

**CITY OF DAPHNE
CITY COUNCIL WORK SESSION AGENDA
1705 MAIN STREET
DAPHNE, AL
DECEMBER 12, 2016
6:30 P.M.**

- 1. PRESENTATION: ASHLEY CAMPBELL / MS4 VIDEO**
- 2. DISCUSS: MAY DAY BOAT RAMP**
- 3. DISCUSS: RETREAT**
- 4. ANYTHING ELSE DEEMED NECESSARY**
- 5. ADJOURN**



Memorandum

To: Council Members
From: Ashley Campbell
Date: December 8, 2016
Re: Daphne's Storm Water ADEM NPDES Permit and Storm Water Management Plan

Council Members,

I have attached a copy of the City's ADEM Municipal Separate Storm Sewer System Phase II General Permit and the City's Storm Water Management Plan for your review. During the Work session, I will present a 5 minute education video that summarizes the permit and our requirements. The SWMPP is still draft, so please let me know if you have any comments.

Thanks,

Ashley Campbell, CPESC
Environmental Programs Manager
acampbell@daphneal.com
Phone 251-621-3080
Cell 251-234-7122

DAPHNE'S STORM WATER ADEM NPDES PERMIT



Alabama Department of Environmental Management
adem.alabama.gov

1400 Coliseum Blvd. 36110-2400 ■ Post Office Box 301463
Montgomery, Alabama 36130-1463
(334) 271-7700 ■ FAX (334) 271-7950

September 13, 2016

Honorable Dane Haygood
Mayor, City of Daphne
P.O. Box 400
Daphne, Alabama 36526

Re: Municipal Separate Storm Sewer System (MS4) Phase II General Permit
NPDES Permit No. ALR040039
Baldwin County (003)

Dear Mayor Haygood:

The Department has made a final determination to reissue General NPDES Permit No. ALR040000 for discharges from regulated small municipal separate storm sewer systems. The reissued permit will become effective on October 1, 2016 and will expire on September 30, 2021.

The Department notified the public of its tentative determination to reissue General NPDES Permit No. ALR040000 on November 18, 2015. Interested persons were provided the opportunity to submit comments on the Department's tentative decision through December 18, 2015. In accordance with ADEM Admin Code r. 335-6-6-.21(7), a response to all comments received during the public comment period will be available on the Department's efile system.

Based on your request, as evidenced by the submittal of a Notice of Intent, coverage under the General NPDES Permit No. ALR040039 is granted. The effective date of issuance coverage is October 1, 2016.

Coverage under this permit does not authorize the discharge of pollutant or non-stormwater that is not specifically identified in the permit and by the Notice of Intent which resulted in granting this coverage.

You are responsible for compliance with all provisions of the permit, including, but not limited to, the performance of any monitoring (if applicable), the submittal of any reports, and the preparation and implementation of any plans required by the permit. Part II.A.4. of the re-issued permit requires the submittal of an updated Stormwater Management Program Plan (SWMPP) within three months of the issuance date of this permit (January 1, 2017).

If you have any additional questions or concerns, please contact Marla Smith by email at mssmith@adem.state.al.us or by phone at 334-270-5616.

Sincerely,

Jeffery W. Kitchens, Chief
Stormwater Management Branch
Water Division

JWK/mss

File: FPER/3690

Enclosure: Final Permit ALR040039

Cc: Ms. Kacy Sable, EPA (via email)
Ms. Ashley Campbell, City of Daphne (via email)

Birmingham Branch
110 Vulcan Road
Birmingham, AL 35209-4702
(205) 942-6168
(205) 941-1603 (FAX)

Decatur Branch
2715 Sandlin Road, S.W.
Decatur, AL 35603-1333
(256) 353-1713
(256) 340-9359 (FAX)



Mobile Branch
2204 Perimeter Road
Mobile, AL 36615-1131
(251) 450-3400
(251) 479-2593 (FAX)

Mobile-Coastal
3664 Dauphin Street, Suite B
Mobile, AL 36608
(251) 304-1176
(251) 304-1189 (FAX)



NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

DISCHARGE AUTHORIZED: STORMWATER DISCHARGES FROM REGULATED
SMALL MUNICIPAL SEPARATE STORM SEWER
SYSTEMS

AREA OF COVERAGE: THE STATE OF ALABAMA

PERMIT NUMBER: ALR040039

RECEIVING WATERS: ALL WATERS OF THE STATE OF ALABAMA

In accordance with and subject to the provisions of the Federal Water Pollution Control Act, as amended, 33 U.S.C. §§1251-1378 (the "FWPCA"), the Alabama Water Pollution Control Act, as amended, Code of Alabama 1975, §§ 22-22-1 to 22-22-14 (the "AWPCA"), the Alabama Environmental Management Act, as amended, Code of Alabama 1975, §§22-22A-1 to 22-22A-15, and rules and regulations adopted thereunder, and subject further to the terms and conditions set forth in this permit, the Permittee is hereby authorized to discharge into the above-named receiving waters.

ISSUANCE DATE: SEPTEMBER 6, 2016

EFFECTIVE DATE: OCTOBER 1, 2016

EXPIRATION DATE: SEPTEMBER 30, 2021

Glenn L. Dean

Alabama Department of Environmental Management

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PART I Coverage Under This General Permit

A. Permit Coverage

This permit covers the urbanized areas designated as a Phase II Municipal Separate Storm Sewer System (MS4) within the State of Alabama.

B. Authorized Discharges

1. This permit authorizes discharges of storm water from small MS4s, as defined in 40 CFR Part 122.26(b)(16). An entity may discharge under the terms and conditions of this general permit if the entity:
 - a. Owns or operates a small MS4 within the permit area described in Section A;
 - b. Is not a "large" or "medium" MS4 as described in 40 CFR Part 122.26(b)(4) or (7);
 - c. Submits a Notice of Intent (NOI) in accordance with Part II of this general permit; and
 - d. Either:
 - i. Is located fully or partially within an urbanized area as determined by the latest Decennial Census by the Bureau of Census, or
 - ii. Is designated for permit authorization by the Department pursuant to 40 CFR Part 122.32(a)(2).
2. This permit authorizes the following non-storm water discharges provided that they do not cause or contribute to a violation of water quality standards and that they have been determined not to be substantial contributors of pollutants to a particular small MS4 applying for coverage under this permit and that is implementing the storm water management program (SWMP) set forth in this permit:
 - a. Water line flushing
 - b. Landscape irrigation
 - c. Diverted stream flows
 - d. Uncontaminated ground water infiltration
 - e. Uncontaminated pumped groundwater
 - f. Discharges from potable water sources
 - g. Foundation drains
 - h. Air conditioning condensate
 - i. Irrigation water (not consisting of treated, or untreated, wastewater)
 - j. Rising ground water
 - k. Springs
 - l. Water from crawl space pumps
 - m. Footing drains
 - n. Lawn watering runoff
 - o. Individual residential car washing, to include charitable carwashes

- p. Residual street wash water
- q. Discharge or flows from firefighting activities (including fire hydrant flushing)
- r. Flows from riparian habitats and wetlands
- s. Dechlorinated swimming pool discharges, and
- t. Discharges authorized and in compliance with a separate NPDES permit.

C. Prohibited Discharges

The following discharges are not authorized by this permit:

1. Discharges that are mixed with sources of non-storm water unless such non-storm water discharges are:
 - a. In compliance with a separate NPDES permit; or
 - b. Determined by the Department not to be a significant contributor of pollutants to waters of the State;
2. Storm water discharges associated with industrial activity as defined in 40 CFR Part 122.26(b)(14)(i)-(ix) and (xi);
3. Storm water discharges associated with construction activity as defined in 40 CFR Part 122.26(b)(14)(x) or 40 CFR 122.26(b)(15) and subject to Alabama Department of Environmental Management (ADEM) Code r. 335-6-12;
4. Storm water discharges currently covered under another NPDES permit;
5. Discharges to territorial seas, contiguous zone, and the oceans unless such discharges are in compliance with the ocean discharge criteria of 40 CFR Part 125, Subpart M;
6. Discharges that would cause or contribute to instream exceedances of water quality standards; Your storm water management program plan (SWMPP) must include a description of the Best Management Practices (BMPs) that you will be using to ensure that this will not occur. The Department may require corrective action or an application for an individual permit if an MS4 is determined to cause an instream exceedance of water quality standards;
7. Discharges of any pollutant into any water for which a total maximum daily load (TMDL) has been approved or developed by EPA unless your discharge is consistent with the TMDL; This eligibility condition applies at the time you submit a NOI for coverage. If conditions change after you have permit coverage, you may remain covered by the permit provided you comply with the applicable requirements of Part V. You must incorporate any limitations, conditions and requirements applicable to your discharges, including monitoring frequency and reporting required, into your SWMPP in order to be eligible for permit coverage. For discharges not eligible for coverage under this permit, you must apply for and receive an individual or other applicable general NPDES permit prior to discharging;
8. This permit does not relieve entities that cause illicit discharges, including spills, of oils or hazardous substances, from responsibilities and liabilities under State and Federal law and regulations pertaining to those discharges.

D. Obtaining Authorization

1. To be authorized to discharge storm water from small MS4s, you must submit a Notice of Intent (NOI) and a description of your storm water management program (SWMP) in accordance with the deadlines presented in Part II of this permit.
2. You must submit the information required in Part II on the latest version of the NOI form (or photocopy thereof). Your NOI must be signed and dated in accordance with Part VII of this permit.
3. No discharge under the general permit may commence until the discharger receives the Department's acknowledgement of the NOI and approval of the coverage of the discharge by the general permit. The Department may deny coverage under this permit and require submittal of an application for an individual NPDES permit based on a review of the NOI.
4. Where the operator changes, or where a new operator is added after submittal of an NOI under Part II, a new NOI must be submitted in accordance with Part II within thirty (30) days of the change or addition.
5. For areas extended within your MS4 by the latest census or annexed into your MS4 area after you received coverage under this general permit, the first annual report submitted after the annexation must include the updates to your SWMP, as appropriate.

Note: If the Department notifies the dischargers (directly, by the public notice, or by making information available on the Internet) of other NOI form options that become available at a later date (e.g., electronic submission of forms), you may take advantage of those options to satisfy the NOI use and submittal requirements in Part II.

E. Implementation

1. This permit requires implementation of the MS4 Program under the State and Federal NPDES Regulations. MS4s shall modify their programs if and when water quality considerations warrant greater attention or prescriptiveness in specific components of the municipal program.
2. If a small MS4 operator implements the minimum control measures in 40 CFR 122.34(b) and the discharges are determined to cause or contribute to non-attainment of an applicable water quality standard as evidenced by the State of Alabama's 303(d) list or an EPA-approved or developed Total Maximum Daily Load (TMDL), the operator must tailor its BMPs within the scope of the six minimum control measures to address the pollutants of concern and implement permit requirements outlined in Part IV.D. and Part V of this permit.
3. Existing MS4s, unless otherwise stated within this permit, shall implement each of the minimum control measures outlined in Part III.B. of this permit immediately upon the effective date of coverage. Newly designated MS4s, unless otherwise stated in this permit, shall implement the minimum control measures outlined in Part III.B. of this permit within

365 days of the effective date of coverage. However, for newly designated MS4s, where new or revised ordinances are required to implement any of the minimum control measures, such ordinances shall be enacted within 730 days from the effective date of coverage.

PART II Notice of Intent (NOI) Requirements

A. Deadlines of Applications

1. If you are automatically designated under 40 CFR Part 122.32(a)(1) or designated by the Department, then to request recoverage, you are required to submit an NOI or an application for an individual permit and a description of your SWMP at least 90 days before the expiration of this permit.
2. If you are designated by the Department after the date of permit issuance, then you are required to submit an NOI or an application for an individual permit and a description of your SWMP within 180 days upon notification. Within six months of initial issuance, the operator of the regulated small MS4 shall submit a storm water management program plan (SWMPP) to the Department for review. A SWMPP can be submitted electronically in a .PDF format, or in another prescribed manner acceptable to the Department that contains all necessary components
3. You are not prohibited from submitting an NOI after the dates provided in Part II.A.1-2. If a NOI is submitted after the dates provided in Part II.A.1-2., your authorization is only for discharges that occur after permit coverage is granted. The Department reserves the right to take appropriate enforcement actions for any unpermitted discharges.
4. Within three months of the date of re-issuance of coverage under this permit, all operators of regulated small MS4s shall submit a revised storm water management program plan (SWMPP) to the Department for review.
5. **On or after December 21, 2020, all NOIs shall be made electronically in a prescribed manner acceptable to the Department.**

B. Continuation of the Expired General Permit

If this permit is not reissued or replaced prior to the expiration date, it will be administratively continued in accordance with the ADEM Code r. 335-6-6 and remain in force and effect if the Permittee re-applies for coverage as required under Part II of this Permit. Any Permittee who was granted permit coverage prior to the expiration date will automatically remain covered by the continued permit until the earlier of:

1. Reissuance or replacement of this permit, at which time you must comply with the Notice of Intent conditions of the new permit to maintain authorization to discharge; or
2. Issuance of an individual permit for your discharges; or
3. A formal permit decision by the Department not to reissue this general permit, at which time you must seek coverage under an alternative general permit or an individual permit.

C. Contents of the Notice of Intent (NOI)

The Notice of Intent must be signed in accordance with Part VII.G of this permit and must include the following information:

1. Information on the Permittee:

- a. The name of the regulated entity, specifying the contact person and responsible official, mailing address, telephone number and email address; and
- b. An indication of whether you are a Federal, State, County, Municipal or other public entity.

2. Information on the MS4:

- a. the name of your organization, county, city, or town and the latitude/longitude of the center or the MS4 location;
 - b. The name of the major receiving water(s) and an indication of whether any of your receiving waters are included on the latest 303(d) list, included in an EPA-approved and/or EPA developed total maximum daily load (TMDL) or otherwise designated by the Department as being impaired. If you have discharges to 303(d) or TMDL waters, a certification that your SWMPP complies with the requirements of Part V;
 - c. If you are relying on another governmental entity, regulated under the storm water regulations (40 CFR Part 122.26 & 122.32) to satisfy one or more of your permit obligations (see Part III), the identity of that entity(ies) and the elements(s) they will be implementing. The Permittee remains responsible for compliance if the other entity fails to fully perform the permit obligation, and may be subject to enforcement action if neither the Permittee nor the other entity fully performs the permit obligation; and
 - d. Must include if you are relying on the Department for enforcement of erosion and sediment controls on qualifying construction sites in accordance with Part III.B.3.b.
3. Include a brief summary of the best management practices (BMPs) for the minimum control measures in Part III of this permit (i.e. a brief summary of the MS4's SWMPP), your timeframe for implementing each of the BMPs, and the person or persons responsible for implementing or coordinating your SWMPP.

D. Where to Submit MS4 Documents

You are to submit your NOI or individual application, and a description of your SWMP as allowed under Part II.A., signed in accordance with the signatory requirements of Section VII of this permit, to the Department at the following address:

**Alabama Department of Environmental Management
Water Division
Storm Water Management Branch
Post Office Box 301463
Montgomery, Alabama 36130-1463**

Certified and Registered Mail shall be addressed to:

**Alabama Department of Environmental Management
Water Division
Storm Water Management Branch
1400 Coliseum Boulevard
Montgomery, Alabama 36110-2059**

On or after December 21, 2020, all NOIs shall be made electronically in a prescribed manner acceptable to the Department.

PART III Storm Water Pollution Prevention and Management Program for Small MS4s

A. Storm Water Management Program (SWMP)

1. The Permittee is required to develop, revise, implement, maintain and enforce a storm water management program (SWMP) which shall include controls necessary to reduce the discharge of pollutants from its MS4 consistent with Section 402(p)(3)(B) of the Clean Water Act and 40 CFR Parts 122.30-122.37. These requirements shall be met by the development and implementation of a storm water management program plan (SWMPP) which addresses the best management practices (BMPs), control techniques and systems, design and engineering methods, public participation and education, monitoring, and other appropriate provisions designed to reduce the discharge of pollutants from the MS4 to the maximum extent practicable (MEP).
2. The Permittee shall provide and maintain adequate finance, staff, equipment, and support capabilities necessary to implement the SWMPP and comply with the requirements of this permit.
3. The SWMPP must address the minimum storm water control measures referenced in Part III.B. to include the following:
 - a. A map of the Permittee's MS4 urbanized areas;
 - b. The BMPs that will be implemented for each control measure. Low impact development/green infrastructure shall be considered where feasible. Information on LID/Green Infrastructure is available on the following websites: <http://www.adem.alabama.gov/programs/water/waterforms/LIDHandbook.pdf> and <http://epa.gov/polwaste/green/index.cfm>.
 - c. The measureable goals for each of the minimum controls outlined in Part III.B.;
 - d. The proposed schedule—including interim milestones, as appropriate, inspections, and the frequency of actions needed to fully implement each minimum control; and
 - e. The person and/or persons responsible for implementing or coordination the BMPs for each separate minimum control measure.

4. Once the initial SWMPP is acknowledged by ADEM, activities and associated schedules outlined by the SWMPP or updates to the SWMPP are conditions of the permit.
5. Unless otherwise specified in this permit, the Permittee shall be in compliance with the conditions of this permit by the effective date of coverage.

B. Minimum Storm Water Control Measures

1. Public Education and Public Involvement on Storm Water Impacts

- a. The Permittee must develop and implement a public education and outreach program to inform the community about the impacts of storm water discharges on water bodies and the steps that the public can take to reduce pollutants in storm water runoff to the MEP. The Permittee shall continuously implement this program in the areas served by the MS4. The Permittee shall also comply, at a minimum, with applicable State and local public notice requirements when implementing a public involvement/participation program.
- b. The Permittee shall include within the SWMPP the methods for how it will:
 - i. Seek and consider public input in the development, revision, and implementation of the SWMPP;
 - ii. Identify targeted pollutant sources the Permittee's public education program is intended to address;
 - iii. Specifically address the reduction of litter, floatables and debris from entering the MS4, that may include, but is not limited to:
 1. Establishing a program to support volunteer groups for labeling storm drain inlets and catch basins with "no dumping" message; and
 2. Posting signs referencing local codes that prohibit littering and illegal dumping at selected designated public access points to open channels, creeks, and other relevant waterbodies;
 - iv. Inform and involve individuals and households about the steps they can take to reduce storm water pollution; and
 - v. Inform and involve individuals and groups on how to participate in the storm water program (with activities that may include, but not limited to, local stream and lake restoration activities, storm water stenciling, advisory councils, watershed associations, committees, participation on rate structures, stewardship programs and environmental related activities). The target audiences and subject areas for the education program that are likely to have significant storm water impacts should include, but is not limited to, the following:
 1. General Public
 - a. General impacts litter has on water bodies, how trash is delivered to streams via the MS4 and ways to reduce the litter;

- b. General impacts of storm water flows into surface water from impervious surface; and
 - c. Source control BMPs in areas of pet waste, vehicle maintenance, landscaping and rain water reuse.
 - 2. General Public, Businesses, Including Home-Based and Mobile Businesses
 - a. BMPs for use and storage of automotive chemicals, hazardous cleaning supplies, carwash soaps and other hazardous materials; and
 - b. Impacts of illicit discharges and how to report them.
 - 3. Homeowners, Landscapers, and Property Managers
 - a. Yard care techniques that protect water quality;
 - b. BMPs for use and storage of pesticides and fertilizers;
 - c. BMPs for carpet cleaning and auto repair and maintenance;
 - d. Runoff reduction techniques, which may include but not limited to site design, pervious paving, retention of forests, and mature trees; and
 - e. Storm water pond maintenance.
 - 4. Engineers, Contractors, Developers, Review Staff and Land Use Planners
 - a. Technical standards for construction site sediment and erosion control;
 - b. Storm water treatment and flow control BMPs;
 - c. Impacts of increased storm water flows into receiving water bodies; and
 - d. Run-off reduction techniques and low impact development (LID)/green infrastructure (GI) practices that may include, but not limited to, site design, pervious pavement, alternative parking lot design, retention of forests and mature trees to assist in storm water treatment and flow control BMPS.
 - vi. Evaluation of the effectiveness of the public education and public involvement program.
- c. The Permittee shall report each year in the annual report the following information:
 - i. A description of the activities used to involve groups and/or individuals in the development and implementation of the SWMPP;
 - ii. A description of the individuals and groups targeted and how many groups and/or individuals participated in the programs;
 - iii. A description of the activities used to address the reduction of litter, floatables and debris from entering the MS4 as required in Part III.B.1.b.iii.;

- iv. A description of the communication mechanisms or advertisements used to inform the public and the quantity that were distributed (i.e. number of printed brochures, copies of newspapers, workshops, public service announcements, etc); and
 - v. Results of the evaluation of the public education and public involvement program as required in Part III.B.1.b.vi.
- d. The Permittee shall make their SWMPP and their annual reports required under this permit available to the public when requested. The current SWMPP and the latest annual report should be posted on the Permittee's website, if available.

2. Illicit Discharge Detection and Elimination (IDDE) Program

- a. The Permittee shall implement an ongoing program to detect and eliminate illicit discharges into the MS4, to the maximum extent practicable. The program shall include, at a minimum, the following:
 - i. An initial map shall be provided in the SWMPP with updates, if any, provided each year in the annual report. The map shall include, at a minimum:
 - 1. The latitude/longitude of all known outfalls;
 - 2. The names of all waters of the State that receive discharges from these outfalls; and,
 - 3. Structural BMPs owned, operated, or maintained by the Permittee.
 - ii. To the extent allowable under State law, an ordinance or other regulatory mechanism that effectively prohibits non-storm water discharges to the MS4. The ordinance or other regulatory mechanism shall be reviewed annually and updated as necessary and shall:
 - 1. Include escalating enforcement procedures and actions; and
 - 2. Require the removal of illicit discharges and the immediate cessation of improper disposal practices upon identification of responsible parties. Where the removal of illicit discharge within ten (10) working days is not possible, the ordinance shall require an expeditious schedule for removal of the discharge. In the interim, the ordinance shall require the operator of the illicit discharge to take all reasonable and prudent measures to minimize the discharge of pollutants to the MS4.
 - iii. A dry weather screening program designed to detect and address non-storm water discharges to the MS4. This program must address, at a minimum, dry weather screening of fifteen percent (15%) of the outfalls once per year with all (100 percent) screened at least once per five years. Priority areas, as described by the Permittee in the SWMPP, will be dry weather screened on a more frequent schedule as outlined in the SWMPP. If any indication of a suspected illicit discharge, from an unidentified

source, is observed during the dry weather screening, then the Permittee shall follow the screening protocol as outlined in the SWMPP.

- iv. Procedures for tracing the source of a suspect illicit discharge as outlined in the SWMPP. At a minimum, these procedures will be followed to investigate portions of the MS4 that, based on the results of the field screening or other appropriate information, indicate a reasonable potential of containing illicit discharges or other sources of non-storm water.
- v. Procedures for eliminating an illicit discharge as outlined in the SWMPP;
- vi. Procedures to notify ADEM of a suspect illicit discharge entering the Permittee's MS4 from an adjacent MS4 as outlined in the SWMPP;
- vii. A mechanism for the public to report illicit discharges discovered within the Permittee's MS4 and procedures for appropriate investigation of such reports;
- viii. A training program for appropriate personnel on identification, reporting, and corrective action of illicit discharges;
- ix. Address the following categories of non-storm discharges or flows (i.e., illicit discharges) only if the Permittee or the Department identifies them as significant contributors of pollutants to your small MS4: water line flushing, landscape irrigation, diverted stream flows, rising ground waters, uncontaminated ground water infiltration (infiltration is defined as water other than wastewater that enters a sewer system, including foundation drains, from the ground through such means as defective pipes, pipe joints, connections, or manholes. Infiltration does not include, and is distinguished from, inflow), uncontaminated pumped ground water, discharges from potable water sources, foundation drains, air conditioning condensation, irrigation water, springs, water from crawl space pumps, footing drains, lawn watering run-off, individual residential car washing, flows from riparian habitats and wetlands, discharge or flows from firefighting activities (to include fire hydrant flushing); dechlorinated swimming pool discharges, and residual street wash water, discharge authorized by and in compliance with a separate NPDES permit; and
- x. The Permittee may also develop a list of other similar occasional incidental non- storm water discharges (e.g. non-commercial or charity car washes, etc.) that will not be addressed as illicit discharges. These non- storm water discharges must not be reasonably expected (based on information available to the Permittees) to be significant sources of pollutants to the municipal separate storm sewer system, because of either the nature of the discharges or conditions you have established for allowing these discharges to your MS4 (e.g., a charity car wash with appropriate controls on frequency, proximity to impaired waterbodies, BMPs on the wash water, etc.). You must document in your SWMPP any local controls or conditions placed on the discharges. The Permittee must include a provision prohibiting any individual non- storm water discharge that is

determined to be contributing significant amounts of pollutants to your MS4.

- b. The Permittee shall report each year in the annual report the following information:
 - i. List of outfalls observed during the dry weather screening;
 - ii. Updated MS4 map(s) unless there are no changes to the map that was previously submitted. When there are no changes to the map, the annual report must state this;
 - iii. Copies of, or a link to, the IDDE ordinance or other regulatory mechanism; and
 - iv. The number of illicit discharges investigated, the screening results, and the summary of corrective actions taken to include dates and timeframe of response.

3. Construction Site Storm Water Runoff Control

- a. The Permittee must develop/revise, implement and enforce an ongoing program to reduce, to the maximum extent practicable, the pollutants in any storm water runoff to the MS4 from qualifying construction sites. The program shall include the following at a minimum:
 - i. Specific procedures for construction site plan (including erosion prevention and sediment controls) review and approval: The MS4 procedures must include an evaluation of plan completeness and overall BMP effectiveness;
 - ii. To the extent allowable under State law, an ordinance or other regulatory mechanism to require erosion and sediment controls, sanctions to ensure compliance, and to provide all other authorities needed to implement the requirements of Part III.B.3 of this permit;
 - iii. A training program for MS4 site inspection staff in the identification of appropriate construction best management practices (example: QCI training in accordance with ADEM Admin Code. R. 335-6-12 or the Alabama Construction Site General Permit);
 - iv. Procedures for the periodic inspection of qualifying construction sites to verify the use of appropriate erosion and sediment control practices that are consistent with the Alabama Handbook for Erosion Control, Sediment Control, And Stormwater Management on Construction Sites and Urban Areas published by the Alabama Soil and Water Conservation Committee (hereinafter the "Alabama Handbook"). The frequency and prioritization of inspection activities shall be documented in the SWMPP and must include a minimum inspection frequency of once each month for priority construction sites;
 - v. Procedures, as outlined in the SWMPP, to notify ADEM of construction sites that do not have a NPDES permit or ineffective BMPs that are discovered during the periodic inspections. The notification must provide,

- at a minimum, the specific location of the construction project, the name and contact information from the owner or operator, and a summary of the site deficiencies; and
- vi. A mechanism for the public to report complaints regarding discharges from qualifying construction sites.
- b. ADEM implements a State-wide NPDES construction storm water regulatory program. As provided by 40 CFR Part 122.35(b), the Permittee may rely on ADEM for the setting of standards for appropriate erosion controls and sediment controls for qualifying construction sites and for enforcement of such controls, and must document this in its SWMPP. If the Permittee elects not to rely on ADEM's program, then the Permittee must include the following, at a minimum, in its SWMPP:
 - i. Requirements for construction site operators to implement appropriate erosion and sediment control BMPs consistent with the Alabama Handbook for Erosion Control, Sediment Control, And Stormwater Management on Construction Sites and Urban Areas published by the Alabama Soil and Water Conservation Committee (hereinafter the "Alabama Handbook");
 - ii. Requirements for construction site operators to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that may cause adverse impacts to water quality;
 - iii. Development and implementation of an enforcement strategy that includes escalating enforcement remedies to respond to issues of non-compliance;
 - iv. An enforcement tracking system designed to record instances of non-compliance and the MS4's responding actions. The enforcement case documentation should include:
 - 1. Name of owner/operator
 - 2. Location of construction project or industrial facility
 - 3. Description of violations
 - 4. Required schedule for returning to compliance
 - 5. Description of enforcement response used, including escalated responses if repeat violation occur or violations are not resolved in a timely manner;
 - 6. Accompanying documentation of enforcement response (e.g., notices of noncompliance, notices of violation, etc);
 - 7. Any referrals to different departments or agencies; and
 - 8. Date violation was resolved
 - v. The Permittee must keep records of all inspections (i.e. inspection reports) and employee training required by Part III.3.a.
- c. The Permittee shall include within the SWMPP the following information:
 - i. Procedures for site plan reviews as required by Part III.B.3.a.i;
 - ii. A copy or link of the ordinance or other regulatory mechanism required by Part III.B.3.a.ii.;

- iii. Plans for the training of MS4 site inspection staff as required by Part III.B.3.a.iii; and
 - iv. A site inspection plan meeting the requirements of Part III.B.3.a.iv; and
- d. The Permittee shall maintain the following information and make it available upon request:
 - i. Documentation of all inspections conducted of qualifying construction sites as required by Part III.B.3.a.iv. The inspection documentation shall include, at a minimum, the following:
 - 1. Facility type;
 - 2. Inspection date;
 - 3. Name and signature of inspector;
 - 4. Location of construction project;
 - 5. Owner/operator information (name, address, phone number, email);
 - 6. Description of the storm water BMP condition that may include, but not limited to, the quality of vegetation and soils, inlet and outlet channels and structures, embankments, slopes and safety benches, spillways, weirs, and other control structures; and sediment and debris accumulation in storage and forebay areas as well as in and around inlet and outlet structures; and
 - 7. Photographic documentation of any issues and/or concerns.
 - ii. Documentation of referrals of noncompliant construction sites and/or enforcement actions taken at construction sites to include, at a minimum, the following:
 - 1. Name of owner/operator
 - 2. Location of construction project;
 - 3. Description of violation;
 - 4. Required schedule for returning to compliance;
 - 5. Description of enforcement response used, including escalated responses if repeat violations occur; and
 - 6. Accompanying documentation of enforcement responses (e.g. notices of non-compliance, notices of violations, etc).
 - iii. Records of public complaints including:
 - 1. Date, time and description of the complaint;
 - 2. Location of subject construction sites; and
 - 3. Identification of any actions taken (e.g. inspections, enforcement, corrections). Identifying information must be sufficient to cross-reference inspection and enforcement records.
- e. The Permittee shall report each year in the annual report the following information:
 - i. A description of any completed or planned revisions to the ordinance or regulatory mechanism required by Part III.B.3.a.i and the most recent copy, or a link to the ordinance; and
 - ii. List of all active construction sites within the MS4 to include the following summary:

1. Number of construction site inspections;
2. Number of non-compliant construction site referrals and/or enforcement actions and description of violations;
3. Number of construction site runoff complaints received; and
4. Number of MS4 staff/inspectors trained.

4. Post-Construction Storm Water Management in New Development and Redevelopment

- a. Post-construction storm water management refers to the activities that take place after construction occurs, and includes structural and non-structural controls including low-impact development and green infrastructure practices to obtain permanent storm water management over the life of the property's use. These post construction controls should be considered during the initial site development planning phase.
 - i. The Permittee must develop/revise, implement, and enforce a program to address storm water runoff from qualifying new development and redevelopment projects, to the maximum extent practicable. This program shall ensure that controls are in place to prevent or minimize water quality impacts. Specifically, the Permittee shall:
 1. Develop/revise and outline in the SWMPP procedures for the site-plan review and approval process and a required re-approval process when changes to post-construction controls are required; and
 2. Develop/revise and outline in the SWMPP procedures for a post-construction process to demonstrate and document that post-construction storm water measures have been installed per design specifications, which includes enforceable procedures for bringing noncompliant projects into compliance.
 - ii. The Permittee must develop and implement strategies which may include a combination of structural and/or non-structural BMPs designed to ensure, to the maximum extent practicable, that the volume and velocity of pre-construction stormwater runoff is not significantly exceeded. A design rainfall event with an intensity up to that of a 2yr-24hr storm event shall be the basis for the design and implementation of post- construction BMPs.
 - iii. To the extent allowable under State law, the Permittee must develop and institute the use of an ordinance or other regulatory mechanism to address post-construction runoff from qualifying new development and redevelopment projects.
 - iv. The Permittee must require adequate long-term operation and maintenance of BMPs. One or more of the following as applicable:

1. The developer's signed statement accepting responsibility for maintenance until the maintenance responsibility is legally transferred to another party; and/or
 2. Written conditions in the sales or lease agreement that require the recipient to assume responsibility for maintenance; and/or
 3. Written conditions in project conditions, covenants and restrictions for residential properties assigning maintenance responsibilities to a home owner's association, or other appropriate group, for maintenance of structural and treatment control management practices; and/or
 4. Any other legally enforceable agreement that assigns permanent responsibility for maintenance of structural or treatment control management practices.
- v. The Permittee shall perform or require the performance of post-construction inspections, at a minimum of once per year, to confirm that post-construction BMP's are functioning as designed. The Permittee shall include an inspection schedule, to include inspection frequency, within the SWMPP.
 - vi. The Permittee shall maintain or require the developer/owner/operator to keep records of post-construction inspections, maintenance activities and make them available to the Department upon request and require corrective actions to poorly functioning or inadequately maintained post-construction BMP's.
 - vii. The Permittee shall review and evaluate policies and ordinances related to building codes, or other local regulations, with a goal of identifying regulatory and policy impediments to the installation of green infrastructure and low-impact development techniques.
- b. The Permittee shall report each year in the annual report the following information:
 - i. Copies of, or link to, the ordinance or other regulatory mechanism required by Part III.B.4.a.iii;
 - ii. A list of the post-construction structural controls installed and inspected during the permit year;
 - iii. Updated inventory of post-construction structural controls including those owned by the Permittee;
 - iv. Number of inspections performed on post-construction structural controls; and,
 - v. Summary of enforcement actions.

5. Pollution Prevention/Good Housekeeping for Municipal Operations

- a. The Permittee shall develop, implement, and maintain a program that will prevent or reduce the discharge of pollutants in storm water run-off from municipal operations to the maximum extent practicable. The program elements shall include, at a minimum, the following:

- i. An inventory of all municipal facilities, including municipal facilities that have the potential to discharge pollutants via storm water runoff;
 - ii. Strategies for the implementation of BMPs to reduce litter, floatables and debris from entering the MS4 and evaluate those BMPs annually to determine their effectiveness. If a BMP is determined to be ineffective or infeasible, then the BMP must be modified. The Permittee shall also develop a plan to remove litter, floatable and debris material from the MS4, including proper disposal of waste removed from the system;
 - iii. A Standard Operating Procedures (SOP) detailing good housekeeping practices to be employed at appropriate municipal facilities and during municipal operations that may include, but not limited to, the following:
 - 1. Equipment washing;
 - 2. Street sweeping;
 - 3. Maintenance of municipal roads including public streets, roads, and highways, including but not limited to unpaved roads, owned, operated, or under the responsibility of the Permittee;
 - 4. Storage and disposal of chemicals, Pesticide, Herbicide and Fertilizers (PHFs) and waste materials;
 - 5. Vegetation control, cutting, removal, and disposal of the cuttings;
 - 6. Vehicle fleets/equipment maintenance and repair;
 - 7. External Building maintenance; and
 - 8. Materials storage facilities and storage yards.
 - iv. A program for inspecting municipal facilities for good housekeeping practices, including BMPs. The program shall include checklists and procedures for correcting noted deficiencies;
 - v. A training program for municipal facility staff in good housekeeping practices as outlined in the SOP developed pursuant to Part III.B.5.a.iii; and
- b. The Permittee shall include within the SWMPP the following information:
 - i. The inventory of municipal facilities required by Part III.B.5.a.i;
 - ii. Schedule for developing the SOP of good housekeeping practices required by Part III.B.5.a.iii;
 - iii. An inspection plan and schedule, including checklists and any other materials needed to comply with Part III.B.5.a.iv; and
 - iv. A description of the training program and training schedule required by Part III.B.5.a.v.
- c. The Permittee shall report each year in the annual report the following information:
 - i. Any updates to the municipal facility inventory;
 - ii. An estimated amount of floatable material collected from the MS4 as required by Part III.B.5.a.ii;
 - iii. Any updates to the inspection plan
 - iv. The number of inspections conducted; and
 - v. Any updates to the SOP of good housekeeping practices.

d. The Permittee shall maintain the following information and make it available upon request:

- i. Records of inspections and corrective actions, if any; and
- ii. Training records including the dates of each training activities and names of personnel in attendance.

PART IV Special Conditions

A. Responsibilities of the Permittee

1. If the Permittee is relying on another entity to satisfy one or more requirements of this permit, then the Permittee must note that fact in the SWMPP. The Permittee remains responsible for compliance with all requirements of this permit, except as provided by Part III.B.3.b and reliance on another entity will not be a defense or justification for non-compliance if the entity fails to implement the permit requirements.
2. If the Permittee is relying on the Department for the enforcement of erosion and sediment controls on qualifying construction sites and has included that information in the SWMPP as required by Part III.A.3.e., the Permittee is not responsible for implementing the requirements of Part III.B.3.b of this permit as long as the Department receives notification of non-compliant qualifying constructions sites from the Permittee as required by Part III.B.3.a.v.

B. SWMPP Plan Review and Modification

1. The Permittee shall submit a SWMPP and/or revised SWMPP to the Department as required by Part II.A of the permit. The Permittee shall implement plans to seek and consider public input in the development, revision and implementation of this SWMPP, as required by Part III.B.1.b.i. Thereafter, the Permittee shall perform an annual review of the current SWMPP and must revise the SWMPP, as necessary, to maintain compliance with the permit. Any revisions to the SWMPP shall be submitted to the Department at the time a revision is made for the Department review. Revisions made to the SWMPP may include, but are not limited to, the replacement of ineffective or infeasible BMPs or the addition of components, controls and requirements; and
2. The Permittee shall implement the SWMPP on all new areas added to their municipal separate storm sewer system (or for which they become responsible for implementation of storm water quality controls) as soon as practicable, but not later than one (1) year from addition of the new areas. Implementation of the program in any new area shall consider the plans of the SWMPP of the previous MS4 ownership, if any.

C. Discharge Compliance with Water Quality Standards

This general permit requires, at a minimum, that the Permittee develop, implement and enforce a storm water management program designed to reduce the discharge of pollutants to the

maximum extent practicable. Full implementation of BMPs, using all known, available, and reasonable methods of prevention, control and treatment to prevent and control storm water pollution from entering waters of the State of Alabama is considered an acceptable effort to reduce pollutants from the municipal storm drain system to be the maximum extent practicable.

D. Impaired Waters and Total Maximum Daily Loads (TMDLs)

1. The Permittee must determine whether the discharge from any part of the MS4 contributes directly or indirectly to a waterbody that is included on the latest §303(d) list or designated by the Department as impaired;
2. If the Permittee's MS4 discharges to a waterbody included on the latest §303(d) or designated by the Department as impaired, it must demonstrate the discharges, as controlled by the Permittee, do not cause or contribute to the impairment. The SWMPP must detail the BMPs that are being utilized to control discharges of pollutants associated with the impairment. If existing BMPs are not sufficient to achieve this demonstration, the Permittee must, within six (6) months following the publication of the latest final §303(d) list, Department designation, or the effective date of this permit, submit a revised SWMPP detailing new or modified BMPs. The SWMPP must be revised as directed by the Department and the new or modified BMPs must be implemented within one year from the publication of the latest final §303(d) list or Department designation.
3. Permittees discharging from MS4s into waters with EPA-Approved TMDLs and/or EPA-Established TMDLs
 - a. The Permittee must determine whether its MS4 discharges to a waterbody for which a total maximum daily load (TMDL) has been established or approved by EPA. If an MS4 discharges into a water body with an EPA approved or established TMDL, then the SWMPP must include BMPs targeted to meet the assumptions and requirements of the TMDL. If additional BMPs will be necessary to meet the requirements of the TMDL, the SWMPP must include a schedule for installation and/or implementation of such BMPs. A monitoring component to assess the effectiveness of the BMPs in achieving the TMDL requirements must also be included in the SWMPP. Monitoring can entail a number of activities including, but not limited to: outfall monitoring, in-stream monitoring, and/or modeling. Monitoring data, along with an analysis of this data, shall be included in the Annual Report.
 - b. If, during this permit cycle, a TMDL is approved by EPA or a TMDL is established by EPA for any waterbody into which an MS4 discharges, the Permittee must review the applicable TMDL to see if it includes requirements for control of storm water discharges from the MS4.
 1. If it is found that the Permittee must implement specific allocations of the TMDL, it must assess whether the assumptions and requirements of the TMDL are being met through implementation of existing BMPs or if additional BMPs are necessary. The SWMPP must include BMPs targeted to meet the assumptions and requirements of the TMDL. If existing BMPs are not sufficient, the Permittee must, within six (6)

months following the approval or establishment of the TMDL by EPA, submit a revised SWMPP detailing new or modified BMPs to be utilized along with a schedule of installation and/or implementation of such BMPs. Any new or modified BMPs must be implemented within one year, unless an alternate date is approved by the Department, from the establishment or approval of the TMDL by EPA. A monitoring component to assess the effectiveness of the BMPs in achieving the TMDL requirements must also be included in the SWMPP. Monitoring can entail a number of activities including, but not limited to: outfall monitoring, in-stream monitoring, and/or modeling. Monitoring data, along with an analysis of this data, shall be included in the Annual Report.

E. Requiring an Individual Permit

The Department may require any person authorized by this permit to apply for and/or obtain an individual NPDES permit. When the Department requires application for an individual NPDES permit, the Department will notify the Permittee in writing that a permit application is required. This notification shall include a brief statement of the reasons for this decision, an application form and a statement setting a deadline for the Permittee to file the application.

PART V Monitoring and Reporting

1. If there are no 303(d) listed or TMDL waters located within the Permittee's MS4 area, no monitoring shall be required. The SWMPP shall include a determination stating if monitoring is required.
2. If a waterbody within the MS4 jurisdiction is listed on the latest final §303(d) list, or otherwise designated impaired by the Department, or for which a TMDL is approved or established by EPA, during this permit cycle, then the Permittee must implement a monitoring program, within 6 months, to include monitoring that addresses the impairment or TMDL. A monitoring plan shall be included in the SWMPP and any revisions to the monitoring program shall be documented in the SWMPP and Annual Report.
3. Proposed monitoring locations, and monitoring frequency shall be described in the monitoring plan with actual locations described in the annual report;
4. The Permittee must include in the monitoring program any parameters attributed with the latest final §303(d) list or otherwise designated by the Department as impaired or are included in an EPA-approved or EPA-established TMDL;
5. Analysis and collection of samples shall be done in accordance with the methods specified at 40 CFR Part 136. Where an approved 40 CFR Part 136 does not exist, then a Department approved alternative method may be used;
6. If the Permittee is unable to collect samples due to adverse conditions, the Permittee must submit a description of why samples could not be collected, including available documentation of the event. An adverse climatic condition which may prohibit the collection of samples includes weather conditions that create dangerous conditions for personnel (such as local flooding, high winds, hurricane, tornadoes, electrical storms, etc.)

or otherwise make the collection of a sample impracticable (drought, extended frozen conditions, etc.);

7. Monitoring results must be reported with the subsequent Annual Report and shall include the following monitoring information:

- a. The date, latitude/longitude of location, and time of sampling;
- b. The name(s) of the individual(s) who performed the sampling;
- c. The date(s) analysis were performed;
- d. The name(s) of individuals who performed the analysis;
- e. The analytical techniques or methods used; and
- f. The results of such analysis.

PART VI Annual Reporting Requirements

1. The Permittee shall submit to the Department an annual report (1 hardcopy and 1 electronic copy) no later than May 31st of each year. The annual report shall cover the previous April 1 to March 31. If an entity comes under coverage for the first time after the issuance of this permit, then the first annual report should cover the time coverage begins until March 31st of subsequent year.
2. **On or after December 21, 2020, all annual reports shall be submitted to the Department electronically in a prescribed manner acceptable to the Department.**
3. The Permittee shall sign and certify the annual report in accordance with Part VII.G.
4. The annual report shall include the following information, at a minimum, and in addition to those requirements referenced in Part III-V:
 - a. A list of contacts and responsible parties (e.g.: agency, name, phone number, address, & email address) who had input to and are responsible for the preparation of the annual report;
 - b. Overall evaluation of the storm water management program developments and progress for the following:
 - i. Major accomplishments;
 - ii. Overall program strengths/weaknesses;
 - iii. Future direction of the program;
 - iv. Overall determination of the effectiveness of the SWMPP taking into account water quality/watershed improvements;
 - v. Measureable goals that were not performed and reasons why the goals were not accomplished; and
 - vi. If monitoring is required, evaluation of the monitoring data.
 - c. Narrative report of all minimum storm water control measures referenced in Part III.B of this permit. The activities shall be discussed as follows:
 - i. Minimum control measures completed and in progress;
 - ii. Assessment of the controls; and
 - iii. Discussion of proposed BMP revisions or any identified measureable goals that apply to the minimum storm water control measures.

- d. Summary table of the storm water controls that are planned/scheduled for the next reporting cycle;
- e. Results of information collected and analyzed, if any, during the reporting period, including any monitoring data used to assess the success of the program at reducing the discharge of pollutants to the MEP.
- f. Notice of reliance on another entity to satisfy some of your permit obligations; and
- g. If monitoring is required, all monitoring results collected during the previous year in accordance with Part V, if applicable. The monitoring results shall be submitted in a format acceptable to the Department.

PART VII Standard and General Permit Conditions

A. Duty to Comply

You must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of CWA and is ground for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.

B. Continuation of the Expired General Permit

If this permit is not reissued or replaced prior to the expiration date, it will be administratively continued in accordance with the ADEM Code r. 335-6-6 and remain in force and effect if the Permittee re-applies for coverage as required under Part II of this Permit. Any Permittee who was granted permit coverage prior to the expiration date will automatically remain covered by the continued permit until the earlier of:

- 1. Reissuance or replacement of this permit, at which time you must comply with the Notice of Intent conditions of the new permit to maintain authorization to discharge; or
- 2. Issuance of an individual permit for your discharges; or
- 3. A formal permit decision by the Department not to reissue this general permit, at which time you must seek coverage under an alternative general permit or an individual permit.

C. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for you in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

D. Duty to Mitigate

You must take all reasonable steps to minimize or prevent any discharge in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment.

E. Duty to Provide Information

The Permittee shall furnish to the Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, revoking and reissuing, suspending, or terminating the permit or to determine compliance with the permit. The Permittee shall also furnish to the Director upon request, copies of records required to be kept by the permit.

F. Other Information

If you become aware that you have failed to submit any relevant facts in your Notice of Intent or submitted incorrect information in the Notice of Intent or in any other report to the Department, you must promptly submit such facts or information.

G. Signatory Requirements

All Notices of Intent, reports, certifications, or information submitted to the Department, or that this permit requires be maintained by you shall be signed and certified as follows:

1. Notice of Intent. All Notices of Intent shall be signed by a responsible official as set forth in ADEM Admin. Code r. 335-6-6-.09.
2. Reports and other information. All reports required by the permit and other information requested by the Department or authorized representative of the Department shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - a. Signed authorization. The authorization is made in writing by a person described above and submitted to the Department.
 - b. Authorization with specified responsibility. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of manager, operator, superintendent, or position of equivalent responsibility for environmental matters for the regulated entity.
3. Changes to authorization. If an authorization is no longer accurate because a different operator has the responsibility for the overall operation of the MS4, a new authorization satisfying the requirement of Part VII.G.2.b. above must be submitted to the Department prior to or together with any reports or information, and to be signed by an authorized representative.
4. Certification. Any person signing documents under Part VII.G.1-2, above shall make the following certification:

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

H. Property Rights

The issuance of this permit does not convey any property rights of any sort, or any exclusive privilege, nor it does it authorize any injury to private property nor any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

I. Proper Operation and Maintenance

You must at all time properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by you to achieve compliance with the conditions of this permit and with the conditions of your SWMPP. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. Proper operation and maintenance requires the operation of backup or auxiliary

facilities or similar systems, installed by you only when the operation is necessary to achieve compliance with the conditions of the permit.

J. Inspection and Entry

1. You must allow the Department or an authorized representative upon the presentation of credentials and other documents as may be required by law, to do any of the following:
 - a. Enter your premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this permit;
 - b. Have access to and copy at reasonable times, any records that must be kept under the conditions of this permit;
 - c. Inspect at reasonable times any facilities or equipment (including monitoring and control equipment) practices, or operations regulated or required under this permit; and
 - d. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the CWA, any substances or parameters at any location.

K. Permit Actions

This permit may be modified, revoked and reissued, or terminated for cause. Your filing of a request for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

L. Permit Transfers

This permit is not transferable to any person except after notice to the Department. The Department may require modification or revocation and reissuance of the permit to change the name of the Permittee and incorporate such other requirements as may be necessary under the Act.

M. Anticipated Noncompliance

You must give advance notice to the Department of any planned changes in the permitted small MS4 or activity which may result in noncompliance with this permit.

N. Compliance with Statutes and Rules

1. The permit is issued under ADEM Admin. Code r. 335-6-6. All provisions of this chapter that are applicable to this permit are hereby made a part of this permit.
2. This permit does not authorize the noncompliance with or violation of any laws of the State of Alabama or the United States of America or any regulations or rules implementing such laws.

O. Severability

The provisions of this permit are severable, and if any provision of this permit or the application of any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall be affected thereby.

P. Bypass Prohibition

Bypass (see 40 CFR 122.41(m)) is prohibited and enforcement action may be taken against a regulated entity for a bypass; unless:

1. The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

2. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during the normal periods of equipment downtime. This condition is not satisfied if the regulated entity should, in the exercise of reasonable engineering judgment, have installed adequate backup equipment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance.
3. The Permittee submits a written request for authorization to bypass to the Director at least ten (10) days prior to the anticipated bypass (if possible), the Permittee is granted such authorization, and the Permittee complies with any conditions imposed by the Director to minimize any adverse impact on human health or the environment resulting from the bypass.

The Permittee has the burden of establishing that each of the conditions of Part VII.P. have been met to qualify for an exception to the general prohibition against bypassing and an exemption, where applicable, from the discharge specified in this permit.

Q. Upset Conditions

An upset (see 40 CFR 122.41(n)) constitutes an affirmative defense to an action brought for noncompliance with technology-based permit limitations if a regulated entity shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence, that:

1. An upset occurred and the Permittee can identify the specific cause(s) of the upset;
2. The Permittee's facility was being properly operated at the time of the upset; and
3. The Permittee promptly took all reasonable steps to minimize any adverse impact on human health or the environment resulting from the upset.

The Permittee has the burden of establishing that each of the conditions of Part VII.Q. of this permit have been met to qualify for an exemption from the discharge specified in this permit.

R. Procedures for Modification or Revocation

Permit modification or revocation will be conducted according to ADEM Admin. Code r. 335-6-6-.17.

S. Re-opener Clause

If there is evidence indicating potential or realized impacts on water quality due to storm water discharge covered by this permit, the regulated entity may be required to obtain an individual permit or an alternative general permit or the permit may be modified to include different limitations and/or requirements.

T. Retention of Records

1. The Permittee shall retain the storm water quality management program developed in accordance with Part III-V of this permit until at least five years after coverage under this permit terminates.
2. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
3. The Permittee shall retain records of all monitoring information including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of reports required by this permit, and records of all data used to

complete the application of this permit, for a period of at least three (3) years from the date of the sample, measurement, report or application. This period may be extended at the request of the Director at any time.

U. Monitoring Methods

Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit.

V. Additional Monitoring by the Permittee

If the Permittee monitors more frequently than required by this permit, using test procedures approved under 40 CFR Part 136 or as specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the monitoring report. Such increased monitoring frequency shall also be indicated on the monitoring report.

W. Definitions

1. Best Management Practices (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the State. BMPs also include treatment requirements, operating procedures, and practices to control runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.
2. Control Measure as used in this permit, refers to any Best Management Practice or other method used to prevent or reduce the discharge of pollutants to waters of the State.
3. CWA or The Act means the Clean Water Act (formerly referred to as 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.
4. Department means the Alabama Department of Environmental Management or an authorized representative.
5. Discharge, when used without a qualifier, refers to "discharge of a pollutant" as defined as ADEM Admin. Code r. 335-6-6-.02(m).
6. Green Infrastructure refers to systems and practices that use or mimic natural processes to infiltrate, evapotranspire (the return of water to the atmosphere either through evaporation or by plants), or reuse storm water or runoff on the site where it is generated.
7. Illicit Connection means any man-made conveyance connecting an illicit discharge directly to municipal separate storm sewer.
8. Illicit Discharge is defined at 40 CFR Part 122.26(b)(2) and refers to any discharge to a municipal separate storm sewer that is not entirely composed of storm water, except discharges authorized under an NPDES permit (other than the NPDES permit for discharges from the MS4) and discharges resulting from fire fighting activities.
9. Indian Country, as defined in 18 USC 1151, means (a) all land within the limits of any Indian reservation under the jurisdiction of the United States 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 United States 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.

10. Infiltration means water other than wastewater that enters a sewer system, including foundation drains, from the ground through such means as defective pipes, pipe joints, connections, or manholes. Infiltration does not include, and is distinguished from, inflow.
11. Landfill means an area of land or an excavation in which wastes are placed for permanent disposal, and which is not a land application unit, surface impoundment, injection well, or waste pile.
12. Large municipal separate storm sewer system means all municipal separate storm sewers that are either: (i) located in an incorporated place (city) with a population of 250,000 or more as determined by the latest decennial census.
13. Low Impact Development (LID) is an approach to land development (or re-development) that works with nature to manage storm water as close to its source as possible. LID employs principles such as preserving and recreating natural landscape features, minimizing effective imperviousness to create functional and appealing site drainage that treat storm water as a resource rather than a waste product.
14. Medium municipal separate storm sewer system means all municipal separate storm sewers that are either: (i) located in an incorporated place (city) with a population of 100,000 or more but less than 250,000 as determined by the latest decennial census.
15. MEP is an acronym for "Maximum Extent Practicable," the technology-based discharge standard for municipal separate storm sewer systems to reduce pollutants in storm water discharges that was established by CWA Section 402(p). A discussion of MEP as it applies to small MS4s is found at 40 CFR Part 122.34.
16. MS4 is an acronym for "Municipal Separate Storm Sewer System" and is used to refer to either a large, medium, or small municipal separate storm sewer system. The term is used to refer to either the system operated by a single entity or a group of systems within an area that are operated by multiple entities.
17. Municipal Separate Storm System is defined at 40 CFR Part 122.26(b)(8) and means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains): (i) Owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or a designated and approved management agency under section 208 of the CWA that discharges to waters of the United States; (ii) Designed or used for collecting or conveying storm water; (iii) Which is not a combined sewer; and (iv) Which is not part of a Publicly Owned Treatment Works (POTW) as defined in ADEM Admin. Code r. 335-6-6-.02(nn).
18. NOI is an acronym for "Notice of Intent" to be covered by this permit and is the mechanism used to "register" for coverage under a general permit.
19. Permittee means each individual co-applicant for an NPDES permit who is only responsible for permit conditions relating to the discharge that they own or operate.
20. Point Source means 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 storm water runoff.

21. Priority construction site means any qualifying construction site in an area where the MS4 discharges to a waterbody which is listed on the most recently approved 303(d) list of impaired waters for turbidity, siltation, or sedimentation, any waterbody for which a TMDL has been finalized or approved by EPA for turbidity, siltation, or sedimentation, and any waterbody assigned specific water quality criteria, such as Outstanding Alabama Water use classification, in accordance with ADEM Admin. Code r. 335-6-10-.09 and any waterbody assigned a special designation in accordance with ADEM Admin. Code r. 335-6-10-.10.
22. Qualifying Construction Site means any construction activity that results in a total land disturbance of one or more acres and activities that disturb less than one acre but are part of a larger common plan of development or sale that would disturb one or more acres. Qualifying construction sites do not include land disturbance conducted by entities under the jurisdiction and supervision of the Alabama Public Service Commission.
23. Qualifying New Development and Redevelopment means any site that results from the disturbance of one acre or more of land or the disturbance of less than one acre of land if part of a larger common plan of development or sale that is greater than one acre. Qualifying new development and redevelopment does not include land disturbances conducted by entities under the jurisdiction and supervision of the Alabama Public Service Commission.
24. Small municipal separate storm sewer system is defined at 40 CFR Part 122.26(b)(16) and refers to all separate storm sewers that are owned or operated by the United States, a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, storm water 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 section 208 of the CWA that discharges to water of the United States, but is not defined as "large" or "medium" municipal separate storm sewer system. This term includes systems similar to separate storm sewer systems in municipalities, such as systems at military bases, large hospital or prison complexes, and highways and other thoroughfares. The term does not include separate storm sewers in very discrete areas, such as individual buildings.
25. Storm water is defined at 40 CFR Part 122.26(b) (13) and means storm water runoff, snow melt runoff, and surface runoff and drainage.
26. Storm Water Management Program (SWMP) refers to a comprehensive program to manage the quality of storm water discharged from the municipal separate storm sewer system.
27. SWMP is an acronym for "Storm Water Management Program."
28. Total Maximum Daily Load (TMDL) means the calculated maximum permissible pollutant loading to a waterbody at which water quality standards can be maintained. The sum of wasteload allocations (WLAs) and load allocations (LAs) for any given pollutant.

29. You and Your as used in this permit is intended to refer to the Permittee, the operator, or the discharger as the context indicates and that party's responsibilities (e.g., the city, the country, the flood control district, the U.S. Air Force, etc.).

DAPHNE'S STORM WATER MANAGEMENT PLAN



City of Daphne, Alabama
Stormwater Management Program Plan
Phase II MS4

2016-2021 SWMPP
Permit # ALR 040039, Expiration Date: September 30, 2021



Developed by the City of Daphne's Environmental Programs Manager
1705 Main Street, Daphne, AL 36532

Certification

City of Daphne, Alabama

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, to the best of my knowledge and belief, the information submitted is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

2016-2021 Stormwater Management Program Plan (2nd Permit Cycle)

Dane Haygood
Mayor
City of Daphne, Alabama

Date: _____

ATTEST:

Rebecca A. Hayes, City Clerk

Date: _____





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Table of Acronyms

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Chapter 1 – Introduction

1-1 Program Overview

This document presents the City of Daphne's Stormwater Management Program (SWMP) as required by the Alabama Department of Environmental Management's (ADEM) National Pollutant Discharge Elimination System (NPDES) Phase II Municipal Separate Storm Sewer System (MS4) Permit. This permit covers stormwater discharges from regulated small municipalities. The overall goal of the program is to protect water quality by an effort to reduce to the maximum extent practicable the discharge of pollutants in stormwater.

1-2 Regulatory Background

In 1990, the Environmental Protection Agency (EPA) promulgated regulations establishing Phase I of the NPDES stormwater program. The Phase I program for municipal separate storm sewer systems (MS4s) requires operators of "medium" and "large" MS4s that generally serve populations of 100,000 or greater to implement a stormwater management program as a means to control polluted discharges from certain municipal, industrial and construction activities into the MS4.

In 1999, EPA promulgated regulations establishing Phase II of the NPDES stormwater program. The Phase II program extends coverage of the NPDES stormwater program to regulated "small" MS4s. A regulated small MS4 is located within an "Urbanized Area" or is designated by the NPDES permitting authority. An Urbanized Area (UA) is a densely settled core of census tracts and/or census blocks that have a population of at least 50,000, along with adjacent territory containing non-residential urban land uses as well as territory with low population density included to link outlying densely settled territory with the densely settled core. It is a calculation used by the Bureau of the Census to determine the geographic boundaries of the most heavily developed and urban areas.

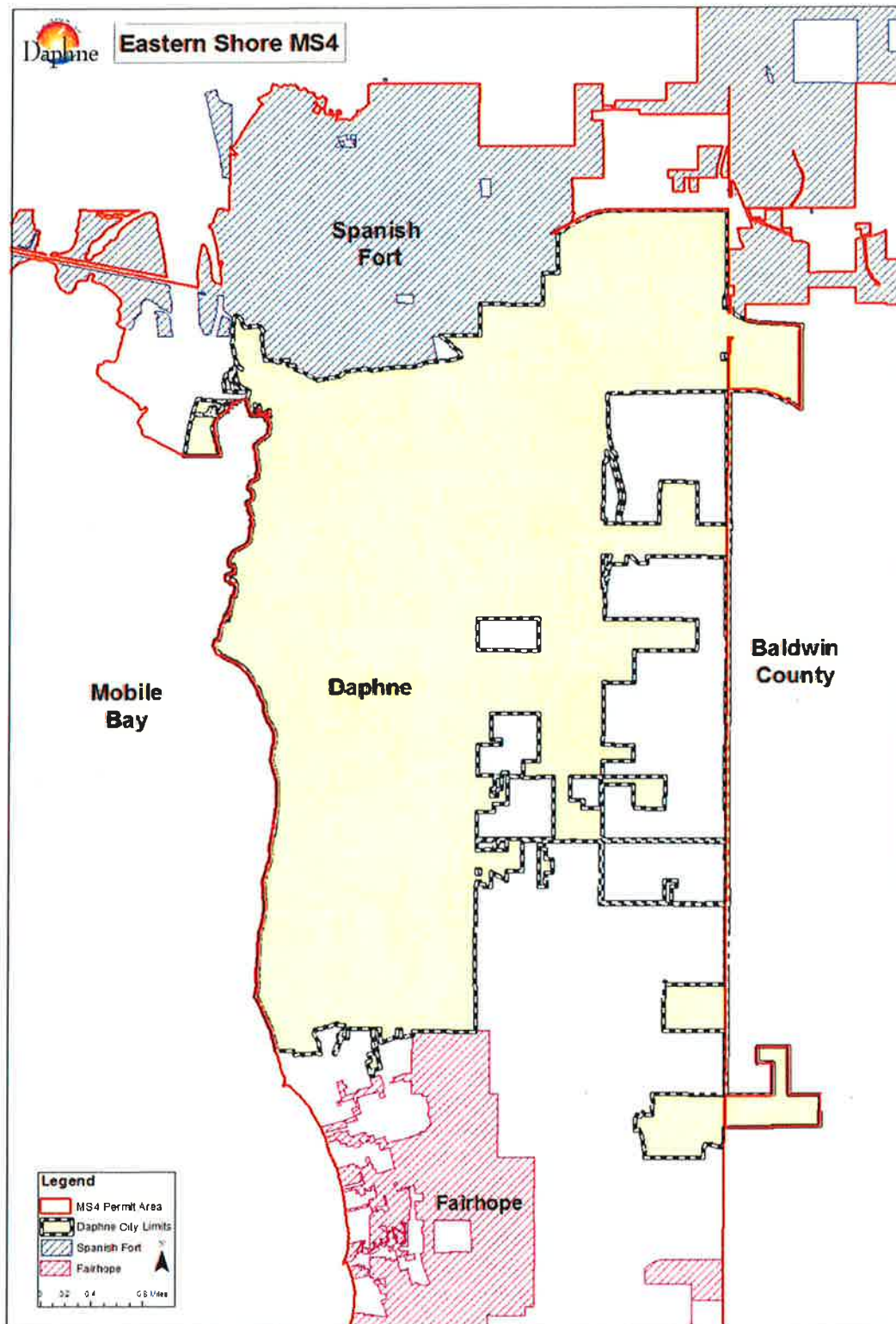
The ADEM presently has primary jurisdiction over permitting and enforcement of the Phase I and II stormwater program for Alabama. On October 31, 2016, ADEM issued its latest MS4 Phase II General Permit (NPDES Permit Number ALR040039, Attachment A-1) for stormwater discharges associated with small MS4s in Alabama. The permit will expire September 30, 2021.

1-3 Regulated Area

The Phase II MS4 General Permit applies to operators of regulated small MS4s that discharge stormwater to waters of the State. The City of Daphne is located on the eastern shore line of Mobile Bay, or south of Spanish Fort and north of Fairhope. Figure 1 displays Daphne's city limit boundaries.



FIGURE 1. CITY OF DAPHNE MAP



Map compiled by City of Daphne Planner, 12/2/2016

This map was prepared for the use of the City of Daphne and is not to be used for any other purpose without the written consent of the City of Daphne. The City of Daphne is not responsible for any errors or omissions on this map. The City of Daphne is not responsible for any damages or losses resulting from the use of this map. The City of Daphne is not responsible for any claims or liabilities resulting from the use of this map. The City of Daphne is not responsible for any claims or liabilities resulting from the use of this map.



Daphne is one of the fastest growing cities in Alabama. From the 2000 Census to the 2010 census, the City experienced a thirty percent (30%) increase in population from 16,581 to 21,570 persons. This makes Daphne the most populous City in Baldwin County and designates it as a Phase II MS4.

In order to develop, implement and maintain an effective SWMP that minimizes pollutant discharges in stormwater runoff, it is important for the City to have knowledge of the major drainage basins within the City, potential sources of pollutants by land use, and water quality concerns of each drainage basin.

A. Major drainage basins within the City

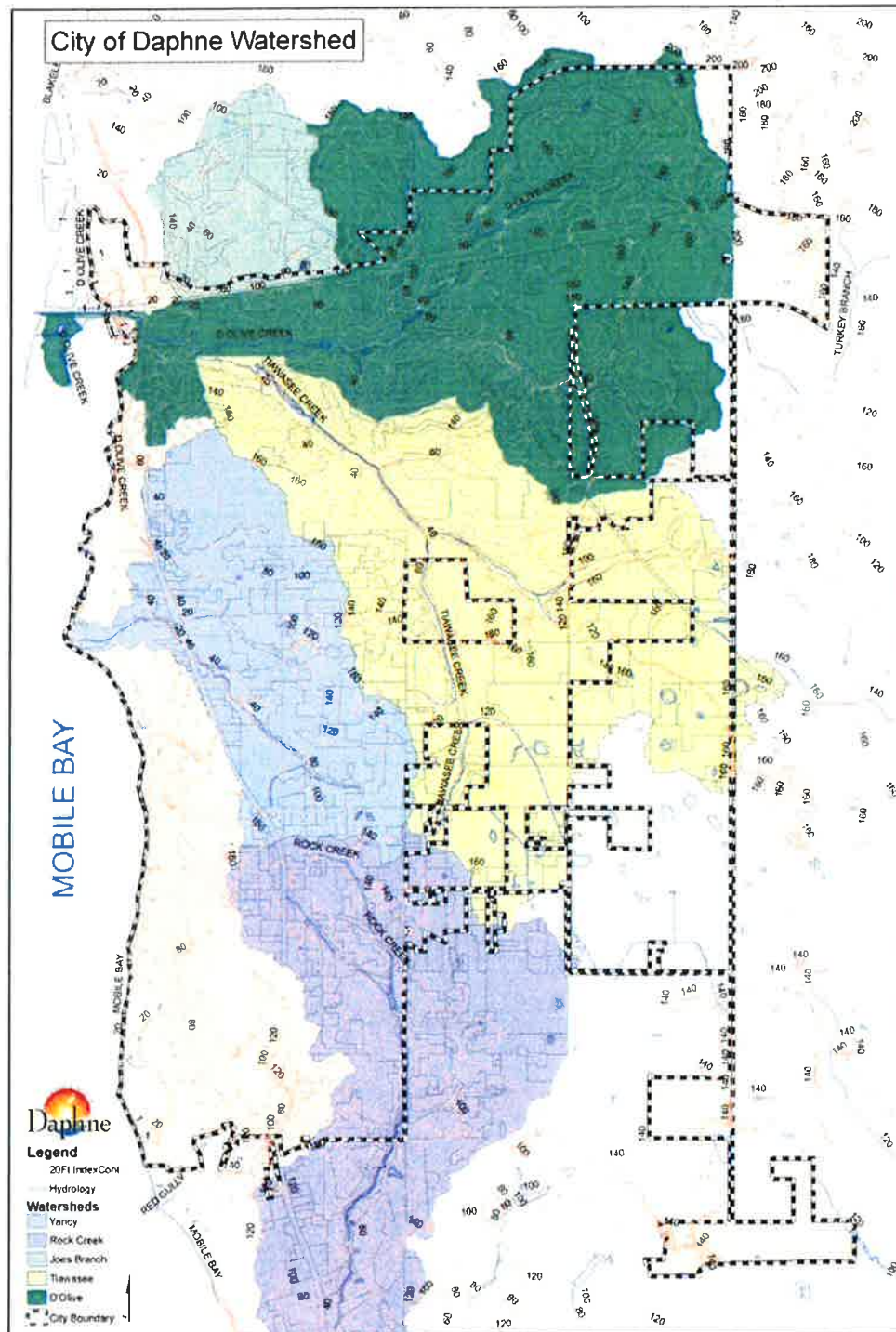
The City's total area is sixteen point three eight (16.38) square miles with sixteen point three six (16.36) square miles of land and point zero two (.02) square miles of water. The City of Daphne expands across four (4) watersheds that are designated by a twelve (12) digit Hydrologic Unit Code (HUC-12). Areas of the City of Daphne located within each HUC-12 watersheds are summarized in Table 1 and shown in Figure 2.

TABLE 1. HUC-12 WATERSHED

HUC-12 Watersheds	Area (Mi ²)	Area (%)
HUC#031602040505 Tensaw River-Apalachee River Sub-watershed D'Olive Creek	9.70	59.3
HUC#031602050301 Yancey Branch	4.23	25.8
HUC#031602050302 Fly Creek	1.51	9.2
HUC#031602050304 Upper Fish River	0.94	5.7
Total	16.38	100.0



FIGURE 2. DAPHNE WATERSHEDS



Map compiled by City of Daphne GIS Manager, June 8, 2012

**B. Potential sources of pollutants by land use**

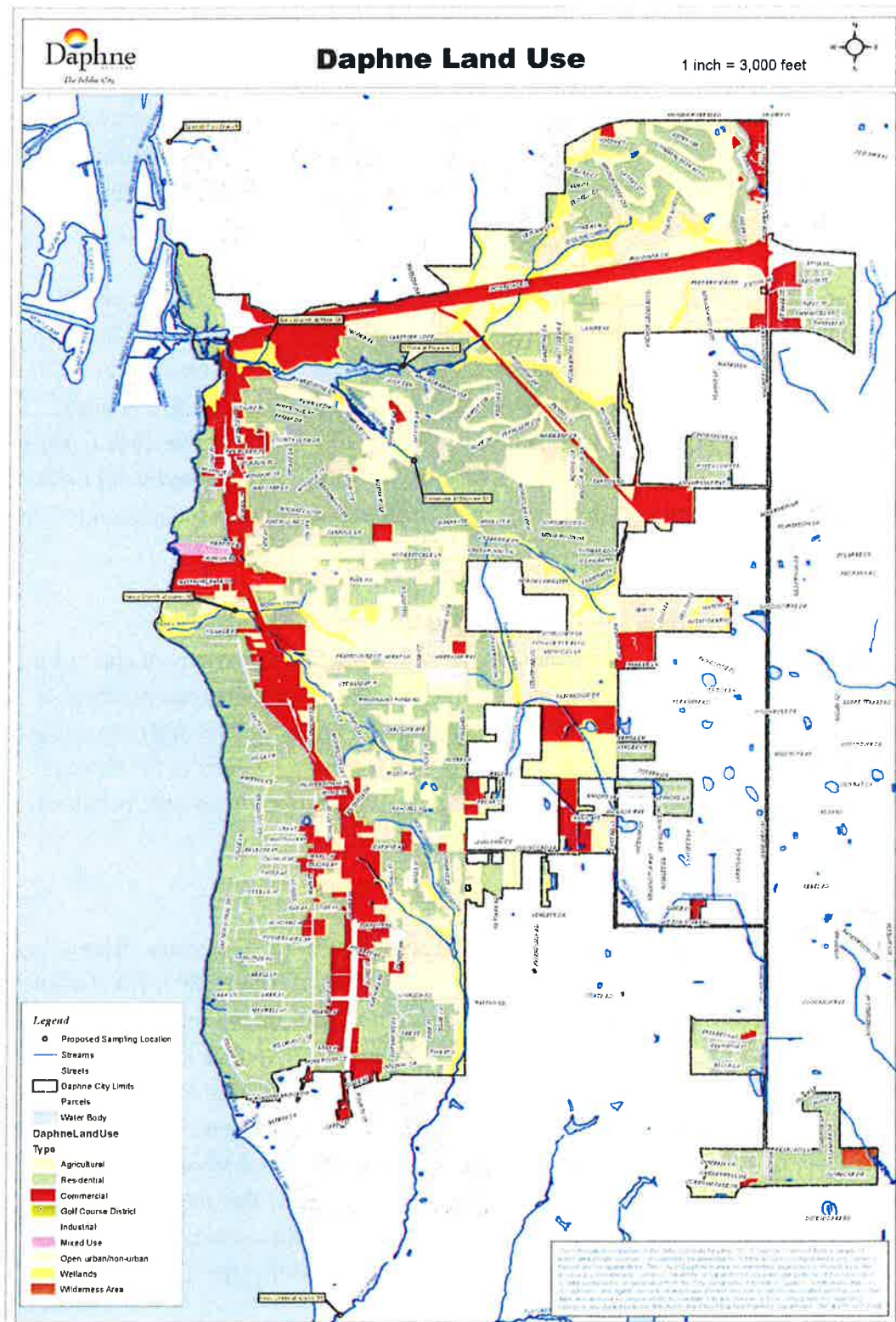
Because various pollutants are associated with specific land uses, it is important for the City to know the land uses within its watersheds. Based on Baldwin County's 2009 GIS data, the City's major land use categories include the following: Agriculture, Commercial, Forested, Industrial, Institutional, Recreational, Residential, Water and Wetlands. A summary of the major land uses is listed in Table 2 and shown Figure 3.

TABLE 2. LAND USE

Land Use	Area (mi2)	Area (%)
Agriculture	0.47	2.9
Commercial	2.18	13.3
Forested	3.53	21.5
Industrial	0.05	0.3
Institutional	0.59	3.6
Recreational	0.73	4.5
Residential	7.57	46.2
Water	0.02	1.2
Wetlands	1.07	6.5
Total	16.38	100%



FIGURE 3. DAPHNE LAND USE MAP





C. Water quality concerns of each drainage basin

The City of Daphne's primary receiving water is Mobile Bay. It is listed as Fish and Wildlife and Swimming by ADEM for its water use classification. The water use classification is the most beneficial use that the water of the stream will support. Mobile Bay is Alabama's principal estuary, or receiving drainage from all but the extreme northern and southeastern portions of the State. Mobile Bay is also included in the National Estuary Program, one of only twenty eight (28) officially designated estuaries across the nation. The National Estuary Program (NEP) was established in 1987 by amendments to the Clean Water Act to identify, restore, and protect nationally significant estuaries of the United States.

The D'Olive Creek Watershed shown in Figure 2 is the City's largest watershed and the most impacted (impaired). Portions of the watershed are located within Spanish Fort, Baldwin County and Daphne. It drains over seven thousand and seven hundred (7,700) acres and consists of three principal tributaries including D'Olive Creek, Tiawasee Creek, and Joe's Branch. The ADEM water use classification for these tributaries is Fish and Wildlife. The three (3) principal tributaries and their tributaries are all listed on ADEMs 303(d) List impaired by silt (sediment) due to land use change over time. Severe stream channel erosion has been documented on each of the streams in the municipalities and the county.

1. Discharge Compliance with Water Quality Standards

The general permit requires, at a minimum, that permittees develop, implement and enforce a SWMP designed to reduce the discharge of pollutants to the maximum extent practicable. Full implementation of best management practices, using all known, available, and reasonable methods to prevent and control stormwater pollution from entering waters of the State of Alabama is considered an acceptable effort to reduce pollutants from the municipal storm drain system to the maximum extent practicable.

2. Discharges to Impaired Waters

According to ADEM's 303(d) List dated April 2010 and 2014; five (5) streams that are located within, or flowing through, Daphne are designated as impaired. ADEM's 303(d) listed streams located within the City of Daphne are summarized in Table 3 and shown in Figure 4. ADEM has included Joe's Branch, Tiawasee Creek, Un-named Tributary to Tiawasee Creek, D'Olive Creek and Un-named Tributary to D'Olive Creek on the 303(d) List as impaired for siltation and habitat alteration. The source of this impairment is attributed to land development. As a result of these streams' designations, EPA requires the establishment of a Total Maximum Daily Load (TMDL) under the Clean Water Act. The TMDL is a calculation of the maximum amount of a pollutant that a water body can receive and safely meet water quality standards. Currently there are no EPA approved TMDLs for these streams. It is anticipated that the TMDLs for Daphne's impaired streams will be written and released in 2018.



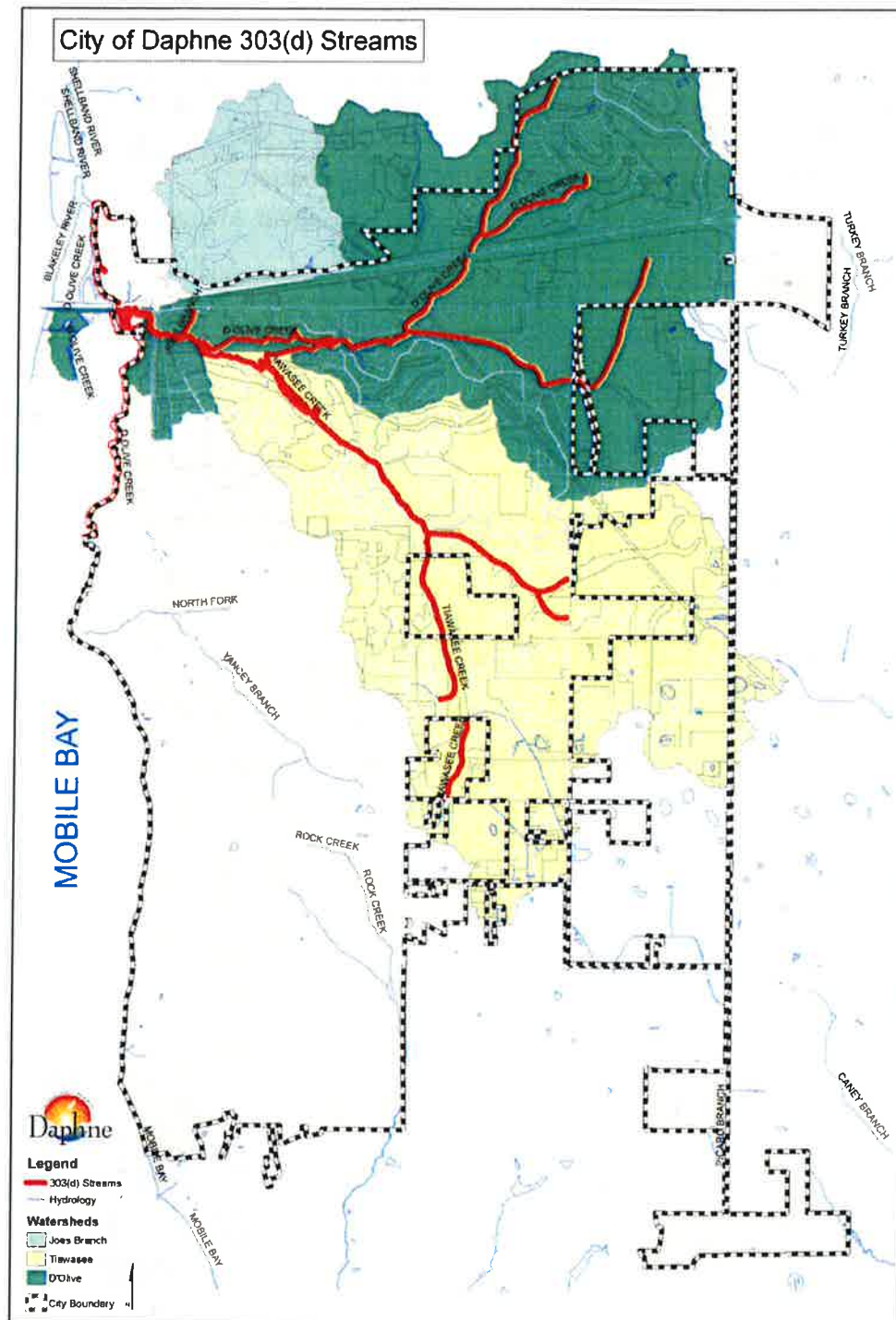
TABLE 3. DAPHNE STREAMS ON THE 303(d) LIST AS OF APRIL 2014

Stream Name	Watershed	Designated Use	Pollutant of Concern	Source
Joe's Branch	D'Olive Creek	Fish & Wildlife	Siltation Habitat Alteration	Land Development
D'Olive Creek	D'Olive Creek	Fish & Wildlife	Siltation Habitat Alteration	Land Development
UT to D'Olive Creek	D'Olive Creek	Fish & Wildlife	Siltation Habitat Alteration	Land Development
Tiawasee Creek	D'Olive Creek	Fish & Wildlife	Siltation Habitat Alteration	Land Development
UT to Tiawasee Creek	D'Olive Creek	Fish & Wildlife	Siltation Habitat Alteration	Land Development





FIGURE 4. MAP OF DAPHNE 303 (d) LIST STREAMS



Map compiled by City of Daphne GIS Manager, June 8, 2012



1-4 Legal Authority

Daphne was officially incorporated in July 1927. As an incorporated city, Daphne has the legal authority to create land use and design regulations for developments within the City and its corporate limits in accordance with the statutory provisions of the State of Alabama. Listed below are the City's existing ordinances that support Daphne's efforts in MS4 Stormwater Management Program compliance:

A. Land Use and Development Ordinance (LUDO)

Daphne adopted its original Land Use and Development Ordinance (LUDO) in September 1987. The ordinance has been amended several times since its adoption with the latest revision in 2011 (Ordinance No. 2011-54, Appendix A). The LUDO addresses both the City's Zoning and Subdivision Regulations that are detailed below.

1. Zoning Provisions

Components of the Zoning Provisions include the following:

- a. Classification and establishment of districts;
- b. Enforcement;
- c. Board of Adjustments;
- d. Amendment (of the Zoning Ordinance);
- e. Legal status provisions;
- f. General provisions;
- g. District regulations;
- h. Outdoor advertising signs and structure.

2. Subdivision Provisions

Components of the Subdivision Provisions include the following:

- a. Authority and jurisdiction;
- b. Procedures;
- c. Requirements for plats and supplementary data;
- d. Design standards;
- e. Required improvements (including drainage);
- f. References to the Alabama Handbook for Erosion Control, Sediment Control, and Stormwater Management on Construction Sites and Urban Areas;
- g. Required Construction Best Management Practices Plan (CBMPP);
- h. Required 50 foot Stream Buffers;
- i. Required 30 foot Wetland Buffers;
- j. Requirements for first flush treatments of stormwater;



- k. Requirement that all stormwater detention structures must attenuate the post development peak flow rates from the two (2), five (5), ten (10), twenty five (25), fifty (50) and one hundred (100) year 24 hour design storms to release a graduated discharge at or below the predevelopment peak flow rates;
- l. Requirement that post development peak outflow rates not exceed the predevelopment outflow rate as the basis of detention design;
- m. Allowance for variances;
- n. Definitions, and
- o. Severability clause.

The latest version of Daphne's LUDO is incorporated into the SWMP Plan by reference and is available on the City's website www.daphneal.com.

B. Low-Impact Development Ordinance

The City of Daphne adopted an Ordinance titled *Amend the City of Daphne's Land Use and Development Ordinance with the addition of Appendix O, Low Impact Development and Green Infrastructure* (Ordinance No. 2013-12) in 2013. The ordinance allows for the use of Low Impact Development (LID) practices in the City of Daphne. LID practices focus on mimicking natural hydrologic functions to reduce stormwater runoff, promote infiltration and groundwater recharge, and increase greenspace while promoting native vegetation and landscapes where possible. By encouraging green space and infiltration, LID can reduce impervious surfaces thereby reducing the overall volume of stormwater runoff rushing into storm drains and eventually into our streams.

The ordinance established a guide for development in Daphne wherein the ecological impacts to the environment are minimized through appropriate design, landscaping, erosion control, stormwater management and proper planning. The intent of the City is to protect valuable natural resources, the natural environment and the quality of life for all its citizens.

The latest version of Daphne's Low Impact Development Ordinance is incorporated into the SWMP Plan by reference and is available on the City's website www.daphneal.com.

C. Construction Best Management Practices for Residential Dwelling and Other Land Disturbance within the City Ordinance

The City's Residential Erosion and Sediment Control Ordinance was developed in 2007 (Ordinance No. 2007-03). It was amended in 2008 (Ordinance No. 2008-54, Appendix B) and again in 2014 (Ordinance No. 2014-14, Appendix B-2). The ordinance includes:



1. References to the Alabama Handbook for Erosion Control, Sediment Control, and Stormwater Management on Construction Sites and Urban Areas and the ADEM General Construction Permit requirements;
2. Requirements for CBMPPs for all new home sites and any land disturbance greater than 1000 square feet;
3. Requirements for CBMP implementation, inspection and maintenance;
4. Procedures for violations and enforcement.

The latest version of the ordinance is incorporated into the SWMP Plan by reference and is available on the City's website www.daphneal.com.

D. Flood Damage Prevention Ordinance

The City of Daphne adopted its Flood Damage Prevention Ordinance (Ordinance No. 1998-02) in 1998. The ordinance was updated in 2009 (Ordinance No. 2009-01, Appendix C). The purpose of this ordinance is to promote the public's health, safety and general welfare and to minimize public and private losses due to flood conditions in specified areas of provisions designated to:

1. Require that certain uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
2. Restrict or prohibit uses which are dangerous to health, safety and property due to water or erosion hazards, or which increase flood heights, velocities, or erosion;
3. Control filling, grading, dredging and other development which may increase flood damage or erosion;
4. Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters which may increase flood hazards to other lands; and,
5. Control the alteration of natural flood plains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters.

The latest version of the Flood Damage Prevention Ordinance is incorporated into the SWMP Plan by reference and is available on the City's website www.daphneal.com.

E. Illicit Discharge Detection and Elimination Ordinances

The City's current LUDO references the City's MS4 permit and prohibits illicit discharges from new development. On March 17, 2014 the City adopted a stand-alone Illicit Discharge Detection and Elimination Ordinance (Ord. No. 2014-09, Appendix C-1) to address existing developments and residential illicit discharges. The Ordinance was based on EPA guidance and the objectives are the following:



1. To regulate the introduction of pollutants to the MS4 by stormwater discharges by any user;
2. To prohibit illicit connections and discharges to the City's MS4;
3. To establish legal authority to carry out all inspection, surveillance and monitoring procedures necessary to ensure compliance with this Ordinance.

The latest version of the Illicit Discharge Ordinance is incorporated into the SWMP Plan by reference and is available on the City's website www.daphneal.com.

F. Solid Waste Ordinance

The City updated its current Solid Waste Ordinance (2002-34, Appendix P) in 2002. The Ordinance has provisions in it prohibiting throwing, dumping and burying trash on public right of ways. The ordinance gives the City enforcement capability with penalties.

The latest version of the Solid Waste Ordinance is incorporated into the SWMP Plan by reference and is available on the City's website www.daphneal.com.

G. Handbill Ordinance

In 2016, due to chronic problems with handbills impacting the City's right of way and MS4 Stormwater system, the City adopted its Hand Bill Ordinance (2016-32, Appendix Q). The ordinance regulates the distribution of handbills in the City of Daphne. The ordinance gives the City enforcement capability with penalties.

The latest version of the Handbill Ordinance is incorporated into the SWMP Plan by reference and is available on the City's website www.daphneal.com.

H. Additional Ordinances

If the City determines that additional ordinances are necessary for proper implementation of its SWMP, the City will use its legal authority as a municipality to create them.



Chapter 2 - SWMP Program Administration

2-1 SWMP Plan Implementation Responsibilities

The Building Department's Environmental Programs Manager (EPM) is responsible for the overall management of SWMP. However, no single department within the City is responsible for all of the necessary activities associated with the permit's Minimum Control Measures (MCM). Therefore, multiple departments and agencies have a role in program management. The key departments and their responsibilities are detailed below:

A. City of Daphne's Council

The Council is the legislative body for the City and is responsible for the promulgation of resolutions, ordinances and the budget related to the implementation of the SWMP.

B. Mayor's Office

The Mayor is the executive for the City and is responsible for overall oversight of the program, and for maintaining communication between the Council and each department.

C. Building Department-Environmental Programs-Flood Plain Management

The Building Department's EPM will lead the day-to-day activities and administration of the program, with substantial assistance and input from other departments as depicted in this Plan. The EPM will take the lead in assuring that MS4 training occurs city-wide. The Building Department will assist with flood plain management, illicit discharge detection and elimination, construction site runoff control, post-construction stormwater management, and training for the good housekeeping for municipal operation's MCM.

D. Public Works/Recreation & Parks

Public Works and Recreation Department will have a role in several of the MCM, including public education, illicit discharge detection and elimination. In addition, these Departments are responsible for city-owned and maintained grounds and landscaping and will be largely responsible for the Pollution Prevention/Good Housekeeping for Municipal Operation's MCM.

E. Community Development Department

The Community Development Department will assist by the development of criteria that includes elements and conditions of approval on land use projects consistent with the City's Land Use and Development Ordinance (LUDO) and its SWMP Plan. Community Development will also assist with public education and outreach, construction site runoff control, and post-construction stormwater management. The Department's GIS personnel will assist in mapping various elements of the program.



F. Police Department

The Police Department provides a support role through its Code Enforcement Officer who issues municipal offense tickets for City ordinances. The Police Department is the enforcement mechanism for MS4 compliance through illicit detection and elimination, construction site runoff control and post construction stormwater management.

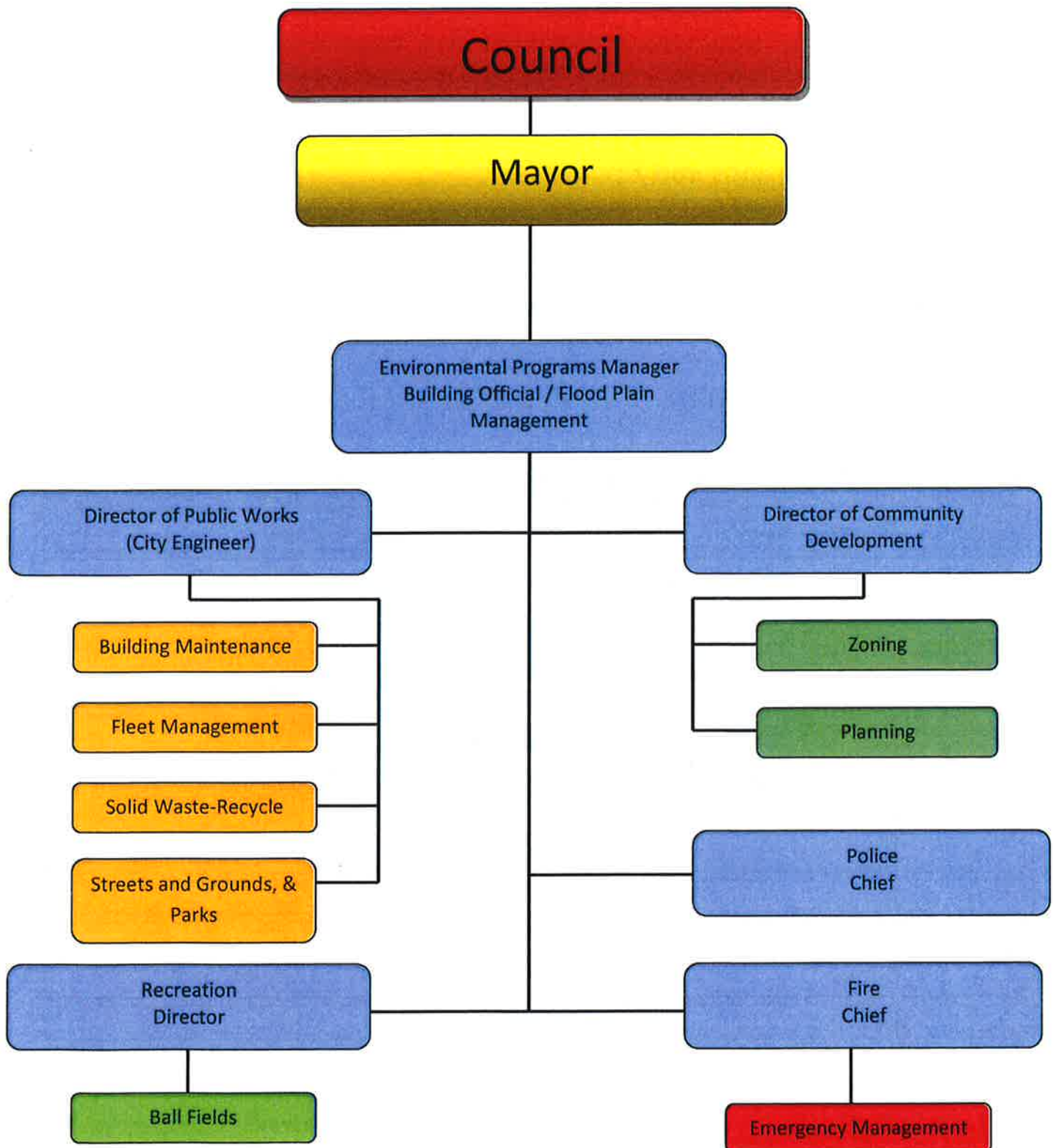
G. Fire Department

The Fire Department provides a support role through non-hazardous and hazardous waste spill reporting. Their responsibilities include public education, illicit discharge detection and elimination and pollution prevention and good housekeeping.

The Department Organizational Chart shown in Figure 5 presents the City's departments with their relationships for purposes of the stormwater management program. As mentioned previously, the EPM will be in charge of overall program management. Future revisions to these responsibilities and relationships will be updated in the City's SWMP Plan Annual Report, if necessary.



FIGURE 5. CITY SWMP ORGANIZATIONAL CHART





2-2 Coordination between Local MS4s

Daphne shares sections of its watersheds with other cities and the County. The City does not rely on any of these entities for compliance with our general permit. Therefore, there is no need for any Intra-Jurisdictional Agreements. However, the City does anticipate sharing some of its efforts in implementing various MCM of the permit such as Education Outreach and Public Participation. This coordination will be on a voluntary basis only and allows for cost effective implementation of certain program MCM.

2-3 SWMP Revisions and Updates

As part of the annual review of the SWMP and in conjunction with the preparation of the annual report, all revisions and updates that are required by ADEM or necessary to maintain permit compliance will be submitted to the Department for review. Upon approval of the revisions and updates, the modified SWMP Plan will become effective. Revisions to the SWMP shall be documented below in Table 4.

TABLE 4. SWMPP REVISIONS

Date:	Revised By:	Revision Description
8/30/2012	Ashley Campbell	Grammatical and Formatting Changes
03/20/2013	Ashley Campbell	Grammatical and SWMP Plan Annual Update- (See Attachment)
3/20/2014	Ashley Campbell	SWMP Plan Update (See Page 3 of SWMPP)
3/25/2015	Ashley Campbell	SWMP Plan Update (See Page 3 of SWMPP)
3/25/2016	Ashley Campbell	SWMP Plan Update (See Page 3 of SWMPP)
12/15/16	Ashley Campbell	2016-2021 New SWMPP-Five Year Plan



Chapter 3 – Program Components

This chapter provides guidance to staff and others to meet the requirements of the ADEM general permit for stormwater discharges from the MS4.

The Five Program Minimum Control Measures (MCM) are:

- 3-1 Public Education and Outreach/Public Participation/Involvement (MCM 1)
- 3-2 Illicit Discharge Detection and Elimination (MCM 2)
- 3-3 Construction Site Runoff Control (MCM 3)
- 3-4 Post Construction Stormwater Management (MCM 4)
- 3-5 Pollution Prevention/Good Housekeeping for Municipal Operations (MCM 5)

The following sections in this chapter will detail the MCM with the following criteria for each:

- A. Program Introductions
- B. Program Strategies, Goals and Timelines
- C. Program Evaluation



3-1 MCM 1-Public Education and Public Involvement on Stormwater Impacts

A-1. Program Introduction/Public Education

1. Permit Requirement

The Public Education on Stormwater Impacts minimum control measure requires the City to implement and evaluate a public education and outreach program that informs the community about the impacts of stormwater discharges on water bodies and the steps that the public can take to reduce pollutants in stormwater runoff to the maximum extent practical.

2. Target Audiences

MCM 1 includes the following diverse target audiences: engineers, developers, review staff, land use planners, the general public, businesses (including home-based and mobile businesses), homeowners, landscapers, property managers, schools, elected officials, contractors, federal, state and other local agencies. Educational materials will be tailored to communicate a specific stormwater pollutant concern to a targeted audience.

3. Target Pollutants and Sources

Non-point source pollutants found in stormwater will be targeted by MCM 1. These pollutants include, but are not limited to, sediment, trash, fertilizers, pesticides, pathogens and oils and greases. The sources that are targeted include, but are not limited to, illegal dumping, pool water disposal, car washing, home auto repair, failing septic systems, illicit discharges, impacts from development, construction site erosion, commercial parking lot runoff and improper application of fertilizers, pesticides and herbicides.

Since, Daphne has five (5) streams listed on ADEM's 303(d) List as impaired for sediment, sediment will be primarily targeted in the public education program. Some of the target sediment sources will include:

- a. Residential development
- b. Commercial development
- c. All-terrain trespass erosion
- d. Construction site erosion

4. Other Subject Areas

Other items to be addressed in the Public Education Outreach campaign are:

- a. *Low Impact Development* has become a topic of much interest within the City. Since the 1st MS4 Phase II permit cycle, the City has adopted Low Impact



Development standards in its Appendix O of the Land Use Ordinance 2011-54.

- b. *Storm water Infrastructure Maintenance* of private stormwater infrastructure is a critical component of a properly managed stormwater program. This topic will be added to the education outreach campaign.

B-1. Strategies, Goals and Timeline

The City employs a variety of strategies for MCM 1 including the utilization of existing materials from other agencies and permittees and the creation of new materials to educate the targeted audiences. Some of the City's current and possible future compliance activities include:

- Articles in Local Publications
- Brochures, Pamphlets
- Environmental Webpage
- Workshops
- School Presentations
- Curbside Recycling & Used Motor Oil Recycling Program
- Watershed Signage & Environmental Awareness Signage
- Elected Officials Training

These activities will represent efforts (best management practices) that are effective in reducing polluted stormwater runoff. Each outreach strategy detailed below along with its goal, timeline and department responsible for implementation of the measure.

The City's Environmental Advisory Committee (EAC) members were surveyed recently and during the City's 1st permit cycle to determine which targeted pollutants, audiences and strategies should be addressed. The results of that survey guided the updates to this plan.

1. Submit Materials to Local Media

Current Program:

In previous years, the City has released several articles to local Property Owners Association's papers and the local press. Several of these documents are included in Appendix D. This element of MCM 1 will involve a local media campaign about the City's stormwater program activities, general stormwater pollution impacts and ways to mitigate impacts. Media resources will be submitted to local or regional publishers and/or radio stations for use.

Potential Target Audience: General Public



Measurable Goals:

In years one (1) through five (5) of the permit cycle, the City will identify local media that will assist the City in publishing and/or broadcasting the stormwater education materials.

In years one (1) through five (5) of the permit cycle, the City will submit two (2) environmental education outreach resources (which may include articles, articles with interviews, advertisements, commercials, etc.) a year for publication in local media outlets.

Responsible Department: Environmental Programs

2. Create Stormwater Education Outreach Brochures-Pamphlets

Current Program:

This element of MCM 1 allows for the distribution of new and existing stormwater education brochures and pamphlets for targeted groups, such as erosion and sediment control brochures for contractors working in the City, flyers for presentations given to school children, and flyers targeting residential activities to homeowners. The City currently displays several flyers and brochures in its Building Department permit office for distribution. Table 5 lists the brochures and flyers and a copy of each is located in Appendix E.





TABLE 5. CITY BROCHURES & HANDOUTS & LOCATIONS

Brochure, Handout, Flyer Title	Source	Distribution Location
Field Guide for Erosion & Sediment Control	City of Daphne Purchased with Clean Water Future Logo	Building Department
The 10 Best Native Trees	City of Daphne & Foley	Building Department, Public Works, Community Development, City Library
The 10 Best Native Shrubs	City of Daphne & Foley	Building Department, Public Works, Community Development, City Library
Erosion and Sediment Control Guide	Alabama Homebuilders	Building Department
Recycle Brochure	City of Daphne	Building Department, Public Works, Community Development, City Library
Phase II MS4 Brochure	City of Daphne	Building Department, Public Works, Community Development, City Library
Just Say No to Plastic	City of Daphne, MBNEP, Baldwin County	Building Department, Public Works, Community Development, City Library
Effective CBMP Plans Brochure	City of Daphne	Building Department
Clean Water Future MS4 Brochures	Mobile Bay NEP, Cities of Daphne, Foley, Mobile & Mobile County	Building Department, Public Works, Community Development, City Library
Create a Clean Water Future (CCWF) Campaign Brochure	City of Daphne, Mobile Bay NEP	Building Department, Public Works, Community Development, City Library
Illicit Discharge Detection & Elimination & CCWF Brochure	City of Daphne, Mobile Bay NEP	Building Department, Public Works, Community Development, City Library

Potential Target Audience: Contractors, Developers, Elected Officials, General Public, Home Owners, Landscapers, Schools

Measurable Goals:

In years one (1) through five (5) of the permit cycle, the City will continue to update the list of existing EPA and other stormwater educational brochures and pamphlets that can be used to implement this element of the MCM 1. Also, with guidance from the EAC, distribution



locations will be determined and the brochures (pamphlets) will be placed at the desired locations for distribution.

In year one (1), the City will secure additional brochure space at other City facilities to distribute applicable education outreach brochures. Locations may include but are not limited to the following:

- a. Recreation Center
- b. Police Departments

In year two (2) of the permit cycle, the City will create a tracking system to account for how many brochures are given out during a permit year at each location.

During the current permit cycle (2016-2021), the City will create 3 additional education outreach brochures or handouts for distribution.

Responsible Department: Environmental Programs

3. Environmental Web Page

Current Program:

The internet provides a very accessible means for making information and data available to citizens. The City's website has been expanded to incorporate an Environmental page which has a link to the City's SWMP Plan, MS4 Annual Report, and other stormwater related topics, as well as information on any existing and future stormwater related activities.

Potential Targeted Audience: General Public

Measurable Goals:

Throughout the permit cycle, the website will be maintained and updated as needed to remain in compliance with the general permit.

Responsible Department: Environmental Programs

4. Workshops

Current Program:

Workshops are useful in educating specific target audiences about specific issues. Using existing training programs, the City will work with its partners to sponsor workshops on a variety of stormwater topics for homeowners and professionals. Examples of some potential workshops include but are not limited to the following: Non-point Education for Municipal Officials (NEMO), Rain Barrel, Erosion and Sediment Control, Stream Restoration, Invasive Species Control, and Low Impact Development (LID)/Green Infrastructure (GI) Workshops.



Potential Targeted Audience: General Public, Contractors, Developers, Elected Officials, Homeowners, Landscapers, and Professionals

The City will sponsor three (3) workshops per permit cycle.

Responsible Department: Environmental Programs

5. School and Workshop Presentation

Current Program:

Teaching all ages of students about stormwater and its impacts is of utmost importance to any stormwater program. Visiting local schools, outdoor class rooms, workshops and other educational events and discussing the ways that students can reduce stormwater impacts is critical. Educating all ages is the key to a future with effective stormwater management.

Potential Targeted Audience: K-12 students, college students, conference and workshop attendees

Measurable Goals:

During the permit cycle, the City will present stormwater related topics at local schools or during environmental occasions twice a year. During these events, stormwater facts and other related topics will be presented to the students.

Responsible Departments: Environmental Programs & Public Works

6. Watershed Signage & Environmental Awareness Signage

Current Program:

Watersheds are a logical way to think about the connection between the land and water quality. How we manage and treat the land has a direct impact on the ability of water to support a number of important public uses like swimming, fishing, aquatic species habitat and a clean drinking water supply.

Watershed signs increase public awareness about the importance of watersheds and encourage proper stewardship of our valuable streams, wetlands, lakes and ground water. The City has installed watershed signage in its largest two watersheds-D'Olive and Yancey Branch.

Potential Targeted Audience: General Public



Measurable Goals:

Throughout the permit cycle, the City will inspect and maintain existing watershed and environmental awareness signage.

Responsible Departments: Environmental Programs & Public Works

7. Watershed Wagon

Current Program:

In the past, Daphne has worked with the Weeks Bay National Estuarine Research Reserve to promote stormwater education through the use of its Watershed Wagon. The Watershed Wagon is a utility trailer fitted with stormwater educational signage, games and displays that can be set up at public events.

Potential Targeted Audience: Public

Measurable Goal:

The City will sponsor the Watershed Wagon at two (2) City public event during the permit cycle.

Responsible Departments: Environmental Programs

8. Elected Officials Training

Current Program:

Since, elected officials are responsible for approving resolutions and ordinances that guide the implementation of the City's SWMP and also have budgetary control of it, it is very important to expand their knowledge of stormwater management.

Potential Targeted Audience: Elected officials

Measurable Goals:

The City will present the *Understanding Your Stormwater Management Plan*- MS4 Education outreach video to its new elected officials after each municipal election.

Responsible Department: Environmental Programs

9. Create a Clean Water Future Stormwater Campaign

Current Program:

Create a Clean Water Future is a stormwater campaign to help residents of Alabama learn more about stormwater runoff and its impacts, increase demand for stormwater management, and provide tools that empower Alabama residents to reduce polluted runoff in our waterways. The public awareness and action campaign includes public service announcements, user friendly



online resources and information and take action tools. The City adopted the plan by resolution in 2014 (Resolution 2014-52-Resolution, **Appendix ?** in Support of the Create a Clean Water Future Stormwater Education Outreach Campaign).

Throughout the permit cycle, the City will continue to use and support the Create a Clean Water Future campaign.

A-2. Program Introduction/Public Involvement

1. Permit Requirement

Public Involvement requires the City to develop, implement and evaluate a public participation program centered on the SWMP and the annual report. The development of this program will be documented throughout the process. Ongoing activities for public involvement include advisory councils, watershed associations, committees, stewardship programs and other environmental related activities.

2. Target Pollutants and Sources

Non-point source pollutants found in stormwater will be targeted by MCM 2. These pollutants include, but are not limited to, sediment, trash, fertilizers, pesticides, pathogens and oils and greases. The sources that are targeted include, but are not limited to, illegal dumping, failing septic systems, impacts from development, construction site erosion, commercial parking lot runoff and improper application of fertilizers, pesticides, and herbicides.

B-2. Strategies, Goals and Timelines

The City will employ a variety of strategies for MCM 2 from involvement with existing groups to developing additional mechanisms. Some efforts will also focus on public participation as a whole. Each strategy is detailed below along with its goal, timeline and department responsible for implementation of the measure.

1. Citizens Environmental Advisory Committee

Current Program:

The Citizen's Environmental Advisory Committee of Daphne was created by ordinance in 2007 (Ordinance No. 2007-66, Appendix F) and positions filled in 2011. The committee is made up of environmental consultants, biologists, engineers, botanists, private business owners, and City staff, including the Director of Public Works and the Environmental Programs Manager. The Committee serves various roles for the City from the annual review of the SWMP to environmental ordinance promulgation and review. Also, the committee assists the City in applying for federal and state grant monies to support its efforts in stormwater management through each of the MCM.



Measurable Goal:

In years one (1) through five (5) of the permit cycle, the City will hold at least four (4) EAC meetings a year. During one (1) of the meetings, the City's SWMP will be reviewed and updated as needed to maintain permit compliance.

Responsible Departments: Environmental Programs, and Public Works

2. Watershed Organizations

Current Programs:

a. D'Olive Creek Watershed Working Group

The D'Olive Watershed Working Group (DWWG) is a local group made up of citizens, elected officials, federal, municipal, and state employees. The group initially formed to commence the development of a Watershed Management Plan (WMP) for D'Olive Creek. The DWWG served as an advisory group and assisted in the development and review of the plan. In 2010, the Plan was completed. Since then, the group has been inactive but the City plans on turning the group into a citizen based watershed group. If the group is revitalized the City will participate in its meetings.

Throughout the permit cycle, if the group is revitalized the City will attend the DWWG meetings.

Responsible Department: Environmental Programs

b. D'Olive Creek Restoration Task Force (DWRT)

The D'Olive Creek Restoration Task Force (DWRT) is a local group made up of Daphne, Spanish Fort and Baldwin County elected officials that try to meet quarterly to address watershed issues. This group has a more direct role in the implementation of the Watershed Management Plan. The group meets to discuss needed watershed projects and prioritizes the projects for implementation. The Mobile Bay National Estuary Program (MBNEP) is the lead for the task force. Daphne's Mayor and EPM represent the City during the meetings.

Measurable Goal:

Through the permit cycle, the City will attend scheduled meetings. The meetings attended will be tracked and documented in the SWMP Plan Annual Report.

Responsible Department: Environmental Programs

3. Baldwin County Water Festival and Coastal Kids Quiz

Current Program:

The Baldwin County Water Festival and the Coastal Kids Quiz are two efforts to educate students about all aspects of the water cycle and other related natural resources. These efforts



also instill in the students a general environmental awareness and stewardship regarding specific coastal issues and protection strategies. The Water Festival includes 4th grade students, their teachers and parents. It is an all-day event centered around hands on learning about watersheds and the importance of water. The Coastal Kids Quiz includes 5th grade students, teachers and parents. Fifth grade students are given coastal reading materials about native species, coastal topics, environmental issues, etc. and are quizzed on the topics in a school verses school competition. The City has participated actively in both efforts. The Environmental Programs Manager teaches one of the Water Festival demonstrations and moderates for the Coastal Kids Quiz. These efforts of participation will continue in the future.

Measurable Goal:

Through the permit cycle, if the programs take placed, the City will participate in one event a year and document it in the City's annual report..

Responsible Department: Environmental Programs

4. Community Clean-Up Day and Household Hazardous Waste Amnesty Day

Current Program:

Community Clean-Up Days are requested by neighborhoods and coordinated by the City in order to remove litter and trash from drainage ways and rights-of-way within small communities of Daphne. The City sponsors the Alabama Coastal Cleanup which is a state wide effort that focuses on cleaning up trash and debris from the coastal area.

Household Hazardous Waste Amnesty Days allow residents to bring household hazardous wastes to the City for disposal through a licensed hazardous waste contractor.

Measurable Goal:

Through the permit cycle, based on available funding, the City may participate and/or assist with at least one (1) clean-up day per permit year.

Responsible Department: Environmental Programs and Public Works

5. Keep Daphne Beautiful Day

Current Program:

The City of Daphne became a Keep America Beautiful affiliate in 2015 and started the Keep Daphne Beautiful Day that is held during May of each year. The program allows citizens to de-clutter their homes of household hazardous waste items by providing means for proper disposal. The items that are taken include but are not limited to: aerosol cans, cleaners, spot removers, adhesives, glues, resins, latex paint, oil paint, thinners, strippers, insecticides, herbicides,



poisons, propane cylinders, swimming pool chemicals, tires, used motor oil, transmission fluids, car batteries, out of date prescriptions, and kitchen oil and grease.

Measurable Goal:

Through the permit cycle, based on available funding, the City will hold one Keep Daphne Beautiful Day.

Responsible Department: Public Works

6. Curbside Recycling & Used Motor Oil Recycling Program

Current Program:

The City provides curbside recycling and used motor oil recycling which reduces the potential pollutant source by reducing, recycling and reusing; they are a benefit to stormwater management.

Potential Targeted Audience: Homeowners, Renters, and Rental Management Agencies

Measurable Goals:

Throughout the permit cycle, the City will track the quantity of recycled goods and report the data in the annual report.

Responsible Departments: Public Works & Environmental Programs

7. Arbor Day Tree Give Away

Current Program:

Increasing the native urban tree canopy in Daphne provides many benefits to water quality and habitat. Trees reduce stormwater runoff by absorption (infiltration) and their roots help prevent erosion. Therefore, the City is excited each year to celebrate Arbor Day by giving away trees.

Measurable Goal:

In years one (1) through five (5) of the permit cycle, based on available funding, the City will sponsor and/or assist with a local Arbor Day celebration.

Responsible Department: Public Works

8. Environmental Web Page

Current Program:

The internet provides a very accessible means for allowing for public participation by making information and data available to citizens for upcoming future stormwater related activities. The



City maintains an environmental web page that includes information on stormwater regulations and other related topics.

Potential Targeted Audience: General Public

Measurable Goals:

In years one (1) and five (5) of the permit cycle, the website will be maintained and updated as needed to remain in compliance with the general permit.

Responsible Department: Environmental Programs

9. Comprehensive Land Use Plan

Current Program:

In 2003, Daphne adopted its Comprehensive Land Use Plan. The City sought public input through multiple meetings of citizens, public officials, City staff, the Planning Commission and various other entities. The plan was developed as guidance for future development within Daphne. There were four guiding principles, or mission statements, outlined in the document and are listed below:

- a. To continually confirm our purpose as the “Preferred Community in South Alabama” by providing superior educational facilities and opportunities so that Daphne children may remain nationally competitive graduates.
- b. Excel in the provision of protection services, infrastructural facilities and cultural opportunities so that Daphne residents are afforded the highest quality of living possible.
- c. Maintain vigorous citizen’s oversight of municipal activities to ensure that opportunities are realized for continuous improvement in the provision of services, facilities and resources.
- d. Foster an atmosphere which stimulates economic growth and attracts quality industry through adequate transportation facilities, a stable and active business environment, a skilled and educated workforce and a strong customer base.

This document is available on the City website www.daphneal.com under Community Development Department.



Measurable Goals:

With the wealth of public input for the development of this document, the City plans to continue the pursuit of following the guiding principles as Daphne continues to grow.

Within the permit cycle, if the Comprehensive Plan is updated, the City's Environmental Advisory Committee and Environmental Programs will participate in the update.

Responsible Departments: Community Development and Environmental Programs

10. Coordination with other Agencies and Groups on Environmental Efforts

Current Programs:

a. All-Terrain Vehicle (ATV) Trespass Taskforce

The All-Terrain Vehicle (ATV) Trespass Taskforce is a City sponsored working group. Its members include the City of Spanish Fort, Daphne Police, Daphne Environmental Programs Manager, and an AT&T representative. The ATV Trespass Taskforce's goal is to prevent all-terrain vehicle trespass and the erosion resulting from the activity.

b. Clean Water Partnership

There are many coastal groups that provide support for local efforts. The Coastal Clean Water Partnership brings together federal, state, local and nonprofit groups to discuss environmental issues and educational efforts. Daphne has participated in this group for over five (5) years. The EPM will continue this effort.

c. Mobile Bay National Estuary Program Community Action Committee (CAC)

The Mobile Bay NEP CAC is tasked to bring together coastal grassroots organizations for networking, information sharing, issues development, and cooperative training purposes. Daphne just recently started attending these committee meetings. The EPM will continue this effort.

d. Mobile Bay National Estuary Program Project Implementation Committee (PIC)

The Mobile Bay NEP PIC is responsible for identifying tasks and citizen input mechanisms to be implemented, conduct periodic project status meetings to follow progress of projects and to cooperatively identify tasks/roles for the MBNEP in addressing issues. Daphne has been a participant in this group for a year. The EPM will continue this effort.

e. Village Point Foundation

Village Point Foundation is a local group made up of citizens that work together to enhance the City's Village Point and Bay Front Property, environmentally and recreationally. City staff sometimes attends the foundations quarterly meetings.



Measurable Goal:

In years one (1) through five (5) of the permit cycle, City staff will attend at least four (4) such meetings per year for the duration of the permit.

Responsible Departments: Environmental Programs and Public Works

11. Eastern Shore MS4s Meeting to Discuss Education Outreach Opportunities

Daphne shares sections of its watersheds with Spanish Fort, Fairhope and Baldwin County. The City does not rely on any of these entities for compliance with our general permit. However, the City does anticipate sharing some of its efforts in implementing various MCM of the permit such as Education Outreach and Public Participation. This coordination will be on a voluntary basis only and allows for cost effective implementation of certain program MCM.

Measurable Goal:

Host or attend one meeting each permit year with the other Eastern Shore MS4s to discuss education outreach opportunities.

12. Alabama Water Watch (Included in City Monitoring Plan page ??60)

Alabama Water Watch (AWW) is a citizen's volunteer water quality monitoring program covering all major river basins in the state. The mission of AWW is to improve both water quality and water policy through its citizen monitoring and action.

Measurable Goals:

Throughout the permit cycle, the City will purchase needed replacement chemicals for the City's AWW kits. The City will coordinate with the AWW volunteers to report data collected in the City's Annual MS4 Report.

Responsible Departments: Environmental Programs

C. Evaluation of Public Education and Public Involvement

The evaluation of a Public Education and Public Involvement Program is best measured by the goals that are met. At the end of the permit year, the City will evaluate the overall effectiveness of MCM 1 through assessment of the goals that were achieved.



3-2 MCM 2-Illicit Discharge Detection and Elimination (IDDE)

A. Introduction

Illicit discharges into a storm drain system are defined by EPA as “...any discharge to a MS4 that is not composed entirely of stormwater...” Some exceptions include permitted industrial sources and discharges from firefighting activities. Some examples of illicit discharges include: sanitary wastewater, car wash, laundry wastewaters, etc. These illicit discharges can enter a storm drain system either through a direct connection or indirectly by spills, dumped materials, and cracks in pipes. As a result, inadequately treated waste containing high levels of pollutants enter storm drain system.

1. Permit Requirement

The Illicit Discharge Detection and Elimination (MCM 2) requires the City to develop, implement, enforce and evaluate a program to detect and eliminate illicit discharges and improper disposal, including spills into the City’s regulated MS4 area not under the purview of another responding to the maximum extent practicable. The program must include the following:

- a. Annually update the stormwater infrastructure inventory map, showing the latitude/longitude location of all know outfalls and the names and locations of all waters of the State that receive discharges from those outfalls and structural BMPs owned, operated, and maintained within the boundaries of the City’s MS4 area.
- b. To the extent allowable under State or local law, effectively prohibit-through ordinance or other regulatory mechanism- non-stormwater discharges into the MS4 and implement appropriate enforcement procedures and actions. The ordinance shall be reviewed on an annual basis and updated when necessary.
- c. Develop and implement a plan to detect and address non-stormwater discharges, including illegal dumping, to the system that are not authorized by a separate NPDES permit. The plan shall have procedures for tracing the source of illicit discharge, eliminating the discharge, and notifying ADEM. It shall also have a mechanism for the public to report illicit discharges.
- d. Dry weather screening program to detect and address non-stormwater discharges to the MS4 including screening of 15% of the outfalls annually with all (100%) screened at least once per five years.
- e. Inform public employees, businesses, and the general public of the hazards that are generally associated with illegal discharges and improper disposal of waste.



- f. Address the following categories of non-storm water discharges or flows only if the City or the ADEM identifies them as contributors of pollutants to the City's MS4

- i. Water line flushing
- ii. Landscape irrigation
- iii. Diverted stream flows
- iv. Rising ground waters
- v. Uncontaminated groundwater infiltration
- vi. Uncontaminated pumped groundwater
- vii. Discharges from potable water sources
- viii. Foundation drains
- ix. Air conditioning condensation
- x. Irrigation water
- xi. Springs
- xii. Water from crawl space pumps
- xiii. Footing drains
- xiv. Lawn watering
- xv. Individual residential car washing
- xvi. Flows from riparian habitats and wetlands
- xvii. De-chlorinated swimming pool discharges
- xviii. Firefighting flows

- g. The City may also develop a list of other similar occasional incidental non-stormwater discharges that are not addressed as illicit discharges such as charity car washes.

2. Target Pollutants and Sources

Non-point source pollutants found in stormwater will be targeted by MCM 2. These pollutants include, but are not limited to, sediment, paints, fertilizers, pesticides, swimming pool discharges, pathogens, oils and greases. The sources that are targeted include, but are not limited to, illegal dumping, failing septic systems and/or illicit connections, swimming pool illicit connections, un-permitted construction site discharges, improper disposal of fertilizers, pesticides, herbicides, paints, etc.

The City of Daphne does not have operational or financial control of its sanitary sewer system. Daphne Utilities maintains the system and is responsible for its ADEM permit. However, the City and Daphne Utilities have a great relationship and work together to achieve compliance with all environmental permits.



B. Strategies, Goals and Timelines

The City will employ a variety of strategies for MCM 2 from enforcement of ordinances to education outreach. The City's goal is to reduce illicit discharge to its MS4 to the maximum extent practicable. Each strategy will be detailed below along with its goal, timeline and department responsible for implementation of the measure.

1. Compiling and Organizing Existing City Stormwater Infrastructure Data

Current Program:

This element of MCM 2 will involve staff locating all existing stormwater infrastructure data in GIS format, manipulating it into more usable software and creating new maps. Currently, the City has a map showing the location of existing stormwater outfalls that discharge to state waters. The map is included in Appendix H.

Measurable Goal:

Throughout the permit cycle, the City will continue to improve and update its stormwater infrastructure inventorying and inspection process. The City will implement a dry weather screening program to detect and address non-stormwater discharges to the MS4 including screening of 15% of its major outfalls annually with all (100%) screened at least once per five years.

Responsible Department: Environmental Programs and Public Works

2. Review and update (when needed) the City's existing New Development IDDE

Current Program:

In July 2011, the City adopted revisions to the Land Use and Development Ordinance (LUDO, Ordinance No. 2011-54, Appendix A). These revisions include IDDE language. An excerpt from Article X, Section 10-7, "Water Pollution", prohibits illicit discharges into the City's MS4 and is provided below:

10-7 Water Pollution

"The following shall apply:

(a) No development or operation shall discharge, cause to be discharged liquid or solid waste into public waters unless it is in conformance with the provisions of the Municipal Separate Storm Sewer System (MS4) permit of the City of Daphne, the Alabama Department of Environmental Management, the Alabama State Board of Health Statutes and any regulations promulgated there under....."

These regulations are enforced in several ways, including applying environmental mitigation to project design, applying conditions of approval to use permits, and/or use of the City's code



enforcement personnel. This element of MCM 2 allows for the annual review and update of the City's IDDE Ordinance.

Measurable Goal:

Throughout the permit cycle, the City will review the IDDE ordinance and update as necessary to remain compliant with MCM 2 of the MS4 permit.

Responsible Departments: Code Enforcement, Environmental Programs, and Public Works

3. Perform Field Assessments and Site Inspections

Current Program

To reduce the amount of pollutants in runoff, City crews regularly perform maintenance and cleaning on roadways, ditches, culverts, grounds, parks, and creek channels. These practices will be described and recognized in appropriate parts of this program document.

Field assessments are observations made during the daily duties of City programs. Currently, if a potential illicit discharge is discovered during a field assessment, depending on severity of the discharge, either the Fire Department and/or the Environmental Programs is notified. The potential discharge is investigated as a site inspection.

A site inspection is a field visit outside of an employee's normal duties in response to reports of potential non-compliance, or as a result of program directives. The inspection is recorded as an illicit discharge inspection in a database maintained by the Building Department.

A process including Standard Operating Guidance (SOG) has been developed to guide City personnel.

Measurable Goals:

Throughout the permit cycle, the City will:

- a. Educate the general public and commercial and industrial developments on hazards associated with illegal discharges.
- b. Evaluate field assessments and inspections to establish priority areas and major outfalls for more focused inspections.
- c. Respond per established procedures to all identified and reported potential illicit discharges and connections.
- d. Collect and review data regarding enforcement activities each year, as part of the annual report, to identify the principle pollutants and areas of concern throughout the City.

Responsible Departments: Environmental Programs, Fire Department and Public Works



4. Hazardous Materials Response Program

Current Program:

The stormwater program will be coordinated with the existing hazardous materials response program operated by the City's Fire Departments. The Public Works Department and other entities that respond to spills will also be involved in this effort.

Measurable Goals:

During the permit cycle, the City will receive, respond and report appropriately to all illicit discharge complaints. This information will be submitted with the City's SWMP Annual Report.

Throughout the permit cycle, the city will monitor location, frequency, and type of response events and report information in the Annual SWMP Plan report.

Responsible Departments: Environmental Programs, Fire Department, Police Department and Public Works

5. Train City Staff

Current Program:

The goal of this element is to ensure that City staff understand stormwater issues and are appropriately trained to recognize and report illicit discharges and connections while performing their normal duties in the field. Training will be provided to hazardous and non-hazardous materials response teams, public works, and other employees. These training sessions may be offered in conjunction with other training elements of the program.

Measurable Goals:

Throughout the permit cycle, the City will

- a. Provide IDDE training session for new employees with program responsibilities.
- c. Provide additional stormwater training as needed during permit cycle to employees with program responsibilities such as, street, and mowing crews.

Responsible Departments: Environmental Programs and Public Works

C. Evaluation

The evaluation of the City's IDDE Program is best measured by the goals that are met. At the end of the permit year, the City will evaluate the overall effectiveness of MCM 2 through the assessment of goals that were achieved.



3-3 MCM 3-Constructions Site Stormwater Runoff Control

A. Introduction

1. Permit Requirement

The Construction Site Stormwater Runoff Control (MCM 3) requires the development, implementation and enforcement of a program to reduce, to the maximum extent practicable, pollutants in any stormwater runoff to the MS4 from construction activities that result in a total land disturbance of greater than or equal to one (1) acre and activities that disturb less than one (1) acre but are part of a larger common plan of development or sale that would disturb one (1) acre or more. ADEM terms these sites as *qualified construction sites*.

2. Targeted Pollutants and Sources

MCM 3 will mainly target construction sites for erosion and sediment control. Other potential targeted pollutants and sources are petroleum, oils and greases from equipment storage areas, pathogens from lack of portable facilities and pH changes through concrete washouts.

B. Strategies, Goals and Timeline

The City will employ a variety of strategies for MCM 3 from training City building inspectors to implementing and enforcing an erosion and sediment control program through City ordinances. The City will rely upon ADEM standards for appropriate erosion and sediment controls for qualified construction sites. There will also be a focus on coordination with ADEM on compliance concerns. Each strategy will be detailed below along with its goal and timeline and department responsible for implementation of the measure.

1. Residential Erosion and Sediment Control Ordinance

Current Program:

In 2007, the City developed and adopted an Erosion and Sediment Control Ordinance (No. 2007-03) which was subsequently amended in 2008 (Ordinance No. 2008-54) and most recently in 2014 (Ordinance No. 2014-14, Appendix B). This ordinance regulates land disturbance that exceeds one thousand (1000) square feet of exposed soils associated with land disturbance with the exception of agricultural operations. A copy of the permit is included as Appendix I.

For single family residential construction sites, the owner or contractor has to design and submit a detailed site specific BMP plan for each home site. The BMP plan is reviewed by City staff trained in the practices of erosion and sediment control. A BMP Plan checklist, included in Appendix J, of plan specific details is used to document any plan deficiencies. Per the ordinance, components of the plan have to meet and/or exceed the Alabama Handbook for Best Management Practices for Erosion and Sediment Control, most current edition (Alabama Handbook) and ADEM permit requirements. If for any reason, additional state and federal



permits are required, such as an ADEM NPDES or US Corps wetland permit, the City will not issue the construction site a land disturbance permit or building permit until proof of the federal or state permit is submitted to the City. Sites are inspected along with building inspections for compliance with the ordinance. Enforcement mechanisms include written warning letters, stop work orders and municipal fines through the issuance of municipal offense tickets.

Measurable Goals:

Throughout the permit cycle, when needed update ordinances, review procedures and inspection forms.

Responsible Departments: Building Department and Environmental Programs

2. Subdivision & Commercial LUDO, Article 18

Current Program:

For all new and re-developments within the City of Daphne corporate limits and planning jurisdiction, an erosion and sediment control plan is required to be designed and submitted by a qualified credentialed professional (QCP). This plan is reviewed and approved by the EPM and then forwarded to the Planning Commission for approval. Components of the plan have to meet and/or exceed the Alabama Handbook and ADEM permit requirements. A BMP Plan checklist, included in Appendix K, of site specific details is used to document plan deficiencies. If for any reason, additional state and federal permits are required, such as an ADEM NPDES or US Corps wetland permit, the City will not issue the site a land disturbance permit or building permit until proof of the federal or state permit is submitted to the City. Sites are inspected along with building inspections for compliance with the ordinance. Enforcement mechanisms include written warning letters, stop work orders and municipal fines through the issuance of municipal offense tickets.

Measurable Goals:

In years one (1) through five (5) of the permit cycle, the City will review 100% of all submitted new and re-development erosion and sediment control plans.

Responsible Department: Community Development and Environmental Programs

3. Erosion and Sediment Control Training for City Building Inspectors

Current Program:

City Building Inspectors are required to receive annual training through ADEM's Qualified Credential Inspector Program. This training gives the inspectors the knowledge to effectively monitor single family residential and commercial construction sites for erosion and sediment controls and stormwater runoff concerns.



The City's EPM is a Certified Professional in Erosion and Sediment Control. The certification is kept active by receiving annual training related to erosion and sediment control and other stormwater issues.

Measurable Goals:

In years one (1) through five (5) of the permit cycle, continue the annual training required to keep building inspectors and the EPM current in their certifications. Track the training and submit data in the City's Annual SWMP Report.

Responsible Department: Environmental Programs

4. Commercial and Residential Construction Site Inspections and Enforcement

Current Program:

Inspections of all construction sites are an integral part of MCM 3. Prior to the issuance of any City land disturbance permits for construction sites, if an ADEM NPDES permit is required by the state, the developer must submit their ADEM construction general permit authorization. The City maintains an inventory of all residential construction sites. The database is housed in the Building Department. Currently, applicable construction sites are inspected numerous times during the entire construction process. The inspections include but are not limited to erosion and sediment control inspections.

The City has created an Erosion and Sediment Control Inspection Form (Appendix L) that includes the following: developer/owner information, status of BMPs, deficiencies noted, if a re-inspection is required and if enforcement action will be pursued. During the inspection, BMPs are inspected and other site conditions are evaluated. Any deficiencies are noted and reported to the site manager and/or the developer. The developer has forty eight (48) hours to correct all deficiencies from the inspection or face a stop work order until they are corrected. The construction site is not issued a certificate of occupancy until all areas are landscaped or permanently stabilized and all construction debris and temporary sediment control structures are removed. A final inspection is required prior to release from the permit.

Enforcement varies based on the severity of the deficiencies. Minor concerns will receive a written or verbal warning requiring forty eight (48) hours to comply with the ordinance. If not corrected or if there are major deficiencies, the City may either stop work on the construction site or issue a municipal offense ticket which results in a court fine. Stop work orders are typically issued on sites with active construction while BMP deficiencies still exist. Municipal fines are typically issued on sites where there is no active construction and BMP deficiencies exist. When an erosion or sediment control complaint regarding a construction site is received, immediate action is taken by Environmental Programs to inspect, document and resolve the compliance issue using enforcement, if needed.



Measurable Goals:

Although the City has a construction site inspection program, there is a need to enhance several aspects in order to maintain compliance with the new general permit.

Throughout the permit cycle, the City's inspection program and forms will be reviewed and updated as needed for permit compliance.

Site inspections will be prioritized based on status of construction, site conditions, location and size of site and proximity of site to sensitive areas such as streams and wetlands. Priority construction sites include qualified construction sites that discharge to an impaired water or an Outstanding Alabama Water (OAW). The D'Olive Creek Watershed has five (5) streams that are impaired by siltation. Therefore, any sites that discharge to the watershed are considered priority construction sites. Priority construction sites will receive precedence in inspections.

In years one (1) through five (5) of the permit cycle, the City plans to meet the permit requirement of inspecting all priority construction sites at a minimum frequency of once a month. Large areas of disturbance can result in a greater potential for water quality impacts. Therefore, sites that are greater than one (1) acre in disturbance will be inspected, twice a month. Smaller sites (less than one (1) acre), that have major BMP deficiencies or off site impacts will be inspected at least twice a month. If deficiencies are not corrected within forty eight (48) hours, the site will receive an enforcement action. The City will also coordinate with ADEM as needed, through phone or email correspondence, including the site inspection, photographs and a copy of the ADEM permit authorization.

Throughout the permit cycle, the City will track staff inspections and submit the inspection dates in its annual report.

Throughout the permit cycle, the City will determine the overall effectiveness of the program and modify as needed for permit compliance.

Responsible Departments: Code Enforcement and Environmental Programs

5. Construction Associated with Sensitive Areas

Current Program:

Daphne is located on the eastern shore of Mobile Bay. Its coastal area has many sensitive habitats such as salt marshes, wetlands and streams. Although the erosion and sediment control permit includes land disturbance over one thousand (1000) square feet, small land disturbances near sensitive coastal areas could create adverse impacts to the environment. In order to prevent impacts to these sensitive areas, the City requires that all bulkheads, piers, boat houses, retaining



walls and docks within the City's corporate limits possess approved federal and state permits prior to issuance of any land disturbance (residential site), site disturbance (commercial site) and/or building permit. After the permitting process, the site is inspected during construction and a final inspection is performed upon completion to ensure that there are no adverse environmental impacts that have occurred during construction.

Measurable Goals:

Throughout the permit cycle, the City plans to continue the implementation of this review process. The process will be reviewed annually as part of the SWMP and any changes will be documented in the SWMP Plan Annual Report.

Responsible Department: Environmental Programs

C. Evaluation

The evaluation of a Construction Site Stormwater Runoff Control Program is best measured by the goals that are met. At the end of the permit year, the City will evaluate the overall effectiveness of MCM 3 through assessment of goals that were achieved.



3-4 MCM 4-Post Construction Stormwater Management in New and Re-development Sites

A. Introduction

Daphne will employ a variety of strategies for MCM 4 from enforcement of ordinances to education outreach. Its goal is to minimize water quality impacts from new development and re-development sites. Each strategy is detailed below along with its goal and timeline and department responsible for implementation of measure.

1. Permit Requirement

Permittees are required to:

- a. Develop, implement, and enforce a program to address stormwater runoff from new development and redevelopment projects that disturb greater than or equal to one acre by ensuring that controls are in place that would prevent or minimize water quality impacts.
- b. Develop and implement strategies, that include a combination of structural and/or non-structural BMPs appropriate for the community.
- c. Use an ordinance or other regulatory mechanism to address post-construction runoff from new development and re-development projects to the extent allowable under State or local law.
- d. Ensure adequate long term operation and maintenance of BMPs.

2. Target Pollutants and Sources

Non-point source pollutants found in stormwater will be targeted by MCM 4. These pollutants include, but are not limited to, sediment, paints, fertilizers, pesticides, swimming pool discharges, pathogens and oils and greases. The sources that are targeted include, but are not limited to, illegal dumping, failing septic systems and/or illicit connections, swimming pool illicit connections, unpermitted construction site discharges, improper disposal of fertilizers, pesticides, and herbicides, paints, etc.

B. Strategies, Goals and Timelines

Daphne will employ a variety of strategies for MCM 4 from enforcement of ordinances to education outreach. The City's goal is to reduce negative water quality impacts from new development and re-development to the maximum extent practicable. Each strategy will be detailed below along with its goal, timeline and department responsible for implementation.



1. Land Use and Development Ordinance (LUDO) Ordinance

Current Program:

Daphne's LUDO establishes design requirements including the use of structural and non-structural BMPs for new and redevelopment projects.

a. Non-structural BMPs

Daphne has developed zoning and subdivision ordinances that guide land uses and development within the City. The LUDO contains general provisions to address quantity of post development stormwater runoff. It includes first flush treatment of stormwater. It also addresses development peak outflow rates. Post development peak outflow rates cannot exceed the predevelopment peak outflow rate. This is the basis of detention design. All stormwater detention structures must attenuate the post development peak flow rates from two (2), five (5), ten (10), twenty five (25), fifty (50) and one hundred (100) year 24 hour design storms to release a graduated discharge at, or below, predevelopment peak flow rates.

b. Structural BMPs

There are a variety of structural BMPs that not only manage the volume and velocity of stormwater runoff, but also provide very effective water quality treatment of runoff. Structural BMPs may include, but are not limited to, the following:

- Stormwater retention/detention
- Stormwater infiltration basins/trenches
- Pervious pavers and concrete
- Grassed swales
- Filter strips
- Bio-retention
- Rain gardens
- Constructed wetlands
- Stream restorations
- Stream and wetland buffers

Each new development and re-development site undergoes an environmental and engineering review by City staff. These reviews are then presented to the City's Planning Commission for consideration during its monthly site plan and subdivision review meeting.

In order for post development BMPs to be effective, routine maintenance of the BMP is necessary. Daphne's LUDO requires that any development within the City complete a Stormwater Management Indemnification Form (Appendix M). This official document requires that the landowner manage the site's BMP and perform any needed maintenance. Failure to maintain the BMP may lead to the abatement of the detention/retention facility as a public



nuisance. Whenever such public nuisance occurs, the City Council may, by resolution, declare the facility to be a public nuisance and order its abatement.

Measurable Goals:

In years one (1) through five (5) of the permit cycle, as part of any site plan and subdivision development, the City's Planning Commission will evaluate one hundred percent (100%) of all site plan applications and site conditions to ensure that the site's engineer has chosen the most appropriate BMPs for that development. BMPs will be designed, by the site's engineer, based on the requirements of the City's LUDO which references the Alabama Handbook for Erosion and Sediment Control for Construction Sites and Urban Areas.

In years one (1) through five (5), review and update, as needed, City ordinances, documents, and the development review process as necessary to remain compliant with MCM 5 of the MS4 permit. All changes will be submitted with the City's Annual SWMP Report.

Responsible Departments: Community Development, Environmental Programs and Public Works

2. Perform Field Evaluations and Long-term Maintenance and Monitoring of BMPs

The goal of this element is to periodically review and assess the performance of the post-construction BMPs installed with new and re-development projects. Field inspections verifying the adequate construction of the BMPs in accordance with the approved improvement plans will be performed along with permit cycle inspections. The field inspections will include an evaluation of the BMPs and how well the BMP has been maintained since construction. Performance and potential improvements will be noted. If possible, the BMPs will be viewed while functioning during a rainfall event. Information gathered with this element will be used to revise acceptable BMPs and processes.

Measurable Goals:

Once during the permit cycle, the City will inspect the private post construction BMPs, evaluate performance and design, conduct enforcement as required ensuring compliance and report the results in the SWMP Annual Report.

Responsible Departments: Environmental Programs, Community Development, Public Works

3. Low Impact Development/Green Infrastructure Ordinance (LID/GI)

Current Program:

Low-Impact Development (LID) is a term used to describe a land planning and engineering design approach to managing stormwater runoff. LID emphasizes conservation and use of on-



site natural features to protect water quality. This approach implements engineered small scale hydrologic controls to replicate the predevelopment hydrologic regime of watersheds through infiltrating, filtering, storing, evaporating, and detaining runoff close to its source.

Green Infrastructure is a concept that highlights the importance of the natural environment in decisions about land use planning. It emphasizes the “life support” functions provided by a network of natural ecosystems including interconnectivity to support long term sustainability.

EPA has extended the concept to apply to the management of stormwater runoff at the local level through the use of natural systems, or engineered systems that mimic natural systems to treat polluted runoff. Currently, the City LUDO allows the use of certain LID/GI practices.

Measurable Goals:

Throughout the permit cycle, the City will track LID practices implemented within the City and submit the data in the City’s Annual SWMP Report.

Responsible Departments: Community Development, Environmental Programs, and Public Works

C. Evaluation

The evaluation of the City’s Post Construction Stormwater Management in New and Re-development Program is best measured by the goals that are met. At the end of the permit year, the City will evaluate the overall effectiveness of MCM 4 through assessment of goals that were achieved.





3-5 MCM 5-Pollution Prevention/Good Housekeeping for Municipal Operations

A. Introduction

1. Permit Requirement

Pollution Prevention/Good Housekeeping for Municipal Operations (MCM 5) requires the City to develop and implement a program for pollution prevention and good housekeeping at municipal operations. It also requires the development and implementation of an employee training program designed to prevent and reduce stormwater pollutants, to the maximum extent practicable, in areas such as parks maintenance, fleet and building maintenance, new construction and land disturbances, stormwater system maintenance, and all other applicable municipal operations.

The program must list all municipal operations that are impacted by this operation and maintenance program. The program shall include maintenance activities, schedules and long-term inspection procedures for controls to reduce pollutants to the MS4. The program shall also address controls for reducing or eliminating the discharge of pollutants from streets, roads, highways, municipal parking lots, maintenance and storage yards, waste transfer stations, recycling collection centers, fleet or maintenance shops with outdoor storage areas and fill dirt storage areas.

MCM 5's training program shall be coordinated with the public outreach programs for general stormwater pollution and illicit discharges.

Procedures shall be outlined for the proper disposal of waste removed from the MS4 and municipal operations, including materials such as dredge spoil, accumulated sediments, floatables and other debris. There will also be procedures to ensure that new flood management projects are assessed for impacts on water quality and existing projects are assessed for incorporation of additional water quality protection devices or practices.

2. Targeted Pollutants and Sources

MCM 5 will target non-point source pollutants found in stormwater. These pollutants include, but are not limited to, sediment, trash, fertilizers, pesticides, pathogens, oils and greases. The targeted sources are municipal operations and facilities and publicly owned properties and rights-of-way.



B. Strategies, Goals and Timelines

Daphne will employ a variety of strategies for MCM 5. These strategies are separated into two (2) categories- Pollution Prevention and Good Housekeeping. Each strategy is detailed below along with its goal, timeline and department responsible for implementation of the measure.

1. Pollution Prevention

Pollution prevention includes measures that involve rights-of-way, including bridges, stormwater management systems and roadways. This section includes the following measures for compliance with the permit requirements:

a. Bridge Inspections

Current Program:

Daphne currently inspects its bridges for structural integrity.

Measurable Goals:

In years one (1) through five (5) of the permit cycle, in conjunction with ALDOT, the City will perform bridge inspections twice during the permit cycle. Within the permit cycle one hundred percent (100%) of bridges will be inspected. During the inspection, areas of erosion and stream degradation will be recorded. Immediate action will be taken to address these deficient areas. The results will be submitted in the Daphne's SWMP Annual Report.

Responsible Departments: Environmental Programs and Public Works

b. Street Sweeping Operations

Current Program:

The City owns a street sweeper. Generally it is in operation daily, weather permitting, and foregoing any maintenance issues. On average the sweeper travels fifty- three (53) miles a day, averaging thirteen and a quarter (13.25) cubic yards a day of sediment removal from City streets. The City has a tracking system for streets swept and the quantity of materials collected.

Measurable Goals:

Throughout the permit cycle, the City will continue its Street Sweeping Program and report the roads swept and quantity of sediment removed each year in the SWMP Annual Report.

Responsible Departments: Environmental Programs and Public Works

c. City Recycling Program

Current Program:

The City has several municipal buildings. Each building is equipped with recycling containers for paper, aluminum, plastic and cardboard. Employees are required by ordinance to recycle all



these wastes with the exception of confidential documents. Confidential documents are shredded and recycled through a private company. Furthermore, the City places recycling containers at each sports field and at all festivals and City sponsored events.

Measurable Goals:

During the permit cycle, the City will track the annual volume of recycled materials collected and report the data in the City's SWMP Annual Report.

Responsible Departments: Environmental Programs and Public Works

d. Stormwater Management System Maintenance

Current Program:

The stormwater management system for the City contains grassed and concrete swales, culverts, inlets, pipes and detention structures. Currently these structures are maintained on an as-needed basis by determination of the Public Works Director (City Engineer). Areas are also maintained when valid complaints of drainage problems are filed with the City.

Measurable Goals:

Throughout the permit cycle, the City will continue to maintain its stormwater management system and update the program and plan as needed.

Responsible Departments: Environmental Programs and Public Works

e. Litter Patrol

Current Program:

The City operates and maintains its streets and rights-of-ways in a manner to minimize discharge of pollutants. The City's Public Works Department has a litter collection program in effect. Prior to weekly mowing, designated crews pick-up trash from the City's rights of ways.

Measurable Goals:

During the permit cycle, the City will continue its Litter Patrol Program. The City will track areas patrolled and quantities of litter removed and report the data in the City's SWMP Annual Report.

Responsible Departments: Environmental Programs and Public Works

f. Capital Stormwater Projects

Current Program:

Each new fiscal year, the City determines a list of capital projects. The Public Works Department is the lead in this effort. These projects are proposed to the City Council and Mayor



for approval. If approved, they are budgeted for the following year. Some capital projects may be emergency repairs due to natural disasters. Emergency repair projects are funded and completed as soon as practicable for the safety of the public.

Measurable Goals:

During the permit cycle, City capital stormwater projects will be monitored for compliance with the City's erosion and sediment control ordinance. Inspections of these projects will be conducted. Any deficiencies will require immediate attention and compliance. The annual report will reflect a list of all projects, project location, details, goals of the project, and inspections.

Responsible Departments: Council, Environmental Programs, Mayor, Public Works

2. Good Housekeeping

Good Housekeeping includes measures that involve City owned facilities. This section includes the following measures for compliance with the permit requirements: inventory of facilities, assessment of facilities, SWMP Standard Operating Guidance (SOG) for facilities, and Public Works Department ADEM Permits.

a. City Owned Facilities

Current Program:

The City operates and maintains its facilities in a manner to minimize stormwater pollutant discharge to local waters.

Measurable Goals:

Throughout the permit cycle, the City will maintain its facilities in a manner to minimize stormwater pollutant discharge including the following actions:

i. Inventory of Facilities

Update the City's inventory as needed.

ii. Assessment of Facilities

All facilities that were inventoried, will have a complete assessment by year one (1) of the permit. The assessment will include an inspection of all areas. Deficiencies will be identified and reported to the appropriate supervisor for remediation.

iii. SWMP SOPs

Following the assessment, each facility will develop Standard Operating Guidance (SOG) in regards to stormwater runoff and housekeeping practices. The goal is for the City to complete all the facility SOGs by year two (2) of this permit cycle.



b. Public Works Department ADEM Permits

Current Program:

The City's Public Works Department currently holds the following ADEM permits: Scrap Tire, Underground Storage Tank and Pesticide Discharge Management.

Measurable Goals:

The City's goal is to maintain compliance with each of the permit requirements. Environmental Programs will coordinate with Public Works in regards to annual reports for each permit, and annual inspections. Updates to the City's permits and compliance records will be documented in the City's SWMP Annual Report.

Responsible Departments: Environmental Programs and Public Works

3. Training

Current Program:

Training is essential for all City employees regarding pollution prevention and good housekeeping. Previous MCMs detail specific training programs that will be developed and implemented. The City will also develop a training program for the purpose of educating employees regarding stormwater runoff and pollution prevention. This training may be a part of other MCM training.

Measurable Goals:

In years two (2) through (5), the City will

- a. Provide stormwater training session for all new City employees
- b. Provide additional stormwater training twice during permit cycle to employees with program responsibilities,

Responsible Departments: Environmental Programs and all other City Departments

C. Evaluation

The evaluation of the Pollution Prevention and Good Housekeeping Program is best measured by the achievement of the program goals. At the end of the permit year, the City will evaluate the overall effectiveness of MCM 5 through assessment of goals that were achieved.



Chapter 4-Water Quality Monitoring Plan

A. Introduction

This chapter details the requirements for the City of Daphne's Stormwater Monitoring Plan as required by the Alabama Department of Environmental Management's (ADEM) National Pollutant Discharge Elimination System (NPDES) Phase II Municipal Separate Storm Sewer System (MS4) Permit. The plan was created to monitor efforts in reducing targeted pollutants to the City's impaired streams. The plan will be reviewed annually as part of the SWMP and any needed changes will be documented in the SWMP Plan Annual Report.

1. Background Information

Daphne has five (5) streams that fail to meet the minimum water quality standards for their designated Fish and Wildlife use. In 2010 and 2014, ADEM listed the five streams on its 303(d) List as impaired by siltation (sedimentation) and habitat alteration. The streams are Joe's Branch, Tiawasee Creek, an unnamed Tributary to Tiawasee Creek, D'Olive Creek, and an unnamed Tributary to D'Olive Creek. All of these streams are located within the D'Olive Creek Watershed. According to the D'Olive Creek Watershed Management Plan, twenty-two thousand (22,000) linear feet of stream channel is degraded within the watershed resulting in substantial impairments. As a result of the streams' 303(d) listings, EPA requires the establishment of a Total Maximum Daily Load (TMDL) under the Clean Water Act. The TMDL is a calculation of the maximum amount of a pollutant that a water body can receive and safely meet water quality standards. Currently there are no EPA approved TMDLs for these streams. It is anticipated that the TMDLs for Daphne's impaired streams will be written and released in 2018.

2. Permit Requirements

MS4 Phase II permittees that discharge to an impaired water or to a water for which a TMDL has been approved, may have monitoring requirements under Part IV.D (Discharges to Impaired Waters), and they must comply with the following:

- a. Submit a monitoring plan within 6 months of the date of coverage of the permit;
- b. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity;
- c. Test procedures must be conducted in accordance with test procedures approved by EPA under 40 CFR Part 136;
- d. Records of the monitoring information shall include:



- i. The date, exact place, and time of sampling measurements;
- ii. The name of the individual who performed the sampling or measurements;
- iii. The date(s) analyses were performed;
- iv. The name(s) of the individual who performed the analysis;
- v. The analytical techniques or methods used; and
- vi. The results of such analysis.

3. Target Pollutant

Sediment will be the targeted pollutant for Daphne's Water Quality Monitoring Program.

B. Strategies, Goals and Timelines

The City will employ a variety of strategies to meet the Phase II permit water quality monitoring requirements. Each strategy is detailed below along with its goal, timeline and department responsible for implementation of the measure.

1. City Water Quality Monitoring Plan

Five of Daphne's streams fail to meet the minimum water quality standards for their designated Fish and Wildlife use. Therefore, the City is required to implement a stormwater monitoring plan to address its 303(d) List streams for their impairment pollutant of concern-siltation (sedimentation).

Measurable Goals:

Throughout the permit cycle or until the tributaries of D'Olive are de-listed, the City will implement the water quality plan. All sampling data will be submitted to ADEM as part of the City's SWMP Annual Report.

During the remainder of the permit cycle, if TMDLs are approved by EPA for the listed streams, the City will determine whether the TMDLs include a pollutant allocation or other performance requirements specifically for stormwater discharges from its MS4 and if the TMDLs address a flow regime likely to occur during periods of stormwater discharge. If the determination reflects so, the City may be required to implement specific allocations provisions of the TMDLs and assess whether the allocations are being met through implementation of existing stormwater control measures or if additional control measures are necessary.

Responsible Departments: Environmental Programs



2. Alabama Water Watch (Also listed in MCM 2 on page 34)

Alabama Water Watch (AWW) is a citizen's volunteer water quality monitoring program covering all major river basins in the state. The mission of AWW is to improve both water quality and water policy through its citizen monitoring and action.

Measurable Goals:

Throughout the permit cycle, the City will purchase needed replacement chemicals for the City's AWW kits. The City will coordinate with the AWW volunteers and report the data in the City's Annual MS4 Report.

Responsible Departments: Environmental Programs

C. Evaluation

The evaluation of the Monitoring Program is best measured by the achievement of the plan implementation and goals met. At the end of the permit year, the City will evaluate the overall effectiveness of the Plan and submit results as part of the City's SWMP Annual Report.



Chapter 5-Record Keeping and Reporting

A. Introduction

The State's general permit requires the submission of an annual report. This report must be certified by the governing body or an official designated by the governing board and at a minimum, shall contain the following information:

1. Status of compliance with permit conditions;
2. Status of the identified measurable goals of reducing the discharge of pollutants and protecting water quality;
3. Results of information collected and analyzed, including monitoring data, if any, during the reporting period;
4. A summary of the stormwater activities the Permittee plans to undertake during the next reporting cycle;
5. An assessment of the appropriateness and effectiveness of the identified BMPs; and,
6. Any proposed change(s) to the SWMP along with a justification why the change(s) are necessary; and any change in the person or persons implementing and coordinating the SWMP.

B. Responsible Department

The EPM is responsible for assembling information from the various City departments to author the annual reports. Forms for use in record keeping by involved departments will be developed to facilitate collection of the information required for the annual reports.

C. Record Retention

The City will keep records required by the permit for at least three years past each permit cycle. The records used to document compliance with the SWMP will be available to the public during regular business hours from the various implementing departments. The SWMP Plan and related documents may be viewed in the Building Department, 1705 Main Street, Daphne, AL 36526.



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Table of Acronyms

Title	Acronym
Alabama Department of Environmental Management	ADEM
Alabama Department of Transportation	ALDOT
Alabama Handbook for Best Management Practices for Erosion and Sediment Control	Alabama Handbook
Alabama Water Watch	AWW
All-Terrain Vehicle	ATV
Best Management Practices	BMP
Construction Best Management Practices Plan	CBMPP
Community Action Committee	CAC
D'Olive Watershed Intergovernmental Task Force	DWITF
D'Olive Watershed Working Group	DWWG
Environmental Advisory Committee	EAC
Environmental Programs Manager	EPM
Environmental Protection Agency	EPA
Geographic Information System	GSI
Green Infrastructure	GI
Hydrologic Unit Code	HUC
Illicit Discharge Detection and Elimination	IDDE
Land Use Development Ordinance	LUDO
Low Impact Development	LID
Non-Point Source Education for Elected Officials	NEMO
Project Implementation Committee	PIC
Property Owners Association	POA
Minimum Control Measure	MCM
Mobile Bay National Estuary Program	MBNEP
Municipal Separate Storm Sewer System	MS4
National Pollutant Discharge Elimination System	NPDES
Outstanding Alabama Water	OWA
Qualified Credentialed Inspector	QCI
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Right of Way	ROW
Standard Operating Guidelines	SOG
Standard Operating Procedure	SOP
Storm Water Management Program	SWMP
Storm Water Management Program Plan	SWMPP
Total Maximum Daily Load	TMDL
Unnamed Tributary	UT
Urbanized Area	UA