



# **Storm Water Management Plan**

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# Section 1 Introduction

This document contains the Stormwater Management Program (SWMP) of the Fort Bend County Municipal Utility District No. 25 (District) to comply with Texas Pollutant Discharge Elimination System (TPDES) General Permit No. TXR040000 requirements.

## 1.1 Regulatory Background

The Texas Commission on Environmental Quality (TCEQ) designated the regulated small (Phase II) Municipal Separate Storm Sewer Systems (MS4s) and issued its first stormwater discharge general permit for these entities in August 2007. The TCEQ general permit to discharge to waters of Texas (TXR040000) is under provisions of Section 402 of the Clean Water Act and Chapter 26 of the Texas Water Code. The general permit provides authorization for point source discharges of stormwater and certain non-stormwater discharges from MS4s to surface waters in Texas.

The Phase II MS4 program permittee, the District, submitted to the TCEQ, a Notice of Intent for discharge of stormwater under TPDES authority on August 13, 2007. The District obtained coverage under the small MS4 TPDES general permit (TXR040000) from the TCEQ to discharge municipal stormwater. The permittee submitted annual reports on compliance with the Permit for 2020 through 2024.

Since obtaining permit coverage in August 2007, the permittee has conscientiously conducted activities to assure compliance with the permit.

## 1.2 Fort Bend County MUD 25 District

The District is located in northeastern Fort Bend County. The District is a full-service municipality providing the highest quality of affordable services to meet the needs of its citizens. The District is an economically strong and culturally diverse community of approximately 16,312 residents. It is expected to grow to over 19,324 residents by 2029. The District location is shown on **Figure 1-1**.

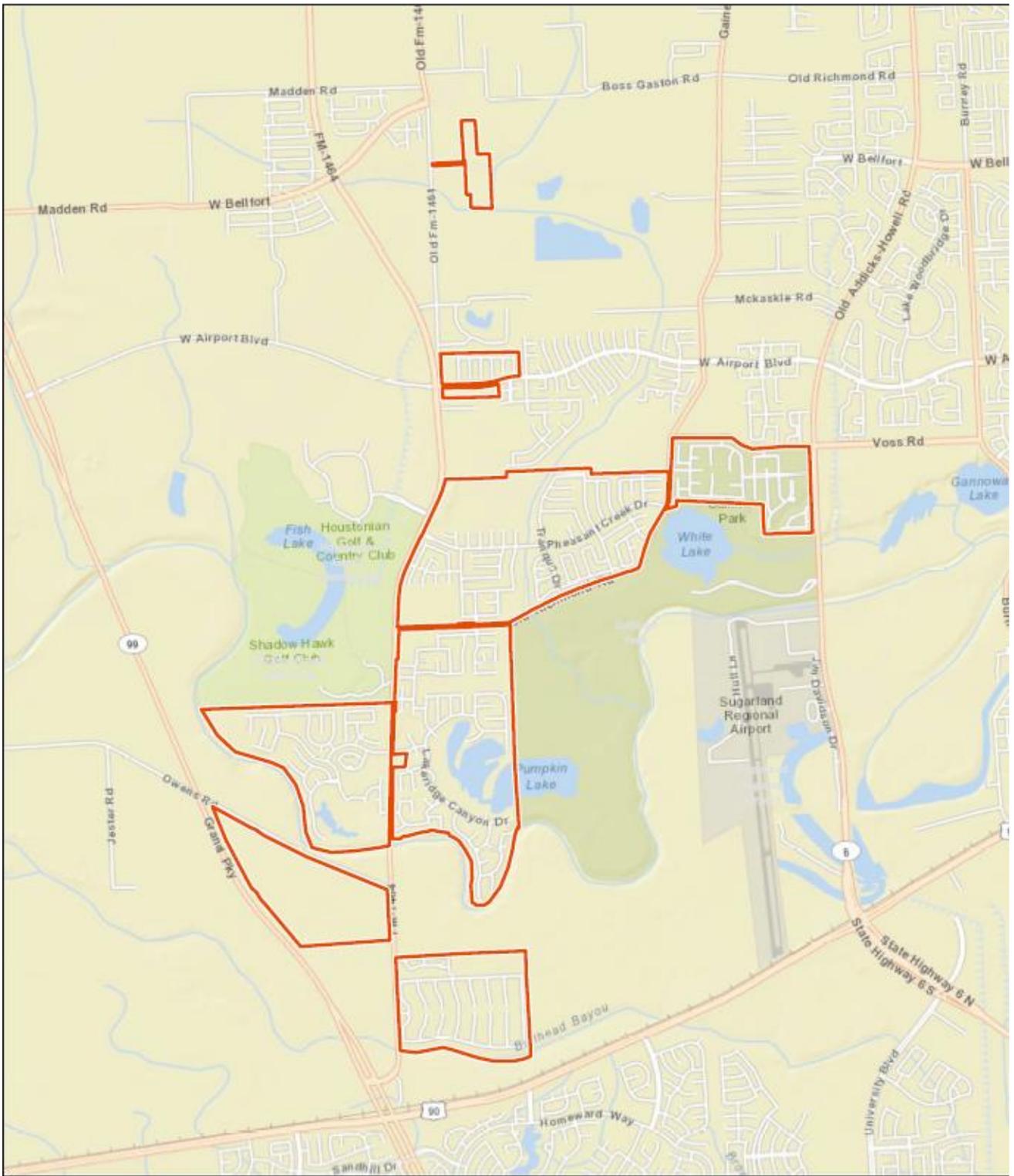
### 1.2.1 Key Personnel

The District’s management structure is established to meet the SWMP goals. The District’s General Manager is responsible for the implementation of the elements specified within each of the six Minimum Control Measures (MCMs) of the SWMP. **Table 1-1** is a listing of key personnel in the District that have roles and responsibilities in the implementation of this plan.

**Table 1-1 Contact Information – District Personnel**

Title/Role	Name	Phone
General Manager	Leonela Ruvalcaba	(281) 207-5302
Project Manager/Regulatory Compliance	Jose Cabrera	(281) 309-2596
Chief Operator	Matt Kellems	(281) 904-0024
Manager, Risk Management & Regulatory Compliance	Fabiola Padron	(281) 690-5405
Director, Fiscal Services	Dominique Reddick	(281) 207-5304
Supervisor, Billing & Collections	Brenda Tamez	(281) 207-5303
Director, Information Technology	David Nguyen	(281) 690-5401

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 Fort Bend County MUD No. 25 Boundary

## 1.2.2 District Responsibilities and MS4 Jurisdictional Overlap

The Phase II MS4 permit requirements are applicable to “small” MS4s located in urbanized areas (UAs), designated MS4s, and operators of previously permitted small MS4s. The permit classifies small MS4s into four categories based primarily on population:

- Level 1: Operators of traditional small MS4s that serve a population of less than 10,000 within an “urban area with a population of at least 50,000 people”.
- Level 2a: Operators of traditional small MS4s that serve a population of at least 10,000 but less than 40,000 within an “urban area with a population of at least 50,000 people”.
- Level 2b: Operators of all non-traditional small MS4s such as counties, drainage districts, transportation entities, military bases, universities, colleges, correctional institutions, municipal utility districts and other special districts regardless of population served within the “urban area with a population of at least 50,000 people”, unless the non-traditional MS4 can demonstrate that it meets the criteria for a waiver from permit coverage based on the population served.
- Level 3: Operators of traditional small MS4s that serve a population of at least 40,000 but less than 100,000 within an “urban area with a population of at least 50,000 people”.
- Level 4: Operators of traditional small MS4s that serve a population of 100,000 or more within an “urban area with a population of at least 50,000 people”.

The District is classified as a Level 2 small MS4 because it is a non-traditional MS4. The District has powers as outlined in Texas Water Code Chapter 49, Subchapter H, Section 49.211 as follows:

- (a) *A district shall have the functions, powers, authority, rights, and duties that will permit accomplishment of the purposes for which it was created or the purposes authorized by the constitution, this code, or any other law.*
- (b) *A district is authorized to purchase, construct, acquire, own, operate, maintain, repair, improve, or extend inside and outside its boundaries any and all land, works, improvements, facilities, plants, equipment, and appliances necessary to accomplish the purposes of its creation or the purposes authorized by this code or any other law.*

As such, there is some jurisdictional overlap between the District and Fort Bend County, Fort Bend County Drainage District and the TCEQ, which also provide services within the boundary of the District. These entities have the following responsibilities:

- The District:
  - Provide water, wastewater and stormwater services
  - Maintain water, wastewater and stormwater infrastructure –within District boundaries
- Fort Bend County:
  - Maintains and operates household hazardous waste program/recycling center
  - Maintains and operates the environmental enforcement division including any stormwater quality violation that is identified (illicit discharges, construction site runoff)
  - Maintains roadways, provides right of way mowing and herbicide treatment, street sweeping and installation, maintenance and repair of street signs

- Provides engineering plan reviews
- Has the ability to promulgate and enforce ordinances
- The Fort Bend County Drainage District:
  - Provides engineer plan review of plants and drainage plans of new development to be approved by Commissioners Court to assess the drainage design, confirm proper floodplain management requirements and to provide a consistent level of storm water service for current and future residents
  - Maintains drainage channels through appropriate structural repairs and vegetation control
- TCEQ
  - Ultimate enforcement authority for all regulated activities under their purview.

## 1.3 Enforcement

As will be described in subsequent sections, the District proposes to evaluate the various options available to them to enforce the stormwater program outlined in this document. As a first line of enforcement, the District has the ability choose to withhold tap installations or other activities as defined in the Rate Order or Builder Agreements to resolve noncompliance with the stormwater program. If these activities do not achieve compliance, then the District may rely on the legal authority of either Fort Bend County or the TCEQ to conduct enforcement actions or to assess penalties and fees for violations of its storm water program. The specific mechanism for providing additional enforcement will be explored as part of the SWMP.

The District will address enforcement issues throughout all the MCMs using a holistic approach. The District will develop an overall approach to addressing enforcement needs for all relevant program elements and best management practices. The District will rely on either the County or the TCEQ for enforcement and/or adequate regulatory mechanisms for the following program elements of this SWMP:

- Illicit Discharges (MCM3): Development a formal enforcement process for illicit discharges. This may include coordination with Fort Bend County Environmental Health and Environmental Enforcement Unit, Fort Bend County Drainage District, and other relevant MS4 regulated entities on developing a procedure for removing the source of the illicit discharge, or development of a process to report identified illicit discharges to TCEQ for enforcement and removal.
- Construction Site Stormwater Runoff Control (MCM4): Development of a formal enforcement process for construction, erosion and sediment control issues and for resolving non-compliances identified during site inspections as active construction sites. This would include identification of enforcement mechanisms for the District through current policy mechanisms (i.e., infrastructure payment or tap installation withhold) as well as more formal enforcement by regulatory agencies, such as Fort Bend County Environmental Health and Environmental Enforcement Unit, Fort Bend County Drainage District or referral to TCEQ for enforcement.
- Post Construction Stormwater Management (MCM5): District to evaluate a regulatory mechanism as appropriate to address post construction control implementation and maintenance. The District will also evaluate options for coordinating with Fort Bend County on post construction processes (i.e., site plan review, construction, maintenance) and develop procedures for documenting and maintaining records of any enforcement actions.

## 1.4 Organization of the SWMP

The SWMP is organized around the following six major stormwater pollution prevention and control sections:

- Public Education and Outreach (MCM1)
- Public Involvement/Participation (MCM2)
- Illicit Discharge Detection and Elimination (IDDE) (MCM3)
- Construction Site Stormwater Runoff Control (MCM4)
- Post construction Stormwater Management in New Development and Redevelopment (MCM5)
- Good Housekeeping and Pollution Prevention for Municipal Operations (MCM6)

Each of the following sections describes MCM requirements, existing conditions, and the proposed implementation plan that will be accomplished over the five-year permit term. The implementation plan will be developed to identify activities required to meet each measurable goal. Progress toward measurable goals will be evaluated annually in the MS4 Annual Report.

## 1.5 SWMP Approach and Rationale

The SWMP was developed and will be implemented through a coordinated effort involving the following groups:

- Fort Bend MUD No. 25
- Ardurra Group
- Fort Bend County and Fort Bend County Drainage District

The District’s SWMP was developed for the purpose of:

- Describing the minimum procedures and practices the District uses to reduce the discharge of pollutants from the storm drainage systems in the District boundaries.
- Documenting activities the District continues to implement to meet previously defined measurable goals.
- Identifying additional measurable goals to demonstrate compliance with the effective Permit.

This SWMP reflects the recent requirements of the TPDES program administered under the TCEQ. This SWMP has been prepared in accordance with requirements of the General Permit (TXR040000) for small MS4 program.

## 1.6 Permit Schedule

The general permit outlines a schedule for implementation and annual reporting purposes. The District must submit an annual report to the TCEQ within 90 days of the end of each reporting year.

The general permit follows the calendar year and so does the District, which begins on January 1<sup>st</sup> and ends on December 31<sup>st</sup>.

**Table 1-2** shows the schedule the District will adhere to for permit years, reporting years, and deadlines for submitting annual reports. Subsequent sections of this SWMP identify implementation schedules that refer to the end of a given permit year as shown in **Table 1-2**.

**Table 1-2 Permit Schedule**

Permit Years	Begin	End	Reporting Years	Begin	End	Annual
						Report Due
Permit Year 1	1/1/2025	12/31/2025	Reporting Year 1	1/1/2025	12/31/2025	3/31/2026
Permit Year 2	1/1/2026	12/31/2026	Reporting Year 2	1/1/2026	12/31/2026	3/31/2027

Permit Year 3	1/1/2027	12/31/2027	Reporting Year 3	1/1/2027	12/31/2027	3/31/2028
Permit Year 4	1/1/2028	12/31/2028	Reporting Year 4	1/1/2028	12/31/2028	3/31/2029
Permit Year 5	1/1/2029	12/31/2029	Reporting Year 5	1/1/2029	12/31/2029	3/31/2030

## Section 2 Public Education and Outreach(MCM1)

This section defines the minimum permit requirements for public education and outreach on stormwater impacts; describes existing programs; and identifies proposed BMPs planned for use within the District.

### 2.1 Permit Requirements

The general permit contains the following language regarding requirements for the **public education and outreach** program:

*The small MS4 operator shall implement a public education and outreach program to distribute educational materials to the community and conduct equivalent outreach about the impacts of stormwater discharges on water bodies and the steps that the public can take to reduce pollutants in stormwater runoff. The program must, at a minimum:*

- *Define goals and objectives of the program based on high priority community-wide issues;*
- *Identify target audiences;*
- *Develop or utilize appropriate educational materials;*
- *Determine cost effective and practical methods and procedures for distribution of materials.*

*Throughout the permit term, educational materials must be made available to convey the program's message to the target audiences at least annually.*

Activities performed under this MCM of the SWMP address each of the requirements listed above

### 2.2 Proposed Best Management Practices (BMPs)

This section will identify the proposed BMPs that the District plans to implement during the upcoming permit term. These BMPs consist of existing and new activities which form an overall program to promote, publicize, and facilitate public education and outreach on water quality impacts associated with discharges from small MS4s.

#### 2.2.1 Overview

The District has a variety of public outreach and educational programs in effect from the previous SWMP permit term. Public education and outreach are critical to the success of this SWMP. The District will continue to utilize most of their previous public outreach and educational programs to promote the development and implementation of the SWMP and to build on community capital to spread the message on preventing stormwater pollution.

The District public education program will address the following target audiences:

- Residents
- Students
- Employees
- Business, including commercials and industrial facilities
- Construction site operators

Numerous stormwater public education materials have already been developed by the EPA, state, and local agencies and are available for distribution or reprinting. In addition, the District will coordinate public

education efforts with Fort Bend County, Levee Improvement Districts (LIDs), and other municipal utility districts (MUDs) where feasible.

## 2.2.2 Presentation on SWMP

Familiarizing the Board of Directors, staff, the regulated community, and the public on the requirements of the program will facilitate implementation of the SWMP. Public presentations will be available upon request to the following groups throughout development and implementation of the SWMP:

- Board of Directors
- Staff
- Homeowners associations
- Business associations
- Commercial property owners
- Local service clubs
- Other civic groups

Residents attending these meetings would be invited to give feedback on the SWMP after the presentations.

### 2.2.2.1 Best Management Practices

- Present updated SWMP to the Board of Directors.
- The District has developed a list of civic organizations (will continue to update) that may benefit from a presentation on the SWMP and will continue to inform them of staff availability to make presentation.
- Schedule presentations and informational meetings to community groups on an as requested basis.

### 2.2.2.2 Implementation Schedule

- Present updated SWMP to the Board of Directors by the end of Permit Year 1.
- Develop a list of civic organizations that may benefit from a presentation on the SWMP and inform them of staff availability by the end of Permit Year 2.
- Schedule presentations and informational meetings to community groups annually throughout the permit term and on an as requested basis throughout the permit term.

## 2.2.3 Business Education Program

The District has developed a Stormwater Pollution Business Education Program for its business customers. The Business Education Program provides businesses with industry-specific activities that contribute to stormwater pollution and helpful tips on how to reduce stormwater pollution. The Business Education Program is comprised of the following:

- Industry-specific BMPs Fact Sheets for the following business sectors;
  - Auto repair
  - Dry cleaning
  - Landscaping
  - Restaurants
  - Retail gas stations
- Preventing nonpoint source pollution: A Guide to Pollution Prevention for Small Businesses;
- Explanation of the District's Rate Order concerning stormwater pollution, periodic inspections and fines for any violations thereof; and
- The TCEQ Compliance Commitment Program.

The Business Education Program provides District customers an opportunity to partner with the District to reduce stormwater pollution and meet permit requirements.

TCEQ has a Small Business and Environmental Assistance (SBEA) Program that conducts Pollution Prevention Audits (non-enforcement program). The business education program encourages use of the existing TCEQ pollution prevention auditing capability to assist with the program. Environmentally aware businesses might be more willing to partner with municipalities and sponsor programs. Program costs will vary depending on how the program is implemented. If the program is implemented by nomination or applications, costs are expected to be lower. By using the TCEQ audits and existing resources the labor needs for this program are expected to be reduced.

#### **2.2.3.1 Best Management Practices**

- Review and update Business Education Packet. As part of this review, a multi-language Business Education Packet will be developed.
- Continue to distribute new Business Education Packet to all businesses within the District.
- Distribute a multi-language Business Education Packet.

#### **2.2.3.2 Implementation Schedule**

- Review and update Business Education Packet by the end of Permit Year 3.
- Continue to distribute new Business Education Packet to all businesses within the District, annually. By the end of Permit Year 3, distribute the multi-language Business Education Packet.
- Distribute a multi-language Business Education Packet by the end of Permit Year 3, and annually throughout the permit term.

## **2.2.4 Mobile Business Education Program**

In conjunction with the Business Education Program, the District has in place a multi-language mobile business education program. This program focuses on traditional mobile businesses that are often more difficult to monitor because they undertake activities at a number of locations. Mobile businesses include lawn maintenance, carpet cleaning, painting and decorating, pest control, and gardening.

Initially, the mobile business education program targeted lawn maintenance companies, since many homeowners in the community pay a contractor for this service. During this permit term the program will be expanded to include other types of mobile businesses.

The primary objectives of this program are to educate businesses on ways they can change or improve their work practices to:

- Reduce or eliminate stormwater pollution;
- Reduce the generation of waste;
- Increase resource recovery through recycling, reuse and composting;
- Achieve environmental best practices through cleaner production techniques;
- Achieve cost savings in terms of reduced materials and water usage; and
- Improve their environmental image with the local community.

Under the previous SWMP, mobile businesses dealing in landscaping were targeted for education and outreach and progress has been made in this business sector. During the previous permit term, all mobile businesses working in the District received targeted outreach material. Literature will continue to be distributed to business engaged in landscaping activities to provide information on the proper use of landscaping chemicals and in proper green waste disposal. In addition, workers are directed to pick up any litter before mowing so that the trash does not get shredded and washed into the storm drain. Additionally,

the educational outreach program is intended to reduce chemical and green waste runoff to natural watercourses. This is accomplished by minimizing the use of herbicides, fertilizers and insecticides to no more than the recommended levels and by properly disposing of green waste resulting from mowing, tree trimming, weed eating, and edging.

The District will target a minimum of one new mobile business category during this permit term to advance education and outreach gains made during the last permit term.

#### **2.2.4.1 Best Management Practices**

- Identify a minimum of one mobile business category for targeted outreach in the District or for District residents.
- Develop Education Packet for targeted outreach to identified mobile businesses.
- Distribute Education Packet to identified mobile business.

#### **2.2.4.2 Implementation Schedule**

- Identify a minimum of one mobile business for targeted outreach in the District or for District residents by the end of Permit Year 1.
- Develop Education Packet for targeted outreach to identified mobile businesses by the end of Permit Year 2.
- Distribute Education Packet to 100% of the mobile businesses identified by the end of Permit Year 3.

## **2.2.5 Stormwater Drains and Inlets**

The District will maintain or mark storm drains and inlets with, “No Dumping – Drains to Creek”. The District will placard, stencil, or paint all known stormwater inlets in either high-impact areas identified by the District or impairment watersheds within the MS4 area each year.

#### **2.2.5.1 Best Management Practices**

- Continue to paint stormwater inlets
- Continue to maintain and inspect marked stormwater inlets

#### **2.2.5.2 Implementation Schedule**

- Continue to placard, stencil or paint stormwater inlets by the end of Permit Year 1 and continuing annually.
- Continue to maintain and inspect marked stormwater inlets by end of Permit Year 1 and continuing annually.

## **2.2.6 Website**

The District will use its website (<http://www.waterDistrict25.com/>) to inform the public about the SWMP and the annual MS4 report. The website will include information about non-point source (NPS) pollution and the impact that NPS pollution has on water quality. The web page will include general stormwater quality information, as well as topics of interest to the general public such as litter control and proper management of pesticides, fertilizer, used oil, and household hazardous waste. Additionally, topics addressed in the MS4 permit and the *Implementation Plan for Two Total Maximum Daily Loads for Dissolved Oxygen and One Total Maximum Daily Load for Bacteria in Upper Oyster Creek* may also be addressed as part of the website materials.

#### **2.2.6.1 Best Management Practices**

- Post the updated SWMP and Annual Report on the District website
- Continue to maintain and update stormwater information materials on District website annually

**2.2.6.2 Implementation Schedule**

- Post the updated SWMP on the District website by the end of Permit Year 1.
- Post annual report and update information on District website by the end of Permit Year 1 and continuing annually.

## 2.2.7 Student Education

The District will seek opportunities to partner with local schools in presenting curriculum on water conservation and water quality. The District will continue to sponsor an annual water quality and calendar contest through Macario Garcia Middle School and to provide resident calendars of the winners’ artwork to area schools. The District will also continue to provide additional book covers and folders on specific stormwater related issues to area schools.

**2.2.7.1 Best Management Practices**

- Continue to provide folders or other educational materials on stormwater related issues to area schools.
- Continue to hold annual calendar contest at schools located within the District aimed at educating residents about water conservation and stormwater pollution prevention.

**2.2.7.2 Implementation Schedule**

- Continue to provide fact sheets on stormwater related issues to area schools annually beginning in Permit Year 1.
- Continue to hold annual calendar contest at schools located within the District aimed at educating 100% of the residents about water conservation and stormwater pollution prevention throughout the permit term.

## 2.3 Measurable Goals

Measurable goals are required for each MCM identified above and are intended to gauge permit compliance and program effectiveness. The measurable goals are specific to the District.

**Table 2-1** presents the measurable goals which have been identified for public education and outreach

**Table 2-1 Public Education and Outreach Measurable Goals**

Activity/BMP	Measurable Goal	Implementation Schedule
<p><b>Information on the MS4 operator’s website.</b></p>	<p>Maintain a webpage with current and accurate information and working links.</p> <ul style="list-style-type: none"> <li>• All links shall be checked, and the page shall be updated as necessary at a minimum of once annually.</li> <li>• Must be maintained for the full year, each year.</li> </ul>	<p>Annually throughout permit term</p>

<b>Business Education</b>	Continue distributing Business Education Packet to include the multi-language packet created last permit term.	Distribute Business Education Packet in Permit Year 1 (12/2025) and annually.
	Review and update business and multi-language packet.	Permit Year 3 (12/2027)
	Distribute 42 updated Business and Multi-Language Packet by the end of each permit year.	Permit Year 4 and annually throughout permit term (12/2028)
<b>Mobile Business Education</b>	Identify a minimum of one (1) mobile business category for targeted outreach in the District or for District residents	Permit Year 1 (12/2025)
	Develop Education Packet to identified a mobile business	Permit Year 2 (12/2026)
	Distribute Education Packets to 100% of the business identified in the target group by the end of each permit year.	Permit Year 3 (12/2027) and annually throughout permit term
<b>Maintain or mark storm drains and inlets with, "No Dumping – Drains to Creek" or a similar message</b>	Placard, stencil, or paint a minimum of 10% of all known stormwater inlets in either high-impact areas identified by the small MS4 operator or impairment watersheds within the MS4 area each year.	Permit Year 1 (12/2025) and annually throughout permit term
	Where all known stormwater inlets have been marked, inspect, and maintain the markers for a minimum of 15% of all known stormwater inlets in either high-impact areas identified by the small MS4 operator or impairment watersheds within the MS4 area each year.	Permit Year 1 (12/2025) and annually throughout permit term.

## Section 3 Public Involvement/Participation(MCM2)

This section defines the minimum permit requirements for Public Involvement/Participation; describes programs; and identifies proposed BMPs planned for use within the District.

### 3.1 Permit Requirements

The general permit contains the following language regarding requirements for the **public involvement and participation** program:

*All permittees, except prisons/correctional facilities, shall involve the public, and, at minimum, comply with any state and local public notice requirements in the planning and implementation activities related to developing and implementing the SWMP. The small MS4 operator must create opportunities, or support activities that are coordinated by citizen groups, for residents and others to become involved with the SWMP. The activities/BMPs must demonstrate an impact on stormwater runoff by improving water quality*

### 3.2 Proposed Best Management Practices (BMPs)

This section will identify the proposed BMPs that the District plans to implement during the upcoming permit term. These BMPs consist of new activities which form an overall program to promote, publicize, and facilitate public involvement and participation.

### 3.3 Measurable Goals

Measurable goals are required for each MCM identified above and are intended to gauge permit compliance and program effectiveness. The measurable goals are specific to the District.

**Table 3-1** presents the measurable goals which have been identified for public involvement and participation.

**Table3-1 Public Involvement and Participation Measurable Goals**

Activity/BMP	Measurable Goal	Implementation Schedule
Stream/lake or watershed clean-up events; litter/trash clean-up events such as Adopt-A-Highway, Adopt-A-Spot, Adopt-AStreet, Adopt-A-Stream, etc.	Host or support at a minimum one event for level 1 and 2 MS4s or two events for level 3 and 4 MS4s annually. <ul style="list-style-type: none"> <li>To be considered an event, the land area cleaned must be a minimum of: <ul style="list-style-type: none"> <li>o two acres,</li> <li>o 400 yards of stream/streambank/riparian area, or</li> <li>o two miles of roadside</li> </ul> </li> <li>• These may be combined (such as one acre of land and 200 yards of stream)..</li> </ul>	Annually throughout permit term
MS4 area-wide stormwater survey for input on program implementation.	Provide or support a minimum of one public survey annually for input on the program implementation to be distributed to at least 75% of the intended audience. Develop and implement a tracking system to estimate what percentage of the intended audience is reached for determining BMP effectiveness.	Annually throughout permit term

<p><b>Public meeting for input on the program implementation such as a city council meeting, board meeting, or stakeholder meeting.</b></p>	<p>Host or support a minimum of one meeting annually for input on the program implementation to be advertised to at least 75% of the intended audience. Develop and implement a tracking system to estimate what percentage of the intended audience is reached for determining BMP effectiveness.</p>	<p>Annually throughout permit</p>
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## Section 4 Illicit Discharge Detection and Elimination (MCM3)

An illicit connection is defined as “a point source discharge of pollutants to separate storm drain system which is not composed entirely of stormwater and not authorized by a TPDES permit.” This section defines the minimum permit requirements for the detection and elimination of illicit discharges; describes existing programs; and identifies proposed BMPs to further address illicit discharges for application within the District.

### 4.1 Permit Requirements

As stated in the draft permit, the elements of the SWMP as related to illicit discharge detection and elimination must include:

*(a) Illicit Discharge Detection and Elimination (IDDE) Program Development*

*(1) All permittees shall develop, implement and enforce a program to detect, investigate, and eliminate illicit discharges into the small MS4. The program must include a plan to detect and address non-stormwater discharges, including illegal dumping to the small MS4 system.*

*The Illicit Discharge Detection and Elimination (IDDE) program must include the following:*

*a. A current and accurate MS4 map*

*b. Methods for informing and training MS4 field staff*

*c. Methods for facilitating public reporting of illicit discharges and illegal dumping*

*d. Procedures for responding to illicit discharge, illegal dumping, and spills*

*e. Procedures for tracing the source of an illicit discharge and illegal dumping*

*f. Procedures for removing the source of the illicit discharge and illegal dumping*

*g. Conduct inspections in response to complaints including follow-up inspections, and procedures for inspections*

*(2) For non-traditional small MS4s, if illicit connections, illegal dumping, or illicit discharges are observed related to another operator’s MS4, the permittee shall notify the other MS4 operator within 48 hours of discovery. If notification to the other MS4 operator is not practicable, then the permittee shall notify the appropriate TCEQ Regional Office of the possible illicit connection, illegal dumping, or illicit discharge.*

*(3) If another MS4 operator notifies the permittee of an illegal connection, illegal dumping, or illicit discharge to the small MS4, then the permittee shall follow the requirements specified in Part IV.D.3.(c)(5).*

*(b) Allowable Non-Stormwater Discharges*

*Non-stormwater discharges listed in Part II.D do not need to be considered by the permittee as an illicit discharge requiring elimination unless the permittee or the TCEQ identifies the discharge as a significant source of pollutants to the small MS4.*

*(c) Requirements for all permittees*

*(1) MS4 mapping*

*All permittees shall maintain a current and accurate MS4 map, which must be located on site and available for review by TCEQ. The MS4 map must show at a minimum the following information:*

- a. *the location of all small MS4 outfalls that are operated by the permittee and that discharge into Waters of the U.S;*
  - b. *The location and name of all surface waters receiving discharges from the small MS4 outfalls; and*
  - c. *Priority areas identified under Part IV.D.3.(e)(1), if applicable.*
- (2) *Education and Training*  
*All permittees shall implement a method for informing or training all the permittee’s field staff that may come into contact with or otherwise observe an illicit discharge, illegal dumping, or illicit connection to the small MS4 as part of their normal job responsibilities. Training program materials and attendance lists must be maintained onsite and made available for review by the TCEQ..*
- (3) *Public Reporting of Illicit Discharges and Spills*  
*All permittees shall publicize and facilitate public reporting of illicit discharges, illegal dumping, or water quality impacts associated with discharges into or from the small MS4. The permittee shall provide a central contact point to receive reports; for example, by including a telephone number for complaints and spill reporting.*
- (4) *All permittees shall develop and maintain onsite procedures for responding to illicit discharges, illegal dumping, and spills.*
- (5) *Source Investigation and Elimination*
- a. *Minimum Investigation Requirements – Upon becoming aware of an illicit discharge or illegal dumping, all permittees shall conduct an investigation to identify and locate the source of such illicit discharge or illegal dumping as soon as practicable.*
    - (i) *All permittees shall prioritize the investigation of discharges based on their relative risk of pollution. For example, sanitary sewerage may be considered a high priority discharge.*
    - (ii) *All permittees shall report to the TCEQ immediately upon becoming aware of the occurrence of any illicit flows believed to be an immediate threat to human health or the environment.*
    - (iii) *All permittees shall track all investigations and document, at a minimum, the date(s) the illicit discharge or illegal dumping was observed; the results of the investigation; any follow-up of the investigation; and the date the investigation was closed..*
  - b. *Identification and Investigation of the Source of the Illicit Discharge –All permittees shall investigate and document the source of illicit discharges and illegal dumping where the permittees have jurisdiction to complete such an investigation. If the source of illicit discharge or illegal dumping extends outside the permittee’s boundary, all permittees shall notify the adjacent permitted MS4 operator or the appropriate TCEQ Regional Office.*
  - c. *Corrective Action to Eliminate Illicit Discharge*
    - (i) *If and when the source of the illicit discharge or illegal dumping has been determined, all permittees shall immediately notify the responsible party of the problem, and shall require the responsible party to perform all necessary corrective actions to eliminate the illicit discharge and illegal dumping..*
- (6) *Inspections – The permittee shall conduct inspections, as determined appropriate, in response to complaints, and shall conduct follow-up inspections as needed to ensure that corrective measures have been implemented by the responsible party. The permittee shall develop written procedures describing the basis for conducting inspections in response to complaints and conducting follow-up inspections*

## 4.2 Proposed Best Management Practices

The District has a program in place to detect and eliminate illicit discharges to the District’s MS4. Techniques that are practiced by the District for detecting and eliminating illicit discharges will include, at a minimum, the following program components. Implementation of these program components requires coordination

with Fort Bend County Environmental Health Enforcement Unit to provide legal authority for enforcement actions, as discussed further with each program component.

## 4.2.1 Illicit Discharge Policy

The District has a policy in place to address illicit discharges to the MS4. The policy prohibits illicit discharges and connections, prohibits all non-stormwater discharges that contribute pollutants to the MS4, and prohibits illegal dumping. It includes appropriate enforcement procedures and actions and establishes legal authority to carry out inspection surveillance and monitoring procedures necessary to ensure compliance with the policy. The policy also identifies a list of occasional incidental non-stormwater discharges that will not be addressed as illicit discharges. The policy will be reviewed and be updated to reflect any changes in permit requirements that require implementation.

### 4.2.1.1 Best Management Practices

- Review and update illicit discharge policy

### 4.2.1.2 Implementation Schedule

- Review and update illicit discharge policy by the end of Permit Year 1 and review and update annually throughout the permit term

## 4.2.2 Storm Sewer Map

The District has developed an up-to-date map of the stormwater drainage system that shows the waters of the U.S. and the locations of all outfalls to waters of the U.S. The current MS4 map is shown in **Figure 4-1** reflects the location of all MS4 outfalls that discharge into the waters of the U.S. in addition to outfalls termed “internal outfalls” that discharge into detention basins, but will eventually reach waters of the U.S. The sources to be used to update the map are current maps, engineering drawings, and site field investigation. The District developed policies and procedures to ensure that the map is maintained and reflects current conditions.

Development of priority areas is required only for Level 4 small MS4 permittees and therefore is not included as part of this SWMP.

### 4.2.2.1 Best Management Practices

- Update inventory and/or map of outfalls within District limits to reflect new/removed outfalls

### 4.2.2.2 Implementation Schedule

- Update inventory and/or map of outfalls within District limits to reflect new/removed outfalls starting in Permit Year 1 and annually throughout the permit term.

Figure 4-1 District map with MS4 outfalls



## 4.2.3 Illicit Discharge/Dumping Hotline

The District has developed procedures for receipt and consideration of information submitted by residents regarding illicit discharges, including illegal dumping. This hotline is combined with the 24 hour emergency reporting number. This stormwater/environmental hotline will facilitate the ability of residents to provide information that will assist in the detection of problem discharges. Printed educational materials and slides displayed on the website and customer bills include the environmental hotline number.

### 3.2.3.1 Best Management Practices

- Maintain and continue to publicize hotline for illicit discharge/dumping reporting.
- Respond to complaints received from hotline throughout permit term.

### 3.2.3.2 Implementation Schedule

- Maintain and continue to publicize hotline for illicit discharge/dumping reporting on the District website, new customer packets, and annually throughout the permit term beginning in Permit Year 1.
- Respond to complaints received from hotline within one hour starting in Permit Year 1 and continuing through the permit term.

## 4.2.4 Screening, Inspection, and Detection Program

The District developed a program that uses a combination of complaint-driven investigations and active detection and resolution of illicit discharges. Active detection and resolution includes routine inspections to identify dry weather discharges. In addition, a policy and procedures have been developed to screen selected dry weather discharges. This policy may require updates to reflect new requirements as part of the new small MS4 permit.

Once illicit discharges are detected, the District coordinates with internal staff as well as Fort Bend County staff to identify and document the source of the illicit discharge as well as respond to the discharge. Depending on the nature of the discharge, the response may require the County's regulatory authority to adequately respond.

The District will also undertake certain activities to assist with preventing illicit discharges into the MS4, including conducting grease/grit trap inspections and developing an inventory of on-site sewage facilities (OSSFs) within the District. There are currently no OSSFs located within the District Boundaries. When the District becomes aware of an OSSF within the District Boundaries, an inspection procedure and schedule will be developed for the OSSF.

### 4.2.4.1 Best Management Practices

- Review dry weather screening protocol and procedures, or adopt regional/national guidance. As part of this effort, also review, update, and continue implementation of a procedure for tracing identified illicit discharges.
- Continue to conduct dry weather inspection of outfalls within the District per the defined protocol.
- Development of a formal enforcement process for illicit discharges. This may include coordination with Fort Bend County Environmental Health Environmental Enforcement Unit, Fort Bend County Drainage District, and other relevant MS4 regulated entities on developing a procedure for removing

the source of the illicit discharge that discharge to their receiving waters, or, development of a process to report identified illicit discharges to TCEQ for enforcement of removal.

- Inspect restaurants and car washes for proper operation and maintenance of grease and grit traps.
- Develop inventory of on-site sewage facilities (OSSFs) within the District Boundaries.

#### **4.2.4.2 Implementation Schedule**

- Review dry weather screening protocol and procedures, or adopt regional/national guidance in Permit Year 1.
- Continue to conduct dry weather inspection of 100% of the outfalls within the District per the defined protocol annually, beginning in Permit Year 1 and throughout permit term.
- Development of a formal enforcement process for illicit discharges in Permit Year 3.
- Inspect 100% of the restaurants and car washes for proper operation and maintenance of grease and grit traps once a month, beginning in Permit Year 1.
- Develop inventory of on-site sewage facilities (OSSFs) within the District Boundaries in Permit Year 5 and annually throughout the permit term.

## **4.2.5 Utilize Database of Businesses**

The District maintains a database of businesses within the service area. This database provides information that assists in distribution of public education materials as well as identifying businesses that may be likely to have illicit discharges. Mapping the businesses or listing key map locations provides additional information that assists in investigating illicit discharges. Furthermore, the District acquires Standard Industrial Classification (SIC) codes of these businesses from the State Comptroller's office, which identifies businesses that are required to have stormwater permit coverage. TCEQ has a database of businesses that have applied for permit coverage. Information gathered during this process will help with identifying sources of illicit discharges as well as prioritize educational and enforcement efforts for illicit discharges from businesses. Educational and outreach efforts will be focused on the proper maintenance of grease and grit traps to minimize sanitary sewer overflows (SSOs) and illicit discharges.

### **4.2.5.1 Best Management Practices**

- Review databases annually to update list of businesses within District
- Prioritize list for education and outreach efforts (as described in **Section 2.2.4**) and to assist with investigations of illicit discharges

### **4.2.5.2 Implementation Schedule**

- Review database annually to update list of businesses by end of Permit Year 1
- Prioritize list for education and outreach efforts by end of Permit Year 1 (as described in **Section 2.2.4**) and to assist with investigations of illicit discharges
- 

## **4.2.6 Employee Training**

The District provides appropriate materials to educate all relevant employees, including all field staff that may come into contact or observe an illicit discharge or illegal connection as part of their normal job responsibilities.

### **4.2.6.1 Best Management Practices**

- Continue to implement training for relevant field technicians and maintenance staff which includes training materials directed at identifying and eliminating illicit or improper discharges.

- Continue to perform annual refresher training for selected office/administrative staff on stormwater pollution who may receive public inquiries regarding District stormwater management activities.
- Review training program specifically for the District and identify if there is existing material that provides adequate training.

#### **4.2.6.2 Implementation Schedule**

- Continue to implement training to 100% of the field technicians and maintenance staff which includes training materials directed at identifying and eliminating illicit or improper discharges annually, beginning in Permit Year 1.
- Continue to perform annual refresher training to 100% of the staff beginning in Permit Year 1 and continuing annually throughout the permit term.
- Review training program specifically for the District and identify if there is existing material that provides adequate training in Permit Year 1.

## **4.2.7 Allowable Non-Stormwater Discharges**

The District will adopt the Allowable Non-Stormwater Discharges identified in the TPDES General Permit No. TXR040000 for coverage of Small MS4. The listing of Allowable NonStormwater Discharges, as specified in Part II.D of the permit and includes the following discharge types:

- (1) Water line flushing (excluding discharges of hyperchlorinated water, unless the water is first dechlorinated and discharges are not expected to adversely affect aquatic life);
- (2) Runoff or return flow from landscape irrigation, lawn irrigation, and other irrigation utilizing potable water, groundwater, or surface water sources;
- (3) Discharges from potable water sources that do not violate Texas Surface Water Quality Standards;
- (4) Diverted stream flows;
- (5) Rising ground waters and springs;
- (6) Uncontaminated ground water infiltration;
- (7) Uncontaminated pumped ground water;
- (8) Foundation and footing drains;
- (9) Air conditioning condensation;
- (10) Water from crawl space pumps;
- (11) Individual residential vehicle washing;
- (12) Flows from wetlands and riparian habitats;
- (13) Dechlorinated swimming pool discharges that do not violate Texas Surface Water Quality Standards;
- (14) Street wash water excluding street sweeper wastewater;
- (15) Discharges or flows from emergency fire-fighting activities (emergency fire-fighting activities do not include washing of trucks, runoff water from training activities, test water from fire suppression systems, and similar activities);
- (16) Other allowable non-stormwater discharges listed in 40 CFR 122.26(d)(2)(iv)(B)(1);
- (17) Non-storm discharges that are specifically listed in the TPDES Multi-Sector General Permit (MSGP) TXR050000 or the TPDES Construction General Permit (CGP) TXR150000;
- (18) Discharges that are authorized by a TPDES or NPDES permit or that are not required to be permitted; and
- (19) Other similar occasional incidental non-stormwater discharges such as spray park water, unless the TCEQ develops permits or regulations addressing these discharges.

#### **4.2.7.1 Best Management Practices**

- Update the SWMP and website to list and/or reference the Allowable Non-Storm Water Discharges identified in the TPDES General Permit No. TXR040000.

**4.2.7.2 Implementation Schedule**

- Update the SWMP and website to list and/or reference the Allowable Non-Storm Water Discharges identified in the TPDES General Permit No. TXR040000 by the end of Permit Year 1

## 4.3 Measurable Goals

Measurable goals are required for each minimum control measure (MCM) identified above and are intended to gauge permit compliance and program effectiveness. The measurable goals are specific to the District.

**Table 4-1** presents the measurable goals which have been identified for illicit discharge detection and elimination.

Program Element	Best Management Practices	Implementation
		Schedule
Illicit Discharge Policy	Review and update illicit discharge policy.	Permit Year 1 (12/2025)
Storm Sewer Map	Update inventory and/or map of all (100%) outfalls within District limits to reflect new/removed by the end of each permit year.	Permit Year 1 (12/2025) and annually throughout permit term
Illicit Discharge/Dumping Hotline	Maintain and continue to publicize hotline for illicit discharge/dumping reporting to 100% of residents and commercial business by the end of each permit year.	Permit Year 1 (12/2025) and annually throughout permit term
	Respond within one hour to complaints received from hotline throughout permit term.	Permit Year 1 (12/2025) and ongoing throughout permit term
Screening, Inspection, Detection Program	Review dry weather screening protocol and procedures, or adopt regional/national guidance. As part of this effort, also review, update and continue implementation of a procedure for tracing identified illicit discharges.	Permit Year 1 (12/2025) and ongoing throughout permit term)
	Continue to conduct dry weather inspection of 100% of the outfalls within the District per the defined protocol.	Permit Year 1 (12/2025) and annually throughout permit term
	Update District’s enforcement process for illicit discharges.	Permit Year 3 (12/2027)
	Inspect 100% restaurants and car washes for proper operation and maintenance of grease and grit traps once a month.	Permit Year 1 (12/2025) and once a month throughout permit term
	Update inventory of on-site sewage facilities (OSSFs) within the District Boundaries by the end of each permit year.	Permit Year 1 (12/2025) and annually throughout permit term
Business Database	Review databases annually to update list of businesses within District	Permit Year 1 (12/2025) and annually throughout permit term
	Prioritize a list for education and outreach efforts and assist with investigations of illicit discharges.	Permit Year 1 (12/2025)
Employee Training	Continue to implement training for relevant field technicians and maintenance staff, which includes training materials directed at identifying and eliminating illicit or improper discharges.	Permit Year 1 (12/2025)

	Continue to perform annual refresher training for 100% of the staff on stormwater pollution who may receive public inquiries regarding District stormwater management activities by the end of each permit year.	Permit Year 1 (12/2025) and annually throughout permit term
	Review training program specifically for FBMUD 25 and identify if there is existing material that provides adequate training.	Permit Year 1 (12/2025)
Allowable Non-Storm Water Discharges	Update the SWMP and website to list and/or reference the Allowable Non-Storm Water Discharges identified in the TPDES General Permit No. TXR040000	Permit Year 1 (12/2025)

## Section 5 Construction Site Stormwater Runoff Control (MCM4)

This section defines the minimum permit requirements for construction site stormwater runoff control; describes existing programs; and identifies proposed BMPs for implementation by the District. The District is located largely within Fort Bend County therefore all construction projects within the District must have Fort Bend County approval in addition to approval by the District’s engineer and Board of Directors. In areas within the City of Houston extraterritorial jurisdiction (ETJ), City plan review is required rather than Fort Bend County review.

### 5.1 Permit Requirements

The general permit contains the following language related to construction site stormwater runoff control. *All permittees shall develop, implement and enforce a program requiring operators of small and large construction activities, as defined in Part I of this general permit, to select, install, implement, and maintain stormwater control measures that prevent illicit discharges to the MEP [maximum extent practicable]. The program must include the development and implementation of an ordinance or other regulatory mechanism, as well as sanctions to ensure compliance to the extent allowable under state, federal, and local law, to require erosion and sediment control.*

*If TCEQ waives requirements for stormwater discharges associated with small construction from a specific site(s), the permittee is not required to enforce the program to reduce pollutant discharges from such site(s). All permittees shall require that construction site operators implement appropriate erosion and sediment control BMPs. The permittee’s construction program must ensure the following minimum requirements are effectively implemented for all small and large construction activities discharging to its small MS4.*

*(1) All permittees shall require that construction site operators implement appropriate erosion and sediment control BMPs. The permittee’s construction program must ensure erosion and sediment controls, soil stabilization, and BMP requirements are effectively implemented for all small and large construction activities discharging to its small MS4 consistent with the TPDES CGP, TXR150000.*

*(2) Prohibited Discharges – The following discharges are prohibited:*

- a. Wastewater from washout of concrete and wastewater from water well drilling operations, unless managed by an appropriate control;*
- b. Wastewater form washout and cleanout of stucco, paint, from release oils, and other construction materials;*
- c. Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance;*
- d. Soaps or solvents used in vehicle and equipment washing; and*
- e. Discharges from dewatering activities, including discharges from dewatering of trenches and excavations, unless managed by appropriate BMPs.*

(4) *Construction Plan Review Procedures: To the extent allowable by state, federal, and local law, all permittees shall maintain and implement site plan review procedures, that describe which plans will be reviewed as well as when an operator may begin construction. For those permittees without legal authority to enforce site plan reviews, this requirement is limited to those sites operated by the permittee and its contractors and located within the permittee's regulated area. The site plan procedures must meet the following minimum requirements:*

- a. *The site plan review procedures must incorporate consideration of potential water quality impacts.*
- b. *The permittee may not approve any plans unless the plans contain appropriate site specific construction site control measures that, at a minimum, meet the requirements described in the TPDES CGP, TXR150000.*

*The permittee may require and accept a plan, such as a stormwater pollution prevention plan (SWP3), that has been developed pursuant to the TPDES CGP, TXR150000.*

(5) *Construction Site Inspections and Enforcement: To the extent allowable by state, federal, and local law, all permittees shall implement procedures for inspecting large and small construction projects. Permittees without legal authority to inspect construction sites shall at a minimum conduct inspections of sites operated by the permittee or its contractors and that are located in the permittee's regulated area.*

- a. *The permittee shall conduct inspections based on the evaluation of factors that are a threat to water quality, such as: soil erosion potential; site slope; project size and type; sensitivity of receiving water bodies; proximity to receiving water bodies; non-stormwater discharges; and past record of noncompliance by the operators of the construction site.*
- b. *Inspections must occur during the active construction phase.*

- (i) *All permittees shall develop and implement updated written procedures outlining the inspection and enforcement requirements. These procedures must be maintained on-site or in the SWMP and be made available to TCEQ.*

- (ii) *Inspections of construction sites must, at a minimum:*

- (1) *Determine whether the site has appropriate coverage under the TPDES CGP, TXR150000. If no coverage exists, notify the permittee of the need for permit coverage.*

- (2) *Conduct a site inspection to determine if control measures have been selected, installed, implemented, and maintained according to the small MS4's requirements.*

- (3) *Assess compliance with the permittee's ordinances and other regulations.*

- (4) *Provide a written or electronic inspection report.*

- c. *Based on site inspection findings, all permittees shall take all necessary follow-up actions (for example, follow-up inspections or enforcement) to ensure compliance with permit requirements and the SWMP. These follow-up and enforcement actions must be tracked and maintained for review by the TCEQ.*

*For non-traditional small MS4s with no enforcement powers, the permittee shall notify the adjacent MS4 operator with enforcement authority or the appropriate TCEQ Regional Office.*

(6) *Information submitted by the Public: All permittees shall develop, implement and maintain procedures for receipt and consideration of information submitted by the public.*

(7) *MS4 Staff Training: All permittees shall ensure that all staff whose primary job duties are related to implementing the construction stormwater program (including permitting, plan review, construction site inspections, and enforcement) are informed or trained to conduct these activities. The training may be conducted by the permittee or by outside trainers.*

## 5.2 Proposed Best Management Practices

This section will identify the proposed BMPs that the District plans to implement during the upcoming permit term. These BMPs consist of existing and new activities which form an overall program to achieve construction site stormwater runoff control. Techniques that will be practiced by District will include, at a minimum, the following BMPs:

### 5.2.1 Construction Site Runoff Control Policy

The District does not have the legal authority to enforce the requirements for erosion and sediment controls and proper waste management at construction sites, as well as the sanctions to ensure compliance with the requirements. The District has developed a policy to require erosion and sediment controls, as well as sanctions to promote compliance. The district may withhold taps and assess fees for a developer that is in noncompliance with the policy; however, this may be only effective towards the end of the construction cycle. While the District does inspect and issue notices during construction for noncompliance, ultimately the District will rely on Fort Bend County to take official enforcement actions during construction should that be necessary.

The Permit mandates that construction site operators install, maintain, and properly dispose of erosion and sediment controls. The District relies on the Construction General Permit (CGP) requirements to mandate BMPs for erosion and sediment control and prescribe fines, and/or other disincentives for noncompliance. The Permit requires any construction within the District to develop, implement, and enforce a program to reduce pollutants in stormwater runoff to the MS4 from construction activities that result in a land disturbance of greater common plan of development or sale that discharge to the small MS4. This program provides for site plan review (by Fort Bend County and District Engineer), receipt and consideration of information submitted by the residents (either via the District website or by public comment at Board meetings), site inspections, and enforcement of control measures. The policy may reference the TPDES CGP No. TXR150000.

#### 5.2.1.1 Best Management Practices

- Develop procedure to coordinate with District annexation process to make clear the District's expectations for active construction projects within an area to be annexed. This process will ensure proper stormwater controls and processes are in place (site plan, inspection, and compliance requirements)
- Development of a formal enforcement process for construction, erosion and sediment control issues. See **Section 1.6** for a detailed discussion of the District's approach to enforcement.

#### 5.2.1.2 Implementation Schedule

- Develop procedure to coordinate with District annexation process to define construction site runoff expectations by the end of Permit Year 4
- Development of a formal enforcement process for construction, erosion and sediment control issues by the end of Permit Year 2

## 5.2.2 Site Plan Review Program

The District has a program in place to review site plans for construction occurring within the District. The site plan review includes a requirement that the contractor provide to the District the SWP3s as required by the CGP. The District relies on Fort Bend County to review and approve site plans because the District lacks legal authority to do so. The District Engineer will review the site plan as it pertains to District responsibilities (i.e., those sites operated by the District and its contracts and located within the District's regulated area). Site visits may be conducted to evaluate information presented in the site plans. This evaluation allows the District to identify areas of concern that would potentially have a negative impact on water quality. Forms, checklists, and a standard format for submission of plans have been developed within the District and are updated as needed.

### 5.2.2.1 Best Management Practices

- Review of submitted plans
- Review and update site plan review criteria checklists and documentation, which will include ensuring contractors develop and implement a SWPPP as required by the CGP.
- Continue to conduct pre-construction meetings on an ongoing basis for all active construction projects (where District has authority)
- If necessary, site visits will be conducted for construction projects to evaluate pre-construction conditions and confirm information presented on site plans and evaluate areas of concern that would potentially have negative impact on water quality.

### 5.2.2.2 Implementation Schedule

- Review 100% of the submitted plans on an ongoing process, beginning in Permit Year 1
- Review and update site plan review criteria checklists and documentation by the end of Permit Year 2
- Continue to conduct pre-construction meetings on an ongoing basis for 100% of the active construction projects (where District has authority) beginning in Permit Year 1.
- Conduct site visits for 100% of the construction projects to evaluate pre-construction conditions and confirm information on site plans and evaluate areas of concern beginning in Permit Year 1.

## 5.2.3 Site Inspection Program

The District has in place procedures for a construction site inspection program and enforcement of controls. Evaluation of stormwater controls is included in all construction inspections and will continue to be a focus. Non-compliance will result in the District withholding taps and applicable fines will be assessed as allowable by law, Developer agreements and the District Rate Order. Extended noncompliance may also result in a back charge; the District may also choose to engage Fort Bend County or the TCEQ to provide enforcement of the Construction General Permit as well. This communicates to contractors the importance of erosion and sediment controls and waste management. Site inspections help establish consistency in how requirements are addressed.

### 5.2.3.1 Best Management Practices

- Review and update inspection checklists to reflect the requirements of the Construction General Permit (GCP)
- Inspect all active construction sites on a biweekly schedule and work to resolve all non-compliances through working with the Developer/Construction company to resolve any non-compliances and if necessary, District initiated enforcement actions and more formal enforcement actions in conjunction with Fort Bend County or TCEQ

- Develop standard documentation and update existing procedures for all site inspections and tracking resolution of any identified non-compliances (i.e., enforcement actions).

#### **5.2.3.2 Implementation Schedule**

- Review and update inspection checklists to reflect the requirements of the CGP in Permit Year 2
- Inspect 100% of the active construction sites and resolve any non-compliances beginning in Permit Year 1 and ongoing throughout the permit term
- Develop standard documentation and update existing procedures for site inspections and tracking resolution of any identified non-compliances by the end of Permit Year 2

## **5.2.4 Reporting Hotline**

The District will maintain and revise, as needed the procedures in place for receipt and consideration of information submitted by the public regarding construction site stormwater controls. This hotline is combined with the illicit discharge hotline identified. The hotline facilitates the ability of the public to provide information that will assist in the detection of problem discharges. Procedures regarding hotline protocols are in place and will be evaluated and revised as needed. Printed educational materials and slides displayed on the municipal cable channel District’s website include the environmental hotline.

#### **5.2.4.1 Best Management Practices**

- Continue to document hotline information and response/follow up
- Continue to publicize reporting hotline

#### **5.2.4.2 Implementation Schedule**

- Continue to document 100% of the hotline information and response/follow up on an ongoing basis
- Continue to publicize reporting hotline to 100% of the residents and commercial businesses on the District website, new customer packets, and annually throughout the permit term.

## **5.2.5 Contractor Education Program**

The District maintains an outreach program and prepares informational outreach materials for the development community. The District currently conducts pre-construction meetings with contractors regarding construction projects. The District incorporates stormwater pollution minimization training for site operators and compliance with the CGP (TXR150000) into these meetings.

The District distributes public education brochures and flyers to inform the public and construction site operators of the requirements for stormwater controls.

The District promotes good housekeeping education for construction site operation. The District distributes informational materials to educate construction operators about specific erosion and sediment control measures such as land grading, berms, and riprap, as well as general construction site waste management techniques such as trash disposal, recycling, proper material handling, spill prevention, and cleanup measures.

#### **5.2.5.1 Best Management Practices**

- Identify contractor education materials for the permit term
- Incorporate education into pre-construction meetings
- Publish contractor education materials on the District’s website.

### 5.2.5.2 Implementation Schedule

- Identify contractor education materials for the permit term in Permit Year 1
- Incorporate education into 100% of the pre-construction meetings in Permit Year 2 and throughout the permit term
- Publish contractor education materials on the District’s website in Permit Year 2 and ongoing throughout the permit term.

## 5.2.6 Employee Training

The District provides appropriate materials to educate employees on issues related to construction stormwater runoff control. These employee training BMPs were stated in **Section 4.2.6** and are reiterated in this section.

### 5.2.6.1 Best Management Practices

- Train selected administrative staff and site inspectors on construction inspections for stormwater runoff/quality.

### 5.2.6.2 Implementation Schedule

- Train 100% of applicable administrative staff and site inspectors on construction inspections for stormwater runoff/quality annually, beginning in Permit Year 1.

## 5.3 Measurable Goals

Measurable goals are required for each MCM identified above and are intended to gauge permit compliance and program effectiveness. The measurable goals are specific to the District.

**Table 5-1** presents the measurable goals which have been identified for construction site runoff.

**Table 5-1 Construction Site Runoff Measurable Goals**

Program Element	Best Management Practices	Implementation Schedule
Construction Site Runoff Control Policy	Develop procedure to coordinate with District annexation process to make clear the District's expectations for active construction projects within an area to be annexed. This process will ensure proper stormwater controls and processes are in place (site plan, inspection, and compliance requirements)	Permit Year 4 (12/2029)
	Development of a formal enforcement process for construction, erosion and sediment control issues.	Permit Year 2 (12/2026)
Site Plan Review Program	Review of 100% of the submitted plans	Permit Year 1 (12/2025) and ongoing throughout permit term
	Review and update site plan review criteria checklists and documentation, which will include ensuring contractors develop and implement a SWPPP as required by the CGP.	Permit Year 2 (12/2026)
	Continue to conduct pre-construction meetings on an ongoing basis for 100% of the active construction projects (where the District has authority)	Permit Year 1 (12/2025) and ongoing throughout permit term
	Conduct site visits for 100% of the construction projects to evaluate pre-construction conditions and confirm information presented on site plans and evaluate areas of concern that would potentially have negative impact on water quality.	Permit Year 1 (12/2025) and ongoing throughout permit term
Site Inspection Program	Review and update inspection checklists to reflect the requirements of the Construction General Permit	Permit Year 2 (12/2026)

	Inspect 100% of active construction sites and work to resolve all noncompliances in a timely manner through working with the Developer/Construction company to resolve any noncompliances and if necessary, District initiated enforcement actions and more formal enforcement actions in conjunction with Fort Bend County or TCEQ	Permit Year 1 (12/2025) and throughout permit term
	Develop standard documentation and update existing procedures for all site inspections and tracking resolution of any identified non-compliances (i.e., enforcement actions)	Permit Year 2 (12/2026)
Reporting Hotline	Continue to document 100% of the hotline information and response/follow-up.	Permit Year 1 (12/2025) and ongoing throughout permit term
	Continue to publicize hotline to 100% of the residents and commercial business by the end of each permit year.	Permit Year 1 (12/2025) and ongoing throughout permit term
Contractor Education Program	Identify contractor education materials for the permit term	Permit Year 1 (12/2025)
	Incorporate education into 100% of the pre-construction meetings	Permit Year 1 (12/2025) and throughout permit term
	Publish contractor education materials on the District's website	Permit Year 2 (12/2026) and ongoing throughout permit term
Employee Training	Train 100% of applicable administrative staff and site inspectors on construction inspections for storm water runoff/quality.	Permit Year 1 (12/2025) and annually throughout permit term

## Section 6 Post construction Stormwater Management in New Development and Redevelopment Areas (MCM5)

This section defines the minimum permit requirements for the post construction runoff control; describes existing programs; and identifies proposed BMPs for application in the District.

### 6.1 Permit Requirements

The general permit contains the following language regarding post construction stormwater management in new development and redevelopment:

*All permittees shall develop, implement, and enforce a program, to the extent allowable under state, federal, and local law, to control stormwater discharges from new development and redeveloped sites that discharge into the small MS4 that disturb one acre or more, including projects that disturb less than one acre that are part of a larger common plan of development or sale. The program must be established for private and public development sites. The program may utilize an offsite mitigation and payment in lieu of components to address this requirement.*

*All permittees shall use, to the extent allowable under state, federal, and local law and local development standards, an ordinance or other regulatory mechanism to address post-construction runoff from new development and redevelopment projects. The permittees shall establish, implement, and enforce a requirement that owners or operators of new development and redeveloped sites design, install, implement, and maintain a combination of structural and non-structural BMPs appropriate for the community and that*

protects water quality. If the construction of permanent structures is not feasible due to space limitations, health and safety concerns, cost effectiveness, or highway construction codes, the permittee may propose an alternative approach to TCEQ.

All permittees shall:

- (1) All permittees shall document and maintain records of enforcement actions and make them available for review by the TCEQ
- (2) Long-Term Maintenance of Post-Construction Stormwater Control Measures  
All permittees shall, to the extent allowable under state, federal, and local law, ensure the long-term operation and maintenance of structural stormwater control measures installed through one or both of the following approaches:
  - a. Maintenance performed by the permittee. (See Part IV.D.6)
  - b. Maintenance performed by the owner or operator of a new development or redeveloped site under a maintenance plan. The maintenance plan must be filed in the real property records of the county in which the property is located. The permittee shall require the owner or operator of any new development or redeveloped site to develop and implement a maintenance plan addressing maintenance requirement for any structural control measures installed on site. The permittee shall require operation and maintenance performed is documented and retained on site, such as at the offices of the owner or operator and made available for review by the small MS4.

## 6.2 Proposed Best Management Practices

The District has implemented programs and procedures that address the components of the post construction stormwater management requirements. This section will identify the proposed BMPs that the District plans to implement during the upcoming permit term. These BMP's consist of existing and new activities which form an overall program to minimize water quality impacts and attempt to maintain pre-development runoff conditions, where possible.

### 6.2.1 Post construction Stormwater Management Ordinance/Regulatory Mechanism

The District relies on Fort Bend County to enforce the Fort Bend County Regulation of Subdivisions Section 2 –General Policy, Section 7 (Green Space Regulations) as well as the Fort Bend County Drainage District Criteria Manual to address post construction stormwater runoff in new development and redevelopment. The Subdivision Regulations define the need for green space dedicated at a ratio of ¼ acre of green space for every 100 lots; additionally, the floodplain management criteria specify the need for on-site stormwater runoff storage to ensure that new development will not cause any adverse impacts on existing flooding conditions downstream. From these regulatory mechanisms, the District can further delineate the roles and responsibilities of home owners associations and the District in the operation and maintenance of constructed amenity lakes, channels, and detention

#### 6.2.1.1 Best Management Practices

- Review and update the list of all existing post construction stormwater management structural practices within the District
- District to evaluate options for coordinating with Fort Bend County on the post construction processes (site plan review; construction; maintenance) as well as develop procedures for documenting and maintaining records of any enforcement actions.

- District to evaluate a regulatory mechanism as appropriate to address post construction control implementation and maintenance, this BMP will be address in conjunction with BMPs identified in **Section 4.2.4.1**.

#### **6.2.1.2 Implementation Schedule**

- Review and update the list of all existing post construction stormwater management structural practices within the District in Permit Year 1
- District to evaluate options for coordinating with Fort Bend County on the post construction processes and documenting/maintaining records of enforcement actions in Permit Year 2.
- District to enter into agreement with Fort Bend County or implement other regulatory mechanism as appropriate in Permit Year 3.

## **6.2.2 Inspections of Completed Projects**

The District conducts inspections of existing post construction stormwater controls as needed to ensure the proper functioning of the structural controls and that adequate long-term maintenance is performed. Inspectors check completed projects for proper construction of permanent structural controls in compliance with approved plans.

Checking for proper installation before signing off on a project is necessary to correct potential defects.

The proper construction of permanent controls is necessary for the success of the inspection requirements. Inspection forms and checklists for inspection of permanent stormwater quality structural controls have been developed and will be updated during this permit term.

The District will develop a tracking system to document all maintenance and inspection activities for maintenance of post construction stormwater controls.

#### **6.2.2.1 Best Management Practices**

- Update structural control inspection checklists.
- Before accepting a structural post-construction BMP, perform an inspection.
- Inspection of all structural controls annually.

#### **6.2.2.2 Implementation Schedule**

- Update structural control inspection checklists starting in Permit Year 3 and continuing annually.
- Prior to accepting a structural post-construction BMP, perform an inspection, starting in Permit Year 1 as needed.
- Inspection of all structural controls in the District starting in Permit Year 1 and continuing annually.

## **6.2.3 Post Construction Operations & Long-Term Maintenance**

The District will manage a post construction operations and maintenance program to ensure structural controls are properly maintained to protect stormwater quality over the long term. The District will develop and maintain a tracking system to document inspections and maintenance activities on post construction stormwater control measures. The District has processes in place to facilitate this process and will develop standard maintenance checklists for structural practices.

#### **6.2.3.1 Best Management Practices**

- Review and update tracking system to document inspections and maintenance activities. Annual inspections of all structural controls would be tracked using this system.

#### **6.2.3.2 Implementation Schedule**

- Review and update tracking system to document inspections and maintenance activities in Permit Year 1 and maintain on a quarterly basis

## 6.3 Measurable Goals

Measurable goals are required for each MCM identified above and are intended to gauge permit compliance and program effectiveness. The measurable goals are specific to the District.

**Table 6-1** presents the measurable goals which have been identified for post construction stormwater management.

**Table 6-1 Post Construction Stormwater Management Measurable Goals**

Program Element	Best Management Practices	Implementation Schedule
Post Construction Ordinance/Regulatory Mechanism	Review and update list of all existing Post Construction stormwater management structural practices with in the District.	Permit Year 1 (12/2025)
Post Construction Ordinance/Regulatory Mechanism	District to evaluate options for coordinating with Fort Bend County on the post construction processes (site plan review; construction; maintenance) as well as develop procedures for documenting and maintaining records of any enforcement actions.	Permit Year 2 (12/2026)
Post Construction Ordinance/Regulatory Mechanism	District to evaluate a regulatory mechanism as appropriate to address post construction control implementation and maintenance.	Permit Year 1 (12/2025) and annually through permit term
Inspection of completed projects	Inspect 100% of structural controls by the end of each permit year.	Permit Year 1 (12/2025) and annually through permit term
Inspection of completed projects	Update structural control inspection checklists by the end of each permit year.	Permit Year 3 (12/2027) and annually through permit term
Inspection of completed projects	Before accepting a structural post-construction BMP, perform inspection.	Permit Year 1 (12/2025) and for each new structural BMP
Post Construction Operations & Long-Term Maintenance	Review and update tracking system to document inspections and maintenance activities by the end of each permit year.	Permit Year 1 (12/2025) and continuing quarterly throughout permit term

## Section 7 Pollution Prevention and Good Housekeeping (MCM6)

This section defines the minimum permit requirements for the pollution prevention and good housekeeping; describes existing programs; and identifies proposed BMPs for use in the District.

### 7.1 Permit Requirements

The general permit contains the following language related to pollution prevention and good housekeeping for municipal operations:

*All permittees shall develop and implement an operation and maintenance program (O&M), including an employee training component that has the ultimate goal of preventing or reducing pollutant runoff from municipal activities and municipally owned areas including but not limited to:*

- (1) Park and open space maintenance;*
- (2) Street, road, or highway maintenance;*
- (3) Fleet and building maintenance;*
- (4) Stormwater system maintenance;*
- (5) New construction and land disturbances;*
- (6) Municipal parking lots;*
- (7) Vehicle and equipment maintenance and storage yards;*
- (8) Waste transfer stations; and*
- (9) salt/sand storage locations.*

*All permittees shall include the requirements described below in the program:*

*(1) Permittee-owned Facilities and Control Inventory*

*All permittees shall develop and maintain an inventory of facilities and stormwater controls that it owns and operates within the regulated area of the small MS4. The inventory must include all applicable permit numbers, registration numbers, and authorizations for each facility or controls. The inventory must be available for review by TCEQ and must include, but is not limited, to the following, as applicable:*

- a. Composting facilities;*
- b. Equipment storage and maintenance facilities;*
- c. Fuel storage facilities;*
- d. Hazardous waste disposal facilities;*
- e. Hazardous waste handling and transfer facilities;*
- f. Incinerators;*
- g. Landfills;*
- h. Materials storage yards;*
- i. Pesticide storage facilities;*
- j. Buildings, including schools, libraries, police stations, fire stations, and office buildings;*
- k. Parking lots;*
- l. Golf courses;*
- m. Swimming pools;*
- n. Public works yards;*
- o. Recycling facilities;*
- p. Salt storage facilities;*
- q. Solid waste handling and transfer facilities;*
- r. Street repair and maintenance sites;*
- s. Vehicle storage and maintenance yards; and*
- t. Structural stormwater controls.*

*(2) Training and Education*

*All permittees shall inform or train appropriate employees involved in implementing pollution prevention and good housekeeping practices. All permittees shall maintain a training attendance list for review by TCEQ when requested.*

*(3) Disposal of Waste Material – Waste materials removed from the small MS4 must be disposed of in accordance with 30 TAC Chapters 330 or 335, as applicable.*

*(4) Contractor Requirements and Oversight*

*a. Any contractors hired by the permittee to perform maintenance activities on permittee-owned facilities must be contractually required to comply with all of the stormwater control measures, good*

*housekeeping practices, and facility-specific stormwater management operating procedures described in Parts IV.D.6.(b)(2)-(6).*

- b. All permittees shall provide oversight of contractor activities to ensure that contractors are using appropriate control measures and SOPs. Oversight procedures must be maintained on-site and made available for inspection by TCEQ.*

*(5) Municipal Operation and Maintenance Activities*

*a. Assessment of permittee-owned operations*

*All permittees shall evaluate operation and maintenance (O&M) activities for their potential to discharge pollutants in stormwater, including but not limited to:*

- (i) Road and parking lot maintenance, including such areas as pothole repair, pavement marking, sealing, and re-paving;*
  - (ii) Bridge maintenance, including such areas as re-chipping, grinding, and saw cutting;*
  - (iii) Cold weather operations, including plowing, sanding, and application of deicing and anti-icing compounds and maintenance of snow disposal areas; and*
  - (iv) Right-of-way maintenance, including mowing, herbicide and pesticide application, and planting vegetation.*
- b. All permittees shall identify pollutants of concern that could be discharged from the above O&M activities (for example, metals; chlorides; hydrocarbons such as benzene, toluene, ethyl benzene, and xylenes; sediment; and trash)*
  - c. All permittees shall develop and implement a set of pollution prevention measures that will reduce the discharge of pollutants in stormwater from the above activities. These pollution prevention measures must include at least two the following:*
    - (i) Replacing materials and chemicals with more environmentally friendly materials or methods;*
    - (ii) Tracking application of deicing and anti-icing compounds;*
    - (iii) Using suspended tarps, booms, or vacuums to capture paint, solvents, rust, paint chips and other pollutants generated by regular bridge maintenance; and*
    - (iv) Placing barriers around or conducting runoff away from deicing chemical storage areas to prevent discharge into surface waters.*
  - d. Inspection of pollution prevention measures - All pollution prevention measures implemented at permittee-owned facilities must be visually inspected to ensure they are working properly. The permittee shall develop written procedures that describes frequency of inspections occurring at least one time annually and how they will be conducted. A log of inspections must be maintained and made available for review by the TCEQ upon request.*

*(6) Structural Control Measures*

*If BMPs include structural controls, maintenance of the controls must be performed by the permittee and consistent with maintaining the effectiveness of the BMP. The permittee shall develop written procedures that define the frequency of inspections occurring at least one time annually and how they will be conducted.*

## 7.2 Proposed Best Management Practices

The District has established an operation and maintenance (O&M) program with the ultimate goal of identifying methods and practices for conducting municipal-type operations in a manner to prevent or reduce pollution in stormwater runoff. Techniques that practiced by District personnel include, at a minimum, the following new and existing program components:

## 7.2.1 Parks and Open Space Management

The District does not own or operate any parks. Therefore this BMP covers open space management only. The objective of this BMP is to reduce pollution and its effects by limiting maintenance operations near natural watercourses by leaving a buffer area that is natural and uncut. It also involves the encouragement of tree growth to enhance natural watercourse health.

The District previously evaluated the need to develop a policy to protect and preserve open space buffer areas and to establish no-mow zones to allow trees and shrubs to reclaim disturbed stream banks; at that time, no policy was deemed necessary by the District. The need for the policy will be revisited as part of this permit term. As part of the overall Parks Master Plan, the District will evaluate the opportunity to incorporate items outlined in the following sections.

### 7.2.1.1 Best Management Practices

- Evaluate opportunities to incorporate educational stormwater outreach and post construction BMPs into identified Parks Plan.
- Implement opportunities to incorporate educational outreach and post construction BMPs into identified Parks Plan, if deemed necessary.
- Distribute pet waste bags to residents through opportunities such as open houses, new resident packages, and other outreach events.
- Install and maintain informational signage regarding proper pet waste disposal at two locations along walking trails and/or areas with frequent pet traffic within the District.

### 7.2.1.2 Implementation Plan

- Evaluate opportunities to incorporate educational stormwater outreach and post construction BMPs into identified Parks Plan in Permit Year 1.
- Implement opportunities to incorporate educational outreach and post construction BMPs into identified Parks Plan, in Permit Year 5.
- Distribute pet waste bags to residents through opportunities such as open houses, new resident packages, and other outreach events in Permit Year 2 and ongoing throughout the permit term.
- Install and maintain informational signage regarding proper pet waste disposal at two locations along walking trails and areas with frequent pet traffic within the District in Permit Year 4 and ongoing throughout the permit term.

## 7.2.2 Fleet and Equipment Maintenance

All District vehicle and equipment maintenance is outsourced and performed off-site. No BMPs are included in the SWMP.

## 7.2.3 Vehicle and Equipment Washing

District vehicle washing is performed off-site. Equipment is serviced under a maintenance contract and waste is properly disposed of off-site in accordance with all rules and regulations.

### 7.2.3.1 Best Management Practices

- Review equipment washing area protocol and update as necessary to ensure that all requirements of this MCM are addressed.

#### **7.2.3.2 Implementation Plan**

- Review equipment washing area protocol and update annually, starting in Permit Year 1.

## **7.2.4 Structural Control Maintenance**

As part of the evaluation of the regional stormwater management system, an inventory of existing District-managed structural controls was established. An inspection and maintenance schedule is established for these structural controls to promote their effective operation for stormwater quality treatment.

#### **7.2.4.1 Best Management Practices**

- Review and update inventory of structural controls
- Review and update, as appropriate, inspection and maintenance schedule (as undertaken as part of the Post Construction Operations & Long Term Maintenance activities outlined in **Section 6.2.3**).
- Inspect structural controls per the defined schedule
- Review and update documentation for all inspection and maintenance activities (as undertaken as part of the Post Construction Operations & Long Term Maintenance activities outlined in **Section 6.2.3**)

#### **7.2.4.2 Implementation Schedule**

- Review and update 100% of the inventory of structural controls annually, starting in Permit Year 1.
- Review and update 100% of the inspection and maintenance schedule and evaluate resource needs in Permit Year 2.
- Inspect 100% of the structural controls per the defined schedule starting in Permit Year 1 and ongoing throughout the permit term.
- Review and update documentation for 100% of the inspection and maintenance activities in Permit Year 1 and annually throughout the permit term.

## **7.2.5 Waste Disposal**

The District has established procedures for proper disposal of wastes including dredge spoil, accumulated sediments, and floatables removed from the MS4, removed from structural controls, or collected as a result of municipal operations and maintenance activities. Procedures will be reviewed and updated as necessary.

#### **7.2.5.1 Best Management Practices**

- Review and update waste management procedures

#### **7.2.5.2 Implementation Schedule**

- Review and update stormwater waste management procedure in Permit Year 1 and annually throughout permit term.

## **7.2.6 Employee Education Program**

The District will provide employee training to prevent and reduce stormwater pollution from activities such as open space maintenance, fleet and building maintenance, new construction, land disturbance, and stormwater system maintenance. Stormwater quality training will be incorporated into new employee orientation. Ongoing training and review on various topics would take place at the required monthly safety meetings. The District will maintain an employee training list to track attendance.

#### **7.2.6.1 Best Management Practices**

- Review training modules for good housekeeping practices to use for employee training, if additional information is needed, identify additional training materials.
- Continue to provide training to municipal operations employees
- Continue to maintain a training attendance list.

#### **7.2.6.2 Implementation Schedule**

- Review 100% of the training modules for good housekeeping practices to use for employee training and identify new materials if necessary in Permit Year 2 and annually throughout permit term
- Continue to provide training to 100% of the municipal operations employees in Permit Year 1 and annually throughout permit term.
- Maintenance of a training attendance list will continue, starting in Permit Year 1 and annually throughout permit term.

## **7.2.7 Outdoor Storage**

Stockpiles and used equipment are potential sources of stormwater pollution. The District will evaluate its facilities to ensure that usable materials are being stored properly and that unusable materials are being disposed of properly. The goal of this BMP is to prevent stored materials or any pollutant associated with them from reaching local waterways. This is accomplished through a variety of means, including covering stockpiles under a roof or tarp, diking storage areas to prevent runoff, or collecting the runoff and providing for its treatment.

The District currently removes and disposes of stockpiled materials that are unusable or not intended for reuse. The District will evaluate its facilities as part of the annual self-audit to ensure that unusable materials are being disposed of properly and in a timely manner. The facilities that may be evaluated could include the following, should they be used at the District:

- Equipment storage and maintenance facilities;
- Fuel storage facilities;
- Materials storage yards;
- Pesticide storage facilities;
- Office buildings;
- Parking lots;
- Public works yards;
- Salt storage facilities; and
- Vehicle storage and maintenance yards.

Some of the stored materials may not be in usable condition or will not be reused. Any materials (concrete, metal, rock, sand, debris, and old equipment) that are exposed to precipitation will be recycled or disposed of properly if they are not intended for reuse. This will clear space that could be better utilized and aid in the reduction of sediment, heavy metals, oil and grease, and other pollutants. Some materials may require testing before proper disposition.

#### **7.2.7.1 Best Management Practices**

- Inventory all storage locations and assess the adequacy of the protection provided at existing storage areas.
- Continue to evaluate facilities each permit year to ensure that unusable materials are being disposed of properly and in a timely manner.

- Continue to recycle or properly dispose of materials that are not needed at the municipal operations sites.
- Review and update the list of discarded materials at municipal operations

#### **7.2.7.2 Implementation Schedule**

- Inventory 100% of the storage locations in Permit Year 1 and assess the adequacy of the protection provided at existing storage areas starting in Permit Year 2 and annually throughout permit term.
- Continue to evaluate 100% of facilities to ensure that unusable materials are being disposed of properly and in a timely manner beginning in Permit Year 1 and annually throughout permit term.
- Continue to recycle or properly dispose of 100% of materials that are not needed at the municipal operations sites beginning in Permit Year 1 and ongoing throughout permit term.
- Review and update the list of discarded materials in Permit Year 2 and annually throughout permit term.

## **7.2.8 Spill Prevention and Response**

The District has procedures in place for prevention and timely response to spills from municipal operations. The District provides training to applicable employees in spill response procedures and provides spill response kits in convenient locations at the facility. A proper spill response procedure could save the costs of cleaning up material contaminated by spills.

### **7.2.8.1 Best Management Practices**

Evaluate annually and revise the spill prevention and response procedures.

Continue to provide spill response kits and training to applicable employees.

### **7.2.8.2 Implementation Schedule**

Evaluate annually and revise the spill prevention and response procedures beginning in Permit Year 1 and annually throughout permit term.

Continue to provide spill response kits and training to 100% of the applicable employees annually, beginning in Permit Year 1 and annually throughout permit term.

## **7.2.9 Landscaping**

All chemical application of landscaping chemicals is outsourced to contractors. District employees perform mowing, weeding and edging activities only. Contract language is currently used to require contractors to minimize use of fertilizers, pesticides and herbicides. This language will be reviewed once during the term of the permit to identify opportunities for improvement and/or enhancement.

### **7.2.9.1 Best Management Practices**

Continue to evaluate and update contract language for outsourced landscaping activities to require contractors to minimize use of fertilizers, pesticides and herbicides.

### **7.2.9.2 Implementation Schedule**

Continue to evaluate and update contract language for outsourced landscaping activities to require contractors to minimize use of fertilizers, pesticides and herbicides in Permit Year 3.

## **7.3 Measurable Goals**

Measurable goals are required for each MCM identified above and are intended to gauge permit compliance and program effectiveness. The measurable goals are specific to the District.

**Table 7-1** presents the measurable goals which have been identified for pollution prevention and good housekeeping.

**Table 7-1 Pollution Prevention and Good Housekeeping Measurable Goals**

Program Element	Best Management Practices	Implementation Schedule
Parks and open space Management	Evaluate opportunities to incorporate educational stormwater outreach and post construction BMPs into identified Parks Plan.	Permit Year 1 (12/2025)
	Implement opportunities to incorporate educational outreach and post construction BMPs into identified Parks Plan, if deemed necessary.	Permit Year 2 (12/2026) through Permit Year 5 (12/2029)
	Distribute pet waste bags to residents through opportunities such as open houses, new resident packages, and other outreach events	Permit Year 2 (12/2026) and ongoing throughout permit term
	Install and maintain informational signage regarding proper pet waste disposal at two locations along walking trails and areas with frequent pet traffic within the District	Permit Year 4 (12/2028) and ongoing throughout permit term
Vehicle and Equipment Washing	Review equipment washing area protocol and update by the end of each permit year to ensure that all requirements of this MCM are addressed.	Permit Year 1 (12/2025) and annually throughout permit term
Structural Control Maintenance	Review and update 100% inventory of facilities structural controls by the end of each permit year.	Permit Year 1 (12/2025) and annually throughout permit term
	Review and update 100% of the inspection and maintenance schedule.	Permit Year 2 (12/2026)
	Inspect 100% of the structural controls as per the defined schedule.	Permit Year 1 (12/2025) and ongoing throughout permit term
	Review and update documentation for 100% of the inspection and maintenance activities.	Permit Year 1 (12/2025) and annually throughout permit term
Waste Disposal	Review and update waste management procedures by the end of each permit year.	Permit Year 1 (12/2025) and annually throughout permit term
Employee Education Program	Review 100% of the training modules for good housekeeping practices to use for employee training, if additional information is needed, identify additional training materials	Permit Year 2 (12/2026)
	Continue to provide training to 100% of the municipal operations employees by the end of each permit year.	Permit Year 1 (12/2025) and annually throughout permit term
	Continue to maintain a training attendance list	Permit Year 1 (12/2025) and annually throughout permit term
Outdoor Storage	Inventory 100% of storage locations and assess the adequacy of the protection provided at existing storage areas	Inventory storage locations in Permit Year 1 (12/2025) and assess the adequacy of the protection provided in Permit Year 2 (12/2026)
	Continue to evaluate 100% off the facilities each Permit Year to ensure that unusable materials are being disposed of properly and in a timely manner by the end of each permit year.	Permit Year 1 (12/2025) and annually throughout permit term
	Continue to recycle or properly dispose of 100% of the materials that are not needed at the municipal operations sites	Permit Year 1 (12/2025) and ongoing annually throughout permit term
	Review and update the list of discarded materialism at municipal operations by the end of each permit year.	Permit Year 2 (12/2026) and annually throughout permit term
Spill Prevention and Response	Evaluate annually and update spill prevention and response procedures by the end of each permit year	Permit Year 1 (12/2025) and annually throughout permit term
	Continue to provide spill prevention response kits and training to 100% applicable employees by the end of each permit year	Permit Year 1 (12/2025) and annually throughout permit term
Landscaping	Continue to evaluate and update contract language for outsourced landscaping activities to require contractors to minimize use of fertilizers, pesticides and herbicides.	Permit Year 3 (12/2027)

## Section 8 Impaired Water Bodies and Total Maximum Daily Load (TMDL) Requirements

### 8.1 Permit Requirements

The general permit contains the following language related to impaired water bodies and Total Maximum Daily Load (TMDL) requirements:

*Discharges of the POCs to impaired water bodies for which there is a TCEQ and EPA approved TMDL are not eligible for this general permit unless they are consistent with the approved TMDL. A water body is impaired for purposes of the permit if it has been identified, pursuant to the latest TCEQ and EPA approved CWA § 303(d) List or the Texas Integrated Report of Surface Water Quality for CWA Sections 305(b) and 303(d) which lists the category 4 and 5 water bodies, as not meeting Texas Surface Water Quality Standards.*

*The permittee shall check annually, in conjunction with preparation of the annual report, whether an impaired water body within its permitted area has been added to the latest EPA approved CWA § 303(d) List or the Texas Integrated Report of Surface Water Quality for CWA Sections 305(b) and 303(d) which lists the category 4 and 5 water bodies. Within two years following the approval date of the new list(s) of impaired waters, the permittee shall comply with the requirements of Part III.B (with the exception of 1.(c), and shall identify any newly listed waters in the annual report (consistent with Part V.B.2.f) and SWMP (consistent with Part IV.C.2.f).*

*The permittee shall control the discharges of POCs parameters to impaired waters and waters with approved TMDLs as provided in Sections A and B below, and shall assess the progress in controlling those pollutants.*

*(A) If the small MS4 discharges to an impaired water body with an approved TMDL, where stormwater has the potential to cause or contribute to the impairment, the permittee shall include in the SWMP controls targeting the POCs along with any additional or modified controls required in the TMDL and this section.*

*The SWMP and required annual reports must include information on implementing any targeted controls required to reduce the POCs as described below:*

*(1) Targeted Controls:*

*The SWMP must include a detailed description of all targeted controls to be implemented, including at a minimum, expanding or modifying the following:*

- (a) existing Public Education and Outreach and Public Involvement/Participation programs to reduce the discharge of POCs,*
- (b) existing Illicit Discharge Detection and Elimination program to specifically address the POCs, and*
- (c) existing ordinances or other regulatory mechanisms to require the reduction or control of POCs, enforcement procedures for noncompliance, and develop additional ordinances, or other regulatory mechanisms, as necessary.*

*(2) Measurable Goals:*

*For each targeted control, the SWMP must include a measurable goal and an implementation schedule describing activities/BMPs to be implemented during each year of the permit term.*

**(3) Identification of Benchmarks:**

*The SWMP must identify a benchmark for the POCs. Benchmarks are designed to assist in determining if the BMPs established are effective in addressing the POCs in stormwater discharge(s) from the MS4 to the MEP. The BMPs addressing the POC must be re-evaluated on an annual basis for progress towards the benchmarks and modified as necessary within an adaptive management framework. These benchmarks are not numeric effluent limitations or permit conditions but intended to be guidelines for evaluating progress towards reducing pollutant discharges consistent with the benchmarks. The exceedance of a benchmark is not a permit violation and does not in itself indicate a violation of instream water quality standards.*

*The benchmark must be determined based on only one of the following options:*

*a. If the small MS4 is subject to a TMDL that identifies a Waste Load Allocation(s) (WLA) for permitted MS4 stormwater sources, then the SWMP may identify it as the benchmark. Where an aggregate allocation is used as a benchmark, all affected MS4 operators are jointly responsible for progress in meeting the benchmark and shall (jointly or individually) develop a monitoring/assessment plan as required in Part III.A.6.*

*(1) When TCEQ revises a TMDL WLA identified by the MS4 to decrease the load, permittees must revise the SWMP and submit an NOC to identify the revised WLA within 90 days of TCEQ publishing the change.*

*(2) When TCEQ revises a TMDL WLA identified by the MS4 to increase the load, permittees are not required to update the SWMP or submit an NOC to identify the revised WLA until the next permit term*

*b. Alternatively, if multiple small MS4s are discharging into the same impaired water body with an approved TMDL, with an aggregate WLA for all permitted stormwater MS4s, then the MS4s may combine or share efforts to determine an alternative subbenchmark value for the POCs (e.g., bacteria) for their respective small MS4. The SWMP must clearly define this alternative approach and must describe how the subbenchmark value would cumulatively support the aggregate WLA. Where an aggregate benchmark has been broken into sub-benchmark values for individual MS4s, each permittee is only responsible for progress in meeting its sub-benchmark value.*

**(4) Annual Report:**

*The annual report must include an analysis of how the selected activities/BMPs will be effective in contributing to achieving the benchmark value.*

**(5) Impairment of Bacteria:**

*If the POC is bacteria, the permittee shall implement BMPs addressing each of the below areas, as applicable, in the SWMP and implement as appropriate. If a TMDL I-Plan is available, the permittee must do one of the following: (1) refer to the I-Plan for appropriate BMPs, or (2) implement alternative equivalent BMPs. Table 1 below includes the appropriate alternative equivalent BMPs to implement for item (2) above or when a TMDL I-Plan is not available. Where BMPs included in the TMDL I-Plan for item (1) above are completed or where the I-Plan does not address all the*

*below areas, the permittee shall refer to Table 1 for the appropriate BMPs to implement so that each of the areas below are addressed, as applicable. The SWMP and annual report must include the selected BMPs. Permittees may not exclude BMPs associated with the minimum control measures (MCMs) required under 40 CFR § 122.34 from their list of BMPs.*

*The BMPs shall, as appropriate, address the following:*

- a. Sanitary Sewer Systems
  - (i) Make improvements to sanitary sewers to reduce overflows;*
  - (ii) Address lift station inadequacies;*
  - (iii) Improve reporting of overflows; and*
  - (iv) Strengthen sanitary sewer use requirements to reduce blockage from fats, oil, and grease.**
- b. On-site Sewage Facilities (for facilities with appropriate jurisdiction)
  - (i) Identify and address failing systems; and*
  - (ii) Address inadequate maintenance of On-Site Sewage Facilities (OSSFs).**
- c. Illicit Discharge and Dumping:
  - [i] place additional effort to reduce waste sources of bacteria; for example, from OSSFs, grease traps, and grit traps.**
- d. Animal Sources:
  - (i) expand existing management programs to identify and target animal sources such as zoos, pet waste, and horse stables.**
- e. Residential Education: increase focus to educate residents on:
  - (i) Bacteria discharging from a residential site either during runoff events or directly;*
  - (ii) Fats, oils, and grease clogging sanitary sewer lines and resulting overflows;*
  - (iii) Maintenance and operation of decorative ponds; and*
  - (iv) Proper disposal of pet waste.**

*(6) Monitoring or Assessment of Progress*

*The permittee shall develop a Monitoring/Assessment Plan to monitor or assess progress in achieving benchmarks and determine the effectiveness of BMPs and shall include documentation of this monitoring or assessment in the SWMP and annual reports. In addition, the SWMP must include methods to be used.*

*a. The permittee may use either of the following methods to evaluate progress towards the benchmark and improvements in water quality in achieving the water quality standards as follows:*

*(i) Evaluating Program Implementation Measures*

*The permittee may evaluate and report progress towards the benchmark by describing the activities and BMPs implemented, by identifying the appropriateness of the identified BMPs, and by evaluating the success of implementing the measurable goals.*

*The permittee may assess progress by using program implementation indicators such as: (1) number of sources identified or eliminated; (2) decrease in the number of illegal dumpings; (3) increase in illegal dumping reporting; (4) number of educational opportunities conducted; (5) reductions in sanitary sewer overflows (SSOs); or (6) increase in illegal discharge detection through dry screening, etc.*

*(ii) Assessing Improvements in Water Quality*

*The permittee may assess improvements in water quality by using available data for segment and assessment units of water bodies from other reliable sources, or by proposing and justifying a different approach such as collecting additional instream or outfall monitoring data, etc. Data may be acquired from TCEQ, local river authorities, partnerships, or other local efforts as appropriate.*

- b. Progress towards achieving the benchmark shall be reported in the annual report. Annual reports shall report the benchmark and the year(s) during the permit term that the MS4 conducted additional sampling or other assessment activities.*

*(7) Observing no Progress Towards the Benchmark*

*If, by the end of the third year from the effective date of the permit, the permittee observes no progress toward the benchmark either from SWMP implementation or water quality assessments as described in Part III.A.6, the permittee shall identify alternative focused BMPs that address new or increased efforts towards the benchmark or, as appropriate, shall develop a new approach to identify the most significant sources of the POCs and shall develop alternative focused BMPs for those sources (this may also include information that identifies issues beyond the MS4's control). These revised BMPs must be included in the SWMP and subsequent annual reports.*

*Where the permittee originally used a benchmark value based on an aggregated WLA, the permittee may combine or share efforts with other MS4s discharging to the same watershed to determine an alternative sub-benchmark value for the POCs for their respective small MS4s, as described in Part III.A.3(b) above. Permittees must document, in their SWMP for the next permit term, the proposed schedule for the development and subsequent adoption of alternative sub-benchmark value(s) for the POCs for their respective MS4s and associated assessment of progress in meeting those individual benchmarks.*

## 8.2 Overview of Oyster Creek

Upper Oyster Creek (segment 1245) is a stream that flows along the southern border of the District that is identified as impaired for bacteria and dissolved oxygen (DO) (see **Figure 8-1**). All District outfalls flow either directly to Upper Oyster Creek or first into tributaries that eventually flow into Upper Oyster Creek.

The TCEQ approved an Implementation Plan January 15, 2014 for three TMDLs on Upper Oyster Creek for Dissolved Oxygen (DO) and bacteria. The Implementation Plan includes potential sources of the bacterial and DO impairments, estimated potential load reductions, schedule of implementation, measureable milestones, and responsible entities. The Implementation Plan is designed to guide activities that will reduce bacteria concentrations and increase DO levels in Upper Oyster Creek. The TMDL for DO does not include stormwater sources nor does it include waste load or load allocations for stormwater sources. Therefore, DO will not be further considered in the District's SWMP.

## 8.3 Benchmark

The bacteria TMDL includes a non-continuous (i.e., stormwater) waste load allocation (WLA) for aggregate stormwater sources within the Upper Oyster Creek Watershed of 407 billion colony-forming units (cfu) per day. The TMDL requires a reduction goal of 73 percent in order for the existing load to meet the specified TMDL. In the absence of other information, the District will apportion a sub benchmark based on the area of the District within the TMDL area for the bacteria TMDL. The District covers an area of 1,186 acres within Upper Oyster Creek watershed, while the total area covered in the bacteria TMDL is 12,770 acres. This means the District covers 9.3 percent of the TMDL area and should be responsible for a sub-benchmark that reflects this. This is standard practice for allocating stormwater loads in other TMDLs and would ensure that other MS4 permittees would be equally responsible for their components of the noncontinuous (stormwater) WLA.

## 8.4 Best Management Practices Relevant for Bacteria Impairments

The District has evaluated a variety of BMPs. The District has developed a comprehensive MS4 program that will address indicator bacteria within the Upper Oyster Creek Watershed. While all the developed BMPs are intended to address the need to reduce stormwater quality pollution, the District identified several BMPs that are intended to provide specific benefits to reduce indicator bacteria. These are summarized below in **Table 8-1**.

**Table 8-1 Program Enhancements to Reduce Discharge of Bacteria**

SWMP Section	Existing Program Element	Program Enhancement	Relevancy to Indicator Bacteria Reduction	Implementation Schedule
2.2.6	Stormwater Quality Educational Materials	Maintain and periodically update printed materials and promotional items with specific focus on indicator bacteria topics	Educate residents on indicator bacteria, the potential sources and the ways that indicator bacteria can be reduced	Annually
		Distribute storm water quality educational materials with specific focus on indicator bacteria topics	Educate residents on indicator bacteria, the potential sources and the ways that indicator bacteria can be reduced	Annually
2.2.7	Website	Maintain and update stormwater information materials on District website annually with specific focus on indicator bacteria topics	Educate residents on indicator bacteria, the potential sources and the ways that indicator bacteria can be reduced	Annually
3.2.4.1	Screening, Inspection, Detection Program	Conduct dry weather inspection of outfalls within the District per the defined protocol.	Conducting inspections of outfalls during dry weather will help target potential illicit discharges, many of which have been shown to be high in indicator bacteria	Annually
3.2.4.1	Illicit Discharge Detection and Elimination (IDDE) Program	Conduct monthly inspections of grease and grit traps for restaurants and car washes	Reducing grease and grit within the sanitary sewer system will reduce SSOs and reduce a potential source of indicator bacteria	Permit Year 1
		Develop inventory of OSSFs within the District Boundaries	Knowing the location of OSSFs within the District allows them to better manage this potential source of indicator bacteria	Permit Year 5

3.2.3.1	Reporting Hotline	Continue to publicize hotline.	The hotline offers residents the ability to report illicit, illegal discharges or SSOs and provide rapid notification, thereby reducing a potential source of indicator bacteria.	Annually
5.2.2.1	Inspection of Complete Projects	Inspect all structural controls annually	Structural controls such as detention basins can provide water quality improvements, including the potential for reduction in indicator bacteria. Proper maintenance of these structural controls ensures they will provide suitable flood protection and commensurate water quality benefits.	Annually
6.2.1 Parks and Open Spaces		Install and maintain informational signage regarding proper pet waste disposal at two location along walking trails and areas with frequent pet traffic within the District.	Informational signage on proper disposal of pet waste can provide qat4er quality improvement, including the potential for reduction in indicator bacteria.	Permit Year 4 (12/2028)
		Distribute pet waste bags to residents through opportunities such as open houses, new resident packages, and other outreach events.	Distribution of pet waste bags to residents reinforces the proper disposal for this waste and ensures residents have the proper materials to pick up after their pets.	Permit Year 2 (12/2026)

## 7.5 Monitoring Progress

The District will evaluate and report progress towards the benchmark by evaluating programs implementation measures described above. This will include tracking the specific measures identified below:

- Number of grease/grit traps that were inspected each year;
- Number of OSSFs that were identified within District boundaries during permit year 5;
- Number of illicit discharges identified through dry screening each year;
- Number of educational/outreach opportunities provided each year; and
- Number of structural controls that were inspected each year.