



Minnesota Pollution Control Agency

520 Lafayette Road North
St. Paul, MN 55155-4194

MS4 SWPPP Application for Reauthorization

for the NPDES/SDS General Small Municipal Separate Storm Sewer System (MS4) Permit MNR040000 reissued with an effective date of August 1, 2013
Stormwater Pollution Prevention Program (SWPPP) Document

Doc Type: Permit Application

Instructions: This application is for authorization to discharge stormwater associated with Municipal Separate Storm Sewer Systems (MS4s) under the National Pollutant Discharge Elimination System/State Disposal System (NPDES/SDS) Permit Program. **No fee** is required with the submittal of this application. Please refer to "Example" for detailed instructions found on the Minnesota Pollution Control Agency (MPCA) MS4 website at <http://www.pca.state.mn.us/ms4>.

Submittal: This MS4 SWPPP Application for Reauthorization form must be submitted electronically via e-mail to the MPCA at ms4permitprogram.pca@state.mn.us from the person that is duly authorized to certify this form. All questions with an asterisk (*) are required fields. All applications will be returned if required fields are not completed.

Questions: Contact Claudia Hochstein at 651-757-2881 or claudia.hochstein@state.mn.us, Dan Miller at 651-757-2246 or daniel.miller@state.mn.us, or call toll-free at 800-657-3864.

General Contact Information (*Required fields)

MS4 Owner (with ownership or operational responsibility, or control of the MS4)

*MS4 permittee name: Watab Township *County: Benton
(city, county, municipality, government agency or other entity)
*Mailing address: 8900 Lakewood Shore Rd NW
*City: Rice *State: MN *Zip code: 56367
*Phone (including area code): (320) 255-8916 *E-mail: watabts@qwestoffice.net

MS4 General contact (with Stormwater Pollution Prevention Program [SWPPP] implementation responsibility)

*Last name: Spence *First name: Patricia
(department head, MS4 coordinator, consultant, etc.)
*Title: Clerk, MS4 Coordinator
*Mailing address: 8900 Lakewood Shore Rd NW
*City: Rice *State: MN *Zip code: 56367
*Phone (including area code): (320) 255-8916 *E-mail: watabts@qwestoffice.net

Preparer information (complete if SWPPP application is prepared by a party other than MS4 General contact)

Last name: _____ First name: _____
(department head, MS4 coordinator, consultant, etc.)
Title: _____
Mailing address: _____
City: _____ State: _____ Zip code: _____
Phone (including area code): _____ E-mail: _____

Verification

- I seek to continue discharging stormwater associated with a small MS4 after the effective date of this Permit, and shall submit this MS4 SWPPP Application for Reauthorization form, in accordance with the schedule in Appendix A, Table 1, with the SWPPP document completed in accordance with the Permit (Part II.D.). Yes
- I have read and understand the NPDES/SDS MS4 General Permit and certify that we intend to comply with all requirements of the Permit. Yes

Certification (All fields are required)

- Yes - 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.

I certify that based on my inquiry of the person, or persons, who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete.

I am aware that there are significant penalties for submitting false information, including the possibility of civil and criminal penalties.

This certification is required by Minn. Stat. §§ 7001.0070 and 7001.0540. The authorized person with overall, MS4 legal responsibility must certify the application (principal executive officer or a ranking elected official).

By typing my name in the following box, I certify the above statements to be true and correct, to the best of my knowledge, and that this information can be used for the purpose of processing my application.

Name: Patricia Spence
(This document has been electronically signed)

Title: Clerk Date (mm/dd/yyyy): 12/04/2013

Mailing address: 8900 Lakewood Shore Rd NW

City: Rice State: MN Zip code: 56367

Phone (including area code): (320) 255-8916 E-mail: watabts@qwestoffice.net

Note: *The application will not be processed without certification.*

Stormwater Pollution Prevention Program Document

I. Partnerships: (Part II.D.1)

- A. List the **regulated small MS4(s)** with which you have established a partnership in order to satisfy one or more requirements of this Permit. Indicate which Minimum Control Measure (MCM) requirements or other program components that each partnership helps to accomplish (List all that apply). Check the box below if you currently have no established partnerships with other regulated MS4s. If you have more than five partnerships, hit the tab key after the last line to generate a new row.

No partnerships with regulated small MS4s

Name and description of partnership	MCM/Other permit requirements involved

- B. If you have additional information that you would like to communicate about your partnerships with other regulated small MS4(s), provide it in the space below, or include an attachment to the SWPPP Document, with the following file naming convention: *MS4NameHere_Partnerships*.

II. Description of Regulatory Mechanisms: (Part II.D.2)

Illicit discharges

- A. Do you have a regulatory mechanism(s) that effectively prohibits non-stormwater discharges into your small MS4, except those non-stormwater discharges authorized under the Permit (Part III.D.3.b.)? Yes No

1. If **yes**:

- a. Check which *type* of regulatory mechanism(s) your organization has (check all that apply):

Ordinance Contract language
 Policy/Standards Permits
 Rules
 Other, explain: _____

- b. Provide either a direct link to the mechanism selected above or attach it as an electronic document to this form; or if your regulatory mechanism is either an Ordinance or a Rule, you may provide a citation:

Citation:

Ordinance No. 5: Establishing Erosion Control and Storm Water Management Requirements for Land Disturbances and Water Quality; Section 11 found on direct link below

Direct link:

www.watabtownship.com

Check here if attaching an electronic copy of your regulatory mechanism, with the following file naming convention: *MS4NameHere_IDDEreg*.

2. If **no**:

Describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, this permit requirement is met:

Construction site stormwater runoff control

A. Do you have a regulatory mechanism(s) that establishes requirements for erosion and sediment controls and waste controls? Yes No

1. If **yes**:

a. Check which *type* of regulatory mechanism(s) your organization has (check all that apply):

- Ordinance Contract language
- Policy/Standards Permits
- Rules
- Other, explain: _____

b. Provide either a direct link to the mechanism selected above or attach it as an electronic document to this form; or if your regulatory mechanism is either an Ordinance or a Rule, you may provide a citation:

Citation:

Ordinance No. 5, Stormwater Program

Direct link:

www.watabtownship.com

Check here if attaching an electronic copy of your regulatory mechanism, with the following file naming convention: *MS4NameHere_CSWreg.*

B. Is your regulatory mechanism at least as stringent as the MPCA general permit to Discharge Stormwater Associated with Construction Activity (as of the effective date of the MS4 Permit)? Yes No

If you answered **yes** to the above question, proceed to C.

If you answered **no** to either of the above permit requirements listed in A. or B., describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met:

The Watab Town Board will work with its MS4 inspector to improve the current stormwater management and erosion control ordinance to ensure that it is at least as stringent as the MPCA general permit for construction activity; this will be accomplished within 12 months of the re-issuance of permit coverage.

C. Answer **yes** or **no** to indicate whether your regulatory mechanism(s) requires owners and operators of construction activity to develop site plans that incorporate the following erosion and sediment controls and waste controls as described in the Permit (Part III.D.4.a.(1)-(8)), and as listed below:

- 1. Best Management Practices (BMPs) to minimize erosion. Yes No
- 2. BMPs to minimize the discharge of sediment and other pollutants. Yes No
- 3. BMPs for dewatering activities. Yes No
- 4. Site inspections and records of rainfall events Yes No
- 5. BMP maintenance Yes No
- 6. Management of solid and hazardous wastes on each project site. Yes No
- 7. Final stabilization upon the completion of construction activity, including the use of perennial vegetative cover on all exposed soils or other equivalent means. Yes No
- 8. Criteria for the use of temporary sediment basins. Yes No

If you answered **no** to any of the above permit requirements, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met:

The township permit will delineate sediment control practices for construction, which will be at least as stringent as the MPCA Sediment Control Practices, to minimize the discharge of sediment and other pollutants from construction sites. This will be accomplished within 12 months of the re-issuance of permit coverage. The township will also review all other parts of the construction activity permit to ensure that it meets all MPCA requirements within 12 months of permit coverage re-issuance.

Post-construction stormwater management

A. Do you have a regulatory mechanism(s) to address post-construction stormwater management activities? Yes No

1. If **yes**:

a. Check which *type* of regulatory mechanism(s) your organization has (check all that apply):

- Ordinance Contract language
- Policy/Standards Permits

Rules

Other, explain: _____

- b. Provide either a direct link to the mechanism selected above or attach it as an electronic document to this form; or if your regulatory mechanism is either an Ordinance or a Rule, you may provide a citation:

Citation:

Direct link:

Check here if attaching an electronic copy of your regulatory mechanism, with the following file naming convention: *MS4NameHere_PostCSWreg*.

- B. Answer **yes** or **no** below to indicate whether you have a regulatory mechanism(s) in place that meets the following requirements as described in the Permit (Part III.D.5.a.):

1. **Site plan review:** Requirements that owners and/or operators of construction activity submit site plans with post-construction stormwater management BMPs to the permittee for review and approval, prior to start of construction activity. Yes No
2. **Conditions for post construction stormwater management:** Requires the use of any combination of BMPs, with highest preference given to Green Infrastructure techniques and practices (e.g., infiltration, evapotranspiration, reuse/harvesting, conservation design, urban forestry, green roofs, etc.), necessary to meet the following conditions on the site of a construction activity to the Maximum Extent Practicable (MEP):
 - a. For new development projects – no net increase from pre-project conditions (on an annual average basis) of: Yes No
 - 1) Stormwater discharge volume, unless precluded by the stormwater management limitations in the Permit (Part III.D.5.a(3)(a)).
 - 2) Stormwater discharges of Total Suspended Solids (TSS).
 - 3) Stormwater discharges of Total Phosphorus (TP).
 - b. For redevelopment projects – a net reduction from pre-project conditions (on an annual average basis) of: Yes No
 - 1) Stormwater discharge volume, unless precluded by the stormwater management limitations in the Permit (Part III.D.5.a(3)(a)).
 - 2) Stormwater discharges of TSS.
 - 3) Stormwater discharges of TP.
3. **Stormwater management limitations and exceptions:**
 - a. Limitations
 - 1) Prohibit the use of infiltration techniques to achieve the conditions for post-construction stormwater management in the Permit (Part III.D.5.a(2)) when the infiltration structural stormwater BMP will receive discharges from, or be constructed in areas: Yes No
 - a) Where industrial facilities are not authorized to infiltrate industrial stormwater under an NPDES/SDS Industrial Stormwater Permit issued by the MPCA.
 - b) Where vehicle fueling and maintenance occur.
 - c) With less than three (3) feet of separation distance from the bottom of the infiltration system to the elevation of the seasonally saturated soils or the top of bedrock.
 - d) Where high levels of contaminants in soil or groundwater will be mobilized by the infiltrating stormwater.
 - 2) Restrict the use of infiltration techniques to achieve the conditions for post-construction stormwater management in the Permit (Part III.D.5.a(2)), without higher engineering review, sufficient to provide a functioning treatment system and prevent adverse impacts to groundwater, when the infiltration device will be constructed in areas: Yes No
 - a) With predominately Hydrologic Soil Group D (clay) soils.
 - b) Within 1,000 feet up-gradient, or 100 feet down-gradient of active karst features.
 - c) Within a Drinking Water Supply Management Area (DWSMA) as defined in Minn. R. 4720.5100, subp. 13.
 - d) Where soil infiltration rates are more than 8.3 inches per hour.
 - 3) For linear projects where the lack of right-of-way precludes the installation of volume control practices that meet the conditions for post-construction stormwater management in the Permit (Part III.D.5.a(2)), the permittee's regulatory mechanism(s) may allow exceptions as described in the Permit (Part III.D.5.a(3)(b)). The permittee's regulatory Yes No

mechanism(s) shall ensure that a reasonable attempt be made to obtain right-of-way during the project planning process.

4. **Mitigation provisions:** The permittee's regulatory mechanism(s) shall ensure that any stormwater discharges of TSS and/or TP not addressed on the site of the original construction activity are addressed through mitigation and, at a minimum, shall ensure the following requirements are met:
- a. Mitigation project areas are selected in the following order of preference: Yes No
 - 1) Locations that yield benefits to the same receiving water that receives runoff from the original construction activity.
 - 2) Locations within the same Minnesota Department of Natural Resource (DNR) catchment area as the original construction activity.
 - 3) Locations in the next adjacent DNR catchment area up-stream
 - 4) Locations anywhere within the permittee's jurisdiction.
 - b. Mitigation projects must involve the creation of new structural stormwater BMPs or the retrofit of existing structural stormwater BMPs, or the use of a properly designed regional structural stormwater BMP. Yes No
 - c. Routine maintenance of structural stormwater BMPs already required by this permit cannot be used to meet mitigation requirements of this part. Yes No
 - d. Mitigation projects shall be completed within 24 months after the start of the original construction activity. Yes No
 - e. The permittee shall determine, and document, who will be responsible for long-term maintenance on all mitigation projects of this part. Yes No
 - f. If the permittee receives payment from the owner and/or operator of a construction activity for mitigation purposes in lieu of the owner or operator of that construction activity meeting the conditions for post-construction stormwater management in Part III.D.5.a(2), the permittee shall apply any such payment received to a public stormwater project, and all projects must be in compliance with Part III.D.5.a(4)(a)-(e). Yes No
5. **Long-term maintenance of structural stormwater BMPs:** The permittee's regulatory mechanism(s) shall provide for the establishment of legal mechanisms between the permittee and owners or operators responsible for the long-term maintenance of structural stormwater BMPs not owned or operated by the permittee, that have been implemented to meet the conditions for post-construction stormwater management in the Permit (Part III.D.5.a(2)). This only includes structural stormwater BMPs constructed after the effective date of this permit and that are directly connected to the permittee's MS4, and that are in the permittee's jurisdiction. The legal mechanism shall include provisions that, at a minimum:
- a. Allow the permittee to conduct inspections of structural stormwater BMPs not owned or operated by the permittee, perform necessary maintenance, and assess costs for those structural stormwater BMPs when the permittee determines that the owner and/or operator of that structural stormwater BMP has not conducted maintenance. Yes No
 - b. Include conditions that are designed to preserve the permittee's right to ensure maintenance responsibility, for structural stormwater BMPs not owned or operated by the permittee, when those responsibilities are legally transferred to another party. Yes No
 - c. Include conditions that are designed to protect/preserve structural stormwater BMPs and site features that are implemented to comply with the Permit (Part III.D.5.a(2)). If site configurations or structural stormwater BMPs change, causing decreased structural stormwater BMP effectiveness, new or improved structural stormwater BMPs must be implemented to ensure the conditions for post-construction stormwater management in the Permit (Part III.D.5.a(2)) continue to be met. Yes No

If you answered **no** to any of the above permit requirements, describe the tasks and corresponding schedules that will be taken to assure that, within twelve (12) months of the date permit coverage is extended, these permit requirements are met:

Post-Construction Stormwater Runoff Regulatory Mechanism: The township will work with our MS4 inspector and BCSWCD staff to revise our stormwater management and erosion control ordinance to assure that it meets the requirements of the MPCA NPDES/SDS Construction Stormwater General Permit. The ordinance will have a public hearing and be enacted by the town board within 12 months. We will review the ordinance and add necessary language to it and the permit to comply with the post-construction stormwater requirements within 12 months of the date permit coverage is extended.

III. Enforcement Response Procedures (ERPs): (Part II.D.3)

- A. Do you have existing ERPs that satisfy the requirements of the Permit (Part III.B.)? Yes No

1. If **yes**, attach them to this form as an electronic document, with the following file naming convention: *MS4NameHere_ERPs*.
2. If **no**, describe the tasks and corresponding schedules that will be taken to assure that, with twelve (12) months of the date permit coverage is extended, these permit requirements are met:

B. Describe your ERPs:

Ordinance No. 5 includes Section 13: Violations. A violation of the ordinance or a permit issued under the ordinance is a misdemeanor and subject to the maximum penalty provided by Minnesota Law. The Town Board enforces the ordinance through its MS-4 Contractor through verbal and written warnings, stop-work-orders, contact with MPCA, and if necessary court action.

IV. Storm Sewer System Map and Inventory: (Part II.D.4.)

A. Describe how you manage your storm sewer system map and inventory:

Supervisor Craig Gondeck has prepared a map showing all the township's culverts and the storm sewer drains within developments that have curb and gutter. It is updated annually and presented at the MS-4 Annual Meeting.

B. Answer **yes** or **no** to indicate whether your storm sewer system map addresses the following requirements from the Permit (Part III.C.1.a-d), as listed below:

1. The permittee's entire small MS4 as a goal, but at a minimum, all pipes 12 inches or greater in diameter, including stormwater flow direction in those pipes. Yes No
2. Outfalls, including a unique identification (ID) number assigned by the permittee, and an associated geographic coordinate. Yes No
3. Structural stormwater BMPs that are part of the permittee's small MS4. Yes No
4. All receiving waters. Yes No

If you answered **no** to any of the above permit requirements, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met:

The stormwater flow direction will be added to the maps within 12 months of the permit re-issuance. Outfalls from culverts will be identified with unique ID numbers within 12 months of the permit re-issuance.

C. Answer **yes** or **no** to indicate whether you have completed the requirements of 2009 Minnesota Session Law, Ch. 172, Sec. 28: with the following inventories, according to the specifications of the Permit (Part III.C.2.a.-b.), including:

1. All ponds within the permittee's jurisdiction that are constructed and operated for purposes of water quality treatment, stormwater detention, and flood control, and that are used for the collection of stormwater via constructed conveyances. Yes No
2. All wetlands and lakes, within the permittee's jurisdiction, that collect stormwater via constructed conveyances. Yes No

D. Answer **yes** or **no** to indicate whether you have completed the following information for each feature inventoried.

1. A unique identification (ID) number assigned by the permittee. Yes No
2. A geographic coordinate. Yes No
3. Type of feature (e.g., pond, wetland, or lake). This may be determined by using best professional judgment. Yes No

If you have answered **yes** to all above requirements, and you have already submitted the Pond Inventory Form to the MPCA, then you do not need to resubmit the inventory form below.

If you answered **no** to any of the above permit requirements, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met:

We will assign ID numbers, geographic coordinates, and identify the type of feature (pond, wetland, or lake) and submit it within 12 months of the permit re-issuance.

E. Answer **yes** or **no** to indicate if you are attaching your pond, wetland and lake inventory to the MPCA on the form provided on the MPCA website at: <http://www.pca.state.mn.us/ms4>, according to the specifications of Permit (Part III.C.2.b.(1)-(3)). Attach with the following file naming convention: *MS4NameHere_inventory*. Yes No

If you answered **no**, the inventory form must be submitted to the MPCA MS4 Permit Program within 12 months of the date permit coverage is extended.

V. Minimum Control Measures (MCMs) (Part II.D.5)

A. MCM1: Public education and outreach

1. The Permit requires that, within 12 months of the date permit coverage is extended, existing permittees revise their education and outreach program that focuses on illicit discharge recognition and reporting, as well as other specifically selected stormwater-related issue(s) of high priority to the permittee during this permit term. Describe your **current** educational program, including **any high-priority topics included**:

Watab Township is primarily residential with a few businesses along Highway 10. We have focused on cleaning up road ditches and promotion of Watab Clean-Up Day, our annual newsletter to all residents that includes Best Management Practices on stormwater runoff prevention, a Stormwater page on our township website, brochures at the town hall, and partnering with the Little Rock Lake Association to promote and provide funding for the Buffer Strip Program on Little Rock Lake and the Mississippi River.

2. List the categories of BMPs that address your public education and outreach program, including the distribution of educational materials and a program implementation plan. Use the first table for categories of BMPs that you have established and the second table for categories of BMPs that you plan to implement over the course of the permit term.

Include the measurable goals with appropriate timeframes that each BMP category will be implemented and completed. In addition, provide interim milestones and the frequency of action in which the permittee will implement and/or maintain the BMPs. Refer to the U.S. Environmental Protection Agency's (EPA) *Measurable Goals Guidance for Phase II Small MS4s* (<http://www.epa.gov/npdes/pubs/measurablegoals.pdf>).

If you have more than five categories, hit the tab key after the last line to generate a new row.

Established BMP categories	Measurable goals and timeframes
Distribute Educational Materials	An annual newsletter is sent to all households and businesses which includes topics related to storm water management.
Implement an Education Program	Storm Water page on township website with education on storm water management with links to MPCA and BCSWCD is reviewed annually and monitored for number of visits
Public Education and Outreach	Brochures at Town Hall; host BCSWCD annual meeting on Little Rock Lake TMDL with over 50 people in attendance; annual review of website; partner with Little Rock Lake Association
Public Participation: Annual Public Meeting	Hold an annual MS-4 public meeting and give a report on the year's activities and discuss Best Management Practices.
Education on Illicit Discharge Detection and Elimination	Continuous monitoring of township for illicit discharge by supervisors and follow-up on complaints; visit with residents or business owners to educate them on improvements needed or remediation.
Education on Construction Site Run-Off Control	Township Website information for contractors; information on need for SWPPP plan prior to building permit when necessary; invitation to annual MS-4 public meeting
Education on Post-Construction Stormwater Management in New Developments	Inspections by MS-4 Contractor and Township Supervisor
Education Program on Pollution Prevention/Good Housekeeping	Hold annual Watab Clean Up Day to clean up road ditches, promote safe disposal of residential debris, old tires, appliances, and construction materials; promote Benton County Hazardous Waste Disposal; over 200 participants
Coordination of Education Programs	Information provided about web links/access to education material available from MPCA, Benton County Soil and Water Conservation District, and Little Rock Lake Association
BMP categories to be implemented	Measurable goals and timeframes
Public Education: Social Media	Add one interesting storm water related article quarterly on Best Management Practices for residences on the township's Facebook page with a goal of adding 25 followers each year
Increase the support of Little Rock Lake Association and Benton County Soil and Water Conservation District with the promotion of Native Buffers and Irrigation Water Management with emphasis on TMDL reduction targets, promoting BMPS for business, residential and agricultural entities within the township	Annually provide support to the Little Rock Lake Association and/or BCSWCD through financial, hosting, or promotional activities. Use network to identify a minimum of five new riparian buffer strip participants following re-issuance of the permit by June 1, 2016..
Co-Hosting and Promoting Annual Little Rock Lake Water Quality Meeting	Annually Co-host, promote and participate in the Little Rock Lake Water Quality meeting through the township website,

	posting places, e-mail list, and hosting of event at the town hall with township officers attending the session.
Watab Clean Up Day	Increase participation in Watab Clean Up Day to more than 200 residences through an annual mailing to all households (1000) and through use of social media
Recognition Program	Develop a bi-annual recognition program by June 1, 2015 to promote BMPs in the township and implement it by June 1, 2016.
Involvement in BCSWCD Green Roofs Blue Waters Project	Network with township residents for involvement in this project to promote their participation by June 1, 2017.
Membership and participation in the Benton County Water Resource Advisory Committee	Have a township board member maintain membership and participation on this committee to keep abreast of initiatives and partnering opportunities in storm water management BMPs through the five-year permit coverage.
Create an educational development plan on MS4 Stormwater Pollution Prevention for town board members	By June 1, 2014 develop a plan for ongoing education of the town board members and implement the plan by June 1, 2015.
Require SWPPP plans for all new construction within the township	By June 1, 2014 implement an education process for all township residents to submit SWPPP plans prior to issuance of the Building permit.

3. Provide the name or the position title of the individual(s) who is responsible for implementing and/or coordinating this MCM:

Coordination by Patricia Spence

B. MCM2: Public participation and involvement

1. The Permit (Part III.D.2.a.) requires that, within 12 months of the date permit coverage is extended, existing permittees shall revise their current program, as necessary, and continue to implement a public participation/involvement program to solicit public input on the SWPPP. Describe your current program:

The township holds a special meeting annually to review the year's progress and to solicit input from citizens.

2. List the categories of BMPs that address your public participation/involvement program, including solicitation and documentation of public input on the SWPPP. Use the first table for categories of BMPs that you have established and the second table for categories of BMPs that you plan to implement over the course of the permit term.

Include the measurable goals with appropriate timeframes that each BMP category will be implemented and completed. In addition, provide interim milestones and the frequency of action in which the permittee will implement and/or maintain the BMPs. Refer to the EPA's *Measurable Goals Guidance for Phase II Small MS4s* (<http://www.epa.gov/npdes/pubs/measurablegoals.pdf>). **If you have more than five categories**, hit the tab key after the last line to generate a new row.

Established BMP categories	Measurable goals and timeframes
Public Notice Requirements	Public Meeting is published and posted at least 30 days in advance in legal newspaper, public access channel, e-mail list of residents, and at town hall
Solicit Public Input and Opinion on Adequacy of the SWPPP	Opportunity is provided at the annual public MS4 meeting for public input in written or oral format; participation has been very low; SWPPP plan is on township website
Consider Public Input	Town board reviews any public input from the annual meeting for appropriateness and feasibility; suggestions are recorded
BMP categories to be implemented	Measurable goals and timeframes
Online Reports	Annually place PDF of the MS4 report on the town's storm water webpage; include comment form; track hits and comments; respond to all comments within one week of receipt
Annual Meeting	Hold an Annual Meeting prior to the Annual MS4 reporting deadline to garner public input and opinions on the adequacy of the SWPPP and to implement any suggestions.

3. Do you have a process for receiving and documenting citizen input? Yes No

If you answered **no** to the above permit requirement, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, this permit requirement is met:

4. Provide the name or the position title of the individual(s) who is responsible for implementing and/or coordinating this MCM:

Coordination by Patricia Spence

C. MCM 3: Illicit discharge detection and elimination

1. The Permit (Part III.D.3.) requires that, within 12 months of the date permit coverage is extended, existing permittees revise their current program as necessary, and continue to implement and enforce a program to detect and eliminate illicit discharges into the small MS4. Describe your current program:

The township has created a map of culverts and storm sewer drains in developments. The township has identified and mapped the storm water ponds and other waters. Our ordinance covers a regulatory program for illicit discharge, we contract with a licensed inspector to provide oversight and require all NPDES permitted sites to submit their SWPPP to the township for review of potential impact on township drainage ways and waters. Complaints from the public and from MPCA are tracked and there is appropriate follow up.

2. Does your Illicit Discharge Detection and Elimination Program meet the following requirements, as found in the Permit (Part III.D.3.c.-g.)?

- a. Incorporation of illicit discharge detection into all inspection and maintenance activities conducted under the Permit (Part III.D.6.e.-f.) Where feasible, illicit discharge inspections shall be conducted during dry-weather conditions (e.g., periods of 72 or more hours of no precipitation). Yes No
- b. Detecting and tracking the source of illicit discharges using visual inspections. The permittee may also include use of mobile cameras, collecting and analyzing water samples, and/or other detailed procedures that may be effective investigative tools. Yes No
- c. Training of all field staff, in accordance with the requirements of the Permit (Part III.D.6.g.(2)), in illicit discharge recognition (including conditions which could cause illicit discharges), and reporting illicit discharges for further investigation. Yes No
- d. Identification of priority areas likely to have illicit discharges, including at a minimum, evaluating land use associated with business/industrial activities, areas where illicit discharges have been identified in the past, and areas with storage of large quantities of significant materials that could result in an illicit discharge. Yes No
- e. Procedures for the timely response to known, suspected, and reported illicit discharges. Yes No
- f. Procedures for investigating, locating, and eliminating the source of illicit discharges. Yes No
- g. Procedures for responding to spills, including emergency response procedures to prevent spills from entering the small MS4. The procedures shall also include the immediate notification of the Minnesota Department of Public Safety Duty Officer, if the source of the illicit discharge is a spill or leak as defined in Minn. Stat. § 115.061. Yes No
- h. When the source of the illicit discharge is found, the permittee shall use the ERPs required by the Permit (Part III.B.) to eliminate the illicit discharge and require any needed corrective action(s). Yes No

If you answered **no** to any of the above permit requirements, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met:

3. List the categories of BMPs that address your illicit discharge, detection and elimination program. Use the first table for categories of BMPs that you have established and the second table for categories of BMPs that you plan to implement over the course of the permit term.

Include the measurable goals with appropriate timeframes that each BMP category will be implemented and completed. In addition, provide interim milestones and the frequency of action in which the permittee will implement and/or maintain the BMPs. Refer to the EPA's *Measurable Goals Guidance for Phase II Small MS4s* (<http://www.epa.gov/npdes/pubs/measurablegoals.pdf>).

If you have more than five categories, hit the tab key after the last line to generate a new row.

Established BMP categories	Measurable goals and timeframes
Storm Sewer System Map	A map is established that shows the townships natural drainage ways, all culverts, and storm sewer drains in township developments, as well as storm water ponds.
Regulatory Control Program	Ordinance was established in 2009 that regulates illicit discharge
Illicit Discharge Detection and Elimination Plan	Township contracts with a licensed, professional inspector: David Schwinghammer of Red Barn Ridge, LLC and he inspects all SWPPP's and reports to the town board
Public and Employee Illicit Discharge Information Program	The number of public and MPCA complaints are recorded and appropriate follow up occurs
Identification of Non-Stormwater Discharges and Flows	Township Supervisors and residents monitor township on a continuous basis to identify non-stormwater discharges; this year there were citizen complaints on a holding tank overflow in one of the township developments; MPCA and township took appropriate action and situation is remedied.
BMP categories to be implemented	Measurable goals and timeframes
Illicit Discharge Contact	In annual newsletter, list contact person to report illicit discharge.
Update Plat Process	Within six months of permit issuance update Plat Manual and Plat Process Ordinance to incorporate all MS4 requirements.
Investigate the development of street sweeping and leaf collection program	Meet with owners of developments and/or homeowner's associations in township to encourage implementation of street sweeping and leaf collection by June 1, 2018.
Adopt-A-Highway Program Support	Have remaining township roads adopted for debris removal and inspection of township ditches by June 1, 2018.
Written procedures for stormwater pond inspections	By June 1, 2018 implement written procedures for stormwater pond inspections and necessary remediation where recommended.
Oak Hill Development Storm Water Management	Meet with owners of Oak Hill Estates Development by June 1, 2015 to initiate planning for stormwater containment within the development. Have stormwater containment plan completed by June 1, 2018 or before Phase II of development is permitted.
Shangri La Loop Stormwater Runoff Control	Develop a plan of remediation of Shangri La Loop Development to address stormwater runoff into the Harris Channel by June 1, 2017.
Development Plan for Board	Create a development plan for training the township board on Illicit Discharge by June 1, 2014 and implement plan by June 1, 2015.
Documentation of Illicit Discharges	Develop a special form for documentation of all inspections of illicit discharges by June 1, 2014. Maintain written documentation of all illicit discharges within township and action taken throughout entire permit period.
Response Plan for Spills	Continue to have township board member certified for emergency management and partner with Benton County Emergency Management in using the town hall as an emergency management site in case of a spill.

4. Do you have procedures for record-keeping within your Illicit Discharge Detection and Elimination (IDDE) program as specified within the Permit (Part III.D.3.h.)? Yes No
- If you answered **no**, indicate how you will develop procedures for record-keeping of your Illicit Discharge, Detection and Elimination Program, within 12 months of the date permit coverage is extended:

5. Provide the name or the position title of the individual(s) who is responsible for implementing and/or coordinating this MCM:
- Clerk Patricia Spence*

D. MCM 4: Construction site stormwater runoff control

1. The Permit (Part III.D.4) requires that, within 12 months of the date permit coverage is extended, existing permittees shall revise their current program, as necessary, and continue to implement and enforce a construction site stormwater runoff control program. Describe your current program:

Our Ordinance is enforced by Red Barn Ridge LLC with the oversight of the township board. Permits are required for any construction site that disturbs 1 acre or more or a construction site within a platted development.. Plans are reviewed and the sites are inspected during and following construction..

2. Does your program address the following BMPs for construction stormwater erosion and sediment control as required in the Permit (Part III.D.4.b.):
 - a. Have you established written procedures for site plan reviews that you conduct prior to the start of construction activity? Yes No
 - b. Does the site plan review procedure include notification to owners and operators proposing construction activity that they need to apply for and obtain coverage under the MPCA's general permit to *Discharge Stormwater Associated with Construction Activity No. MN R10001*? Yes No
 - c. Does your program include written procedures for receipt and consideration of reports of noncompliance or other stormwater related information on construction activity submitted by the public to the permittee? Yes No
 - d. Have you included written procedures for the following aspects of site inspections to determine compliance with your regulatory mechanism(s):
 - 1) Does your program include procedures for identifying priority sites for inspection? Yes No
 - 2) Does your program identify a frequency at which you will conduct construction site inspections? Yes No
 - 3) Does your program identify the names of individual(s) or position titles of those responsible for conducting construction site inspections? Yes No
 - 4) Does your program include a checklist or other written means to document construction site inspections when determining compliance? Yes No
 - e. Does your program document and retain construction project name, location, total acreage to be disturbed, and owner/operator information? Yes No
 - f. Does your program document stormwater-related comments and/or supporting information used to determine project approval or denial? Yes No
 - g. Does your program retain construction site inspection checklists or other written materials used to document site inspections? Yes No

If you answered **no** to any of the above permit requirements, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met.

3. List the categories of BMPs that address your construction site stormwater runoff control program. Use the first table for categories of BMPs that you have established and the second table for categories of BMPs that you plan to implement over the course of the permit term.

Include the measurable goals with appropriate timeframes that each BMP category will be implemented and completed. In addition, provide interim milestones and the frequency of action in which the permittee will implement and/or maintain the BMPs. Refer to the EPA's *Measurable Goals Guidance for Phase II Small MS4s* (<http://www.epa.gov/npdes/pubs/measurablegoals.pdf>). **If you have more than five categories**, hit the tab key after the last line to generate a new row.

Established BMP categories	Measurable goals and timeframes
Ordinance or other Regulatory Mechanism	Ordinance was adopted in 2009 and implemented. Red Barn Ridge LLC has been our contracted inspector since coverage of NPDES General Permit.
Construction Site Implementation of Erosion and Sediment Control	Each NPDES permit and site SWPPP are reviewed; permitting procedure is reviewed at public meeting to verify that all BMPs are in place before building permit is issued.
Waste Controls for Construction Site Operators	Ordinance addresses onsite waste storage; this is inspected by Red Barn Ridge for each construction site
Procedure for Site Plan Review	Monitored by Red Barn Ridge LLC
Establishment of Procedures for the Receipt and Consideration of Reports of Stormwater Noncompliance	The township has a complaint form on the website and contact information for all board members to report stormwater noncompliance; supervisors monitor township on continuous basis.
BMP categories to be implemented	Measurable goals and timeframes
Site Plan Review	Review written procedures for site plan review within first six

	months of permit issuance to ensure that all requirements are at least as stringent as MPCA requirements.
Education	Develop a Fact Sheet within first three months of permit issuance to accompany land use permits from Benton County to assist homeowners and contractors to know whether or not they need a MS4 permit; add "SWPPP Plans Required" to all Building Permit Signs by June 1, 2014; emphasize MS4 requirements for contractors in annual newsletter by June 1, 2015; provide information to homeowners through website and annual newsletter to promote Green Design by June 1, 2018.
Ordinance	Review current Ordinance to ensure that it incorporates all MPCA requirements for CSW permit within 12 months of the date permit coverage is extended.
Written Procedures	Review permit with check list of site plan requirements within 12 months of the date permit coverage is extended.
Increased Involvement with Benton County Planning Commission	Provide town board input on all conditional use permits and variances within shoreland boundaries of township beginning within six months of permit re-issuance.

4. Provide the name or the position title of the individual(s) who is responsible for implementing and/or coordinating this MCM:

Coordination by Patricia Spence

E. MCM 5: Post-construction stormwater management

1. The Permit (Part III.D.5.) requires that, within 12 months of the date permit coverage is extended, existing permittees shall revise their current program, as necessary, and continue to implement and enforce a post-construction stormwater management program. Describe your current program:

We have inspected ponds in developments annually for needed maintenance; monitored runoff in developments with curb and gutter and issued warnings where needed..

2. Have you established written procedures for site plan reviews that you will conduct prior to the start of construction activity? Yes No
3. Answer **yes** or **no** to indicate whether you have the following listed procedures for documentation of post-construction stormwater management according to the specifications of Permit (Part III.D.5.c.):
- a. Any supporting documentation that you use to determine compliance with the Permit (Part III.D.5.a), including the project name, location, owner and operator of the construction activity, any checklists used for conducting site plan reviews, and any calculations used to determine compliance? Yes No
 - b. All supporting documentation associated with mitigation projects that you authorize? Yes No
 - c. Payments received and used in accordance with Permit (Part III.D.5.a.(4)(f))? Yes No
 - d. All legal mechanisms drafted in accordance with the Permit (Part III.D.5.a.(5)), including date(s) of the agreement(s) and names of all responsible parties involved? Yes No

If you answered **no** to any of the above permit requirements, describe the steps that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met.

Within 12 months of permit coverage extension, develop a formal post-construction stormwater program with the assistance of our licensed inspector to meet all the above requirements. Educate board members on post-construction stormwater management with work session by the inspector. Develop a checklist and schedule for inspector(s) to follow up at least annually for the five years following a construction project to ensure BMPs are followed.

4. List the categories of BMPs that address your post-construction stormwater management program. Use the first table for categories of BMPs that you have established and the second table for categories of BMPs that you plan to implement over the course of the permit term.

Include the measurable goals with appropriate timeframes that each BMP category will be implemented and completed. In addition, provide interim milestones and the frequency of action in which the permittee will implement and/or maintain the BMPs. Refer to the EPA's *Measurable Goals Guidance for Phase II Small MS4s* (<http://www.epa.gov/npdes/pubs/measurablegoals.pdf>). **If you have more than five categories**, hit the tab key after the last line to generate a new row.

Established BMP categories	Measurable goals and timeframes
Development and Implementation of Structural and/or	Inspect wet detention ponds annually; update inventory

Non-Structural BMPS	annually
Regulatory Mechanism to Address Post-Construction Runoff from New Development and Re-Development	Ordinance No. 5 enacted with Storm Water Discharge Design Requirements and Maintenance
Long-Term Operation and Maintenance of BMPs	Ordinance addresses long-term maintenance; annual inspections of developments, and annual inspections of construction sites disturbing more than one acre

BMP categories to be implemented	Measurable goals and timeframes
Update Ordinance to Meet New Permit Requirements	Within first year of permit coverage, review ordinance to determine that it meets new permit requirements
Require Site Plans with Post-Construction Stormwater Management BMPs prior to start of construction	Within first year of permit re-issuance, have permit in place for all construction sites that disturb one acre or more or within a platted development prior to construction activity that includes BMPs for post-construction stormwater management to meet MS4 permit requirements in III.5.2.a.b.
Pond Assessment	Develop a schedule for determining the TSS and TP treatment effectiveness of all stormwater ponds in township within 12 months that permit coverage is extended; continue annual inspections of stormwater ponds throughout permit period or if a complaint is issued.
Board Training	Utilize training materials from EPA for town board member(s) that address the importance of protecting water quality, cover the requirements of the permit relevant to township inspection requirements and documentation beginning within the first year of permit re-issuance and continuing through the five-year period.

5. Provide the name or the position title of the individual(s) who is responsible for implementing and/or coordinating this MCM:

Coordination by Patricia Spence

F. MCM 6: Pollution prevention/good housekeeping for municipal operations

1. The Permit (Part III.D.6.) requires that, within 12 months of the date permit coverage is extended, existing permittees shall revise their current program, as necessary, and continue to implement an operations and maintenance program that prevents or reduces the discharge of pollutants from the permittee owned/operated facilities and operations to the small MS4. Describe your current program:

The only township facility is the town hall. Other property would only include road right of ways. The township has one stormwater pond on its property by the town hall parking lot. It is a demonstration site for BCSWCD and the township. The township inspects ditches and culverts on the township roads on a continuous basis.

2. Do you have a facilities inventory as outlined in the Permit (Part III.D.6.a.)? Yes No
3. If you answered **no** to the above permit requirement in question 2, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, this permit requirement is met:

4. List the categories of BMPs that address your pollution prevention/good housekeeping for municipal operations program. Use the first table for categories of BMPs that you have established and the second table for categories of BMPs that you plan to implement over the course of the permit term.

Include the measurable goals with appropriate timeframes that each BMP category will be implemented and completed. In addition, provide interim milestones and the frequency of action in which the permittee will implement and/or maintain the BMPs. For an explanation of measurable goals, refer to the EPA's *Measurable Goals Guidance for Phase II Small MS4s* (<http://www.epa.gov/npdes/pubs/measurablegoals.pdf>).

If you have more than five categories, hit the tab key after the last line to generate a new row.

Established BMP categories	Measurable goals and timeframes
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Township Maintenance Program	Annual inspections that storm water conveyance systems are kept in good working order and free of trash and debris
Street Sweeping	Review site SWPPP for street sweeping BMP; review inspection record for frequency of soil on streets; review types of equipment used and condition when sweeping is conducted
Pollution Control Device Inspection	Currently we have no pollution control devices within the township
Inspection of MS4 Outfalls, Sediment Basins and Ponds	Inspection is conducted annually of all sites, and problem areas are remediated
Inspection of All Exposed Stockpile, Storage, and Material Handling Areas	Inspect any exposed stockpiles or material handling areas as part of SWPPP and annually following construction
Inspection Follow-Up Including the Determination of Whether Repair, Replacement, or Maintenance Measures are Necessary and the Implementation of Corrective Measures	2008 Inspection procedure includes remediation/follow-up procedures and enforcement
Record Reporting and Retention of All Inspections and Responses to Inspections	Maintain up to date records for a minimum of three years; photo files kept of all problem sites
Evaluation of Inspection Frequency	Prioritize sites by most problematic to least problematic; establish frequency of inspection; and review inspection results and adjust inspection frequency according to re-occurring problems on an annual basis
BMP categories to be implemented	Measurable goals and timeframes
Investigate the development of street sweeping and leaf collection program in impact areas	Meet with owners of developments and/or homeowner's associations in township to encourage implementation of street sweeping and leaf collection by June 1, 2018.
Quarterly inspections of stockpiles and storage and material handling areas	Within 3 months of permit coverage extension, the township will have the inspector identify any stockpiles and storage and material handling areas that may exist in the township; within 6 months of the permit extension, the inspector will prepare a quarterly schedule for their inspection; within 12 months of permit extension, the inspections will follow the schedule as provided. The inspector will also inspect any stockpiles and storage and material handling areas when a complaint arises.
Salt/Sand Storage Evaluation	The town board will ensure that salt/sand storage by township snow plowing contractor follows BMPs within 12 months of permit extension of coverage in accordance with the existing contract.
Road Maintenance	The town board will use MPCA resources to evaluate current practices for pothole repairs, road shoulder maintenance, crack filling, sealing, and construction of roads; within 12 months of permit extension of coverage BMP's will be written and enacted where needed.
Ditch Mowing	The town board will work with the ditch mowing contractor to establish BMPs for work within his contract; within 12 months of permit extension of coverage BMPs will be written and enacted where needed.
Weed Management	The town board will work with the Benton County Weed Inspector to identify BMP's for herbicide use; within 12 months of permit extension of coverage BMPs will be written and enacted.
Snow Plowing/Sanding/Salting	The town board will work with the Benton County Engineer and the township snow plowing contractor to identify BMPs for application of sand/salt in accordance with MPCA recommendations; within 12 months of permit coverage extension, make necessary adjustments.

5. Does discharge from your MS4 affect a Source Water Protection Area (Permit Part III.D.6.c.)? Yes No

a. If **no**, continue to 6.

b. If **yes**, the Minnesota Department of Health (MDH) is in the process of mapping the

following items. Maps are available at <http://www.health.state.mn.us/divs/eh/water/swp/maps/index.htm>. Is a map including the following items available for your MS4:

- 1) Wells and source waters for drinking water supply management areas identified as vulnerable under Minn. R. 4720.5205, 4720.5210, and 4720.5330? Yes No
- 2) Source water protection areas for surface intakes identified in the source water assessments conducted by or for the Minnesota Department of Health under the federal Safe Drinking Water Act, U.S.C. §§ 300j – 13? Yes No
- C. Have you developed and implemented BMPs to protect any of the above drinking water sources? Yes No
- 6. Have you developed procedures and a schedule for the purpose of determining the TSS and TP treatment effectiveness of all permittee owned/operated ponds constructed and used for the collection and treatment of stormwater, according to the Permit (Part III.D.6.d.)? Yes No
- 7. Do you have inspection procedures that meet the requirements of the Permit (Part III.D.6.e.(1)-(3)) for structural stormwater BMPs, ponds and outfalls, and stockpile, storage and material handling areas? Yes No
- 8. Have you developed and implemented a stormwater management training program commensurate with each employee's job duties that:
 - a. Addresses the importance of protecting water quality? Yes No
 - b. Covers the requirements of the permit relevant to the duties of the employee? Yes No
 - c. Includes a schedule that establishes initial training for new and/or seasonal employees and recurring training intervals for existing employees to address changes in procedures, practices, techniques, or requirements? Yes No
- 9. Do you keep documentation of inspections, maintenance, and training as required by the Permit (Part III.D.6.h.(1)-(5))? Yes No

If you answered **no** to any of the above permit requirements listed in **Questions 5 – 9**, then describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met:

We have one township well that serves the town hall. The only township stormwater pond is a large one adjacent to the town hall. After very major rainfalls/snow melts there is no accumulated water in the pond because of the sandy soil. The town board will work with our MS4 inspector to ensure that written procedures and an annual schedule for determining the TSS and TP treatment effectiveness of the stormwater pond by the town hall is in place within 12 months of permit extension of coverage. The town board will work with our MS4 inspector to develop written inspection procedures that ensures all ponds and outfalls, stockpile, storage and material handling areas are inspected within the date of this permit in order to determine structural integrity, proper function, and maintenance needs. The stockpiles, and storage and material handling areas with are in the township-owned inventory will be inspected quarterly to determine maintenance needs and proper function of BMPs.

Watab will identify training materials from the USEPA and MPCA to develop and implement training for the town board that addresses the importance of protecting water quality; a training schedule will be developed using these materials; initial training will occur within 12 months of permit extension of coverage and annually during the permit coverage. This training will address changes in procedures, practices, techniques, or requirements for stormwater management within the township.

- 10. Provide the name or the position title of the individual(s) who is responsible for implementing and/or coordinating this MCM:
Coordination by Patricia Spence

VI. Compliance Schedule for an Approved Total Maximum Daily Load (TMDL) with an Applicable Waste Load Allocation (WLA) (Part II.D.6.)

- A. Do you have an approved TMDL with a Waste Load Allocation (WLA) prior to the effective date of the Permit? Yes No
 - 1. If **no**, continue to section VII.
 - 2. If **yes**, fill out and attach the MS4 Permit TMDL Attachment Spreadsheet with the following naming convention: *MS4NameHere_TMDL*.

This form is found on the MPCA MS4 website: <http://www.pca.state.mn.us/ms4>.

VII. Alum or Ferric Chloride Phosphorus Treatment Systems (Part II.D.7.)

- A. Do you own and/or operate any Alum or Ferric Chloride Phosphorus Treatment Systems which are regulated by this Permit (Part III.F.)? Yes No
1. If **no**, this section requires no further information.
 2. If **yes**, you own and/or operate an Alum or Ferric Chloride Phosphorus Treatment System within your small MS4, then you must submit the Alum or Ferric Chloride Phosphorus Treatment Systems Form supplement to this document, with the following naming convention: *MS4NameHere_TreatmentSystem*.
This form is found on the MPCA MS4 website: <http://www.pca.state.mn.us/ms4>.

VIII. Add any Additional Comments to Describe Your Program

ORDINANCE NO. 5

**WATAB TOWNSHIP
BENTON COUNTY, MINNESOTA
AN ORDINANCE ESTABLISHING
EROSION CONTROL AND STORM WATER MANAGEMENT
REQUIREMENTS FOR LAND DISTURBANCES AND WATER QUALITY**

Section 1: Purpose. The purpose of this ordinance is to establish standards and specifications for conservation practices and planning activities to minimize soil erosion and sedimentation, and regulate construction site erosion and storm water runoff to accomplish the following objectives:

- a. Promote local storm water management;
- b. Minimize sedimentation; water pollution from nutrients, heavy metals, chemicals, petroleum products and other contaminants; flooding; and thermal impacts to the water resources of Watab Township;
- c. Promote infiltration and groundwater recharge;
- d. Protect functional values of natural water courses and wetlands;
- e. Provide a single, consistent set of performance standards for Watab Township;
- f. Protect public and private property from damage resulting from runoff or erosion;
- g. Prohibit illicit discharges to the municipal separate storm sewer system;
- h. To establish legal authority to carry out all inspection, monitoring and enforcement procedures necessary to ensure compliance with this Ordinance.

Section 2: Definitions.

1. **LAND DISTURBANCE** means any disturbance to the ground surface that may result in soil erosion from water or wind and the movement of sediments into or upon waterbodies or wetlands within the watershed. Land disturbance includes but is not limited to the demolition of a structure or surface, soil stripping, clearing, grubbing, grading, excavating, filling, the storage of soil or earth materials, and the removal or replacement of impervious surfaces other than public roadways. This includes a disturbance to the land that results in a change in the topography, existing soil cover, or vegetation that may result in accelerated storm water runoff which may lead to soil erosion and movement of sediment. The term does not include normal farming practices as part of an ongoing farming operation.
2. **PERMITTEE** means the applicant for a permit under this Ordinance, or the holder of a permit issued under this Ordinance.
3. **INSPECTOR** means the person or entity appointed and contracted with by the Watab Township Board to perform the duties of the Board as delegated by this Ordinance.

Section 3: Authority.

1. This Ordinance is enacted pursuant to a Storm Water Pollution Prevention Plan (SWPPP) approved by the Minnesota Pollution Control Agency (MPCA). Watab Township is required to be covered by General Permit No: MNR040000 Authorization To Discharge Storm Water Associated With Municipal Separate Storm Sewer Systems Under The National Pollutant Discharge Elimination System/State Disposal System Permit Program, consistent with State and Federal law.
2. Watab Township hereby adopts by reference, the standards set forth in the MPCA's General Permit-Authorization To Discharge Stormwater Associated With Construction Activity Under The National

Pollutant Discharge Elimination System Permit Program (Permit No: MN R100001), also known as the NPDES Phase II Permit, along with any future amendments.

Section 4: Scope.

1. This Ordinance shall become effective upon enactment, and applies to all property within the jurisdictional boundaries of Watab Township.
2. The Watab Township Board adopts the requirements of the NPDES Phase II permit program as promulgated by the MPCA. Any activity requiring an NPDES storm water permit also requires a permit from Watab Township before the activity commences.
3. Unless the Township has determined the activity to be exempt under part 5 of this Section, all proposed land disturbances that are equal to or greater than one (1) acre in size, and including the disturbance of less than one (1) acre that is part of a larger common plan of development or sale that will ultimately disturb greater than one (1) acre, or result in the temporary or permanent placement of or stockpiling of fifty (50) cubic yards or more of soil materials, shall submit to the Township, a copy of their project SWPPP for review and approval.
4. No land disturbance shall be allowed until the Township has approved the project SWPPP and issued a permit under this Ordinance.
5. The following activities are not regulated under this Ordinance and are Exempt:
 - a. Minor land disturbance activities such landscaping, repairs, and maintenance work that are less than one (1) acre in size and not part of a larger common plan of development or sale.
 - b. Land disturbances to construct, install, or maintain public or private utilities that are less than one (1) acre in size and not part of a larger common plan of development or sale.
 - c. All agricultural activities for the production of agricultural, horticultural, or silvicultural crops and livestock production including the installation or maintenance of drainage tile lines and fencing for livestock or other agricultural purposes.
 - d. All wetland activities within or adjacent to a delineated wetland, authorized and performed in conformance with the rules of the Minnesota Wetland Conservation Act.
 - e. Emergency repair work requiring immediate action, provided the disturbed area is limited to the minimum area needed to address the emergency and the area is stabilized in accordance with the Ordinance requirements as soon as possible. Approval will be required for all subsequent or additional work.
 - f. Commercial mining activities including the extraction, crushing, washing, refining or processing of sand, gravel, rock, black dirt, peat and soils and their removal from the site.
 - g. Public drainage systems established under Minnesota Statute Chapter 103D.
6. The Watab Township Board shall be responsible for administration and enforcement of this Ordinance. The Town Board may contract with a private storm water inspector (Inspector) to administer the provisions of this Ordinance. The Inspector must be licensed and insured.
7. Where the standards of this Ordinance differ or conflict with any applicable ordinance, regulation, statute, or rule, the more restrictive standards shall apply.
8. The success and reliability of all Best Management Practices required by the SWPPP, Watab Township Board, or Inspector remain the sole responsibility of the Permittee.

Section 5: Permit Application. The Permittee must provide the following when applying for a permit:

- a. Copy of the SWPPP prepared for the MPCA NPDES Phase II Permit Program;
- b. Copies of permits or permit applications or approvals required by any other governmental entity, including documents sent to the state administered NPDES Phase II Permit program;
- c. A proposed timetable and schedule for completion and installation of all elements of approved erosion control and storm water management plans and a proposed schedule for completion of construction; and
- d. Appropriate fee as set forth in the Watab Township Fee Schedule.

Section 6: Approval Process. The Township Board or Inspector shall determine if the permit application is complete. The Township Board or Inspector shall review the SWPPP for compliance with the standards which are identified in the Minnesota Pollution Control Agency's NPDES Phase II construction site storm water permit. If the SWPPP is found to comply with this Ordinance, the Township Board or Inspector shall issue a permit.

Section 7: Conditions.

1. The SWPPP shall be implemented prior to the start of any land disturbing activity and shall be maintained over the duration of the project. Permanent storm water components of the plan shall be maintained in perpetuity.
2. The design of all Best Management Practices must meet the requirements of this Ordinance and comply with the following technical standards:
 - a. Minnesota Pollution Control Agency's "Storm Water Compliance Assistance Toolkit for Small Construction Operators", or as it is amended;
 - b. The Minnesota Pollution Control Agency's Storm Water Manual.
 - c. Any other technical methodology, providing they are at least as effective and stringent as MPCA best management practices.
3. The Permittee is responsible for successful completion of the SWPPP.
4. The Permittee shall be liable for all costs incurred, including environmental restoration costs, resulting from noncompliance with an approved plan.
5. Application for a permit shall constitute express permission by the Permittee for the Township Board or Inspector to enter the property for purposes of inspection or enforcement.

Section 8: Inspections.

1. Prior to excavation, all perimeter controls must be inspected by the Inspector.
2. The Inspector shall inspect the property to verify compliance with the submitted SWPPP within 10 days of notification of soil stabilization.
3. All NPDES required inspections and maintenance of the permitted site are the responsibility of the owner. The Permittee's inspection records must be made available to Watab Township or the Inspector.

Section 9: Permit Transfer or Modification. Permits may not be transferred or modified without the written consent of the Watab Township Board or the Inspector. Any major modifications to approved plans, construction schedules or alterations to accepted sequencing of land disturbing site activities shall be approved

by the MPCA in a NPDES Permit Transfer/Modification. The Permittee shall submit a copy to Watab Township prior to implementation of said changes.

Section 10: Termination of Coverage. Permittees wishing to terminate coverage under a township permit must submit, to Watab Township, a copy of the Notice of Termination sent to the MPCA. Compliance with a township permit is required until final stabilization of the site is completed and a Notice of Termination is submitted.

Section 11: Storm Water Discharge Design Requirements.

1. Storm water discharge design requirements for Watab Township are the same as those set forth in the NPDES Phase II permit program as promulgated by the MPCA.
2. The identity of the entity responsible for long-term maintenance of the permanent storm water must be submitted to Watab Township.

Section 12: Prohibition of Illicit Discharges. No person shall throw, drain, or otherwise discharge, cause, or allow others under its control to throw, drain or otherwise discharge into the municipal separate storm sewer system any pollutants or waters containing any pollutants, other than storm water. The following discharges are exempt from the prohibition provisions above:

- a. water line flushing or other potable water sources;
- b. landscape irrigation or lawn watering;
- c. diverted stream flows, ground water infiltration to storm drains, and uncontaminated pumped ground water;
- d. foundation or footing drains (not including active groundwater dewatering systems), crawl space pumps, and air conditioning condensation;
- e. non-commercial washing of vehicles;
- f. de-chlorinated swimming pools (less than one part per million chlorine);
- g. fire fighting activities; and
- h. any other water source, as determined by the Watab Township Board or the Inspector, that does not contain pollutants.

Section 13: Violations.

1. **Violation is a Misdemeanor.** A violation of this Ordinance, or a permit issued under this Ordinance, is a misdemeanor subject to the maximum penalty provide by Minnesota law.
2. **Enforcement.** The Watab Township Board may exercise all powers conferred upon it by Minnesota Statutes in enforcing this Ordinance.
3. **Court Action.** The Watab Township Board may enforce this Ordinance through court action, including criminal prosecution, injunction, or an action to compel performance, restoration, or abatement. The costs of prosecution or other courts costs, including attorneys' fees, shall be paid by the person found to have caused the violation.
4. **Administrative Order.** The Watab Township Board or Inspector may enforce this Ordinance by issuing a cease and desist order when it finds that an activity violates this Ordinance or any permit issued by Watab Township. Such an administrative order may require additional inspections that may be subject to additional fees.

5. **Order to Show Cause.** The Watab Township Board may require a person entity in violation of this Ordinance, or a permit issued under this Ordinance, to appear at a Watab Township Board meeting to show cause why the violation should be allowed to continue.
6. **Future Permits.** No future permit shall be issued to any person or entity in violation of this Ordinance or a previously issued permit, until the violation has been remedied to the sole satisfaction of the Watab Township Board.
7. **Remedies Not Exclusive.** The remedies listed in this Ordinance are not exclusive of any other remedies available under any applicable federal, state or local law and it is within the discretion of the Watab Township Board to seek cumulative remedies.

ADOPTION OF ORDINANCE

ADOPTED this 1st day of December, 2009 by the Township Board of the Township of Watab.

IN FAVOR: Supervisors Ed Kacures, Jr.; Lloyd Erdmann; and Craig Gondeck

OPPOSED: None

WATAB TOWNSHIP

Ed Kacures
Ed Kacures, Chairman

Pat Spence
Pat Spence, Clerk

Watab Township

Benton County, Minnesota

Watab Stormwater Permit

Date: _____

Fee Paid: _____

Site Location:

Starting Date:

Ending Date:

Site Owner:

Erosion Control Supervisor:

Phone:

E-Mail: _____

Project & Site Specific SWPPP and related documents to be made available to Red Barn Ridge LLC upon request

Issuer: Red Barn Ridge LLC

Signed: David Schwinghammer, CM
Red Barn Ridge LLC
Tel: 320-309-3484

2013 Fee Schedule

Small Construction: \$300
Commercial Site: \$2,000
Large Development: \$3,750

Compliance Schedule PART II.D.6.f.-g.

Is your MS4 currently meeting its WLA for any approved TMDLs?

NO (Complete Table 1, Strategies for continued BMP implementation beyond the term of this permit, and Table 2 below)

YES (Provide the following information below)

Go to:

[Table 1](#)

Go to:

[Strategies...](#)

Go to:

[Table 2](#)

If YES, indicate the WLAs (may be grouped by TMDL Project) you believe are reasonably being met. For each WLA, list the implemented BMPs and provide a narrative strategy for the long-term continuation of meeting each WLA. PART II.D.6.g.(1)-(2)

Table 1

Fill in the following table with your Interim Milestones, BMP IDs, and Implementation Dates. Replace "TMDL Project Name & Pollutant" Columns with each TMDL Project Name and the corresponding pollutant. Then put an "X" in the boxes for the TMDL that corresponds with each BMP. PART II.D.6.f.(1)-(2)

NOTE:

It is recommended to assign each Interim Milestone (BMP) a BMP ID. You will be required to report on the status of each Interim Milestone and include a BMP ID for all structural BMPs as part of the MS4 Annual Report (see Part III.E.), so including those ID numbers at the time of application may be useful in tracking implementation efforts. If a pond that will be included in the pond inventory (Part III.C.2.) is to be applied toward a WLA, use the same ID for both the pond inventory and TMDL tracking. Non-structural BMPs are not required to have an ID, but it may be useful to assign it an ID for internal MS4 recordkeeping.

MPCA recommends the Implementation Dates align with the submittal of MS4 Annual Reports. Dates selected may not reflect the actual date a BMP is implemented, but shall indicate a BMP will be implemented on that date or before for that reporting year.

Interim Milestone (Best Management Practice)	BMP ID	Implementation Date	Elk River Watershed – Multiple Impairments TMDL - Phosphorus	Elk River Watershed – Multiple Impairments TMDL - TSS	Elk River Watershed – Multiple Impairments TMDL - E. Coli	Little Rock Lake Nutrient TMDL - Phosphorus	Mayhew Lake Nutrient TMDL-Phosphorus
Public Education - Increase the support of Little Rock Lake Association and Benton County Soil and Water Conservation District with the promotion of Native Buffers and Irrigation Water Management		6/1/2015	x	x	x	x	x
Co-Hosting and promoting Annual Little Rock Lake Water Quality Meeting		6/1/2015				x	
Quarterly update on website and facebook on best management practices		6/1/2014	x	x	x	x	x
Create a development plan for township board on MS4 Stormwater Pollution prevention		6/1/2014	x	x	x	x	x
Implement development plan created for education of township board on MS4 Stormwater Pollution prevention		6/1/2015	x	x	x	x	
Support and encourage the Township board members membership and participation on the Benton County Water Resource Advisory Committee (WRAC)		6/1/2014	x	x	x	x	x
Increase promotion of Watab Clean Up day through a mailing and social media		6/1/2015	x	x	x	x	x
Have remaining township roads adopted (adopt a highway program)		6/1/2018	x	x	x	x	x

