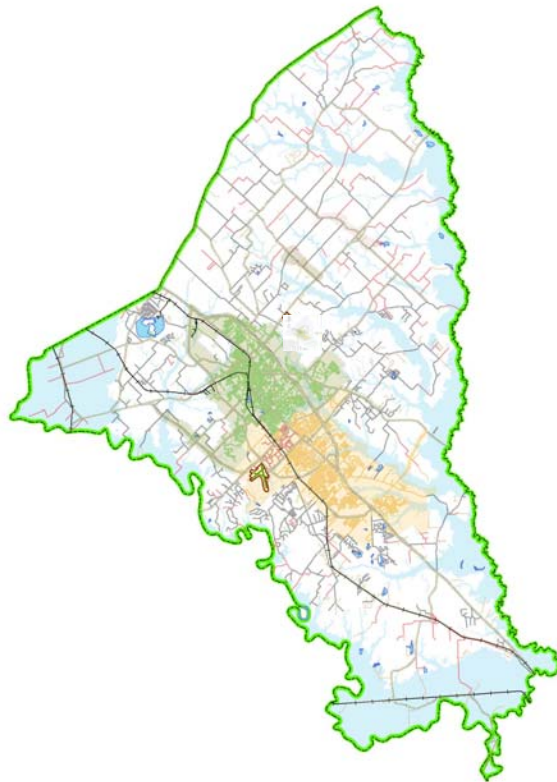


Brazos County



Unincorporated Urbanized Areas

**TPDES General Permit # TXR040000
2007 - 2012**



**Storm Water Management Program
Brazos County TPDES Management Program
Table of Contents**

Section I – Overview and Definitions

1. Overview.....3
2. Definitions.....3-5

Section II – Permit Applicability and Coverage

1. Urbanized Area.....6
2. Regulatory Restrictions on Texas Counties.....6

Section III – Storm Water Management Program (SWMP)

Overview and Contrasts with Cities.....6-7
1. Public Education and Outreach.....8-9
2. Public Involvement/Participation.....9-10
3. Illicit Discharge Detection and Elimination.....10-12
4. Construction Site Storm Water Runoff Control.....12-14
5. Post Construction Storm Water Management in
 New Development and Redevelopment.....14-16
6. Pollution Prevention/Good Housekeeping for Municipal Operations.....16-17

Section IV – Recordkeeping and Reporting

1. Recordkeeping.....18
2. Annual Report.....18

Section I – Overview and Definitions

1.1 – Storm Water Rule Overview

Phase 1 of the U.S Environmental Protection Agency's (EPA) municipal storm water program started in 1990 under the authority of the Federal Clean Water Act (CWA). Phase 1 relies on National Pollutant Discharge Elimination System (NPDES) permit coverage to address pollutants from storm water runoff and dry weather discharges. Phase 1 permits are required for large and medium municipal separate storm sewer systems (MS4s), serving populations of 100,000 or greater.

The Storm Water Phase 2 Final Rule (promulgated December 8, 1999) was the next step in the EPA's efforts to protect the nation's water resources from polluted storm water runoff and dry weather discharges into storm drain systems. The Phase 2 program requires local governments to implement programs and practices to control water pollution, to the "maximum extent practicable" (MEP) in urbanized areas of small MS4s (population less than 100,000). The program requires Phase 2 local governments to obtain a permit that includes "minimum control measures" that must be implemented for coverage. The six minimum control measures include: public education; public involvement; illicit discharge elimination; construction sites; post construction pollution; pollution prevention for municipal operations. There are significant penalties (up to \$27,500 per day) for non compliance with federal permit provisions.

The Texas Commission on Environmental Quality (TCEQ) is now authorized by EPA to issue and enforce the Texas Pollutant Discharge Elimination System (TPDES) Phase 1 and 2 storm water permits, in lieu of federal NPDES permits. Effective 8/13/2007 TCEQ Commissioners approved the TPDES General Permit to authorize discharge of storm water from regulated Phase 2 MS4s. Permittees must submit applications for coverage to TCEQ before 2/8/2008. The application must include a Notice of Intent for coverage (NOI) and a Storm Water Management Program (SWMP). The NOI is a document that provides TCEQ with an official notification to seek permit coverage and identifies legally responsible parties for permit enforcement. The SWMP describes what actions are to be implemented by the permittee to address the required elements of a storm water program. The SWMP describes in detail which Best Management Practices (BMPs) will be implemented to meet permit requirements. The permit term covers 5 years (8/13/07-8/12/12). The permit will be renewed at 5 year intervals, which will likely require significant changes to the SWMP for future approvals.

1.2- Definitions

Best Management Practices (BMPs) – Schedules of activities, prohibitions of practices, maintenance procedures, structural controls, local ordinances, and other management practices to prevent or reduce the discharge of pollutants. BMPs also include treatment requirements, operating procedures, and practices to

control runoff, spills, waste disposal, or drainage from raw material storage areas.

Classified Segment – Refers to a water body that is listed and described in Appendix A or Appendix C of the Texas Surface Water Quality Standards, at 30 TAC 307.10.

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

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

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

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

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

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

Municipal Separate Storm Sewer System (MS4 or Small MS4) – A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curb, gutters, ditches, man-made channels, or storm drains) owned or operated by the United States, a state, city, town, borough, county, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of storm water, designed or used for collecting or conveying storm water.

MS4 Operator – The public entity, and/or the entity contracted by the public entity, responsible for management and operation of the small MS4 that is subject to terms of this general permit.

MS4 Small – Refers to a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) owned or operated by the U.S., a state, city, town, borough, county, district, association, or other public body (created pursuant to State law) having jurisdiction over disposal of sewage, industrial waste, storm water, or other wastes, including special districts under State law such as a sewer district, flood control district, or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under 208 of the CWA; designed or used for collecting or conveying storm water; which is not a combined sewer; which was not previously authorized under a NPDES or TPDES individual permit as a medium or large MS4, as defined at 40 CFR 122.26(b)(4) and (b)(7). This term includes systems similar to separate storm Sewer systems at military bases large hospital or prison complexes, and highways

and other thoroughfares. This term does not include separate storm sewers in very discreet areas, such as individual buildings. For the purpose of this permit, a very discreet system also includes storm drains associated with certain municipal offices and education facilities serving a nonresidential population, where those storm drains do not function as a system, and where the buildings are not physically interconnected to an MS4 that is also operated by that public entity

Outfall – A point source at the point where a MS4 discharges to waters of the U.S. and does not include open conveyances connecting two MS4s, or pipes, tunnels, or other conveyances that connect segments of the same stream or other waters of the U.S. and are used to convey waters of the U.S.

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

Urbanized Area (UA) – An area of high population density, which may include multiple MS4s, as defined and used by the U.S. Census Bureau in the 2000 decennial census.

Waters of the U.S. – Means: (a) all waters which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide; (b) all interstate waters, including interstate wetlands; (c) all other waters such as intrastate lakes, rivers, streams including intermittent streams, mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds that the use, degradation, or destruction of which would affect or could affect interstate or foreign commerce including any such waters: (1) which are or could be used by interstate or foreign travelers for recreational or other purposes; (2) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce or; (3) which are used or could be used for industrial purposes by industries in interstate commerce; (d) all impoundments of waters otherwise defined as waters of the U.S. under this definition; (e) tributaries of waters identified in paragraphs a through d of this definition; (f) the territorial sea; and (g) wetlands adjacent to waters (other than waters that are themselves wetlands) identified in paragraphs a through f of this definition.

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

SECTION II – PERMIT APPLICABILITY AND COVERAGE

II.1 Urbanized Areas

The TPDES permit requirements apply only to the portions of unincorporated Brazos County that are identified as urbanized areas. There are approximately 4 non-contiguous urbanized areas in unincorporated Brazos County. These areas are identified based upon data in the 2000 U.S. Census map. The map may be viewed at

<http://cfpub.epa.gov/npdes/stormwater/urbanmapresult.cfm?state=TX>

Two maps are available: (1) Overview Map (2) Detailed map with roads. These maps are linked to the TCEQ storm water permit website.

The Brazos County SWMP addresses permit required BMPs only in the unincorporated urbanized area portions of the county; however, certain elements of the SWMP may be voluntarily implemented by the permittee within the larger unincorporated area. One example is Public Education and Outreach, which may be implemented on a more regional basis, such as television broadcasts or websites associated with Brazos County.

II.2 Regulatory Mechanism Restrictions for Counties

Texas is somewhat unique in the U.S. regarding the restrictions it places upon counties. Basically, the Texas Constitution and State statutes do not grant Texas counties the ability to create and enforce ordinances, such as the ones that Texas cities (Home Rule) are allowed to create in order to meet the TPDES permit requirements. To address this restriction, TCEQ rules contain text stating “to the extent allowable under the state and local law”. This statement is cited several times in Part III, SWMP development and implementation, of the general permit. Brazos County will address the various elements in the General Permit SWMP requirements to the extent allowable under current state and local law.

SECTION III – STORM WATER MANAGEMENT PLAN (SWMP)

Overview of Brazos County’s SWMP

To the extent allowable by State and local law (see II.2 above), Brazos County’s SWMP was developed and will be implemented according to requirements of Part III of TPDES General Permit TXR 040000, for discharges of storm water to surface water in the State. This SWMP was developed to prevent pollution in storm drainage systems to the maximum extent practicable, with control measures being phased in during the 5 year permit term. The SWMP addresses six minimum control measures (MCMs) as required by TCEQ rules. MCMs will be implemented in the urbanized areas of unincorporated Brazos County and may be voluntarily implemented in other unincorporated areas of

Brazos County if warranted by special conditions such as participation in regional initiatives. MCMs will be evaluated based upon the accomplishment of activities (BMPs) listed under each MCM. Brazos County storm water staff from two departments will monitor MCM activities and are identified in each section.

Legal Authority (Contrast with Cities)

Unlike cities, counties are not authorized by the State Constitution or State Statutes to enact the ordinances and implement all of the regulatory requirements that Phase 2 (small MS4) requires. Brazos County addresses “to the extent allowable under state and local law” in appropriate MCM sections.

Ditch Drainage System (Contrast with Cities)

Unlike cities, Brazos County’s storm drainage system is not a traditional underground drainage system (curb inlets, underground pipes and outfall discharges from pipes). Instead, Brazos County’s storm drainage system is mostly comprised of unlined (pervious) above ground ditches. Benefits and challenges associated with this type of system will be addressed in the appropriate MCM sections.

Large Area and Long Distances Between Non Contiguous Urbanized Areas (Contrast with Cities)

Unlike cities, Brazos County has approximately 4 small non contiguous Urbanized Areas scattered across a county wide area of 590 square miles. Long travel distances, often exceeding those found in large MS4 cities will be required by small MS4 County staff to implement daily activities associated with this program. This extra challenge is another element to consider when comparing the SWMPs of counties to cities in the area.

Annexation and De-annexation (Contrast with Cities)

Unlike cities, counties will be losing land areas when annexation occurs. Counties will not be adding new areas of responsibilities and will not have to provide services to the annexed land. Brazos County will only add urbanized areas when population densities increase in existing unincorporated county, as designated by the U.S. Census Bureau on a ten year cycle.

Participants in Developing/Implementing Brazos County’s SWMP

Brazos County’s SWMP was developed by County staff with storm water experience. Responsibilities for implementing the SWMP are divided between two county departments; Road and Bridge and Health Departments. Each MCM contains the name, department, mailing address, phone number and email of staff or manager primarily responsible for that specific MCM.

Section III.1 – Public Education and Outreach MCM

Brazos County will inform the public about water quality issues regarding storm water runoff and illicit discharges by providing informational materials in multiple formats. Brazos County, Brazos County/Texas Cooperative Extension Program, Keep Brazos Beautiful, Brazos Valley Council of Governments may be used to develop and distribute public education and outreach material. If practical Brazos County will work with the City of Bryan and the City of College Station, the local municipal governments to develop suitable community materials for website postings and or distribution at the Brazos County Courthouse and other County Facilities. The community to be addressed will consist of residents, public service employees, businesses, commercial/industrial facilities and construction site personnel in unincorporated/urbanized areas of Brazos County. Due to the lack of a centralized location to attract visitors within the approximately 4 non-contiguous urbanized areas in unincorporated Brazos County, visitors will not be a target group. Also these areas are mostly residential in nature and not intended to attract visitors.

(a) BMP, Measurable Goal and Date – Education Materials and Distribution

Brazos County will distribute storm water related material in 5 or more County buildings. Examples include such items as information sheets and/or brochures. These materials may be developed by Brazos County staff, EPA, TCEQ, or any other source. Some of these materials will address illicit discharges, construction, NOI submittals and other informational materials required by this permit.

Goal and Date ; At least 500 copies will be distributed annually, beginning in Permit Year 2 and continuing through Permit Year 5.

Status : **Not Started**

(b) BMP, Measurable Goal and Date – Cooperative Extension

The Texas Cooperative Extension, Brazos County, conducts a variety of environmental educational activities (speeches, training, etc.) in Brazos County. Storm Water staff will coordinate with the Cooperative Extension staff to report any annual education activities that are storm water related in Brazos County.

Goal and Date – Brazos County staff will document this information and include it in the annual report, beginning in Permit Year 2 and continuing through Permit Year 5.

Status : **Not Started**

(c) BMP, Measurable Goal and Date – Public Health and Road and Bridge Websites

Post storm water information on the Brazos County Health Department's website, www.brazoshealth.org and on the Road and Bridge Departments website www.brazos.tx.us/departments/engineer. Brazos County will provide links to the City of Bryan, City of College Station, TCEQ, and EPA storm water website.

Goal and Date: The Brazos County websites will start development in Permit Year 2 and be completed in Permit Year 3 and continuing through Permit Year 5. The sites will be reviewed annually to determine if content revisions are needed.

Status: **Not Started**

Staff Contact:

Gary Arnold

Brazos County Road and Bridge

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Section III.2- Public Involvement/ Participation MCM

Brazos County will rely upon compliance with public notice requirements regarding public meetings of the Brazos County Commissioner's Court to receive public input into the storm water program development and implementation. Also the draft of the SWMP will be posted on the Brazos County Website prior to submitting it to TCEQ for TPDES General Storm Water Permit coverage.

(a) BMP, Measurable Goal and Date- Public Notice for Meetings

The Brazos County Commissioner's Court meetings are subject to state/local public notice requirements, which meet TCEQ minimum requirements for public involvement/participation.

Goal and Date: Staff will verify that Commissioner's Court meetings comply with public notice requirements and include that information in annual reports to TCEQ. Public notice for meetings is already in effect and will continue from Permit Year 1 to Permit Year 5.

Status: **Accomplished and Ongoing**

(b) BMP, Measurable Goal and Date- Posting Draft SWMP on Website

After internal review by Brazos County Officials and prior to submittal to TCEQ, staff will post the draft SWMP on the County's Website.

Goal and Date: Staff will post the draft SWMP on the County Website at least 14 days prior to submitting the TCEQ permit application.

Status: **In Progress** (14 days before submitting to TCEQ)

(c) BMP Measurable Goal and Date- Public Notice in Newspaper

After reviewing Brazos County's NOI and SWMP, TCEQ will issue "the executive director's preliminary determination". This public notice must be published by Brazos County at least once in the largest circulated newspaper in the county. In addition, this public notice must provide an opportunity for the public to submit comments on the NOI and SWMP and request a public meeting. A public meeting will be held if the TCEQ determines there is sufficient interest.

Goal and Date: Publish TCEQ Executive Director's Preliminary Determination in the Bryan-College Station Eagle, including information about public comment and public meeting request within 30 days after being notified by the TCEQ Office of Chief Clerk.

Status: **Not Started**

Staff contacts: Gary Arnold and (see previous section)

Section III.3 – Illicit Discharge Detection and Elimination MCM

To the extent allowable under State law, Brazos County will develop and implement an illicit discharge program. Since Texas counties do not have the rule/ordinance making authority that cities have, illicit dischargers that Brazos County cannot enforce against, after seeking voluntary compliance, will be referred to the TCEQ Region 9 Office in Waco. Malfunctioning on-site sewage facilities, such as septic systems, are subject to County corrective actions and enforcement, as necessary.

Another item that impacts the development of this MCM is actual structure of the MS4 system. Brazos County's MS4 is mostly composed of open drainage ditches, as opposed to underground pipe systems and outfalls found in urbanized cities. This means that illicit connections/discharges to underground systems, which are often an important source of illicit discharges for cities, are not as hidden or difficult to locate in open drainage ditch systems found in many counties. Also dry weather flows are not as common in ditch systems but easily observed since they are not lined in concrete and water is absorbed into the ground, while also being exposed to wind and sunlight. Additionally, outfalls are not as commonly found in a ditch system compared to an underground pipe system which discharges into readily identifiable outfalls. Pipes, wet spots, nutrient-responsive vegetation is easily seen in open ditches.

Brazos County accepts the TCEQ list of allowable non-storm water discharges in the MS4. These non-storm water sources may be discharged from the MS4 and are not required to be addressed in the MS4's Illicit Discharge and Detection MCM or other MCM's, provided they have not been determined by the MS4 to be substantial sources of pollutants to the MS4. A list of allowable discharges is contained in the TCEQ Fact Sheet and Executive Director's Preliminary Decision, TXR040000, see pages 5 and 6.

(a) BMP Measurable Goal and Date- Detection: Monitoring Drainage System

Illicit discharge detection will be accomplished by visually monitoring outfalls or other locations within drainage ditch systems for indicators of illicit discharges or water pollution. When deemed appropriate by staff, chemical testing or toxicity testing (minnow in a bottle) may also be accomplished to confirm the presence of an illicit discharge.

Goal and Date: At least 5 locations will be monitored annually. This activity will begin in Permit Year 3 and continue through Permit Year 5.

Status: **Not Started**

(b) BMP, Measurable Goal and Date- Detection and Correction: Citizen Reports and County Staff Surveillance.

In addition to monitoring for illicit discharges, citizen reporting of apparent water pollution in neighborhood creeks is a reasonable means of detecting illicit discharges in unincorporated areas of Brazos County. Also during the performance of other duties, such as road or drainage maintenance, staff may see signs of illicit discharges. Included Environmental Health Services has 8 inspectors with trucks. Within 3 weeks, in the unincorporated urbanized area, Brazos County staff will investigate citizen reports and staff discovered illicit discharges, excluding any repeated, unsubstantiated illicit discharge reports at a specific site. Voluntary compliance will be requested. Since the County's enforcement powers are restricted (see II.2 Regulatory Restrictions) TCEQ's Region 9 Field Office will be notified of illicit dischargers that do not comply voluntarily.

Goal and Date: Citizens and staff discovered illicit discharges in unincorporated urbanized areas will be investigated within 3 weeks. This activity will begin in Permit Year 3 and continue through Permit Year 5.

Status: **Not Started**

(c) BMP, Measurable Goal and Date – Correction: On Site Sewage Facilities

The Brazos County Health Department, Environmental Health Division staff will maintain records, for the storm water program, of actions taken regarding malfunctioning of on site sewage facilities. Brazos County has authority from the State (TCEQ) to enforce rules regarding the installation and operation of on-site sewage facilities. Brazos County Health Department inspectors (8) are all Designated Representatives of the Authorized Agents of TCEQ.

Goal and Date: A GIS system will be used to track corrective actions taken regarding on-site sewage facilities beginning in Permit Year 2 and to continue through Permit Year 5.

Status: **In Progress**

(d) BMP, Measurable goal and Date – **Detection: Storm Drainage Map**

Brazos County will prepare a storm sewer map of urbanized areas in unincorporated Brazos County. Locating outfalls contained in those areas that discharge directly into the waters of the state, using available resources such as EPA Urbanized Area Maps, 7.5 minute USGS topographic maps, Atlas of Texas Surface Waters: www.tceq.state.tx.us/comm._pubs/pubs/gi/gi-316/, and Brazos County's GIS mapping service or any other resources. The map will contain street names, and outfall locations and other features that will be useful in identifying illicit discharges. At the present time Precinct 2 does not have any Urbanized Areas mapped.

Goals and Dates:

Phase 1 – Map outfalls etc. in unincorporated urbanized areas of Precinct 3 in Permit Year 2.

Phase 2 – Map outfalls etc. in unincorporated urbanized areas of Precinct 4 in Permit Year 3.

Phase 3 - Map outfalls etc. in unincorporated urbanized areas of Precinct 1 in Permit Year 4 and 5.

Status: **Not Started**

(e) BMP, Measurable Goal and Date – **Detection and Correction: Illegal**

Dumping

The Brazos County Sheriffs Department and Constables investigate illegal dumping in the county. Storm water staff will coordinate with the Sherriff's Department team to report annual activities (number of illegal dumping cases, cases investigated, violations identified or not, cleanups, enforcement actions) that occurred in the county's storm water drainage right of ways.

Goal and Date: Document activities and include in annual report, beginning in Permit Year 2 and continuing through Permit Year 5.

Status: **Not Started**

(f) BMP, Measurable Goal and Date – **Correction: Household Waste Collection**

Brazos County provides the use of 6 manned trash compactor facilities around the county as a service to rural county residents to ensure proper disposal of household solid waste. A rural resident may deposit garbage at any facility of his choosing for a fee.

Goal and Date: Document yearly tonnage in Permit Year 1 and continuing through Permit Year 5.

Status: **Accomplished and Ongoing**

Section III.4- Construction Site Storm Water Runoff Control MCM

To the extent allowable under State law, the County will develop and implement a modified construction inspection program in the urbanized areas of unincorporated Brazos County. The BMPs listed in this section will apply to all storm water runoff from construction activities at sites that are 1 acre or larger, including sites that are part of a larger common plan of development. Since Texas counties do not have the rule/ordinance making authority that cities have, the County cannot enforce a program to reduce pollutants in storm water runoff from construction sites. The County will participate in this MCM by providing general information about the TCEQ requirements to construction site operators, conducting voluntary reactive and proactive inspections and maintaining a file of Notices of Intent (NOI) for operators to be covered under the TCEQ General Storm Water Permit for construction sites. This file will be readily accessible to TCEQ staff. Any required enforcement will be conducted by TCEQ.

(a) BMP, Measurable Goal and Date – NOI File for Construction

Since TCEQ requires NOIs and CSNs (Construction Site Notices) from the construction site operators to be submitted directly to MS4s, the County will set up a file for this material prior to actually starting its construction MCM activities. This file will be divided into two sections: urbanized area NOIs/CSNs and nonurbanized area NOIs/CSNs. Urbanized areas will be determined by using the TCEQ website link to EPA, described in Section II.2, Urbanized Areas. TCEQ may access this file at any time after it is established to obtain information about construction sites in unincorporated Brazos County. Small construction sites are not required to send NOIs to TCEQ offices; however, they are required to submit CSNs to the MS4. Also, a public information flyer about Construction Storm Water TPDES Permit will be developed to be distributed to the citizens and the construction industry. This flyer will inform its readers about requirements of the NOI and CSN.

Goal and Dates: Two construction files will be completed by 1/15/08. Due to the anticipated low numbers of NOI and CSN notices being sent to the MS4, Brazos County will publish 1 article in The Bryan College Station Eagle to encourage construction operators to comply with this TCEQ requirement. The first notice will be published during Permit Year 1 and continue annually through Permit Year 5. A public information flyer will be established and can be distributed by the storm water staff. The circulation of the flyer will start during Permit Year 1 and continue through Permit Year 5.

Status: **Not Started**

(b) BMP, Measurable Goal and Date – Public Submittal of Information

Prior to implementing a voluntary construction inspection and enforcement referral program, the County will address public submittals of information regarding storm water quality issues associated with construction sites. The County will receive information and evaluate an appropriate response. The

response may include a voluntary construction site visit to observe conditions and resolve issues, a direct referral to TCEQ, periodic site surveys or other response to address public submittal of information. One requirement on site surveys will be the contractor's control of site waste. Records will be maintained.

Goal and Date: Citizen's construction reports will result in an initial response within 2 weeks, excluding any repeated, unsubstantiated reports regarding a specific site. This activity will begin in Permit Year 1 and continue through Permit year 5.

Status: **Not Started**

(c) BMP, Measurable Goal and Date – Site Plan Review

The County's current site review requirements entail drainage and floodplain management considerations during the platting procedures. Brazos County Health Dept. reviews plats for compliance to OSSF Subdivision Regulations. At this time state law allows counties to review preliminary and final plats for drainage and floodplain issues but not potential water quality impacts. Brazos County intends to try and satisfy this requirement by giving additional storm water information to developers in the county's preliminary and final plat approval letters. We also plan to update the county's subdivision and development document with current storm water quality information.

Goals and Dates: The storm water quality enhanced plat approval letters will be prepared and in use during Permit Year 2. The changes to the Subdivision and Development Regulations will be completed during Permit Year 5. This will take some time due to Commissioners Court approval before completion.

Status: **Not Started**

(d) BMP, Measurable Goal and Date – Site Inspection and Enforcement

The County will begin voluntary construction site inspections in urbanized areas of unincorporated Brazos County. At least 6 sites will be inspected annually. Site Operators will be checked for NOI submittal, the presence of a functional Storm Water Pollution Prevention Plan (SWP3) and general compliance with TCEQ requirements. If after initial inspection and follow up there are significant violations which have not been corrected, then the TCEQ will be notified that the County is discontinuing its voluntary inspections at the site. Also, if entrance to a site or a request to review records is denied, then the County will notify TCEQ that it will not be performing inspections at the site. Since Texas counties do not have the rule/ordinance making authority that cities have, the County cannot enforce site violations in construction storm water runoff at new and redeveloped sites. However, the MS4 will ensure that the controls allowed will be in place by notifying the violators and then notifying the TCEQ if the violations.

Goal and Date: At least 6 annual voluntary construction site inspections in unincorporated urbanized areas of Brazos County will be conducted beginning in Permit Year 4 and continuing through Permit Year 5.

Status: **Not Started**

Section III.5 Post Construction Storm Water Management in New Development and Redevelopment MCM

The intent of this MCM is to lessen the storm water quality impacts after construction has been completed on new redeveloped sites (areas of soil disturbance that are 1 acre or larger, including those that are part of a larger common plan of development) and while people occupy and/or use the sites.

To the extent allowable under state law, Brazos County will develop and implement a Post Construction MCM in unincorporated Brazos County, which includes both urbanized and other areas. Since Texas counties do not have the rule/ordinance making authority that cities have, the County cannot enforce a program to reduce pollutants in post construction storm water runoff at new and redeveloped sites. However, the MS4 will ensure that the controls allowed will be in place by notifying the violators of the need to install controls and then notifying the TCEQ if the controls continue to not be installed.

The County will participate in this MCM by allowing the use of unlined or pervious drainage ditches, instead of impervious concrete gutter and underground storm drain pipe systems, which cities typically require, and other activities such as culverts and detention structures.

Compared to impervious underground storm drain pipe systems, above ground open grassy drainage ditch systems allow more storm water runoff to soak into the ground, which reduces downstream runoff velocities (erosion reduction), provides a means of detaining and treating, to a degree, some pollutants (sediment, oils and grease, nutrients/fertilizers, detergents etc.) and allows illicit discharges to be easier to observe and locate. Drainage ditch systems are usually less costly to install, which provides an obvious incentive for their continued installation during and beyond this permit period.

Brazos County maintains drainage ditches and channels that serve County roads and will continue to do so throughout the permit term. Ditch maintenance data (mowing, brush control, etc.) will be provided in the annual report to TCEQ.

(a)BMP, Measurable Goal and Date – Allow pervious drainage Systems

Instead of requiring impervious concrete curb and gutter systems, Brazos County will generally allow developers, home builders and residents in unincorporated

areas to use open, unlined grassy storm drainage ditches next to streets. This is an example of a policy that is both cost effective to the construction community and environmentally effective for the County's storm water permit. Specific legal agreements with some adjacent cities may supersede this policy, but overall the policy will continue to be allowed.

Goal and Date: Brazos County will allow open grassy drainage ditches and channels to receive and transport storm water runoff from roads and other impervious surfaces such as roofs, driveways and sidewalks. This activity is currently in effect and will remain in effect during the permit term.

Status: **Accomplished and Ongoing**

(b)BMP, Measurable Goal and Date – Tracking Additional Pervious Drainage Systems

Brazos County crews will maintain the open grassy drainage ditches beside County maintained roads in unincorporated Brazos County. Twice a year Brazos County ditches will be mowed and inspected for floatables to be removed. This will allow the drainage system to operate properly and produce storm water quality benefits listed above.

Goal and Date: Report annual additions to the County maintained ditches. Updates will be provided in the annual report, beginning in Permit Year 2 and continuing through Permit Year 5.

Status: **In Progress**

(c)BMP, Measurable Goal and Date – County Facilities

New landscaping installed at County facilities will be encouraged to plant landscapes that require less pesticides, fertilizers and water to thrive. Storm water staff will work with the Brazos County landscape and maintenance staff to come up with a plan for future planting.

Goal and Date: Make a list of all County facilities and inventory plants to be completed in Permit Year 2. Have a plan for future landscape planting starting in Permit Year 3 and continuing through Permit Year 5.

Status: **Not Started**

Section III.6 – Pollution Prevention/Good Housekeeping For Municipal Operations MCM

Brazos County will establish a program to conduct its general operations in a manner that prevents or reduces pollution in storm water runoff to the maximum extent practical. This MCM requires a local government to examine multiple internal operations to see if they can be maintained or modified to prevent or minimize storm water pollution or illicit discharges. As stated by TCEQ, examples of local government operations include, but are

not limited to: park and open space maintenance, street, road or highway maintenance, fleet and building maintenance, storm water system maintenance, new construction and land disturbances, parking lots, vehicle and equipment maintenance and storage yards, waste transfer stations, and salt/sand storage yards.

(a)BMP, Measurable Goal and Date – County Operations Survey

Identify Brazos County operational activities that have a potential to impact storm water quality or generate illicit discharges. This will be accomplished by conducting site surveys of County facilities and discussing issues with County administration, departmental representatives and/or storm water staff. The surveys will examine the need for maintenance of the structural BMPs located within the boundaries of the MS4 and if required will include a list that outlines the maintenance schedules of the structural BMPs and a list of the long term inspection procedures that will be used to reduce floatables.

Goal and Date: The surveys will start and be completed in Permit Year 4

Status: **Not Started**

(b)BMP, Measurable Goal and Date – Select Good Housekeeping BMPs

Devise appropriate BMPs to address the operational activities identified in (a) above. Consult with County Administration, departmental representatives and storm water staff to determine BMPs. Brazos County will address fleet vehicle washing, used oil recycling, trash receptacles and other appropriate Good Housekeeping activities.

Goal and Date: The listing of BMPs will be accomplished in Permit Year 4

Status: **Not Started**

(c)BMP, Measurable Goal and Date - Start Good Housekeeping BMPs

Implement appropriate BMPs. At a minimum, BMPs will include educating County staff at County buildings determined from (a) survey about potential storm water quality impacts and illicit discharges [see below-(e) Employee Training].

Goal and Date: Implement BMPs that will not have significant budget conflicts during Permit Year 5.

Status: **Not Started**

(d)BMP, Measurable Goal and Date – Proper Waste Disposal

A report, to become part of the SWMP, will be developed to document the proper disposal of waste generated from County MS4 related operations or maintenance. The report will address dredge spoil, accumulated sediments and trash and debris in storm drain systems.

Goal and Date: This report will be completed during Permit Year 5.

Status: **Not Started**

(e)BMP, Measurable Goal and Date – Employee Training

A training program will be developed for County employees who have the potential to impact storm water quality. The only municipal operation subject to O&M program is the Brazos County Road & Bridge Facility, these employees will participate in Storm Water education. There are no county owned industrial activities.

Goal and Date: Brazos County employees with the potential to impact storm water will receive pollution prevention training during Permit Year 3. During the remainder of the permit, annual pollution prevention training will be performed and documented for new employees whose operational duties have been identified as having potential impact to storm water quality.

Status: Not Started

(f) BMP, Measurable Goal and Date – SPCC Plans for County Facilities

Brazos County will comply with federal spill prevention control and counter measure plan regulations, and review spill response procedures to ensure storm water quality protection measures are considered during spill response. The County will evaluate all of our facilities and determine if Spill Prevention Control and Countermeasure Plans (SPCC) are required. We will develop SPCC plans for our facilities that require plans and comply with SPCC plan requirements at those facilities. An annual report on the number of facilities with SPCC plans and the current status of each SPCC plan will be documented.

Goal and Date: During Permit Year 2 and 3, Brazos County reviews all county facilities and determines the need for SPCC plans. During the remaining 2 years the County will continue to implement the SPCC plans

Status: Not in Progress

Section IV – Recordkeeping and Reporting

Section IV.A - Recordkeeping

Brazos County will maintain all records, a copy of the TPDES general permit and all data used to complete the application (NOI) for this permit, for a period of at least three years, or for the term of this permit, whichever is longer. A current/updated copy of the SWMP, NOI and a copy of the permit language/requirements will be maintained at the Brazos County Commissioner's office and the Brazos County Road and Bridge Department along with the Brazos County Health Department. See the above SWMP for both site locations.

Brazos County will make records, including the NOI and SWMP available to the public, if requested to do so in writing. The SWMP will be available within 5 working days following the request from the public. Other records will be provided within 10 working days, unless the written request requires an unusual amount of time or effort to assemble. In which case, Texas Law regarding the Public Information Act will be followed. Reasonable charges, in accordance with Texas Law, may be levied by the County for researching and preparing any requested materials.

Section IV.B.2 – Annual Report

Brazos County will submit a concise annual report to the Executive Director of TCEQ within 90 Days of the end of each permit year. The annual report will address the requirements listed in the TPDES Phase 2 MS4 general permit rules. The County will also maintain copies of annual reports at the Brazos County Commissioner’s office and the Brazos County Road and Bridge Department along with the Brazos County Health Department. See the above SWMP for both site locations.