pollution prevention and good housekeeping practices. Maintain training attendance records	5-1, 5-2
Procedures to remove and properly dispose of waste from the MS4	5-3
Contractors hired by the MS4 must be required to comply with operating procedures. Develop contractor oversight procedures	5-3, 5-4
Evaluate O&M activities for their potential to discharge pollutants in stormwater for road and parking lot maintenance, bridge maintenance, cold weather operations, right-of-way maintenance, etc.	5-1, 5-5
Identify pollutants of concern that could be discharged from the O&M activities	5-1, 5-5
Develop and implement pollution prevention measures that will reduce discharge of pollutants from O&M activities	5-1, 5-5
Conduct inspections of pollution prevention measures and maintain inspection log	5-1, 5-5
Procedures for inspecting and maintaining structural controls	5-4, 5-5
For Level 3 and 4 small MS4s: Develop and implement an O&M program to reduce the collection of pollutants in catch basins and other surface structures in the storm sewer system	N/A

MCM 5 Required Elements	SWMP page number
For Level 3 and 4 small MS4s: Develop a list of potential problem areas in the storm sewer system for increased inspection (for example, areas with recurring illegal dumping)	N/A
For Level 3 and 4 small MS4s: Implement an O&M program to reduce discharge of pollutants from roads that includes at least a street sweeping and cleaning program, or inlet protection. The program includes an implementation schedule and a waste disposal procedure	N/A
For Level 3 and 4 small MS4s: Assess its facilities for their potential to discharge pollutants into stormwater and identify high priority facilities that have a high potential to generate stormwater pollutants. At a minimum, facilities include the MS4s maintenance yards, hazardous waste facilities, fuel storage locations, and any other facilities at which chemicals or other materials have a high potential to be discharged in stormwater. Document the results of the assessments	N/A
For Level 3 and 4 small MS4s: Develop facility specific stormwater management Standard Operation Procedures for high priority facilities	N/A
For Level 3 and 4 small MS4s: MS4 implements stormwater controls at high priority facilities that address good housekeeping; de-icing and anti-icing storage; fueling operations and vehicle maintenance; equipment and vehicle washing	N/A
For Level 3 and 4 small MS4s: Develop and implement an inspection program that includes high priority facilities	N/A
For Level 4 small MS4s: Develop an application and management program for pesticides, herbicides, and fertilizers used at public open spaces. Implement the following: educational activities, permits, etc for applicators and distributors; encourage of non-chemical solutions for pest management; develop schedules that minimizes discharge of pollutants; ensure collection and proper disposal of unused pesticides, herbicides, and fertilizers	N/A
For Level 4 small MS4s: Evaluate flood control projects. Design, construct, and maintain new flood control structures to provide erosion prevention and pollutant removal from stormwater. Retrofitting of existing structural flood control devices is implemented to the maximum extent practicable (MEP)	N/A
SWMP lists BMPs used to fulfill this MCM. Examples may include: BMPs which address fleet vehicle maintenance/washing; BMPs which address parking lot and street cleaning; catch basin and storm drain system cleaning; landscaping and lawn care (e.g. xeriscaping); waste materials management; road salt application and storage practices; used oil recycling; pest management practices; fire training facilities; BMPs which address roadway and bridge maintenance; golf course maintenance/waste	5-1, 5-2, 5-3, 5-4, 5-5

MCM 5 Required Elements	SWMP page number
disposal; disposal of cigarette butts; and park maintenance (e.g., providing trash bags).	
SWMP includes measurable goals that are clear, specific, and measurable, and the method of measurement, for addressing stormwater quality	5-1, 5-2, 5-3, 5-4, 5-5
SWMP has been fully implemented, or includes a schedule of implementation not to exceed five (5) years from the general permit issuance date of January 24, 2019	5-1, 5-2, 5-3, 5-4, 5-5

MCM 6: Industrial Stormwater Sources

Table 6: Required Elements for MCM 6

MCM 6 Required Elements	SWMP page number
For Level 4 MS4 only: Identify and control industrial stormwater sources that at least includes the MS4's landfills; other treatment, storage, or disposal facilities for municipal waste; hazardous waste treatment, storage, disposal and recovery facilities; and facilities that are subject to Emergency Planning and Community Right-to-Know Act (EPCRA).	Tab 6, N/A
For Level 4 MS4 only: Procedures for inspecting and implementing control measures for discharges from industrial stormwater sources.	N/A

Optional MCM 7: Municipal Construction Activities

This MCM is only applicable where the small MS4 has selected to be the construction site operator for their municipal construction activities. This MCM provides an alternative to the MS4 operator seeking discharge authorization under the Construction Stormwater General Permit TXR150000.

Table 7: Required Elements for MCM 7

MCM 7 Required Elements	SWMP page number
Description of how municipal construction activities will be conducted so as to take into consideration local conditions of weather, soils, and other site specific considerations	Tab 7, N/A
Description of the area that this MCM will address and where the MS4 operator's municipal construction activities are covered (e.g. within the boundary of the urbanized area, the corporate boundary, a special district boundary, an extra territorial jurisdiction, or other similar jurisdictional boundary)	N/A

MCM 7 Required Elements	SWMP page number
If the area included in this MCM includes areas outside of the UA, then all MCMs (MCM 1 through MCM 7) will be implemented over those additional areas as well	N/A
Description of how contractor activities will be supervised or overseen to ensure that the Stormwater Pollution Prevention Plan (SWP3) requirements are properly implemented at the construction site(s); or how the MS4 operator will make certain that contractors have a separate authorization for stormwater discharges if needed	N/A
General description of how a construction SWP3 will be developed for each municipal construction site	N/A
Records of municipal construction activities authorized under this optional MCM	N/A

Texas Commission on Environmental Quality
General Permit Payment Submittal Form

Use this form to submit your Application Fee only if you are mailing your payment.

- Complete items 1 through 5 below.
- Staple your check in the space provided at the bottom of this document.
- Do not mail this form with your NOI form.
- Do not mail this form to the same address as your NOI.

Mail this form and your check to:

BY REGULAR U.S. MAIL

Texas Commission on Environmental Quality
Financial Administration Division
Cashier's Office, MC-214
P.O. Box 13088
Austin, TX 78711-3088

BY OVERNIGHT/EXPRESS MAIL

Texas Commission on Environmental Quality
Financial Administration Division
Cashier's Office, MC-214
12100 Park 35 Circle
Austin, TX 78753

Fee Code: GPA General Permit: TXR040000

1. Check / Money Order No: Click here to enter text.
2. Amount of Check/Money Order: Click here to enter text.
3. Date of Check or Money Order: Click here to enter text.
4. Name on Check or Money Order: Click here to enter text.
5. NOI INFORMATION

   If the check is for more than one NOI, list each Project/Site (RE) Name and Physical Address exactly as provided on the NOI. DO NOT SUBMIT A COPY OF THE NOI WITH THIS FORM AS IT COULD CAUSE DUPLICATE PERMIT ENTRIES.
   If more space is needed, you may attach a list.

   Project/Site (RE) Name: Click here to enter text.

   Project/Site (RE) Physical Address: Click here to enter text.

Staple Check in This Space

Instructions for Notice of Intent (NOI) for Small Municipal Separate Storm Sewer Systems (MS4) authorized under TPDES Phase II MS4 General Permit TXR040000

GENERAL INFORMATION

Where to Send the Notice of Intent (NOI)

You are required to submit the original and one copy of the NOI, Core Data Form(s), Stormwater Management Program (SWMP) Cover Sheet, and the SWMP. Submit these documents to one of the following addresses:

BY REGULAR U.S. MAIL:
Texas Commission on Environmental Quality
ARP Team (MC-148)
P.O. Box 13087
Austin, Texas 78711-3087

BY OVERNIGHT/EXPRESS MAIL:
Texas Commission on Environmental Quality
ARP Team (MC-148)
12100 Park 35 Circle
Austin, TX 78753

Fees Associated with this General Permit

The application fee of $400 is required to be paid at the time the NOI is submitted. Failure to submit payment at the time the application is filed will cause delays in acknowledgment or denial of coverage under the general permit. Payment of the fee may be made by check or money order, payable to TCEQ, or through EPAY (electronic payment through the web).

Mailed Payments:

Use the attached General Permit Payment Submittal Form. The application fee is submitted to a different address than the NOI. Read the General Permit Payment Submittal Form for further instructions.

Where to Send the Payment

BY REGULAR U.S. MAIL:
Texas Commission on Environmental Quality
Financial Administration Division
Cashier's Office, MC 214
P.O. Box 13088
Austin, Texas 78711-3087

BY OVERNIGHT/EXPRESS MAIL:
Texas Commission on Environmental Quality
Financial Administration Division
Cashier's Office, MC 214
12100 Park 35 Circle
Austin, TX 78753

ePAY Electronic Payment: http://www.tceq.texas.gov/epay

When making the payment you must select Water Quality, and then select the fee category "General Permit MS4 Phase II Stormwater Discharge NOI Application". You must include a copy of the payment voucher with your NOI. Your NOI will not be considered complete without the payment voucher.

Annual Water Quality Fee

This fee is assessed to permittees with an active authorization under the general permit on September 1 of each year. The designated billing contact will receive an invoice for payment of the annual fee in November of each year. The payment will be due 30 days from the invoice.

A 5% penalty will be assessed if the payment is not received by TCEQ by the due date. Annual fee assessments cannot be waived as long as the authorization under the general permit is active on September 1.

It is important for the permittees to submit an NOT when coverage under the general permit is no longer required. An NOT is effective on the postmarked date of mailing the form to TCEQ. If the NOT is mailed it is recommended that the NOT be mailed using a method that documents the date mailed and received by TCEQ.

Mailed Payments:
You must return your payment with the billing coupon provided with the billing statement.

ePAY Electronic Payment: http://www.tceq.texas.gov/epay

You must enter your account number provided at the top portion of your billing statement. Payment methods include American Express, MasterCard, Visa, and electronic check payment (ACH).

TCEQ Contact List

Small Business & Local Government Assistance	800-447-2827
Application – status and form questions:	512-239-4671
Technical questions:	512-239-4671
Environmental Law Division:	512-239-0600
Records Management - obtain copies of forms:	512-239-0900
Reports from databases (as available):	512-239-DATA (3282)
Cashier's office:	512-239-0357 or 512-239-0187

Notice of Intent Process

When your Core Data Form, NOI, and SWMP are received by the program, the form will be processed as follows:

Administrative Review: Each item on the form will be reviewed for a complete response. In addition, the operator's legal name must be verified with Texas Secretary of State as valid and active (if applicable). The address(s) on the form must be verified with the US Postal service as receiving regular mail delivery. Do not give an overnight/express mailing address.

Notice of Deficiency: If an item is incomplete or not verifiable as indicated above, a notice of deficiency (NOD) will be mailed to the operator. The operator will have 30 days to respond to the NOD. The response will be reviewed for completeness.

Technical Review of SWMP: The NOI and SWMP will be reviewed to verify compliance with the requirements in the general permit. More information may

be requested by phone or technical NOD letter mailed to the SWMP contact. When a determination is made that the SWMP meets the requirements of the general permit, the Executive Director's preliminary determination will be prepared and filed with the TCEQ Office of Chief Clerk (OCC).

Public Participation Process: The OCC will mail the Executive Director's preliminary determination to the public participation contact provided in the NOI. This individual must publish the notice in the newspaper of largest circulation in the county where the small MS4 is located.

The comment period begins on the first date the notice is published and ends 30 days later, unless a public meeting is held. If a public meeting is held, the comment period will end at the closing of the public meeting.

The applicant must submit a copy of the newspaper clipping and an affidavit signed by the newspaper staff to the OCC within 60 days of receiving the written instructions from the OCC.

If significant public interest exists, the executive director will direct the applicant to publish notice of the meeting and to hold the public meeting. The applicant must publish the notice of public meeting at least 30 days prior to the public meeting and hold the meeting in the county where the MS4 is located.

Acknowledgment of Coverage: An Acknowledgment Certificate will be mailed to the operator. This certificate acknowledges coverage under the general permit.

or

Denial of Coverage: Coverage may be denied if the operator fails to respond to the NOD, the response is inadequate, or the NOI and SWMP do not meet the requirements of the general permit. If coverage is denied, the operator will be notified.

General Permit

Coverage under the general permit begins upon approval of the NOI, Core Data Form, and SWMP by TCEQ and after the public notice process has been completed. You should have a copy of your general permit when submitting your application. You may view and print your permit for which you are seeking coverage, at the following website http://www.tceq.texas.gov. Search using keyword TXR040000.

General Permit Forms

The Notice of Intent (NOI), Notice of Termination (NOT), Notice of Change (NOC) and Core Data Form (including instructions) are available at the TCEQ web site http://www.tceq.texas.gov.

Change in Operator

An authorization under the general permit is not transferable. If the operator changes, the present permittee must submit a Notice of Termination (NOT) and the new operator must submit a Notice of Intent and a Core Data Form. The NOT, NOI and Core Data Form must be submitted no later than 10 days prior to the change in status.

INSTRUCTIONS FOR FILLING OUT THE FORM

Renewal of General Permit: Dischargers holding an active authorizations under the expired General Permit are required to submit a NOI to continue coverage. The existing authorization number is required. If the authorization number is not provided or has been terminated, expired, or denied a new permit number will be issued.

This number will begin with TXR04. Do not use TXR040000, it is *the general permit* number *not your* authorization number.

Section 1. Operator (Applicant)

a) **Customer Number (CN)**
TCEQ assigns each customer a number that begins with CN, followed by nine digits. This is not a permit number, registration number, or license number. If the applicant is an existing TCEQ customer, the Customer Number is available at the following website: http://www15.tceq.texas.gov/crpub/. If the applicant is not an existing TCEQ customer, leave the space for CN blank.

b) **Legal Name of Applicant**
Provide the current legal name of the applicant. The name must be provided exactly as filed with the Texas Secretary of State, or on the legal documents forming the entity as filed with the county. If filed in the county, provide a copy of the legal documents showing the legal name.

c) **Core Data Form**
Complete and attach a Core Data Form (TCEQ-10400) for each customer.

Section 2. Annual Billing Contact

An annual fee is assessed to each operator holding an active authorization under the general permit on September 1 of each year.

Provide the contact name and complete mailing address where the annual fee invoice should be mailed. Verify the address with the USPS. It must be an address for delivery of regular mail, not overnight express mail.

The phone number should provide contact to the individual responsible for paying the annual fee.

The fax number and e-mail address are optional and should correspond to the individual responsible for paying the annual fee.

Section 3. Application Contact

Provide the name, title and contact information of the person that TCEQ can contact for additional information regarding this application. This contact may be a consultant or entity other than the applicant.

Section 4. Regulated Entity (RE) Information For Site

a) **Regulated Entity Reference Number (RN)**
The RN is issued by TCEQ to sites where an activity is regulated by TCEQ. This is not a permit number, registration number, or license number. Search TCEQ's Central Registry to see if the site has an assigned RN at

http://www15.tceq.texas.gov/crpub/. If this regulated entity has not been assigned an RN, leave this space blank.

b) Name of the Project or Site
Provide the name of the site or project as known by the public in the area where the site is located. The name you provide on this application will be used in the TCEQ Central Registry as the Regulated Entity name.

c) Name of Urbanized Area
List the formal name of the urbanized area(s) where the MS4 is located using the 2010 U.S. Census maps referenced in Section 5. c) below. For example: Dallas-Fort Worth-Arlington Urbanized area.

d) Describe the boundaries of the regulated portion of the small MS4
Briefly describe the boundaries of the regulated portion of the small MS4.

Section 5. General Characteristics

a) Indian Country Lands
If your site is located on Indian Country Lands, the TCEQ does not have authority to process your application. Do not submit this application form to TCEQ. You must obtain authorization through EPA, Region 6, in Dallas.

b) TCEQ "Designated" Small MS4
A small MS4 that is outside of an urbanized area that is formally "designated" by TCEQ is eligible for coverage under this general permit. The small MS4 Operator must obtain authorization under this general permit or apply for coverage under an individual TPDES stormwater permit within 180 days of notification of their designation. If the small MS4 was already designated, please attach a copy of the documentation sent to the MS4 by TCEQ.

c) MS4 Level
The general permit defines MS4s by four different levels, based on the population served within the 2010 U.S. Census urbanized area (UA). "Population served" means the residential population within the regulated portion of the small MS4 based on the 2010 U.S. Census, except for non-traditional small MS4s that are classified as Level 2.

A reference map identifying the 2010 U.S. Census UAs can be found at www.epa.gov/npdes/urbanized-area-maps-npdes-ms4-phase-ii-stormwater-permits.

Districts that did not have a population during the 2010 U.S. Census, are required to apply when their population exceeds the population threshold for permit coverage.

d) Estimated Population
List the current estimated population served by the MS4. This number will not be used to determine the Levels.

e) Coalitions of MS4 entities
Indicate if the MS4 is part of a coalition that share efforts in meeting any or all of the SWMP requirements.

f) Members of the Coalition

List the name of each member of the coalition *and* their unique Phase II MS4 authorization number.

g) Annual Reporting Year

The annual report must address the previous reporting year. The selected reporting year cannot be changed during the permit term.

- If the MS4 selects the calendar year, then the reporting year is from January 1 through December 31 of each year.
- If the MS4 selects the Phase II MS4 General Permit year, the reporting year is from the effective date of the general permit plus 365 days of each year.
- If the MS4 selects the fiscal year, the reporting year is from the first day of the MS4's fiscal year through the last day of the MS4's fiscal year. Provide the month and last day of the MS4's fiscal year.

h) SWMP

1. Certify, by selecting Yes, that the SWMP has been developed in accordance with the general permit requirements and is attached to this NOI.
2. Certify, by selecting Yes, that the SWMP Cover Sheet has been completed and is attached to the front of the SWMP.
3. If the MS4 was previously authorized under the general permit, the program elements in the previous SWMP must be re-assessed and modified. Additionally, new program elements must be developed. Do not submit the exact same SWMP that was previously submitted. Indicate that you have revised the previous SWMP, or that this is a newly regulated MS4.
4. Indicate if the MS4 is seeking coverage under this general permit for the optional MCM 7 for municipal construction activities where the MS4 meets the definition of "construction site operator".
   If Yes, the SWMP must include the geographic area or boundary where MCM 7 will be implemented. If this area extends beyond the geographic area or boundary of the urbanized area, then all MCMs 1-7 must be implemented in the urbanized and non-urbanized areas. The MS4 operator can utilize MCM 7 only in areas that are in compliance with the SWMP's MCMs 1-7. If you do **NOT** incorporate the entire SWMP (MCMs 1-7) in the urbanized and the non-urbanized areas, then the MS4 cannot utilize only MCM 7 outside of the urbanized area.

   If No, the MS4 can obtain this coverage at any time during the general permit term by submitting a Notice of Change.
5. Provide the name and contact information of the designated person responsible for implementing or coordinating implementation of the SWMP.

i) Discharge Information

1. Provide the name of all waterbodies that receive discharges from the MS4. The discharge eventually reaches a receiving waterbody such as a local stream or lake, possibly via a drainage ditch or even through another MS4 prior to reaching the waterbody. Please note that this general permit does not grant permission to use another MS4 as a conveyance of stormwater and certain non-storm water discharges along the discharge route.
2. Identify the classified segment number(s) that will eventually receive the

discharge. You can find classified segment numbers in the Atlas of Texas Surface Waters at: www.tceq.texas.gov/publications/gi/gi-316 or the Surface Water Quality (Segments) Viewer at: https://www.tceq.texas.gov/gis/segments-viewer

Indicate if the discharge is directly into the classified segment or if it reaches the classified segment after being discharged into another waterbody or MS4.

3. Indicate if any waterbodies receiving discharges are identified as impaired waters (Category 4 or 5) in the *Texas Integrated Report of Surface Water Quality*, which is available at: http://www.tceq.texas.gov/waterquality/assessment/305_303.html.

   If Yes, provide the name(s) of the impaired waterbodies and the pollutants of concern for those waterbodies. The pollutants of concern are the parameters for which the waterbody is impaired.

4. Indicate if the impaired waterbody has a TMDL and list the pollutants with a TMDL (Category 4 waterbody).
5. Indicate if the discharge is into any other MS4 entity's jurisdiction prior to reaching water in the state.

   If Yes, provide the name of the MS4 operator that receives the discharge.

6. **Edwards Aquifer Rule**

   Indicate if the discharge or potential discharge is within the Recharge Zone, Contributing Zone, or Contributing Zone within the Transition Zone of the Edwards Aquifer. See maps on the TCEQ website to determine if the site is located within the Recharge Zone, Contributing Zone, or Contributing Zone within the Transition Zone of the Edwards Aquifer at https://www.tceq.texas.gov/permitting/eapp/viewer.html.

   If Yes, additional requirements may exist under the Edwards Aquifer Protection Program (30 TAC Chapter 213). For activities regulated under 30 TAC Chapter 213, any required plans must be included in the SWMP. Compliance with any Edwards Aquifer requirements is in addition to the requirements of this general permit.

j) Public Participation

1. Provide the name and contact information of the person responsible for publishing the public notice in the newspaper.
2. Provide the name and location of a public place where copies of the NOI, SWMP, General Permit, and permit fact sheet will be available to the public for viewing. Examples of public places include public libraries, city hall, municipal buildings, etc.
3. Provide the address for the website where the MS4's SWMP and annual report will be posted. Indicate if the MS4 does not have a website.

Section 6. Certifications

Failure to indicate "Yes" to ALL of the certification items may result in denial of coverage under the general permit. The certification must bear an original signature of a person meeting the signatory requirements specified under 30 Texas Administrative Code §305.44.

IF YOU ARE A CORPORATION:
The regulation that controls who may sign an application form is 30 Texas Administrative Code §305.44(a), which is provided below. According to this code provision, any corporate representative may sign an NOI or similar form so long as the authority to sign such a document has been delegated to that person in accordance with corporate procedures. By signing the NOI or similar form, you are certifying that such authority has been delegated to you. The TCEQ may request documentation evidencing such authority.

IF YOU ARE A MUNICIPALITY OR OTHER GOVERNMENT ENTITY:
The regulation that controls who may sign an NOI or similar form is 30 Texas Administrative Code §305.44(a), which is provided below. According to this code provision, only a ranking elected official or principal executive officer may sign an NOI or similar form. Persons such as the City Mayor or County Commissioner will be considered ranking elected officials. In order to identify the principal executive officer of your government entity, it may be beneficial to consult your city charter, county or city ordinances, or the Texas statutes under which your government entity was formed. An NOI or similar document that is signed by a government official who is not a ranking elected official or principal executive officer does not conform to §305.44(a) (3). The signatory requirement may not be delegated to a government representative other than those identified in the regulation. By signing the NOI or similar form, you are certifying that you are either a ranking elected official or principal executive officer as required by the administrative code. Documentation demonstrating your position as a ranking elected official or principal executive officer may be requested by the TCEQ.

If you have any questions or need additional information concerning the signatory requirements discussed above, please contact the Texas Commission on Environmental Quality's Environmental Law Division at 512-239-0600.

30 TEXAS ADMINISTRATIVE CODE §305.44. SIGNATORIES TO APPLICATIONS

(a) All applications shall be signed as follows.

(1) For a corporation, the application shall be signed by a responsible corporate officer. For purposes of this paragraph, a responsible corporate officer means a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding $25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures. Corporate procedures governing authority to sign permit or post-closure order applications may provide for assignment or delegation to applicable corporate positions rather than to specific individuals.

(2) For a partnership or sole proprietorship, the application shall be signed by a general partner or the proprietor, respectively.

(3) For a municipality, state, federal, or other public agency, the application shall be signed by either a principal executive officer or a ranking elected official. For purposes of this paragraph, a principal executive officer of a federal agency includes

the chief executive officer of the agency, or a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., regional administrator of the EPA).

SWMP Cover Sheet

The SWMP cover sheet must be completed and placed on the front of the SWMP. Both the SWMP cover sheet and the SWMP must be submitted with the complete NOI.

Provide the name of the MS4 operator.

For each MCM, complete the table by entering the page number (or page number range) where each required program element can be found in the SWMP.

Note: Some program elements are only required for certain MS4 levels. The tables clearly identify these MS4 level specific requirements. If one of these program element does not apply to the MS4 level for this facility, enter NA. Additionally, MCM 7 is optional. If you selected "No" on the NOI Section 5.e.4 question, enter NA on Table 7.

Storm Water Management Plan

Implementation Program

Level 2 Operator
TXR040157

Prepared by:

515 Busby Drive, San Antonio, Texas 78209
(210) 342-3991

Project No. LVOAK-001

July 2019

Storm Water Management Plan

Implementation Program

GIVLER ENGINEERING, INC.
515 Busby Drive
San Antonio, Texas 78209
(210) 342-3991

Project No. LVOAK-001

July 2019

Storm Water Management Plan
Implementation Program

GEI GIVLER ENGINEERING, INC.

Overview

The Federal Water Pollution Control Act was passed in 1972. After the law was amended in 1977, it became commonly known as the Clean Water Act[1]. The Act established the structure for federal regulation of pollutant discharges into the waters of the United States, authorized the Environmental Protection Agency (EPA) to implement pollution control programs, extended the requirement to establish standards for surface water contaminants, and made it unlawful to discharge unpermitted point source pollutants into navigable waters. The Act also established funding for construction of sewage treatment plants and promoted planning to address non-point source pollution. In order to reduce storm water pollution, amendments were made to the Clean Water Act in 1987, requiring storm water discharges to be permitted in two phases.

Phase 1 applied, among other things, to larger cities with separate storm water sewer systems. The regulations required those cities to obtain National Pollutant Discharge Elimination System (NPDES) permits. The permit process imposed controls on the cities to reduce pollution in storm water discharges.

Phase 2 applies to smaller cities. In 1999, the EPA issued final regulations for Phase 2. The Texas Commission on Environmental Quality (TCEQ) issued the original Texas Pollutant Discharge Elimination System (TPDES) General Permit Number TXR040000 (General Permit) for Phase 2 Storm Water on August 13, 2007 in order to create a mechanism for non-Phase 1 Texas cities with populations of over 1,000 to come into compliance with the federal regulations. The TCEQ renewed the original permit for an additional 5-Year term on January 24, 2019.

To the extent allowable under state and local law, a SWMP must be developed, implemented, and enforced according to the requirements of Part III of this general permit for stormwater discharges that reach waters of the U.S., regardless of whether the discharge is conveyed through a separately operated storm sewer system. The SWMP must be developed, implemented, and enforced to reduce the discharge of pollutants from the small MS4 to the maximum extent practicable (MEP), to protect water quality, and to satisfy the appropriate water quality requirements of the CWA and the TWC.

The SWMP must also be implemented and enforced in new MS4 areas added during the permit term. Implementation of appropriate BMPs for the new areas must occur in accordance with Part II.E.7.

A permittee that implements BMPs consistent with the provisions of their permit and SWMP constitutes compliance with the standard of reducing pollutants to the MEP and will be deemed in compliance with Part III of this permit. This permit does not extend any compliance deadlines set forth in the previous permit effective December 13, 2013.

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[1] **Current efforts to reduce the pollution found in municipal storm water discharges are substantially driven by federal legislation. As expected with government programs, there are many special terms and acronyms that apply to the topic of storm water pollution. Therefore, a list of definitions from the TPDES General Permit is provided behind Tab 9.**

The process of applying for coverage under and maintaining conformance to the renewal General Permit begins with submitting two documents to the TCEQ. The first document is a form provided by the TCEQ, called a Notice of Intent (NOI). The second document is this document, which you are reading. It is the proposed Implementation Program for the Storm Water Management Plan (SWMP).

The Implementation Program for the SWMP proposes to reduce storm water pollution by increasing the city's control of pollution sources. The Implementation Program provides maps (see Tab 2) and photos (see Tab 2), which identify many of the points where storm water is discharged from the city to other municipalities.

The plan must be fully implemented within 5 years of the TCEQ's issuance of the General Permit. The general schedule is as shown:

August 13, 2007 The TCEQ issued the original Phase 2 General Permit.

July 23, 2019 Submit original NOI and SWMP Implementation Program to the TCEQ.

December 13, 2018 The previous SWMP was fully implemented.

January 24, 2019 The TCEQ issued the renewal General Permit.

July 23, 2019 Submit new NOI and a new SWMP to the executive director.

1. After the applicant receives written instructions from the TCEQ's Office of Chief Clerk, the applicant must publish notice of the executive director's preliminary decision on the NOI and SWMP.

2. The notice will include the following information, at a minimum:

   (1) The legal name of the MS4 operator;

   (2) Indication of whether the NOI is for a new authorization or is a renewal of an existing authorization;

   (3) The address of the applicant;

   (4) A brief summary of the information included in the NOI, such as the general location of the small MS4 and a description of the classified receiving waters that receive the discharges from the small MS4;

   (5) The location and mailing address where the public may provide comments to the TCEQ;

   (6) The public location where copies of the NOI and SWMP, as well as the executive director's general permit and fact sheet, may be reviewed; and

(7) If required by the executive director, the date, time, and location of the public meeting.

3. Publish notice of the executive director's preliminary determination on the NOI and SWMP at least once in a newspaper of general circulation in the municipality or county where the small MS4 is located. This notice must provide opportunity for the public to submit comments on the NOI and SWMP. In addition, the notice must allow the public to request a public meeting. A public meeting (equivalent to a "public hearing" as required by 40 CFR §122.28(d)(2)(ii)) will be held if the TCEQ determines that there is significant public interest.

4. The public comment period begins on the first date the notice is published and lasts for at least 30 days. If a public meeting is held, the comment period will end at the closing of the public meeting (see paragraph 6 below). The public may submit written comments to the TCEQ Office of Chief Clerk during the comment period detailing how the NOI or SWMP for the small MS4 fails to meet the technical requirements or conditions of this general permit.

5. If significant public interest exists, the executive director will direct the applicant to publish a notice of the public meeting and to hold the public meeting. The applicant shall publish notice of a public meeting at least 30 days before the meeting and hold the public meeting in a county where the small MS4 is located. TCEQ staff will facilitate the meeting.

6. If a public meeting is held, the applicant shall describe the contents of the NOI and SWMP. The applicant shall also provide maps and other data on the small MS4. The applicant shall provide a sign in sheet for attendees to register their names and addresses and furnish the sheet to the executive director. A public meeting held under this general permit is not an evidentiary proceeding.

7. The applicant shall file with the Chief Clerk a copy and an affidavit of the publication of notice(s) within 60 days of receiving the written instructions from the Chief Clerk.

8. The executive director, after considering public comment, will either approve, approve with conditions, or deny the NOI based on whether the NOI and SWMP meet the requirements of this general permit.

9. Persons whose names and addresses appear legibly on the sign-in sheet from the public meeting and persons who submitted written comments to the TCEQ will be notified by the TCEQ's Office of Chief Clerk of the executive director's decision regarding the authorization.

The renewal SWMP must be fully implemented.

A detailed, comprehensive schedule for the Implementation Program is provided behind Tab 7 of this document.

The Implementation Program proposes the means to develop, to implement, and to enforce a plan to reduce the discharge of pollutants to the maximum extent practicable (MEP). It identifies seven Minimum Control Measures (MCMs), which are required to be addressed by the General Permit:

1. **Public Education, Outreach, and Involvement** – Distribute educational materials and/or provide presentations to inform citizens about storm water pollution, and provide opportunities for citizens to participate in program development and implementation. See Tab 1.
2. **Illicit Discharge Detection and Elimination (IDDE)** – Detect and eliminate illicit discharges to the city's storm sewer system. See Tab 2.
3. **Construction Site Stormwater Runoff Control** – Control erosion and sediment in non-municipal construction activities. See Tab 3.
4. **Post-Construction Stormwater Management in New Development and Redevelopment** – Control pollutant discharges from new development and redevelopment areas. See Tab 4.
5. **Pollution Prevention and Good Housekeeping for Municipal Operations** – Prevent or reduce pollutant runoff from municipal operations. See Tab 5.
6. **Industrial Stormwater Sources (applicable to Level 4 MS4's**) – Identify and control pollutants in stormwater discharges to the MS4. See Tab 6
7. **Authorization for Construction Activities where the Small MS4 is the Site Operator** (optional) – Control erosion and sedimentation on municipal projects. See Tab 7.

The Implementation Program describes each Minimum Control Measures (MCM) with measurable goals, including, as appropriate, the months and years when the permittee will undertake required actions, including interim milestones and the frequency of the action for each MCM described in Part III, Section B. A summary of written procedures describing how the permittee will implement the provisions in Parts III and IV of the general permit must be clear, specific, and measurable.

The city must maintain records on the SWMP, submit an annual report to the TCEQ regularly, and submit other records to the TCEQ when requested. The records must include documentation pertaining to the effectiveness of BMPs and shall be included in the annual reports as required in Part IV.B.2. of the General Permit. The records must also be made available to the public. All changes to the SWMP that require a NOC must be included in the annual report as described in Part IV.B.2. of the General Permit and must meet the requirements of Part II.D.3. of the General Permit. The city must report non-compliance with the General Permit to the TCEQ and maintain accurate records at TCEQ offices.

Impaired Water Bodies

The city discharges to two receiving waters classified as impaired in the *2014 Texas Integrated Report Index of Surface Water Quality Impairments*. These are Salado Creek (segment 1910), and Mid Cibolo Creek (segment 1913).

Salado Creek

Salado Creek is identified as being impaired by three parameters: bacteria, depressed dissolved oxygen (DO), and impaired macrobenthic community. See table below for excerpt from *2014 Texas Integrated Report Index of Surface Water Quality Impairments.*

SegID: 1910	Salado Creek From the confluence with the San Antonio River in Bexar County to the confluence of Beitel Creek in Bexar County		
Parameter(s)		*Category*	*Carryforward*
bacteria			
1910_03	From the confluence with Pershing Creek up to the confluence with Walzem Creek.	4a	No
1910_04	From the confluence with Walzem Creek up to the confluence with Beitel Creek	4a	No
Parameter(s)		*Category*	*Carryforward*
depressed dissolved oxygen			
1910_04	From the confluence with Walzem Creek up to the confluence with Beitel Creek	4a	Yes
Parameter(s)		*Category*	*Carryforward*
impaired macrobenthic community			
1910_02	From the confluence with Rosillo Creek up to the confluence with Pershing Creek.	5c	Yes

Focused efforts have been developed in the areas of public education, illicit discharge detection, and managing stormwater runoff from construction sites to reduce pollutants discharged from the MS4. Detailed descriptions of the targeted controls, including measurable goals and implementation schedule can be found in the following Minimum Control Measures.

Mid Cibolo Creek

Mid Cibolo Creek is identified as being impaired by depressed dissolved oxygen (DO). See table below for excerpt from *2014 Texas Integrated Report Index of Surface Water Quality Impairments.*

SegID: 1913	Mid Cibolo Creek From a point 100 meters (110 yards) downstream of IH 10 in Bexar/Guadalupe County to the Missouri-Pacific Railroad bridge west of Bracken in Comal County		
Parameter(s)		*Category*	*Carryforward*
depressed dissolved oxygen			
1913_02	From the confluence with unnamed tributary approximately 0.3 miles upstream of Weir Road, Bexar county, Texas up to 100 meters upstream of the Cibolo Creek Municipal WWTP.	4b	Yes

According to the TCEQ on the web page for Mid Cibolo Creek, a TMDL was not established for this segment due to the determination that a single discharger was the primary source of impairment. In addition, according to Figure 1. of *Impairment Verification Monitoring Dissolved Oxygen Segment 1913 Mid Cibolo Creek Volume 1* developed by TEES in 2005, the majority of Live Oak is located outside of the Mid Cibolo Creek watershed. For these reasons, it has been determined that the MS4 is not a source of pollutants of concern to this water body. Therefore no changes to the BMPs are proposed.

Minimum Control Measure No. 1:
Public Education, Outreach, and Involvement

The City shall develop, implement, and maintain a comprehensive stormwater education and outreach program to educate public employees, businesses, and the general public of hazards associated with the illegal discharges and improper disposal of waste and about the impact that stormwater discharges can have on local waterways, as well as the steps that the public can take to reduce pollutants in stormwater.

The stormwater education and outreach program will involve the distribution of educational materials to the community and conduct equivalent outreach activities that will be used to inform the public. The city will direct its education and outreach efforts toward the community to enhance understanding and provide guidance to reduce their contribution to stormwater pollution. Emphasis will be placed on obtaining public involvement by encouraging citizens and business owners to invest themselves more into the prevention and reduction of storm water pollution to increase the effective amount of resources to perceive and address storm water pollution problems. Efforts will be directed toward residents, visitors, public service employees, businesses, commercial and industrial facilities, and construction site personnel. This MCM will inform the public about the impacts that storm water runoff can have on water quality, hazards associated with illegal discharges and improper disposal of waste, and steps that can be taken by both the city and its citizens to reduce pollutants in storm water runoff. Materials addressing individual educational components will be distributed to each component's target audience.

In addition, the city shall develop and implement means for the public to become involved and to participate in the process of preventing or reducing storm water pollution. The city shall, at a minimum, comply with any state and local public notice requirements when implementing this public involvement/participation program.

The city shall document the activities performed and materials used to fulfill this MCM. Documentation shall be detailed enough to demonstrate the amount of resources used to address each group. This documentation shall be included in the annual reports which are required in Part IV.B.2. of the General Permit.

Discussions of the Best Management Practices (BMPs) to be utilized in public education, outreach, and involvement stormwater pollution prevention follow. Implementation activities, measurable goals for each BMP are included in table 1.

BMP 1.1: NOI and NOC Public Comment

The approved SWMP Implementation Program will be maintained at City Hall for public review. Comments from the TCEQ's Executive Director that are received regarding this SWMP Implementation Program will be published in the City's official notice newspaper to provide opportunity for the public to review and comment within two weeks of the receipt of the Executive Director's preliminary determination (comments). This will occur once, after the NOI has been

submitted and the executive director's initial comments are received. It will also occur on a recurring basis at least to the extent required by the TCEQ when NOC's are submitted.

The public comment period begins on the first date the notice is published and lasts for at least 30 days. In the case that significant public interest exists, the City will publish a notice of the public meeting at least 30 days before the meeting and within 90 days of receipt of the Executive Directors preliminary determination (comments). The public meeting will be facilitated by TCEQ staff and allow for public participation.

BMP 1.2: Recurring Public Comment

The city will provide opportunities for citizens to participate in the development and Implementation of the SWMP. Citizens will be permitted to address council at each regular council meeting during the "Citizens to Be Heard" period near the beginning of each meeting on a recurring basis.

The city stormwater website provides additional avenues for public comment. There, residents can find contact information including phone numbers and email addresses for city officials, and a stormwater questionnaire to report issues detected in the MS4.

This SWMP Implementation Program will be kept at city hall and on the city's stormwater website to make it available for ongoing public review and comment after the initial comment period is complete. BMP start date is dependent on when the TCEQ review of the NOI is completed. Record copies of the city council minutes and any relevant documents containing stormwater matters discussed shall be maintained in the document file.

BMP 1.3: Brochures and Fact Sheets

The city will continue to develop or acquire educational materials such as brochures and fact sheets regarding the impacts of stormwater discharges on local water bodies and steps the public can take to reduce stormwater pollution. Educational materials will be distributed through the City's newsletter, website or social media networks two (2) times per year at a minimum. Informational materials (such as posters or brochures) will be placed at public meeting places, including but not limited to City Hall. Coordinate with other government offices and/or utilities whenever possible to share resources in a productive manner.

Educational materials distributed will educate the residents on how to limit their contribution to stormwater pollution including proper lawn and garden activities, including fertilizer, herbicide, and pesticide use; household hazardous waste disposal; water conservation practices; and proper septic system maintenance. Other brochures and fact sheets will address commercial, industrial, and institutional pollution issues.

This BMP has been evaluated as reaching a broad segment of the targeted audience and has been selected for inclusion in the new SWMP. This BMP will be directed toward:

1. **residents** through periodic residential newsletter mailings and through postings at city hall,
2. **visitors** through postings at city hall and the city's website,
3. **public service employees** through postings at city hall and in public works offices,
4. **business owners** through direct periodic business contact,
5. **commercial and industrial facilities** through direct periodic business contact, and **construction site personnel** through the building permit process. Contractors requiring building permits will be required to display stormwater pollution educational poster or fact sheet on the project site in plain view for the workers to read.

The number and frequency of mailings and publications shall be recorded in the document file.

BMP 1.4: Household Hazardous Waste

The city shall provide the opportunity for residents to properly dispose of household hazardous waste. Items collected shall include, paint products, used batteries, automotive products, and other certain household debris. Information about household hazardous waste will be incorporated into brochures and city newsletters to inform residents of their potential impact on the storm sewer system due to dumping. This type of communication helps minimize the risk for dumping to occur within the MS4, due to raised awareness.

BMP 1.5: Stormwater Website

The city shall develop and implement a stormwater website (**https://www.liveoaktx.net/**) that includes the SWMP, NOI, and annual reports for the MS4. Publication of these materials offer more opportunities for citizens to review city policies on stormwater and provide input on the city's SWMP. The website will maintain the website on an ongoing basis. Copies of all material updated on the website shall be recorded in the document file.

BMP 1.6: Storm Drain Marking

The city shall continue to survey public storm drains within the MS4. The city's stormwater staff shall re-mark public storm drains with a durable paint, stamp, and/or plaque as needed.

The city's drainage standards shall require all new inlets be marked prior to city acceptance. Storm drain marking raises awareness that the stormwater system flows directly into local water bodies. Encouraging contractors and citizens to participate will help reduce the illicit discharge for dumping pollutants down the storm drains. This BMP will be directed toward residents, visitors, public service employees, businesses, commercial and industrial facilities, and construction site personnel in the vicinity of the storm drain.

BMP 1.7: Stormwater Public Awareness Survey

The City shall perform a stormwater public awareness survey to invite comments and observations from the public regarding storm water pollution. The survey will be distributed through the city newsletter, the city website, and/or utility mailings such as bills and notices. Responses to the survey will be evaluated by city personnel and/or consultants to determine if repairs, construction projects, ordinances, or changes in city practice are appropriate.

Table 1: Activities and Measurable Goals for MCM 1

BMP	Activity	Measurable Goals	Target Year
BMP 1.1: NOI and NOC Public Comment	Provide opportunity for public to comment on executive director's comments to the NOI, and NOC's submitted to TCEQ.	Publish comments from the TCEQ executive director 1 time.	January 2020
BMP 1.2: Recurring Public Comment	Provide opportunities for residents to address council about the SWMP at council meetings, on an ongoing basis.	Create 1 opportunity for residents to discuss stormwater matters.	January 2020 then annually
BMP 1.3: Brochures and Fact Sheets	Distribute education material such as brochures or fact sheets.	Issue 2 brochures or fact sheets.	January 2020 then annually
BMP 1.4: Household Hazardous Waste	Provide the opportunity for residents to properly dispose of household hazardous waste.	Hold 2 opportunities for residents to dispose of household hazardous waste.	January 2021 then annually
BMP 1.5: Stormwater Website	Maintain city's stormwater website on an ongoing basis.	Review stormwater website and update, if necessary, 1 time.	January 2020 then annually

BMP 1.6: Storm Drain Marking	Survey storm drain markings.	Survey 50% of storm drain markings.	January 2021 and January 2023
BMP 1.7: Stormwater Public Awareness Survey	Distribute surveys to the public.	Distribute surveys 1 time.	January 2020, January 2022, and January 2024

Minimum Control Measure No. 2: Illicit Discharge Detection and Elimination (IDDE)

The city will continue to implement a program to detect and to eliminate illicit discharges to the MS4. The program includes an ordinance which was adopted in the previous permit year. This MCM specifies the techniques to be used to detect illicit discharges, provides actions for eliminating the illicit discharges, and provides the basis for maintaining and updating the ordinance. The ordinance is, to the extent allowable under state and local law, to establish enforcement procedures for removing the source of an illicit discharge. Additionally, the city does not operate any on-site sewage disposal. Therefore, the prevention and correction of the on-site sewage disposal system leakage into the city's MS4 is not applicable.

The following non-stormwater sources may be discharged from the small MS4 and are not required to be addressed in the small MS4's Illicit Discharge and Detection or other minimum control measures, unless they are determined by the permittee or the TCEQ to be significant contributors of pollutants to the small MS4, or they are otherwise prohibited by the MS4 operator:

1. Water line flushing (excluding discharges of hyperchlorinated water, unless the water is first dechlorinated and discharges are not expected to adversely affect aquatic life);
2. Runoff or return flow from landscape irrigation, lawn irrigation, and other irrigation utilizing potable water, groundwater, or surface water sources;
3. Discharges from potable water sources that do not violate Texas Surface Water Quality Standards;
4. Diverted stream flows;
5. Rising ground waters and springs;
6. Uncontaminated ground water infiltration;
7. Uncontaminated pumped ground water;
8. Foundation and footing drains;
9. Air conditioning condensation;
10. Water from crawl space pumps;
11. Individual residential vehicle washing;
12. Flows from wetlands and riparian habitats;

13. Dechlorinated swimming pool discharges that do not violate Texas Surface Water Quality Standards;

14. Street wash water excluding street sweeper waste water;

15. Discharges or flows from emergency fire fighting activities (fire fighting activities do not include washing of trucks, run-off water from training activities, test water from fire suppression systems, and similar activities);

16. Other allowable non-stormwater discharges listed in 40 CFR § 122.26(d)(2)(iv)(B)(1);

17. Non-stormwater discharges that are specifically listed in the TPDES Multi Sector General Permit (MSGP) TXR050000 or the TPDES Construction General Permit (CGP) TXR150000;

18. Discharges that are authorized by a TPDES or NPDES permit or that are not required to be permitted; and

19. Other similar occasional incidental non-stormwater discharges such as spray park water, unless the TCEQ develops permits or regulations addressing these discharges.

The listed sources are not expected to be significant sources of pollutants because of the nature of their discharges. Consequently, no special controls or conditions are established.

Any changes to the SWMP must be included in the annual report as described in Part IV.B.2. of the General Permit and must meet the requirements of Part II.D.3. of the General Permit. The city shall maintain and update inspection forms and document MS4 inspections and the results of the inspections. This documentation shall be retained in the annual reports which are required in Part IV.B.2. of the General Permit.

Discussions of the Best Management Practices (BMPs) to be utilized in illicit discharge detection and elimination follow:

BMP 2.1: Storm Sewer Map

The city has mapped the storm sewer system. The map, with its source cited, is found in this section (Tab 2) following the list of BMPs.

The map includes the zones pertaining to inspection schedules, the location of all outfalls that are operated by the permittee and that discharge into waters of the U.S; the location and name of all surface waters receiving discharges from the small MS4 outfalls; and priority areas identified under Part III.B.2.(e)(1), if applicable. A description of how the outfalls were verified will be maintained and updated with photos, where possible.

Photos of some outfalls and other significant storm conveyance features are keyed to the map (Tab 2) and are found following the map within the same section (Tab 2). The Storm Sewer Map will

be updated periodically based on inspection records and construction drawings for recently completed projects that affect the drainage system.

BMP 2.2: Illicit Discharge Detection Plan

The city has implemented a plan listing techniques to be used to detect illicit discharges and sources of pollution. Sources of pollution include but are not limited to illegal dumping and spills. In addition, the plan addresses form to be used to document inspection results. The plan identifies city staff that will perform, and training methods for conducting, the inspections. Inspections will occur during dry weather, when illicit discharges are easier to identify. Inspection techniques may include: visual observation, conventional photography, in-pipe photography, sampling and analysis of water quality and water characteristics, dye testing, and smoke testing. The plan also provides actions for eliminating the illicit discharges as established in the ordinance. The city will use the most current edition of the Storm Sewer Map to update the inspection plan as necessary. The plan designates a regular time each year for each zone to be inspected for illicit discharges.

The plan facilitates public reporting of illicit discharges and provides response procedures for discharges and complaints. Each zone identified on the Storm Sewer Map has been assigned to an inspection season, which is a portion of the calendar year during which the zone's storm water conveyance system will be inspected.

BMP 2.3: Illicit Discharge and Dumping Hotline

The city has established a phone number for reporting illicit discharges, spills and illegal dumping and publishes the phone number in places that are readily accessible to the public. At the special number, the phone will be answered by trained staff that will be equipped with forms for recording incoming phone calls and trained in how to refer the information for action. A recording system will accept phone calls after hours. All reports will be reviewed and investigated in the field within 48 hours. The IDDE plan contains procedures for investigating reports and enforcing corrective measures. The first approach is to have the party responsible remove and eliminate the discharge. In the case where this is not possible within a reasonable time frame, the city will refer to the ordinance developed in BMP 2.4 for applicable corrective measures.

BMP 2.4: Illicit Discharge Ordinance

The city will continue to enforce of the current ordinance passed during the previous General Permit, to the extent allowable under state and local law, which identifies illicit discharges, prohibits illicit discharges, and establishes enforcement procedures for removing the sources of illicit discharges.

BMP 2.5: Storm Water Inspector Training

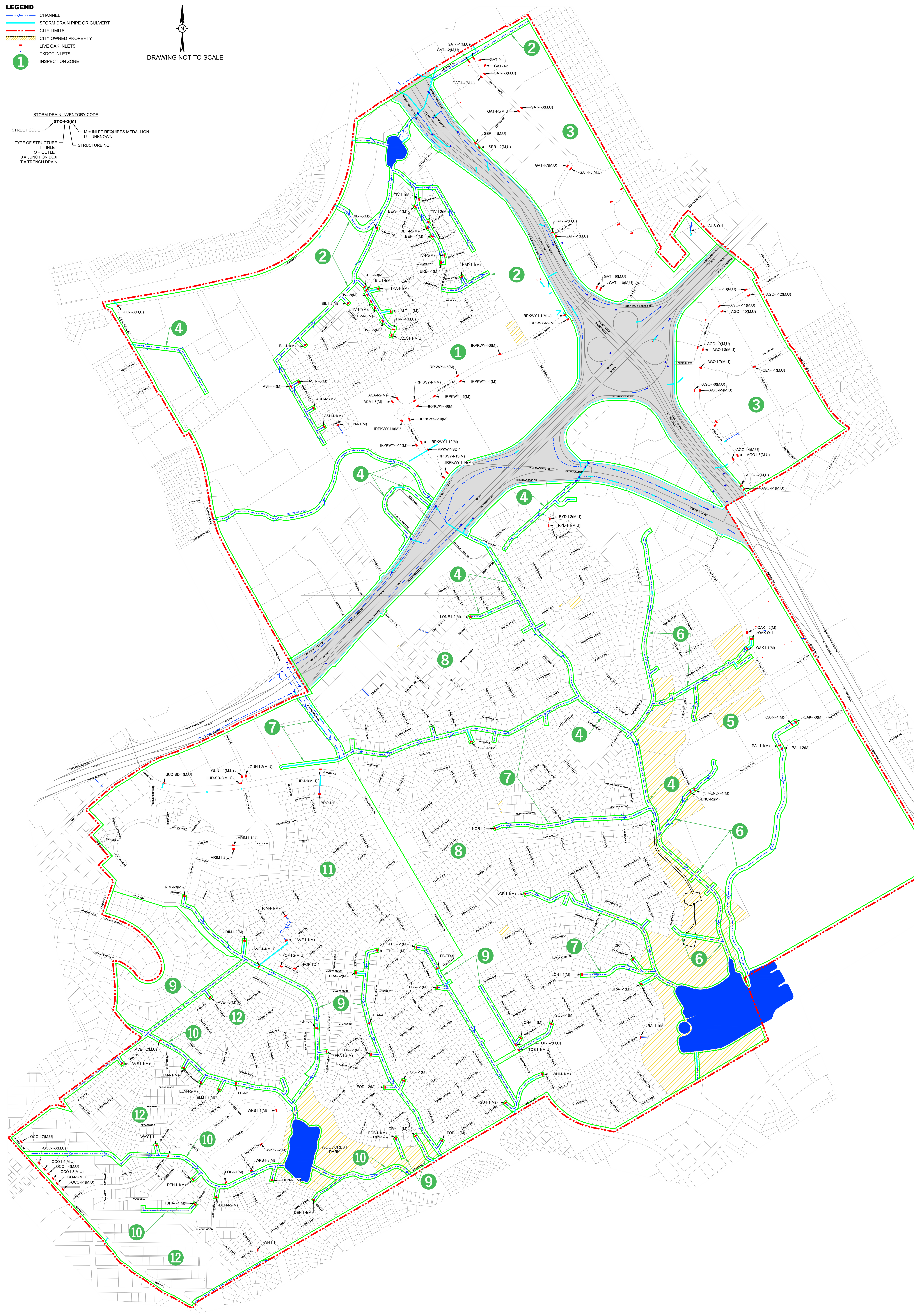
Storm water inspector responsible for responding to illicit discharges will attend one training session annually.

Acceptable methods of training include courses, workshops, and webinars. Training shall include the effects illicit discharges pose to water quality, habitat, biological resources, public health, and the aesthetic appearance of areas within the MS4. Training shall explain the regulatory framework and technical considerations of the TPDES program.

Training shall be for storm water inspector responsible for responding to illicit discharges.

Table 2: Activities and Measurable Goals for MCM 2

BMP	Activity	Measurable Goals	Target Year
BMP 2.1: Storm Sewer Map	Update storm sewer map	Review map 1 time and update, if necessary.	January 2021 and January 2023
BMP 2.2: Illicit Discharge Detection Plan	Inspect all IDDE zones annually.	Inspect each zone 1 time.	January 2020 then annually
BMP 2.3: Illicit Discharge and Dumping Hotline	Maintain hotline on an ongoing basis.	Inspect 100% of complaints received.	January 2020 then annually
BMP 2.4: Illicit Discharge Ordinance	Review and update ordinance once during the permit term.	Review ordinance 1 time, and update if necessary.	January 2022
BMP 2.5: Storm Water Inspector Training	Inspector responsible for responding to illicit discharges shall receive training once annually.	Attend 1 training.	January 2020 then annually



PRELIMINARY REVIEW
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REVISION	DATE
ADDED CITY OWNED FACILITIES	10/14/2016
UPDATED PROPERTY LINES AND ADDED STORM DRAINS	06/11/2018
ADDED STORM DRAINS	04/02/2020
ADDED STORM DRAINS	03/17/2022

GEI GIVLER ENGINEERING, INC.
TX Registration #F-002573
515 Busby Drive
San Antonio, Texas 78209
Phone: (210) 342-3991

CLIENT: CITY OF LIVE OAK

PROJECT NAME: PHASE II MS4 STORM WATER

PHASE: MUNICIPAL

PROJECT LOCATION: CITY OF LIVE OAK

PROJECT NUMBER: LVOAK-001

DESIGNED BY: AG | CHECKED BY: LDG | DRAWN BY: AG

DATE: 05/24/2019

SHEET TITLE: STORM SEWER MAP

SHEET NUMBER: 01 OF 01

C:\OneDrive\Givler Engineering\GEI - Documents\Projects TX\LVOAK\LVOAK-001 Phase 2 Storm Water\Drawings\Sheets\2022 05 27 Storm Sewer Map.dwg --- 2023-01-12

Minimum Control Measure No. 3: Construction Site Stormwater Runoff Control

The city will continue to develop, implement, and enforce the program established in the previous permit term requiring operators of small and large construction activities, as defined in Part I of the general permit, to select, install, implement, and maintain stormwater control measures that prevent illicit discharges to the MEP.

The program includes the development and implementation of an ordinance that requires erosion and sediment controls with sanctions to ensure compliance to the extent allowable under state and local law; requirements for construction site contractors to control erosion and sediment; requirements for controlling construction waste; procedures for the city's review of site plans; procedures for receiving information and complaints; and procedures for the city to inspect construction sites and to enforce controls. The plan will not pertain to sites where the construction site operator has obtained a waiver from permit requirements under NPDES or TPDES construction permitting requirements based on a low potential for erosion.

The program prohibits the following discharges:

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.

The city shall document the activities conducted and materials used to fulfill this MCM. This documentation shall be included in the annual reports as required in Part IV.B.2. of the General Permit.

Discussions of the Best Management Practices (BMPs) to be utilized in construction storm water runoff control follow:

BMP 3.1: Technical Manual for Construction Runoff

The city developed a technical manual in April 2009 that provides guidance on selecting, installing, implementing, and maintaining stormwater control measures that prevent illicit

discharges to the MEP. The manual distribution has been incorporated into the building permit process with the intent of establishing consistency with other small cities in the region and providing a streamlined approach that will be user-friendly for designers and contractors. Developers and contractors are required to conform to the manual.

BMP 3.2: Site Plan Review Program

A program has been developed that requires city staff to review site plans and storm water pollution prevention plans for eligible projects. The review process will be attached to the building permit process and will ensure that proper measures are incorporated into the construction procedures that will control erosion, sedimentation, and other sources of storm water pollution. The plan identifies city staff to perform the reviews. The program will be reviewed for updates as needed.

BMP 3.3: Construction Site Inspection Program

The city has developed procedures for inspecting large and small construction sites discharging to the MS4 for compliance with the city's stormwater ordinance. Inspections will be conducted on an ongoing basis.

Inspections allow for swift action to non-compliance by the operators of the construction site that can potentially be threat to water quality, such as: soil erosion potential; site slope; project size and type; and non-stormwater discharges. Program will also be updated to require stabilization be completed as soon as practicable, but no more than 14 calendar days after the initiation of soil stabilization measures. Based on site inspection findings, the inspector will perform follow-up inspections and take the necessary enforcement actions.

BMP 3.4: Construction Runoff Hotline

The city has established a stormwater pollution hotline for questions or reporting illicit discharges and construction erosion and sedimentation, and publishes the phone number in places that are readily accessible to the public. At the special number, the phone will be answered by trained staff that will be equipped with forms for recording incoming phone calls and trained in how to refer the information for action. Phone calls after hours will be accepted by a recording system.

BMP 3.5: Construction Storm Water Management Ordinance Update

The city has developed and implemented an ordinance to ensure compliance to the extent allowable under state, federal, and local law. The ordinance established requires operators of small and large construction activities to select, install, implement, and maintain stormwater control measures that prevent illicit discharges to the MEP. through the review of site plans. Stabilization

must be completed as soon as practicable, but no more than 14 calendar days after the initiation of soil stabilization measures. Enforce ordinance on an ongoing basis.

BMP 3.6: City Staff Training and Development

City staff responsible for the implementation of this SWMP shall receive stormwater training. Construction activities can contribute more sediment to streams, causing expedited physical and biological harm to our surface waters.

Acceptable methods for training include training courses, workshops, and webinars. Training shall include information on the effects construction site runoff pose to water quality, habitat and biological resources, public health, and the aesthetic appearance of areas within the MS4. Training shall explain the regulatory framework and technical considerations of the TPDES permit program in the form of an informative presentation.

Training shall be designed for stormwater manager, public works director, and/or other interested parties. Training shall occur once annually.

Table 3: Activities and Measurable Goals for MCM 3

BMP	Activity	Measurable Goals	Target Year
BMP 3.1: Technical Manual for Construction Runoff	Review and update manual, if necessary.	Record documentation of all (100%) reviews and updates.	January 2022
BMP 3.2: Site Plan Review Program	Review 100% site plans on an ongoing basis as submitted to the city for review.	Review 100% of site plans.	January 2020 then annually
BMP 3.3: Construction Site Inspection Program	Inspect 80 % of all eligible construction sites one (1) time per month.	Inspect 80% of active sites.	January 2020 then annually
BMP 3.4: Construction Runoff Hotline	Maintain hotline on an ongoing basis.	Record all (100%) completed forms showing the nature of incoming phone calls and the resulting action.	January 2020 then annually
BMP 3.5: Construction Storm Water Management Ordinance Update	Review and update the ordinance, if necessary.	Record documentation of all (100%) reviews and updates.	January 2022

BMP 3.6: City Staff Training and Development	City staff responsible for SWMP implementation shall receive training once annually.	Attend 1 training.	January 2020 then annually

Minimum Control Measure No. 4: Post-Construction Stormwater Management in New Development and Redevelopment

The city has, to the extent allowable under State and local law, implemented and enforces a program to address storm water runoff from eligible new development and redevelopment projects. The program applies to projects that disturb one acre of land or more and smaller projects that are part of a larger common plan of development or sale that will result in a total disturbance of one or more acres. The program will continue to ensure that controls are implemented to prevent or to minimize water quality impacts. The program provides for continued implementation of strategies which include a combination of structural and/or non-structural BMPs appropriate for the community. The city has adopted an ordinance to address post-construction runoff and ensure adequate long-term operation and maintenance of the implemented BMPs.

The city shall document the activities performed and materials used to fulfill this MCM. This documentation shall be retained in the annual reports which are required in Part IV.B.2. of the General Permit.

Discussions of the Best Management Practices (BMPs) to be utilized in post-construction storm water management in new development and redevelopment follow:

BMP 4.1: Technical Manual for Post-Construction Runoff

The city has developed a manual to explain appropriate erosion, sedimentation, and other pollutant controls for developed sites. The manual provides alternative solutions and gives guidance as to when those alternatives are appropriate. The manual also establishes minimum control thresholds and proper maintenance criteria. The manual is intended to establish consistency with other small cities in the region and provide a streamlined approach that is user-friendly for developers.

The manual distribution has been incorporated into the building permit process with the intent of establishing consistency with other small cities in the region and providing a streamlined approach that will be user-friendly for designers and contractors. Developers and contractors are required to conform to the manual.

BMP 4.2: Site Plan Review Program for Post-Construction Runoff

A program has been developed that requires city staff to review all site plans and storm water pollution prevention plans for eligible projects. The review process will be attached to the building permit process and will ensure that proper measures are incorporated into the construction procedures that will control erosion, sedimentation, and other sources of storm water pollution.

The plan identifies city staff to perform the reviews. The program will be reviewed for updates as needed.

BMP 4.3: Long-Term Inspection and Maintenance Plan for Post-Construction Runoff

A program has been implemented for city staff to inspect post-construction storm water management controls on a long-term basis. The program identifies which city staff will perform inspections, identifies control performance criteria, establishes the means for determining what maintenance is required, and establishes a protocol for inspectors to follow. The program will be reviewed for updates as needed.

BMP 4.4: Post-Construction Storm Water Management Ordinance Update

The city has adopted an ordinance which, to the extent allowable under State and local law, establishes requirements for storm water quality controls for post-construction conditions; specifies sanctions to ensure compliance; establishes long-term inspection and maintenance requirements; and requires city review of proposed long-term storm water pollution prevention plans. This ordinance will be enforced on an ongoing basis.

Table 4: Activities and Measurable Goals for MCM 4

BMP	Activity	Measurable Goals	Target Year
BMP 4.1: Technical Manual for Post-Construction Runoff	Review and update manual, if necessary.	Record all (100%) documentation of reviews and updates.	January 2022
BMP 4.2: Site Plan Review Program for Post-Construction Runoff	Review site plans submitted.	Review 100% of plans.	January 2022 then annually
BMP 4.3: Long-Term Inspection and Maintenance Plan for Post-Construction Runoff	Review long-term inspection and maintenance plans.	Review 100% of plans.	January 2020 then annually
BMP 4.4: Post-Construction Storm Water Management Ordinance Update	Review and update the ordinance, if necessary.	Record all (100%) documentation of reviews and updates.	January 2023

Minimum Control Measure No. 5: Pollution Prevention and Good Housekeeping for Municipal Operations

The City shall develop and implement an operation and maintenance program with the goal of preventing or reducing pollutants in storm water runoff from municipal operations. Examples of municipal operations and maintenance (O&M) activities for their potential to discharge pollutants in stormwater include, but are 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.

The program provides employee training and a list of applicable BMPs. The training program applies to all employees who are responsible for municipal operations that are subject to the pollution prevention/good housekeeping program. The training program includes training materials directed at preventing and reducing storm water pollution from municipal operations. The city has developed a maintenance plan for structural BMPs that establishes the frequency and manner of approach and preserves the effectiveness of the BMPs. The plan also addresses the disposal of waste, including dredge spoil; accumulated sediments; and floatables. The program includes a list of municipal operations that are subject to the operation, maintenance, or training program developed under the conditions of this section; and municipally owned or operated industrial activities that are subject to TPDES industrial storm water regulations.

The city shall document the activities performed and materials used to fulfill this MCM. This documentation shall be retained in the annual reports which are required in Part IV.B.2. of the General Permit.

Discussions of the Best Management Practices (BMPs) to be utilized in pollution prevention and good housekeeping practices for municipal operations follow:

BMP 5.1: Municipal Employee Pollution Prevention Manual

The city has developed a comprehensive written manual for employees to reference related to proper handling of processes which may impact storm water quality. The manual specifies which methods shall be used to reduce the potential for polluting, and what methods shall be used to

clean up spills and other types of pollution. The manual provides a basis for training as listed in BMP 5.2. The manual is updated as required by the or changing accepted practices and/or regulations, or whenever new information becomes available.

BMP 5.2: Municipal Employee Training and Education

The city has developed and implemented a program to inform and train city employees who handle processes which may impact storm water quality. The program identifies processes that have the potential to impact storm water, identifies which employees will receive training, specifies which methods will be used to train them, and the acceptable criteria used to certify that the training has been accomplished.

BMP 5.3: Street Sweeping

The city will develop and implement a street sweeping program to reduce storm drain water pollutants including organic debris, litter, oil, sediment, and construction site runoff. Daily use of roads and streets (and parking lots) within a municipality can generate a build-up of pollutants including litter and sediment. Regular street sweeping can reduce the amount of pollutants in bodies of water which directly harm wildlife, or which cause indirect harm with algal blooms, changes to the ecosystem, and flooding. Sweeping will improve the aesthetics of streets and the city. Sweeping will be completed in accordance with the sweeping schedule.

BMP 5.4: Pest Management Program

The city shall develop and implement a pest management program to review procedures and processes for conducting pest control activities. Pesticides have the potential to cause harm to human health and the environment. Overuse, misuse, and careless application of pesticides can result in the accumulation of toxic substances on greenhouse structures and on plants, the possible development of pest resistance to the products applied, and risks to the health of applicators.

The city shall ensure all staff responsible for handling pesticides are properly trained. Emphasis will be placed on the utilization of alternative materials and chemicals considered more benign to the environment. Decreased pesticide use will result in less potential harm to human health and the environment and will help to prevent pesticide resistance in target organisms. Records indicating name of employee, location and time of application should be maintained, and used in planning future management strategies.

BMP 5.5: Disposal of Waste Materials

The city will review waste disposal procedures and processes for both municipal solid waste and hazardous materials. The city shall continue to ensure that all materials removed from the MS4

are disposed of in accordance with Chapters 330 and 335 of Title 30, Texas Administrative Code, as applicable. Compliance will be maintained by including 30 TAC requirements during municipal employee training as described in BMP 5.2. Incorporate updates into the training program on an ongoing basis.

BMP 5.6: Contractor Oversight Procedures

Contractors hired by the city to perform maintenance activities on city-owned facilities shall be contractually required to comply with all of the stormwater control measures, good housekeeping practices, and facility-specific stormwater operating procedures described in Parts III.B.5.(2-6) of the General Permit. The city will continue provide adequate oversight of contractor activities to ensure that they are using appropriate control measures and SOP's. Enforce contractual obligations on an ongoing basis.

BMP 5.7: Inventory of Facilities and Stormwater Controls

The city shall continue to maintain the inventory of city owned facilities and stormwater controls operated within the regulated areas of the MS4. The inventory shall include all applicable permit numbers, registration numbers, and/or authorizations for each facility or control. The inventory will be available for review by the TCEQ and will include, at a minimum, the following facilities and/or controls, as applicable:

1. Composting facilities;
2. Equipment storage and maintenance facilities;
3. Fuel storage facilities;
4. Hazardous waste disposal facilities;
5. Hazardous waste handling and transfer facilities;
6. Incinerators;
7. Landfills;
8. Materials storage yards;
9. Pesticide storage facilities;
10. Buildings, including schools, libraries, police stations, fire stations, and office buildings;
11. Parking lots;
12. Golf courses;

13. Swimming Pools;
14. Public works yards;
15. Recycling facilities;
16. Salt storage facilities;
17. Solid waste handling and transfer facilities;
18. Street repair and maintenance sites;
19. Vehicle storage and maintenance yards; and
20. Structural stormwater controls.

The inventory of pertinent facilities and controls will be reviewed and inspected once annually.

BMP 5.8: Assessment of Operations and Maintenance Activities

The city shall evaluate municipal operations and maintenance (O&M) activities for their potential to discharge pollutants in stormwater. The assessment will include (but not be limited to):

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

The city shall identify pollutants of concern that could be discharged from the above O&M activities (for example, metals; chlorides; hydrocarbons such as benzene; and xylenes; sediment; and trash). The city will 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 may include the following:

1. Replacing materials and chemicals with more environmentally benign materials and methods;
2. Changing operations to minimize the exposure or mobilization of pollutants to prevent them from entering surface waters: and

3. Placing barriers around or conducting runoff away from chemical storage areas to prevent discharge into surface waters.

Evaluation of municipal operations and activities provide insight on possible point sources of pollution from the city and efficiency of procedures in place.

Table 5: Activities and Measurable Goals for MCM 5

BMP	Activity	Measurable Goals	Target Year
BMP 5.1: Municipal Employee Pollution Prevention Manual	Review and update technical manual annually for new changes to accepted practices and regulations.	Review manual 1 time and update, if necessary.	January 2020 then annually
BMP 5.2: Municipal Employee Training and Education	Municipal employees shall receive training.	Hold 1 municipal employee training.	January 2020 then annually
BMP 5.3: Street Sweeping	Develop and implement city's sweeping procedures on an ongoing basis.	Record a copy (1) of the sweeping procedures developed and implemented. Record a copy (1) of the log indicating date, location of streets swept, and volume of trash collected.	January 2021 then annually
BMP 5.4: Pest Management Program	Develop and implement pest management program procedures on an ongoing basis.	Review procedures 1 time and update, if necessary.	January 2022
BMP 5.5: Disposal of Waste Materials	Monitor and update municipal solid and hazardous waste disposal procedures on an ongoing basis.	Review procedures 1 time and update, if necessary.	January 2020 then annually
BMP 5.6: Contractor Oversight Procedures	Review and update contractor oversight procedures annually, if necessary.	Review procedures 1 time and update, if necessary.	January 2020 then annually

BMP 5.7: Inventory of Facilities and Stormwater Controls	Review and update inventory of facilities and stormwater controls annually, if necessary.	Review inventory of facilities 1 time and update, if necessary.	January 2020 then annually
BMP 5.8: Assessment of Operations and Maintenance Activities	Assess municipal operations and maintenance activities for their potential to discharge pollutants.	Evaluate 5 municipal operation and maintenance activities.	January 2020 then annually

Minimum Control Measure No. 6: Industrial Stormwater Sources

This MCM would require the city to identify and control pollutants in stormwater discharges to the MS4 from landfills; other treatment, storage, or disposal facilities for municipal waste (for example, transfer stations and incinerators); hazardous waste treatment, storage, disposal, and recovery facilities, and facilities that are subject to Emergency Planning and Community Right-to-Know Act (EPCRA) Title III, Section 313; and any other industrial or commercial discharge the city determines is contributing substantial pollutant loading to the MS4. The program would include priorities and procedures for inspections, and for implementing control measures for such discharges.

However, under the provisions of the permit, Minimum Control Measure 6 applies only to level 4 MS4's, and the city does not currently meet the population threshold requiring compliance with this MCM. Since the city is not presently required to comply with this MCM, no documentation will be required.

Minimum Control Measure No. 7: Authorization for Municipal Construction Activities

This MCM would establish a city procedure for permitting its own eligible municipal construction activities instead of the default requirement to obtain coverage under TPDES General Permit TXR150000. However, this MCM is optional and **the city has elected not to use this MCM.** The reason for non-implementation of this MCM is twofold. First, most of the city's projects are too small to require permitting under TPDES General Permit TXR150000. Second, most of the city's projects are performed by contractors who are hired by the city. Conformance to TPDES General Permit TXR150000 is routinely made part of the construction contract.

If the city elects to implement this MCM in the future, it will be authorized within the regulated area to discharge storm water and certain non-storm water from construction activities where the permittee can meet the definition of "construction site operator" as defined in the General Permit. An NOC would have to be submitted notifying the executive director of the change. If implemented, the MCM would have to include:

1. a description of how construction activities will generally be conducted by the permittee so as to take into consideration local conditions of weather, soils, and other site specific considerations;

2. a description of the area that this MCM will address and where the permittee's construction activities are covered;

3. a general description of how a SWP3 shall be developed, according to Part VI.E. of the general permit, for each construction site; and

4. a description of how the permittee will supervise or maintain oversight over contractor activities to ensure that the SWP3 requirements are properly implemented at the construction site, or a description of how the permittee will make certain that contractors have a separate authorization for storm water discharges.

Since the city elects not to implement this MCM at this time, no documentation will be required.

Live Oak Comprehensive Schedule for Storm Water Management Plan Implementation Program

BMP No.	Scheduling Item	2019		2020				2021				2022				2023				2024			
		January 24, 2019	July 23, 2019	April 23, 2020	July 23, 2020	November 23, 2020	January 23, 2020	April 23, 2021	July 23, 2021	November 23, 2021	January 23, 2021	April 23, 2022	July 23, 2022	November 23, 2022	January 23, 2022	April 23, 2023	July 23, 2023	November 23, 2023	January 23, 2023	April 23, 2024	July 23, 2024	November 23, 2024	January 23, 2024
	TCEQ issued TPDES General Permit No. TXR040000																						
	Deadline Submittal Date for City NOI and SWMP IP																						
1.1	NOI and NOC Public Comment ***																						
1.2	Recurring Public Comment																						
1.3	Brochures and Fact Sheets																						
1.4	Household Hazardous Waste																						
1.5	Stormwater Website																						
1.6	Storm Drain Marking																						
1.7	Stormwater Public Awareness Survey																						
2.1	Storm Sewer Map																						
2.2	Illicit Discharge Detection Plan																						
2.3	Illicit Discharge and Dumping Hotline																						
2.4	Illicit Discharge Ordinance																						
3.1	Technical Manual for Construction Runoff																						
3.2	Site Plan Review Program																						
3.3	Construction Site Inspection Program																						
3.4	Construction Runoff Hotline																						
3.5	Construction Storm Water Management Ordinance																						
3.6	City Staff Training and Development																						
4.1	Technical Manual for Post-Construction Runoff																						
4.2	Site Plan Review Program for Post-Construction Runoff																						
4.3	Long-Term Insp. and Maint. Plan for Post-Constr. Runoff																						
4.4	Post-Construction Storm Water Management Ordinance																						
5.1	Municipal Emplyoee Pollution Prevention Manual																						
5.2	Municipal Employee Training and Education																						
5.3	Street Sweeping																						
5.4	Pest Management Program																						
5.5	Disposal of Waste Materials																						
5.6	Contractor Oversight Procedures																						
5.7	Inventory of Facilities and Stormwater Controls																						
5.8	Assessment of Operations and Maintenance Activities																						
	Deadline for Implementing SWMP																						

Givler Engineering, Inc.
515 Busby Drive
San Antonio, Texas 78209

Milestone Date Established by TCEQ

Planning and/or Study to Prepare for Implementation

Implementation

*** Exact scheduling for this item is not controlled by the city. The schedule for this item represents an educated guess rather than a commitment.

SegID: 1910 **Salado Creek**
From the confluence with the San Antonio River in Bexar County to the confluence of Beitel Creek in Bexar County

Parameter(s)	*Category*	*Year Segment First Listed*
impaired macrobenthic community	**5c**	**2006**

1910_02 From the confluence with Rosillo Creek up to the confluence with Pershing Creek.

Definitions and Acronyms

The following explanations of storm water management terminology are from the TCEQ's TPDES General Permit No. TXR040000.

A. Definitions

Benchmarks – A benchmark pollutant value is a guidance level indicator that helps determine the effectiveness of chosen best management practices (BMPs). This type of monitoring differs from "compliance monitoring" in that exceedances of the indicator or benchmark level are not permit violations, but rather indicators that can help identify problems at the MS4 with exposed or unidentified pollutant sources; or control measures that are either not working correctly, whose effectiveness need to be re-considered, or that need to be supplemented with additional BMP(s).

Best Management Practices (BMPs) – Schedules of activities, prohibitions of practices, maintenance procedures, structural controls, local ordinances, and other management practices to prevent or reduce the discharge of pollutants. BMPs also include treatment requirements, operating procedures, and practices to control runoff, spills or leaks, waste disposal, or drainage from raw material storage areas.

Catch basins – Storm drain inlets and curb inlets to the storm drain system. Catch basins typically include a grate or curb inlet that may accumulate sediment, debris, and other pollutants.

Classified Segment – A water body that is listed and described in Appendix A or Appendix C of the Texas Surface Water Quality Standards, at 30 Texas Administrative Code (TAC) § 307.10.

Clean Water Act (CWA) – The Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972, Pub.L. 92-500, as amended Pub. L. 95-217, Pub. L. 95-576, Pub. L. 96-483 and Pub. L. 97-117, 33 U.S.C. 1251 et. seq.

Common Plan of Development or Sale – A construction activity that is completed in separate stages, separate phases, or in combination with other construction activities. A common plan of development or sale is identified by the documentation for the construction project that identifies the scope of the project, and may include plats, blueprints, marketing plans, contracts, building permits, a public notice or hearing, zoning requests, or other similar documentation and activities.

Construction Activity – Soil disturbance, including clearing, grading, excavating, and other construction related activities (e.g., stockpiling of fill material and demolition); and not including routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the site (e.g., the routine grading of existing dirt roads, asphalt overlays of existing roads, the routine clearing of existing

right-of-ways, and similar maintenance activities). Regulated construction activity is defined in terms of small and large construction activity.

> **Small Construction Activity** is construction activity that results in land disturbance of equal to or greater than one (1) acre and less than five (5) acres of land. Small construction activity also includes the disturbance of less than one (1) acre of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than one (1) and less than five (5) acres of land.
>
> **Large Construction Activity** is construction activity that results in land disturbance of equal to or greater than five (5) acres of land. Large construction activity also includes the disturbance of less than five (5) acres of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than five (5) acres of land.

Construction Site Operator – The entity or entities associated with a small or large construction project that meet(s) either of the following two criteria:

(a) The entity or entities that have operational control over construction plans and specifications (including approval of revisions) to the extent necessary to meet the requirements and conditions of this general permit; or

(b) The entity or entities that have day-to-day operational control of those activities at a construction site that are necessary to ensure compliance with a stormwater pollution prevention plan (SWP3) for the site or other permit conditions (for example they are authorized to direct workers at a site to carry out activities required by the SWP3 or comply with other permit conditions).

Control Measure – Any BMP or other method used to prevent or reduce the discharge of pollutants to water in the state.

Conveyance – Curbs, gutters, man-made channels and ditches, drains, pipes, and other constructed features designed or used for flood control or to otherwise transport stormwater runoff.

Discharge – When used without a qualifier, refers to the discharge of stormwater runoff or certain non-stormwater discharges as allowed under the authorization of this general permit.

Edwards Aquifer – As defined in 30 TAC §213.3 (relating to the Edwards Aquifer), that portion of an arcuate belt of porous, water-bearing, predominantly carbonate rocks known as the Edwards and Associated Limestones in the Balcones Fault Zone trending from west to east to northeast in Kinney, Uvalde, Medina, Bexar, Comal, Hays, Travis, and Williamson Counties; and composed of the Salmon Peak Limestone, McKnight Formation, West Nueces Formation, Devil's River Limestone, Person Formation, Kainer Formation, Edwards Formation, and Georgetown Formation. The permeable aquifer units

generally overlie the less-permeable Glen Rose Formation to the south, overlie the less-permeable Comanche Peak and Walnut Formations north of the Colorado River, and underlie the less-permeable Del Rio Clay regionally.

Edwards Aquifer Recharge Zone – Generally, that area where the stratigraphic units constituting the Edwards Aquifer crop out, including the outcrops of other geologic formations in proximity to the Edwards Aquifer, where caves, sinkholes, faults, fractures, or other permeable features would create a potential for recharge of surface waters into the Edwards Aquifer. The recharge zone is identified as that area designated as such on official maps located in the offices of the TCEQ or the TCEQ website.

Final Stabilization – A construction site where any of the following conditions are met:

(a) All soil disturbing activities at the site have been completed and a uniform (for example, evenly distributed, without large bare areas) perennial vegetative cover with a density of 70 percent of the native background vegetative cover for the area has been established on all unpaved areas and areas not covered by permanent structures, or equivalent permanent stabilization measures (such as the use of riprap, gabions, or geotextiles) have been employed.

(b) For individual lots in a residential construction site by either:

(1) The homebuilder completing final stabilization as specified in condition (a) above; or

(2) The homebuilder establishing temporary stabilization for an individual lot prior to the time of transfer of the ownership of the home to the buyer and after informing the homeowner of the need for, and benefits of, final stabilization.

(c) For construction activities on land used for agricultural purposes (for example pipelines across crop or range land), final stabilization may be accomplished by returning the disturbed land to its preconstruction agricultural use. Areas disturbed that were not previously used for agricultural activities, such as buffer strips immediately adjacent to a surface water and areas which are not being returned to their preconstruction agricultural use must meet the final stabilization conditions of condition (a) above.

(d) In arid, semi-arid, and drought-stricken areas only, all soil disturbing activities at the site have been completed and both of the following criteria have been met:

(1) Temporary erosion control measures (e.g., degradable rolled erosion control product) are selected, designed, and installed along with an appropriate seed base to provide erosion control for at least three years without active maintenance by the operator, and

(2) (2) The temporary erosion control measures are selected, designed, and installed to achieve 70 percent vegetative coverage within three years.

General Permit – A permit issued to authorize the discharge of waste into or adjacent to water in the state for one or more categories of waste discharge within a geographical area of the state or the entire state as provided by Texas Water Code (TWC) §26.040.

Groundwater Infiltration – For the purposes of this permit, groundwater that enters a municipal separate storm sewer system (including sewer service connections and foundation drains) through such means as defective pipes, pipe joints, connections, or manholes.

High Priority Facilities – High priority facilities are facilities with a high potential to generate stormwater pollutants. These facilities must include, at a minimum, the MS4 operator's maintenance yards, hazardous waste facilities, fuel storage locations, and other facilities where chemicals or other materials have a high potential to be discharged in stormwater. Among the factors that must be considered when giving a facility a high priority ranking are: the amount of urban pollutants stored at the site, the identification of improperly stored materials, activities that must not be performed outside (for example, changing automotive fluids, vehicle washing), proximity to waterbodies, proximity to sensitive aquifer recharge features, poor housekeeping practices, and discharge of pollutant(s) of concern to impaired water(s).

Hyperchlorinated Water – Water resulting from hyperchlorination of waterlines or vessels, with a chlorine concentration greater than 10 milligrams per liter (mg/L).

Illicit Connection – Any man-made conveyance connecting an illicit discharge directly to a municipal separate storm sewer.

Illicit Discharge – Any discharge to a municipal separate storm sewer that is not entirely composed of stormwater, except discharges pursuant to this general permit or a separate authorization and discharges resulting from emergency fire fighting activities.

Impaired Water – A surface water body that is identified as impaired on the latest approved CWA §303(d) List or waters with an EPA approved or established TMDL that are found on the latest EPA approved Texas Integrated Report of Surface Water Quality for CWA Sections 305(b) and 303(d) which lists the category 4 and 5 water bodies.

Implementation Plan (I-Plan) – A detailed plan of action that describes the measures or activities necessary to achieve the pollutant reductions identified in the total maximum daily load (TMDL).

Indian Country – Defined in 18 USC § 1151 as: (a) All land within the limits of any Indian reservation under the jurisdiction of the United States (U.S.) Government, notwithstanding the issuance of any patent, and including rights-of-way running through the reservation; (b) All dependent Indian communities within the borders of the U.S. whether within the original or subsequently acquired territory thereof, and whether within or without the limits of a state; and (c) All Indian allotments, the Indian titles to which

have not been extinguished, including rights- of-way running through the same. This definition includes all land held in trust for an Indian tribe.

Indicator Pollutant – An easily measured pollutant, that may or may not impact water quality that indicates the presence of other stormwater pollutants.

Industrial Activity – Any of the ten (10) categories of industrial activities included in the definition of "stormwater discharges associated with industrial activity" as defined in 40 Code of Federal Regulations (CFR) §122.26(b)(14)(i)-(ix) and (xi).

Infeasible – For the purpose of this permit, infeasible means not technologically possible, or not economically practicable and achievable in light of best industry practices. The TCEQ notes that it does not intend for any small MS4 permit requirement to conflict with state water right laws.

Maximum Extent Practicable (MEP) – The technology-based discharge standard for municipal separate storm sewer systems (MS4s) to reduce pollutants in stormwater discharges that was established by the CWA § 402(p). A discussion of MEP as it applies to small MS4s is found in 40 CFR § 122.34.

MS4 Operator – For the purpose of this permit, the public entity or the entity contracted by the public entity, responsible for management and operation of the small municipal separate storm sewer system that is subject to the terms of this general permit.

Municipal Separate Storm Sewer System (MS4) – A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):

(a) Owned or operated by the U.S., a state, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to state law) having jurisdiction over the disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under state law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under the CWA §208 that discharges to surface water in the state;

(b) That is designed or used for collecting or conveying stormwater;

(c) That is not a combined sewer; and

(d) That is not part of a publicly owned treatment works (POTW) as defined in 40 CFR §122.2.

Non-traditional Small MS4 – A small MS4 that often cannot pass ordinances and may not have the enforcement authority like a traditional small MS4 would have to enforce the stormwater management program. Examples of non-traditional small MS4s include

counties, transportation authorities (including the Texas Department of Transportation), municipal utility districts, drainage districts, military bases, prisons and universities.

Notice of Change (NOC) – A written notification from the permittee to the executive director providing changes to information that was previously provided to the agency in a notice of intent.

Notice of Intent (NOI) – A written submission to the executive director from an applicant requesting coverage under this general permit.

Notice of Termination (NOT) – A written submission to the executive director from a permittee authorized under a general permit requesting termination of coverage under this general permit.

Outfall – A point source at the point where a small MS4 discharges to waters of the U.S. and does not include open conveyances connecting two municipal separate storm sewers, or pipes, tunnels, or other conveyances that connect segments of the same stream or other waters of the U.S. and are used to convey waters of the U.S. For the purpose of this permit, sheet flow leaving a linear transportation system without channelization is not considered an outfall. Point sources such as curb cuts; traffic or right-or-way barriers with drainage slots that drain into open culverts, open swales or an adjacent property, or otherwise not actually discharging into waters of the U.S. are not considered an outfall.

Permittee – The MS4 operator authorized under this general permit.

Point Source – (from 40 CFR § 122.22) any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural stormwater runoff.

Pollutant(s) of Concern – For the purpose of this permit, includes biochemical oxygen demand (BOD), sediment or a parameter that addresses sediment (such as total suspended solids (TSS), turbidity or siltation), pathogens, oil and grease, and any pollutant that has been identified as a cause of impairment of any water body that will receive a discharge from an MS4. (Definition from 40 CFR § 122.32(e)(3)).

Redevelopment – Alterations of a property that changed the ”footprint” of a site or building in such a way that there is a disturbance of equal to or greater than one (1) acre of land. This term does not include such activities as exterior remodeling, routine maintenance activities, and linear utility installation.

Semiarid Areas – Areas with an average annual rainfall of at least ten (10) inches, but less than 20 inches.

Small Municipal Separate Storm Sewer System (MS4) – A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains):

(a) Owned or operated by the U.S., a state, city, town, borough, county, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under state law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under CWA § 208;

(b) Designed or used for collecting or conveying stormwater;

(c) Which is not a combined sewer;

(d) Which is not part of a POTW as defined in 40 CFR § 122.2; and

(e) Which was not previously regulated under a National Pollutant Discharge Elimination System (NPDES) or a Texas Pollutant Discharge Elimination System (TPDES) individual permit as a medium or large municipal separate storm sewer system, as defined in 40 CFR §§122.26(b)(4) and (b)(7).

This term includes systems similar to separate storm sewer systems at military bases, large hospitals or prison complexes, and highways and other thoroughfares. This term does not include separate storm sewers in very discrete areas, such as individual buildings. For the purpose of this permit, a very discrete system also includes storm drains associated with certain municipal offices and education facilities serving a nonresidential population, where those storm drains do not function as a system, and where the buildings are not physically interconnected to a small MS4 that is also operated by that public entity.

Stormwater and Stormwater Runoff – Rainfall runoff, snow melt runoff, and surface runoff and drainage.

Stormwater Associated with Construction Activity – Stormwater runoff from an area where there is either a large construction or a small construction activity.

Stormwater Management Program (SWMP) – A comprehensive program to manage the quality of discharges from the municipal separate storm sewer system.

Structural Control (or Practice) – A pollution prevention practice that requires the construction of a device, or the use of a device, to capture or prevent pollution in stormwater runoff. Structural controls and practices may include but are not limited to: wet ponds, bioretention, infiltration basins, stormwater wetlands, silt fences, earthen dikes, drainage swales, vegetative lined ditches, vegetative filter strips, sediment traps, check dams, subsurface drains, storm drain inlet protection, rock outlet protection, reinforced soil retaining systems, gabions, and temporary or permanent sediment basins.

Surface Water in the State – Lakes, bays, ponds, impounding reservoirs, springs, rivers, streams, creeks, estuaries, wetlands, marshes, inlets, canals, the Gulf of Mexico inside the territorial limits of the state (from the mean high water mark (MHWM) out 10.36 miles into the Gulf), and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, navigable or nonnavigable, and including the beds and banks of all water courses and bodies of surface water, that are wholly or partially inside or bordering the state or subject to the jurisdiction of the state; except that waters in treatment systems which are authorized by state or federal law, regulation, or permit, and which are created for the purpose of waste treatment are not considered to be water in the state.

Total Maximum Daily Load (TMDL) – The total amount of a substance that a water body can assimilate and still meet the Texas Surface Water Quality Standards.

Traditional Small MS4 – A small MS4 that can pass ordinances and have the enforcement authority to enforce the stormwater management program. An example of traditional MS4s includes cities.

Urbanized Area (UA) – An area of high population density that may include multiple small MS4s as defined and used by the U.S. Census Bureau in the 2000 and the 2010 Decennial Census.

Waters of the United States – (According to 40 CFR § 122.2) Waters of the United States or waters of the U.S. means:

(a) All waters which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;

(b) All interstate waters, including interstate wetlands;

(c) All other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds that the use, degradation, or destruction of which would affect or could affect interstate or foreign commerce including any such waters:

  (1) Which are or could be used by interstate or foreign travelers for recreational or other purposes;

  (2) From which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or

  (3) Which are used or could be used for industrial purposes by industries in interstate commerce;

(d) All impoundments of waters otherwise defined as waters of the United States under this definition;

(e) Tributaries of waters identified in paragraphs (a) through (d) of this definition;

(f) The territorial sea; and

(g) Wetlands adjacent to waters (other than waters that are themselves wetlands) identified in paragraphs (a) through (f) of this definition.

Waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of the CWA are not waters of the U.S. This exclusion applies only to manmade bodies of water which neither were originally created in waters of the U.S. (such as disposal area in wetlands) nor resulted from the impoundment of waters of the U.S. Waters of the U.S. do not include prior converted cropland. Notwithstanding the determination of an area's status as prior converted cropland by any other federal agency, for the purposes of the CWA, the final authority regarding the CWA jurisdiction remains with the EPA.

B. Commonly Used Acronyms

BMP	Best Management Practice
CFR	Code of Federal Regulations
CGP	Construction General Permit, TXR150000
CWA	Clean Water Act
DMR	Discharge Monitoring Report
EPA	Environmental Protection Agency
FR	Federal Register
IP	Implementation Procedures
MCM	Minimum Control Measure
MSGP	Multi-Sector General Permit, TXR050000
MS4	Municipal Separate Storm Sewer System
NOC	Notice of Change
NOD	Notice of Deficiency
NOI	Notice of Intent

NOT	Notice of Termination (to terminate coverage under a general permit)
NPDES	National Pollutant Discharge Elimination System
SWMP	Storm Water Management Program
SWP3, SWPPP	Storm Water Pollution Prevention Plan
TAC	Texas Administrative Code
TCEQ	Texas Commission on Environmental Quality
TPDES	Texas Pollutant Discharge Elimination System
TWC	Texas Water Code