

Attachment E. PERMIT REAPPLICATION

Pursuant to 40 CFR 122, and as instructed by Mr. Blayne Renner, NDEQ Stormwater Coordinator, the Annual Report for Year 4 (2013) of the current permit term is serving as Douglas County's application for coverage for the subsequent permit term. Specific information for the application, including, but not limited to, requested changes to the stormwater management program (SWMP), is presented in Attachment E.

BACKGROUND

On September 30, 2009, the Nebraska Department of Environmental Quality (NDEQ) issued a National Pollutant Discharge Elimination System (NPDES) permit (NER210000) for Small Municipal Storm Sewer System (sMS4) discharges to waters of the state located in Douglas, Sarpy, and Washington Counties of Nebraska. Said permit effective date was October 1, 2009, with an expiration date of September 30, 2014. Douglas County is included as a sMS4 under this General Permit.

Douglas County was a member of the Papillion Creek Watershed Partnership (PCWP) until the Interlocal Cooperation Agreement for the PCWP expired July 31, 2009. The Douglas County Board of Commissioners voted not to continue in the PCWP under a new Interlocal Agreement. Subsequently Douglas County revised the SWMP to reflect that it was no longer a member of the PCWP and submitted the revised SWMP to NDEQ in June 2010. This Annual Report reports on the Best Management Practices (BMPs) defined in the revised SWMP.

GENERAL INFORMATION

Permittee: Douglas County, Nebraska
NPDES Permit Number: NER210000

Mailing address: 1819 Farnam St., Ste LC-2
Omaha, NE 68183

Cognizant Official: Mary Ann Borgeson, County Board Chair
(Mailing address the same as noted above)

Primary Administrative and Technical Contact:
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Douglas County Environmental Services
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Pursuant to 40 CFR 122.26(d)(1)(iv)(C):

There are no previously unidentified water bodies that are receiving discharges from the MS4.

There have been no changes in co-applicants since the issuance of the initial MS4 permit.

PROPOSED STORMWATER MANAGEMENT PLAN (SWMP)

In years 1 and 2 of the current permit term, the minimum control measure requirements are typically different from those in years 3-5 and for the new permit term many of those year 1 and 2 requirements will no longer be relevant. The proposed SWMP for the new permit term is presented in a simplified format and substantive changes, deletions, and/or additions are highlighted. An explanation of the rationale associated with the substantive change is included immediately following the respective change.

1. *Public Education and Outreach (PEO)*

The County has developed a basic Public Education and Outreach and Public Participation and Involvement (PEO/PPI) Plan. That PEO/PPI Plan will be reviewed and updated annually.

Goal of PEO: Distribute messages that will result in practices by the target audience that prevent stormwater pollution.

1. A. Douglas County will distribute targeted messages using suitable materials that may include, but not be limited to, brochures, pamphlets, door hangers, fact sheets, letters, newspaper and newsletter articles, billboards, free standing displays, and/or any other printed methods available to communicate the importance and methods of protecting stormwater. All Years: Keep the PEO/PPI strategy current. Document education provided through distributed materials.

1. B. Douglas County will provide information related to the MS4 Permit and stormwater protection efforts through web-based media such as the website www.dcplanning.org and select social media outlets that distribute information and direct target audiences to the web site. All Years: Follow the PEO/PPI Strategy developed for BMP 1.A for using web-based media. Keep website and social media outlets updated with current information. Document education provided through web-based media.

1. C. Douglas County will facilitate a storm drain messaging program in existing and new development areas. All Years: Follow the PEO/PPI Strategy for storm drain messaging. Document education provided through storm drain messaging.

1. D. Douglas County will host or sponsor public learning opportunities such as conferences, workshops, trainings sessions, webinars and other educational events that provide stormwater education to the public. All Years - Follow the PEO/PPI Strategy for public learning opportunities. Document education and training provided at public learning opportunities.

1. E. Douglas County will maintain stormwater-related informational kiosks. All Years - Follow the PEO/PPI Strategy for BMP demonstration projects. Document education provided at BMP demonstration projects.

2. Public Participation and Involvement (PPI)

Goal of PPI: Engage the public into the process of developing, improving and providing stormwater management BMPs.

2. A. Douglas County will maintain resources that allow the public to readily provide feedback about educational information and submit details about problems impacting stormwater quality, stream habitat, and receiving water quality. All Years - Follow the PEO/PPI Strategy for soliciting public feedback. Document involvement efforts submitted by phone, through mobile apps, the website, social media, and informational surveys.

2. B. Douglas County will provide the public with opportunities to review and comment on new rules and regulations intended to protect stormwater quality in Douglas County. All Years - Follow the PEO/PPI Strategy for public comments. Document involvement efforts provided for public comments.

~~2. C. Douglas County will sponsor an existing program in the region that facilitates volunteer stream monitoring programs to help evaluate local stream quality and impacts from urbanization. Year 1 - Coordinate meetings with Douglas/Washington County Stormwater Committee, Nebraska Wildlife Federation, the Papillion Creek Watershed Project, University of Nebraska and /or other interested parties/organizations to determine if a volunteer monitoring strategy should be developed and what approach should be taken to begin the efforts. Year 2 - Publish information about the Douglas County volunteer stream monitoring program. Coordinate all partners to begin initial volunteer outreach efforts with the goal of hosting at least two stream monitoring events. All Years: Follow the PEO/PPI Strategy for volunteer stream monitoring. Document involvement efforts for stream monitoring.~~

(DCES Rationale for proposed change: This requirement is proposed to be removed from the SWMP. Several efforts to initiate a volunteer monitoring program were attempted and were unsuccessful. Program resources will be better utilized in other areas.)

2. D. Douglas County will conduct a household awareness survey to determine priority focus areas for the stormwater management program. All Years - Follow the PEO/PPI Strategy for household awareness surveys. Summarize the involvement and implications of the household awareness survey results. Document ways that the survey results will cause the Douglas County stormwater program to adjust.

2. E. Douglas County will promote and participate in area stormwater outreach events. All Years - Follow the PEO/PPI Strategy for pollution prevention outreach events. Document involvement in pollution prevention outreach events. Document improvements to the pollution prevention outreach events.

3. Illicit Discharge Detection and Elimination (IDDE)

Goal of IDDE: Facilitate the timely identification and removal of prohibited stormwater connections and discharges.

3. A. Douglas County will conduct a dry-weather inspection program for major stormwater outfalls as defined in 40 CFR 122.26(b)(5). All Years: Provide education to staff assisting with dry-weather inspections. Annually investigate ~~at least 25%~~ approximately 20% of known outfall locations for evidence of dry weather discharges to support the IDDE Plan developed for BMP 3.C.

(DCES Rationale for proposed change: To date the County has identified nearly 700 stormwater outfalls in the County's Permit jurisdiction area. Based on our existing inspection staffing level the County estimates it can properly inspect no more than 150 outfalls per year in addition to the known outfalls that require reinspection and further investigation/follow up.)

3. B. Douglas County will maintain enforceable rules that prohibit illicit connections and illegal discharges. All Years: Demonstrate and document enforcement of applicable regulations for illicit connections and illegal discharges to the maximum extent practicable.

3. C. Douglas County will maintain procedures to identify, investigate, and remove illicit connections and illegal discharges (aka an IDDE plan). All Years: Demonstrate and document action taken to identify, investigate, and remove prohibited illicit connections and illegal discharges identified during field screening conducted for BMP 3.A or reported by the public for BMP 2.A.

3. D. Douglas County will maintain a current map of the storm sewer drainage system. All Years: Require geographic reference for all new outfall locations with new development applications. Field verify inlet locations and each new outfall location during the final project inspection.

4. Construction Stormwater Control (CSC)

Goal of CSC: Require and oversee practices that minimize the discharge of pollutants from construction sites.

4. A. Douglas County will require grading permit applications and conduct erosion and sediment control plan review for construction activity that meets the criteria established by regulations and minimum standards for BMP 4.B. All Years - Review all grading permit applications and erosion and sediment control plans according to the minimum submittal requirements maintained by Douglas County. Deny or conditionally approve any grading permit applications that are incomplete or have an erosion and sediment control plan that does not meet the minimum requirements maintained by Douglas County.

4. B. Douglas County will maintain regulations and minimum BMP standards for construction activity. All Years: Demonstrate and document enforcement of applicable regulations for construction site stormwater management practices to the maximum extent practicable.

4. C. Douglas County will maintain a process of site inspections for types of construction activity that meet criteria established by regulations for BMP 4.B. All Years - Conduct construction inspections of active construction sites. Conduct MS4 construction inspections and review self-inspection reports completed by permit holders.

4. D. Douglas County will take enforcement action against construction activity that is in violation of criteria established by regulations and minimum standards for BMP 4.B. All Years: Demonstrate and document actions taken to require compliance at construction sites that are in violation of regulations and/or the minimum stormwater BMP standards for construction activity.

5. Post-Construction Stormwater Control (PCSC)

Goal of PCSC: Require permanent measures that protect stormwater quality from new development and redevelopment projects.

5. A. Douglas County will apply regionally relevant Post-Construction stormwater management guidance and require stormwater BMPs for all new development and redevelopment which promote: 1. Peak flow reduction or maintenance; 2. Urban pollution reduction especially for streams with specific impairment or TMDL; 3. Natural landscape area preservation, restoration, and conservation; and 4. Erosion prevention and sediment control.

All Years: Continue to implement the ~~revised~~ Douglas County Land Use Regulations, ~~and require all new development and redevelopment applications include submittal of the land development scorecard and Post Construction Stormwater Management Plan.~~ Promote local examples of best efforts made to date to comply with the revised Douglas County Land Use Regulations.

(DCES Rationale for proposed change: The Douglas County Land Use Regulations have already been developed and will be reviewed periodically and updated as needed. The provision to include a “land development scorecard” was not included in the revised Land Use Regulations. The requirement for a “Post Construction Stormwater Management Plan” is already in the Land Use Regulations and does not need to be specifically identified here.)

5. B. Douglas County will maintain a database of the location and water quality benefits of each structural BMP (both public and private). All Years: Georeference and photograph the locations of any new structural BMPs (private and public) into a GIS database. Monitor new development and redevelopment plans for structural BMPs to include in the BMP location database.

5. C. Douglas County will require all structural water quality BMPs (both public and private) to be inspected and maintained as defined in the regionally relevant Post-Construction stormwater management guidance. All Years: Conduct an initial inspection at the time each structural BMP is located for georeference into the BMP database. Require maintenance agreement for all private structural BMPs included in new development and redevelopment projects. Inspect and require maintenance of all BMPs according to schedule.

6. Pollution Prevention/Good Housekeeping for Municipal Operations

6. A. Douglas County will maintain a Stormwater Operation and Maintenance (O&M) Plan to address pollution prevention and good housekeeping procedures within the MS4. All Years: Review, and update as needed, the Douglas County Stormwater O&M Plan. Educate employees about GHPP requirements and practices and the Stormwater O&M Plan.

6. B. Douglas County will require and ensure GHPP practices are followed inside the property of maintenance facilities according to the O&M Plan developed for BMP 6.A. All Years: Continue monthly self-inspections. In Year 3 c Conduct an independent review of efforts to implement the FRCP, the completeness of inspection efforts, and the awareness of facility employees. Modify the self-inspection frequency based on the findings of the independent review. Self-inspections will be conducted at least quarterly. Make updates to FRCP as needed.

(DCES Rationale for proposed change: A Year 3 independent review of the FRCPs in place will be completed. The intent is to complete an independent review of the FRCPs every 5 years.)

6. C. Douglas County will maintain the stormwater drainage systems according to the O&M Plan developed for BMP 6.A. All Years: Conduct and document stormwater drainage system efforts made. Monitor the approximate type and amount of waste diverted from the stormwater drainage system. Keep maintenance priority list and schedule current.

6. D. Douglas County will maintain streets and parking lots according to the O&M Plan developed for BMP 6.A. Conduct and document the street and parking lot cleaning efforts made. Monitor the approximate type and amount of waste diverted from the stormwater drainage system. Conduct and document winter operation activities.

7. Storm Water Monitoring Plan

7. A. Douglas County will maintain an Evaluation and Stream Bioassessment Program to determine: 1. program compliance; 2. the appropriateness of identified BMPs; and 3. progress towards achieving identified measurable goals. All Years: Submit revisions to Best Management Practices and Measurable Goals listed in the SWMP with the Annual Report based on the evaluation of effectiveness measures. Follow bioassessment monitoring procedures developed for the Douglas County Stream Asset Inventory. Publish available monitoring information for BMP demonstration projects located within Douglas County. Maintain links to water quality monitoring data available for all sampling activities conducted within Douglas County.