



2021 Stormwater Management Program Plan



Prepared By
Public Works Department
February 2021
As required by section S5.A.2 of the
Western Washington Phase II Municipal Stormwater Permit

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City of Milton

2021 Stormwater Management Program

1. Introduction

1.1 Purpose

This document is the City of Milton's Stormwater Management Program (SWMP). Preparation and maintenance of this SWMP is required by the Western Washington Phase II Municipal Stormwater Permit (Permit) which is overseen by the Washington State Department of Ecology (ECY). The Permit requires that the City prepare a document outlining the programs and actions that the City intends to take in order to maintain compliance with the Permit. This report covers activities planned for 2021. All Milton residents and businesses are encouraged to call Public Works at 253-922-8738 with any questions or suggestions regarding any information in this report.

1.2 The NPDES Program

The National Pollutant Discharge Elimination System (NPDES) is a program created under the Federal Clean Water Act with the intent of protecting and restoring water quality in lakes, streams, and other surface waters so that they can support "beneficial uses" such as fishing and swimming. Governmental and private entities wishing to discharge water or wastewater to surface waters for certain activities regulated by the federal government are required to obtain permits and comply with permit conditions or face the potential for fines and other penalties. NPDES permits are required for large construction sites, a variety of industrial activities, publicly owned wastewater treatment plants, and municipal stormwater systems.

In Washington State, the US Environmental Protection Agency has delegated the authority over NPDES permits to the Washington State Department of Ecology (Ecology). Ecology has two different types of general permits for stormwater discharges. Phase I generally refers to municipalities with populations greater than 100,000, while Phase II applies to municipalities with a population of less than 100,000 and are in urban areas.

1.3 The Western Washington Phase II Municipal Stormwater Permit

Milton must comply with the conditions in the Western Washington Phase II Municipal Stormwater Permit. The Permit allows municipalities to discharge stormwater from municipal systems into "waters of the state" such as rivers, lakes, and streams, as long as programs are implemented to reduce pollutants in stormwater to the "maximum extent practicable". The city is required to develop and maintain programs and conduct activities in the following program areas:

- Stormwater Planning
- Public Education and Outreach
- Public Involvement and Participation
- MS4 (Municipal Separate Storm Sewer System) Mapping
- Illicit Discharge Detection and Elimination (IDDE)
- Controlling Runoff from New Development, Redevelopment, and Construction Sites
- Municipal Operations and Maintenance
- Source Control for Existing Development

In addition to the SWMP components, the Permit contains special conditions covering:

- Compliance with Total Maximum Daily Load (TMDL) requirements
- Monitoring and Assessment
- Reporting Requirements

The City's SWMP Plan must be prepared and submitted annually and must contain the planned actions and activities that will be used in the current year to maintain compliance with the permit. The SWMP is available upon request at any time and is required to be posted on the Milton website no later than May 31st each year.

In addition, the city code requires the Director to submit an Annual Utility Report by February 15th of each year that details actions taken in the previous year to achieve compliance. The full text of the Permit can be viewed upon request by contacting the City of Milton Public Works Department and also can be found at:

file:///X:/Public%20Works%20-%20STORMWATER/ECOLOGY/PERMIT/2020%20Permit/WWAPHII_Permit-Final.pdf

1.4 Permit History and Implementation

The original NPDES Phase II Permit was valid for 5 years, from February 17, 2007 to February 15, 2012, and allowed for phased implementation of stormwater management programs and actions. In 2012, Ecology extended the existing Permit to July 31, 2013 with no new permit conditions.

The next permit was issued on August 1, 2012, was modified January 16, 2015 and was set to expire on July 31, 2018. Ecology decided in 2018 to extend permits into 2019 as they need more time to finish the new permit language.

The new permit was made effective on August 1, 2019 and expires on July 31, 2024. It includes increased regulations and programs for compliance. Like the previous permit, it allows for phased implementation of requirements over the five-year permit cycle. At this writing, Milton continues to be in the position to meet deadlines and maintain permit compliance.

1.5 Current and Planned Activities

The SWMP Plan is a set of actions and activities comprising the stormwater program components listed in the Permit and the actions necessary for permit compliance. The plan is organized in accordance with program components addressed in Condition S5C of the Permit.

The following sections of the SWMP Plan describe requirements in the Permit, followed by the ongoing and planned activities to meet each permit component.

1.6 City Coordination and Responsibilities

Compliance with the Permit requires coordination and documentation of activities across City departments. The Public Works Department Stormwater Group coordinates city programs and activities and meets with staff from other departments regularly to ensure that current and planned activities meet Permit requirements. Activities required for Permit compliance cover a broad range of municipal activities.

2. Stormwater Planning

2.1 Permit Requirements

Each permittee shall implement a Stormwater Planning program to inform and assist in the development of policies and strategies as water quality management tools to protect receiving waters.

The minimum performance measures are:

- a. By August 1, 2020, each Permittee shall convene an inter-disciplinary team to inform and assist in the development, progress, and influence of this program.
- b. Coordination with long-range plan updates.
 - i. Each Permittee shall describe how stormwater management needs and protection/improvement of receiving water health are (or are not) informing the planning update processes and influencing policies and implementation strategies in their jurisdiction. The report shall describe the water quality and watershed protection policies, strategies, codes, and other measures intended to protect and improve local receiving water health through planning or taking into account stormwater management needs or limitations.
 - (a) On or before March 31, 2021, the Permittee shall respond to the series of Stormwater Planning Annual Report questions to describe how anticipated stormwater impacts on water quality were addressed, if at all, during the 2013-2019 permit term in updates to the Comprehensive Plan (or equivalent) and in other locally initiated or state-mandated, long-range land use plans that are used to accommodate growth or transportation.
 - (b) On or before January 1, 2023, the Permittee shall submit a report responding to the same questions included in (a), above, to describe how water quality is being addressed, if at all, during this permit term in updates to the Comprehensive Plan (or equivalent) and in other locally initiated or state-mandated, long-range land use plans that are used to accommodate growth or transportation.
- c. Low impact development code-related requirements.
 - i. Permittees shall continue to require LID Principles and LID BMPs when updating, revising, and developing new local development-related codes, rules, standards, or other enforceable documents, as needed. The intent shall be to make LID the preferred and commonly-used approach to site development. The local development-related codes, rules, standards, or other enforceable documents shall be designed to minimize impervious surfaces, native vegetation loss, and stormwater runoff in all types of development situations where feasible.
 - (a) Annually, each Permittee shall assess and document any newly identified administrative or regulatory barriers to implementation of LID Principles or LID BMPs since local codes were updated in accordance with the 2013 Permit, and the measures developed to address the barriers. If applicable, the report

shall describe mechanisms adopted to encourage or require implementation of LID principles or LID BMPs.

- ii. By December 31, 2023, New Permittees shall review, revise, and make effective their local development-related codes, rules, standards, or other enforceable documents to incorporate and require LID principles and LID BMPs. New Permittees shall conduct a similar review and revision process, and consider the range of issues, outlined in the following document: Integrating LID into Local Codes: A Guidebook for Local Governments (Puget Sound Partnership, 2012).

New Permittees shall submit a summary of the results of the review and revision process with the annual report due no later than March 31, 2024. This summary shall be in the required format described in Appendix 5 and include, at a minimum, a list of the participants (job title, brief job description, and department represented), the codes, rules, standards, and other enforceable documents reviewed, and the revisions made to those documents which incorporate and require LID principles and LID BMPs. The summary shall include existing requirements for LID principles and LID BMPs in development-related codes. The summary must be organized as follows:

- (a) Measures to minimize impervious surfaces.
- (b) Measures to minimize loss of native vegetation.
- (c) Other measures to minimize stormwater runoff.

- d. Stormwater Management Action Planning (SMAP). Permittees shall conduct a similar process and consider the range of issues outlined in the Stormwater Management Action Planning Guidance (Ecology, 2019; Publication 19-10-010). Permittees may rely on another jurisdiction to meet all or part of SMAP requirements at a watershed-scale, provided a SMAP is completed for at least one priority catchment located within the Permittee's jurisdiction.

- i. Receiving Water Assessment. Permittees shall document and assess existing information related to their local receiving waters and contributing area conditions to identify which receiving waters are most likely to benefit from stormwater management planning.

By March 31, 2022, Permittees shall submit a watershed inventory and include a brief description of the relative conditions of the receiving waters and the contributing areas. The watershed inventory shall be submitted as a table with each receiving water name, its total watershed area, the percent of the total watershed area that is in the Permittee's jurisdiction, and the findings of the stormwater management influence assessment for each basin. Indicate which receiving waters will be included in the S5.C.1.d.ii prioritization process. Include a map of the delineated basins with references to the watershed inventory table.

- (a) Identify which basins are expected to have a relatively low Stormwater Management Influence for SMAP. See the guidance document for definition and description of this assessment.

Basins having relatively low expected Stormwater Management Influence for SMAP do not need to be included in S5.C.1.d.ii-iii.

- ii. Receiving Water Prioritization. Informed by the assessment of receiving water conditions in (i), above, and other local and regional information, Permittees shall develop and implement a prioritization method and process to determine which receiving waters will receive the most benefit from implementation of stormwater facility retrofits, tailored implementation of SWMP actions, and other land/development management actions (different than the existing new and redevelopment requirements). The retrofits and actions shall be designed to: 1) conserve, protect, or restore receiving waters through stormwater and land management strategies that act as water quality management tools, 2) reduce pollutant loading, and 3) address hydrologic impacts from existing development as well as planned for and expected future buildout conditions.

No later than June 30, 2022, document the prioritized and ranked list of receiving waters.

- (a) The Permittee shall document the priority ranking process used to identify high priority receiving waters. The Permittee may reference existing local watershed management plan(s) as source(s) of information or rationale for the prioritization.
- (b) The ranking process shall include the identification of high priority catchment area(s) for focus of the Stormwater Management Action Plan (SMAP) in (iii), below.
- iii. Stormwater Management Action Plan (SMAP). No later than March 31, 2023, Permittees shall develop a SMAP for at least one high priority catchment area from (ii), above, that identifies all of the following:
- (a) A description of the stormwater facility retrofits needed for the area, including the BMP types and preferred locations.
- (b) Land management/development strategies and/or actions identified for water quality management.
- (c) Targeted, enhanced, or customized implementation of stormwater management actions related to permit sections within S5, including:
- IDDE field screening,
 - Prioritization of Source Control inspections,
 - O&M inspections or enhanced maintenance, or
 - Public Education and Outreach behavior change programs.

Identified actions shall support other specifically identified stormwater management strategies and actions for the basin overall, or for the catchment area in particular.

(d) If applicable, identification of changes needed to local long-range plans, to address SMAP priorities.

(e) A proposed implementation schedule and budget sources for:

- Short-term actions (i.e., actions to be accomplished within six years),
- Long-term actions (i.e., actions to be accomplished within seven to 20 years)

A process and schedule to provide future assessment and feedback to improve the planning process and implementation of procedures or projects.

2.2 Ongoing and Planned Activities for Stormwater Planning

As a new requirement for this cycle of the permit, the activities for Stormwater Planning will be implemented as required. Although it should be noted that Milton has already accomplished some of these goals in anticipation of the new requirements.

In 2020, as outlined in the requirements, the City formed an inter-disciplinary team to steer the program and to have input across departments to eliminate barriers to permit compliance.

3. Public Education and Outreach

3.1 Permit Requirements

The SWMP shall include an education and outreach program designed to:

- Build general awareness about methods to address and reduce impacts from stormwater runoff.
- Effect behavior change to reduce or eliminate behaviors and practices that cause or contribute to adverse stormwater impacts.
- Create stewardship opportunities that encourages community engagement in addressing the impacts from stormwater runoff.

Permittees may choose to meet these requirements individually or as a member of a regional group. Regional collaboration on general awareness or behavior change programs, or both, includes Permittees developing a consistent message, determining best methods for communicating the message, and when appropriate, creating strategies to effect behavior change. If a Permittee chooses to adopt one or more elements of a regional program, the Permittee should participate in the regional group and shall implement the adopted element(s) of the regional program in the local jurisdiction.

The minimum performance measures are:

- a. Each Permittee shall implement an education and outreach program for the area served by the MS4. The program design shall be based on local water quality information and target audience characteristics to identify high priority target audiences, subject areas, and/or BMPs. Based on the target audience's demographic, the Permittee shall consider delivering its selected messages in language(s) other than English, as appropriate to the target audience.

- i. **General awareness.** To build general awareness, Permittees shall annually select at a minimum one target audience and one subject area from either (a) or (b):
- (a) *Target audiences:* General public (including overburdened communities, or school age children) or businesses (including home-based, or mobile businesses). Subject areas:
- General impacts of stormwater on surface waters, including impacts from impervious surfaces.
 - Low impact development (LID) principles and LID BMPs.
- (b) *Target audiences:* Engineers, contractors, developers, or land use planners. Subject areas:
- Technical standards for stormwater site and erosion control plans.
 - LID principles and LID BMPs.
 - Stormwater treatment and flow control BMPs/facilities
- (c) Permittees shall provide subject area information to the target audience on an ongoing or strategic schedule.
- ii. **Behavior Change.** To affect behavior change, Permittees shall select, at a minimum, one target audience and one BMP.
- (a) *Target Audiences:* Residents, landscapers, property managers/owners, developers, school age children, or businesses (including home based or mobile businesses).

BMPs:

- Use and storage of: pesticides, fertilizers, and/or other household chemicals.
- Use and storage of: automotive chemicals, hazardous cleaning supplies, carwash soaps, and/or other hazardous materials.
- Prevention of illicit discharges.
- Yard care techniques protective of water quality.
- Carpet cleaning.
- Repair and maintenance BMPs for: vehicles, equipment, and/or home/buildings.
- Pet waste management and disposal.
- LID Principles and LID BMPs.
- Stormwater facility maintenance, including LID facilities.
- Dumpster and trash compactor maintenance.
- Litter and debris prevention.

- Sediment and erosion control.
 - (Audience specific) Source control BMPs (refer to S5.C.8).
 - (Audience specific) Locally important, municipal stormwater-related subject area.
- (b) No later than July 1, 2020, each Permittee shall conduct a new evaluation of the effectiveness of an ongoing behavior change campaign (required under S5.C.1.a.ii and S5.C.1.c of the 2013 Permit). Permittees shall document lessons learned and recommendations for which option to select from S5.C.2.a.ii.(c).

Permittees that select option S5.C.2.a.ii.(c)3, below, may forgo this evaluation if it will not add value to the overall behavior change program.

- (c) Based on the recommendation from S5.C.2.a.ii.(b), by February 1, 2021, each Permittee shall follow social marketing practices and methods, similar to community-based social marketing, and develop a campaign that is tailored to the community, including development of a program evaluation plan. Each Permittee shall:
1. Develop a strategy and schedule to more effectively implement the existing campaign; or
 2. Develop a strategy and schedule to expand the existing campaign to a new target audience or BMPs; or
 3. Develop a strategy and schedule for a new target audience and BMP behavior change campaign.
- (d) No later than April 1, 2021, begin to implement the strategy developed in S5.C.2.a.ii.(c).
- (e) No later than March 31, 2024, evaluate and report on:
1. The changes in understanding and adoption of targeted behaviors resulting from the implementation of the strategy; and
 2. Any planned or recommended changes to the campaign in order to be more effective; describe the strategies and process to achieve the results.
- (f) Permittees shall use results of the evaluation to continue to direct effective methods and implementation of the ongoing behavior change program.

- iii. Stewardship. Each Permittee shall provide and advertise stewardship opportunities and/or partner with existing organizations (including non-permittees) to encourage residents to participate in activities or events planned and organized within the community, such as: stream teams, storm drain marking, volunteer monitoring, riparian plantings, and education activities.

3.2 Ongoing and Planned Education and Outreach Programs and Activities

Milton has various activities and programs that meet the Permit requirements. Because Milton is a small city with limited resources, the City participates in regional efforts and adapts programs and educational materials from larger municipalities when appropriate.

In addition, Milton will incorporate the new requirements and phase them in on or before the required due date. For 2020 that included an evaluation of the effectiveness of the City’s ongoing behavior change campaign The City has been studying the effectiveness of educating residents that own waterfront property. These efforts are checked with long term monitoring data to see if any correlation can be made between the education efforts and the overall health of the lake. In 2021 the program is to be expanded according to S5.C.2.a.ii.c and d.

Table 3.2 identifies ongoing programs and activities that help Milton comply with the Permit, and includes specific actions planned for 2021.

Table 3.1 Public Education and Outreach: Programs and Activities	
Ongoing	Plan for 2021
1. A Stormwater Education booth is staffed at the annual Milton Days festival held every August at Milton Community Park. The Stormwater Education booth provides various educational materials related to stormwater pollution prevention. Also, the City purchased an Enviroscope® Watershed/Nonpoint Source Model for use at the booth, which is popular with children.	Staff Stormwater Education booth at Milton Days.
2. The City prepares a newsletter, "Stormwater Press", that is mailed out in the city's utility bill.	Prepare and mail at least one Stormwater Press newsletter.
3. The City and the Pierce Conservation District prepare a newsletter for lakeshore owners, "Surprise Lake Matters", that is mailed annually to lakeshore owners and residents.	Prepare and mail one newsletter.
4. The City maintains a hotline to report spills and pollution (844-821-8911). The number is advertised in the Stormwater Press and also on the City's webpage. An online reporting form is also available on the website.	Continue to maintain spill and pollution reporting hotline and webpage.
5. The City includes materials related to public education and outreach on its website and utilizes social media to educate and inform citizens.	Update and improve stormwater education webpage and continue posts that foster engagement.
6. The City monitors and participates in STORM and other regional activities such as the South Sound Phase II group.	Continue to participate in regional activities
7. Milton has supported and partnered with the stream team, which is stewarded by the PCD, in their efforts to monitor creeks in the area.	City Staff sometimes fills in for monitors and will continue to assist and back up the citizen volunteers.
8. Ongoing behavior change campaign: a target audience and a target BMP were selected. In Milton’s case the audience is lakeshore property owners, and the BMP is Yard Care Techniques Protective of Water Quality.	Required for the permit for 2021 the campaign is to be expanded and/or improved

4. Public Involvement and Participation

4.1 Permit Requirements

Permittees shall provide ongoing opportunities for public involvement and participation through advisory councils, public hearings, watershed committees, participation in developing rate-structures or other similar activities. Each Permittee shall comply with applicable state and local public notice requirements when developing elements of the SWMP and SMAP.

The minimum performance measures are:

- a. Permittees shall create opportunities for the public to participate in the decision-making processes involving the development, implementation, and update of the Permittee's SMAP and SWMP.
- b. Each Permittee shall post on their website their SWMP Plan and the annual report required under section S9.A of the permit no later than May 31 each year. All other submittals shall be available to the public upon request. To comply with the posting requirement, a Permittee that does not maintain a website may submit the updated SWMP in electronic format to Ecology for posting on Ecology's website.

4.2 Ongoing and Planned Activities for Public Involvement and Participation

Milton currently implements activities and programs meeting the Permit requirements.

Table 4.2 identifies ongoing programs and activities that help Milton comply with the Permit, and includes specific actions planned for 2021.

Table 4.1 Public Involvement and Participation: Programs and Activities	
Ongoing	Plan for 2021
1. Use City Council, Planning Commission, Parks Board Meetings and social media as a forum for public participation.	Discuss the SWMP Plan at one Council Meeting and respond to citizen concerns brought forward at meetings and other forums.
2. Milton partners with the Pierce Conservation District (PCD) to maintain a citizen volunteer water quality monitoring program on Surprise Lake, a privately-owned lake within the city.	Continue volunteer monitoring program for Surprise Lake.
3. Post the Milton SWMP Plan and Annual Report to Ecology on the City website each year.	Post the SWMP Plan and Annual Report on the website no later than May 31 of each year.
4. Ensure public participation in the storm utility billing process.	Audit of storm utility bills was completed in 2016. The public is welcome to discuss their billing with staff at any time. In 2021 a new Stormwater Comprehensive Plan will be written.
5. The city encourages employees and citizens to attend or volunteer at fund raising events such as the “Water 4 Life” event in Tacoma.	City staff will attend this and other stormwater awareness events.

5. MS4 Mapping and Documentation

5.1 Permit Requirements

The SWMP shall include an ongoing program for mapping and documenting the MS4.

The minimum performance measures are:

- a. *Ongoing Mapping:* Each Permittee shall maintain mapping data for the features listed below:
 - i. Known MS4 outfalls and known MS4 discharge points.
 - ii. Receiving waters, other than groundwater.
 - iii. Stormwater treatment and flow control BMPs/facilities owned or operated by the Permittee.
 - iv. Geographic areas served by the Permittee's MS4 that do not discharge stormwater to surface waters.
 - v. Tributary conveyances to all known outfalls and discharge points with a 24 inch nominal diameter or larger, or an equivalent cross-sectional area for non-pipe systems. The following features or attributes (or both) shall be mapped:
 - (a) Tributary conveyance type, material, and size where known.
 - (b) Associated drainage areas.
 - (c) Land use.
 - vi. Connections between the MS4 owned or operated by the Permittee and other municipalities or public entities.
 - vii. All connections to the MS4 authorized or allowed by the Permittee after February 16, 2007.
- b. *New Mapping:* Each Permittee shall:
 - i. No later than January 1, 2020, begin to collect size and material for all known MS4 outfalls during normal course of business (e.g. during field screening, inspection, or maintenance) and update records.
 - ii. No later than August 1, 2023, complete mapping of all known connections from the MS4 to a privately owned stormwater system.
- c. No later than August 1, 2021, the required format for mapping is electronic (e.g. Geographic Information System, CAD drawings, or other software that can map and store points, lines, polygons, and associated attributes), with fully described mapping standards.

- d. To the extent consistent with national security laws and directives, each Permittee shall make available to Ecology, upon request, available maps depicting the information required in S5.C.4.a through c, above.
- e. Upon request, and to the extent appropriate, Permittees shall provide mapping information to federally recognized Indian Tribes, municipalities, and other Permittees. This Permit does not preclude Permittees from recovering reasonable costs associated with fulfilling mapping information requests by federally recognized Indian Tribes, municipalities, and other Permittees.

5.2 Ongoing and planned MS4 Mapping and Documentation

Milton will continue to update its maps and documents as new systems are installed or discovered. Milton is budgeted for and plans to do a complete update of its Stormwater Comprehensive Plan in 2021. This will include new GIS data that will be accurate and current.

Also, as mandated by new Permit requirements, on January 1st, 2020, Milton began to update its current outfall information with information collected during normal business and maintenance.

6. Illicit Discharge Detection and Elimination (IDDE)

6.1 Permit Requirements

The SWMP shall include an ongoing program designed to prevent, detect, characterize, trace, and eliminate illicit connections and illicit discharges into the MS4.

The minimum performance measures are:

- a. The program shall include procedures for reporting and correcting or removing illicit connections, spills and other illicit discharges when they are suspected or identified. The program shall also include procedures for addressing pollutants entering the MS4 from an interconnected, adjoining MS4.

Illicit connections and illicit discharges must be identified through, but not limited to field screening, inspections, source control inspections, and/or monitoring information, as appropriate

- b. Permittees shall inform public employees, businesses, and the general public of hazards associated with illicit discharges and improper disposal of waste.
- c. Each Permittee shall implement as ordinance or other regulatory mechanism to effectively prohibit non-stormwater, illicit discharges into the Permittee's MS4 to the maximum extent allowable under state and federal law.
 - i. Allowable Discharges: The regulatory mechanism does **not** need to prohibit the following categories of non-stormwater discharges:
 - (a) Diverted stream flows
 - (b) Rising groundwaters
 - (c) Uncontaminated groundwater infiltration (as defined at 40 CFR 35.2005(b)(20))
 - (d) Uncontaminated pumped groundwater

- (e) Foundation drains
 - (f) Air conditioning condensation
 - (g) Irrigation water from agricultural sources that is comingled with urban stormwater.
 - (h) Springs
 - (i) Uncontaminated water from crawl space pumps
 - (j) Footing Drains
 - (k) Flows from riparian habitats and wetlands
 - (l) Non-stormwater discharges authorized by another NPDES or state waste discharge permit.
 - (m) Discharges from emergency firefighting activities in accordance with S2 Authorized Discharges
- ii. Conditionally Allowable Discharges: The regulatory mechanism may allow the following categories of non-stormwater discharges only if the stated conditions are met:
- (a) Discharges from potable water sources, including but not limited to water line flushing, hyperchlorinated water line flushing, fire hydrant system flushing, and pipeline hydrostatic test water. Planned discharges shall be dechlorinated to a total residual chlorine concentration of 0.1 ppm or less, pH-adjusted, if necessary, and volumetrically and velocity controlled to prevent re-suspension of sediments in the MS4.
 - (b) Discharges from lawn watering and other irrigation runoff. These discharges shall be minimized through, at a minimum, public education activities (see section S5.C.1) and water conservation efforts.
 - (c) Dechlorinated swimming pool, spa and hot tub discharges. The discharges shall be dechlorinated to a total residual chlorine concentration of 0.1 ppm or less, pH-adjusted and reoxygenized if necessary, volumetrically and velocity controlled to prevent re-suspension of sediments in the MS4. Discharges shall be thermally controlled to prevent an increase in temperature of the receiving water. Swimming pool cleaning wastewater and filter backwash shall not be discharged to the MS4.
 - (d) Street and sidewalk wash water, water used to control dust, and routine external building washdown that does not use detergents. The Permittee shall reduce these discharges through, at a minimum, public education activities (see section S5.C.1) and/or water conservation efforts. To avoid washing pollutants into the MS4, Permittees shall minimize the amount of street wash and dust control water used.
 - (e) Other non-stormwater discharges. The discharges shall be in compliance with the requirements of a pollution prevention plan reviewed by the Permittee, which addresses control of such discharges.

- iii. The Permittee shall further address any category of discharges in (i) or (ii) above if the discharges are identified as significant sources of pollutants to waters of the State.
 - iv. The ordinance or other regulatory mechanism shall include escalating enforcement procedures and actions.
- d. Each Permittee shall implement an ongoing program designed to detect and identify non-stormwater discharges and illicit connections into the Permittee's MS4. The program shall include the following components.

- i. Procedures for conducting investigations of the Permittee's MS4, including field screening and methods for identifying potential sources. These procedures may also include source control inspections.

The Permittee shall implement a field screening methodology appropriate to the characteristics of the MS4 and the water quality concerns. Screening for illicit connections may be conducted using *Illicit Connection and Illicit Discharge Field Screening and Source Tracing Guidance Manual* (Herrera Environmental Consultants, Inc.; May 2013), or another methodology of comparable or improved effectiveness. The Permittee shall document the field screening methodology in the Annual Report

(a) All Permittees shall complete field screening for an average of 12% of the MS4 each year. Permittees shall annually track percentage of the MS4 screened beginning August 1, 2019.

- ii. A publicly listed and publicized hotline or other telephone number for public reporting of spills and other illicit discharges.
- iii. An ongoing training program for all municipal field staff, who, as part of their normal job responsibilities, might come into contact with or otherwise observe an illicit discharge and/or illicit connection to the MS4, on the identification of an illicit discharge and/or connection, and on the proper procedures for reporting and responding to the illicit discharge and/or connection. Follow-up training shall be provided as needed to address changes in procedures, techniques, requirements, or staffing. Permittees shall document and maintain records of the trainings provided and the staff trained.

- e. Each Permittee shall implement an ongoing program designed to address illicit discharges, including spills and illicit connections, into the Permittee's MS4. The program shall include:

- i. Procedures for characterizing the nature of, and potential public or environmental threat posed by, any illicit discharges found by or reported to the Permittee. Procedures shall address the evaluation of whether the discharge must be immediately contained and the steps to be taken for containment of the discharge.
- ii. Procedures for tracing the source of an illicit discharge; including visual inspections, and when necessary, opening manholes, using mobile cameras, collecting and analyzing water samples, and/or other detailed inspection procedures.
- iii. Procedures for eliminating the discharge; including notification of appropriate authorities (including owners or operators of interconnected MS4s); notification of

the property owner; technical assistance; follow-up inspections; and use of the compliance strategy developed pursuant to S5.C.5.c.iv, including escalating enforcement and legal actions if the discharge is not eliminated.

- iv. Compliance with the provisions in (i), (ii), and (iii), above, shall be achieved by meeting the following timelines:
 - (a) Immediately respond to all illicit discharges, including spills, which are determined to constitute a threat to human health, welfare, or the environment, consistent with General Condition G3.
 - (b) Investigate (or refer to the appropriate agency with the authority to act) within 7 days, on average, any complaints, reports, or monitoring information that indicates a potential illicit discharge.
 - (c) Initiate an investigation within 21 days of any report or discovery of a suspected illicit connection to determine the source of the connection, the nature and volume of discharge through the connection, and the party responsible for the connection.
 - (d) Upon confirmation of an illicit connection, use the compliance strategy in a documented effort to eliminate the illicit connection within 6 months. All known illicit connections to the MS4 shall be eliminated.
- f. Permittees shall train staff who are responsible for identification, investigation, termination, cleanup, and reporting of illicit discharges, including spills, and illicit connections, to conduct these activities. Follow-up training shall be provided as needed to address changes in procedures, techniques, requirements or staffing. Permittees shall document and maintain records of the training provided and the staff trained.
- g. Recordkeeping: Each Permittee shall track and maintain records of activities conducted to meet the requirements of this Section. In the Annual Report, each Permittee shall submit data for the illicit discharges, spills and illicit connections including those that were found by, reported to, or investigated by the Permittee during the previous calendar year. The data shall include the information specified in Appendix 12 and WQWWebIDDE. Each Permittee may either use their own system or WQWWebIDDE for recording this data. Final submittals shall follow the instruction, timelines, and format as described in Appendix 12.

6.2 Ongoing and Planned IDDE Activities

Milton currently implements activities and programs meeting the Permit requirements. The City will continue its ongoing program designed to prevent, detect, characterize, trace and eliminate illicit connections and illicit discharges into the municipal stormwater system. In addition, Milton is currently upgrading its stormwater maps from paper-based to GIS.

Table 6.2 identifies ongoing programs and activities that help Milton comply with the Permit, and includes specific actions planned for this year.

Table 6.1 Illicit Discharge Detection and Elimination: Programs and Activities

Ongoing	Plan for 2021
1. Maintain a map of stormwater facilities that meets Permit requirements.	GIS based maps will be updated as needed to keep them current. The city is employing new software to improve asset management and mapping of structures and have hired a dedicated GIS employee.
2. Milton MMC 13.26 prohibits non-stormwater, illicit discharges to drainage facilities and surface waters.	No code updates planned for 2021
3. Maintain an enforcement strategy that emphasizes voluntary compliance with stormwater regulations. Voluntary compliance is <u>always</u> preferred.	Continue to encourage voluntary compliance.
4. Milton MMC 13.26 requires local source control (LSC) in accordance with the Volume IV of the Stormwater Management Manual for Western Washington.	Investigate opportunities to partner with Tacoma-Pierce County Health Department on local source control.
5. Maintain a program to detect, identify and resolve illicit discharges and connections.	Continue to maintain and update program.
6. Maintain a publicized hotline for reporting spills and pollution.	Phone number (253-922-8738) is publicized on web page and in Stormwater Press and Surprise Lake Matters newsletters.
7. Maintain a training program for field staff who may observe illicit discharges and connections during the course of their duties.	All municipal staff was trained for IDDE and other aspects of stormwater control and ESC in 2020 through the Stormwater GO program. The City is active in its continuing education efforts.
8. Maintain a training program for staff who are responsible for identification and follow-up activities of illicit discharges and connections.	Continue to investigate training opportunities and provide training to staff.
9. Maintain records.	Continue to maintain records in accordance with permit requirements.

7. Controlling Runoff from New Development, Redevelopment and Construction Sites

7.1 Permit Requirements

Each Permittee shall implement and enforce a program to reduce pollutants in stormwater runoff to a regulated small MS4 from new development, redevelopment and construction site activities. The program shall apply to private and public development, including transportation projects.

The minimum performance measures are:

- a. Implement an ordinance or other enforceable mechanism that addresses runoff from new development, redevelopment, and construction site projects.

Each Permittee shall adopt and make effective a local program, no later than June 30, 2022, that meets the requirements of S5.C.6.b(i) through (iii) below, and shall apply to all applications submitted:

- i. On or after July 1, 2022.
 - ii. Prior to January 1, 2017, that have not started construction by January 1, 2022.
 - iii. Prior to July 1, 2022, that have not started construction by July 1, 2027.
- b. The ordinance or other enforceable mechanism shall include at a minimum:
 - i. The Minimum Requirements, thresholds, and definitions in Appendix 1, or the 2013 Appendix 1 amended to include the changes identified in Appendix 10, or Phase I program approved by Ecology and amended to include Appendix 10, for new development, redevelopment, and construction sites. Adjustment and variance criteria equivalent to those in Appendix 1 shall be included. More stringent requirements may be used, and/or certain requirements may be tailored to local circumstances through the use of Ecology-approved basin plans or other similar water quality and quantity planning efforts. Such local requirements and thresholds shall provide equal protection of receiving waters and equal levels of pollutant control to those provided in Appendix 1.
 - ii. The local requirements shall include the following requirements, limitations, and criteria that, when used to implement the minimum requirements in Appendix 1 (or program approved by Ecology under the 2019 Phase I Permit) will protect water quality, reduce the discharge of pollutants to the MEP, and satisfy the State requirement under chapter 90.48 RCW to apply AKART prior to discharge:
 - (a) Site planning requirements
 - (b) BMP selection criteria
 - (c) BMP design criteria
 - (d) BMP infeasibility criteria
 - (e) LID competing needs criteria
 - (f) BMP limitations

Permittees shall document how the criteria and requirements will protect water quality, reduce the discharge of pollutants to the MEP, and satisfy State AKART requirements.

Permittees who choose to use the requirements, limitations, and criteria above, in the *Stormwater Management Manual for Western Washington*, or a Phase I program approved by Ecology, may cite this choice as their sole documentation to meet this requirement.

iii. The legal authority, through the approval process for new development and redevelopment, to inspect and enforce maintenance standards for private stormwater facilities approved under the provisions of this section that discharge to the Permittee's MS4.

- c. The program shall include a permitting process with site plan review, inspection and enforcement capability to meet the standards listed in (i) through (iv) below, for both private and public projects, using qualified personnel (as defined in *Definitions and Acronyms*). At a minimum, this program shall be applied to all sites that meet the minimum thresholds adopted pursuant to S5.C.6.b.i.
- i. Review of all stormwater site plans for proposed development activities.
 - ii. Inspect, prior to clearing and construction, all permitted development sites that have a high potential for sediment transport as determined through plan review based on definitions and requirements in Appendix 7 - *Determining Construction Site Sediment Damage Potential*. As an alternative to evaluating each site according to Appendix 7, Permittees may choose to inspect all construction sites that meet the minimum thresholds adopted pursuant to S5.C.6.b.i.
 - iii. Inspect all permitted development sites during construction to verify proper installation and maintenance of required erosion and sediment controls. Enforce as necessary based on the inspection.
 - iv. Each Permittee shall manage maintenance activities to inspect all stormwater and flow control BMPs/facilities, and catch basins, in new residential developments every 6 months, until 90% of the lots are constructed (or when construction has stopped and the site is fully stabilized), to identify maintenance needs and enforce compliance with maintenance standards as needed.
 - v. Inspect all permitted development sites upon completion of construction and prior to final approval or occupancy to ensure proper installation of permanent stormwater facilities. Verify that a maintenance plan is completed and responsibility for maintenance is assigned for stormwater treatment and flow control BMPs/facilities. Enforce as necessary based on the inspection.
 - vi. Compliance with the inspection requirements in (ii) through (v) above, shall be determined by the presence and records of an established inspection program designed to inspect all sites. Compliance during this permit term shall be determined by achieving at least 80% of scheduled inspections. The inspections may be combined with other inspections provided they are performed using qualified personnel.
 - vii. The program shall include a procedure for keeping records of inspections and enforcement actions by staff, including inspection reports, warning letters, notices of violations, and other enforcement records. Records of maintenance inspections and maintenance activities shall be maintained.

- viii. An enforcement strategy shall be implemented to respond to issues of non-compliance.
- d. The program shall make available, as applicable, the link to the electronic *Construction Stormwater General Permit* Notice of Intent (NOI) form for construction activity and, as applicable, a link to the electronic *Industrial Stormwater General Permit* NOI form for industrial activity to representatives of proposed new development and redevelopment. Permittees shall continue to enforce local ordinances controlling runoff from sites that are also covered by stormwater permits issued by Ecology.
- e. Each Permittee shall ensure that all staff whose primary job duties are implementing the program to control stormwater runoff from new development, redevelopment, and construction sites, including permitting, plan review, construction site inspections, and enforcement, are trained to conduct these activities. Follow-up training shall be provided as needed to address changes in procedures, techniques or staffing. Permittees shall document and maintain records of the training provided and the staff trained.

7.2 Ongoing and Planned Activities for Controlling Runoff from New Development, Redevelopment and Construction Sites

Milton reviews proposed development and redevelopment site plans and reviews all proposed construction for stormwater impacts and erosion and sediment control.

Table 7.2 identifies ongoing programs and activities that help Milton comply with the Permit.

Table 7.1 Controlling Runoff from New Development, Redevelopment, and Construction Sites: Programs and Activities

Ongoing	Plan for 2021
1. Review development plans in accordance with 2012 Stormwater Management Manual for Western Washington (SWMMWW), and city development guidelines.	Continue to implement and improve development review process.
2. Primarily review stormwater site plans in-house with consultant review available.	No change proposed for 2021.
3. Distribute educational handouts for the development community explaining requirements. Provide in-person and phone support to help development community understand requirements.	Continue to educate and collaborate with developers about mutually beneficial practices.
4. Require Stormwater Declaration of Covenant for all site plans that meet SWMMWW thresholds.	No change proposed for 2021.
5. Hold erosion and sediment control (ESC) onsite preconstruction meetings for all projects that meet SWMMWW thresholds. Include ESC with all projects.	No change proposed for 2021.
6. Conduct ESC inspections.	No change proposed for 2021.
7. Conduct stormwater site plan inspections.	No change proposed for 2021.
8. Conduct stormwater site plan final inspections.	No change proposed for 2021.
9. Conduct post-construction stormwater facility inspections.	No change proposed for 2021.
10. Maintain enforcement strategy.	Continue voluntary/cooperative type of enforcement strategy.
11. Maintain recordkeeping of stormwater site plan reviews and inspections.	The city has employed new software and programs to track development review more efficiently and thoroughly.
12. Ensure staff are appropriately trained for plan review, inspections and enforcement. Maintain in-house CESCL certification for stormwater inspection staff. Stormwater site plan review staff are trained in low impact development.	Maintain current levels of training for Municipal Staff.
13. Investigate low impact development opportunities.	Continue to encourage Low Impact Development. The City has made LID the preferred development option in code.
14. Notify affected development proposals of requirements for Ecology Construction and Industrial Stormwater Permits.	No change proposed for 2021.

8. Municipal Operations and Maintenance

8.1 Permit Requirements

Each Permittee shall implement and document a program to regulate maintenance activities and to conduct maintenance activities by the Permittee in such a way as to prevent or reduce stormwater impacts.

The minimum performance measures are:

- a. Each Permittee shall implement maintenance standards that are as protective, or more protective, of facility function than those specified in the *Stormwater Management Manual for Western Washington* or a Phase I program approved by Ecology, For facilities which do not have maintenance standards, the Permittee shall develop a maintenance standard. No later than June 30, 2022, Permittees shall update their maintenance standards as necessary to meet the requirements of this Section.
 - i. The purpose of the maintenance standard is to determine if maintenance is required. The maintenance standard is not a measure of the facility's required condition at all times between inspections. Exceeding the maintenance standard between inspections and/or maintenance is not a permit violation.
 - ii. Unless there are circumstances beyond the Permittee's control, when an inspection identifies an exceedance of the maintenance standard, maintenance shall be performed:
 - Within 1 year for typical maintenance of facilities, except catch basins.
 - Within 6 months for catch basins
 - Within 2 years for maintenance that requires capital construction of less than \$25,000.

Circumstances beyond the Permittee's control include denial or delay of access by property owners, denial or delay of necessary permit approvals, and unexpected reallocations of maintenance staff to perform emergency work. For each exceedance of the required timeframe, the Permittee shall document the circumstances and how they were beyond their control.

- b. Maintenance of stormwater facilities regulated by the Permittee
 - i. The program shall include provisions to verify adequate long-term O&M of stormwater treatment and flow control BMPs/facilities that are permitted and constructed pursuant to S.5.C.6.c and shall be maintained in accordance with S5.C.7.a.

The provisions shall include:

- (a) Implementation of an ordinance or other enforceable mechanism that:
 - Clearly identifies the party responsible for maintenance in accordance with maintenance standards established under S5.C.7.a.
 - Requires inspection of facilities in accordance with the requirements in (b), below.

- Establishes enforcement procedures.

(b) Annual inspections of all stormwater treatment and flow control BMP/facilities that discharge to the MS4 and were permitted by the Permittee according to S5.C.6.c, including those permitted in accordance with requirements adopted pursuant to the 2007-2019 Ecology municipal stormwater permits, unless there are maintenance records to justify a different frequency.

Permittees may reduce the inspection frequency based on maintenance records of double the length of time of the proposed inspection frequency. In the absence of maintenance records, the Permittee may substitute written statements to document a specific less frequent inspection schedule. Written statements shall be based on actual inspection and maintenance experience and shall be certified in accordance with G19-*Certification and Signature*.

- ii. Compliance with the inspection requirements in (b), above, shall be determined by the presence and records of an established inspection program designed to inspect all facilities, and achieving at least 80% of required inspections.
 - iii. The program shall include a procedure for keeping records of inspections and enforcement actions by staff, including inspection reports, warning letters, notices of violatopns, and other enforcement records. Records of maintenance inspections and maintenance activities shall be maintained.
- c. Maintenance of stormwater facilities owned or operated by the Permittee.
- i. Each Permittee shall implement a program to annually inspect all municipally owned or operated stormwater treatment and flow control BMP/facilities, and taking appropriate maintenance actions in accordance with the adopted maintenance standards.

Permittees may reduce the inspection frequency on maintenance records of double the length of time of the proposed inspection frequency. In the absence of maintenance records, the Permittee may substitute written statements to document a specific less frequent inspection schedule. Written statements shall be certified in accordance with G19 *Certification and Signature*.
 - ii. Each Permittee shall spot check potentially damaged stormwater treatment and flow control BMP/facilities after major storm events (24 hour storm event with a 10 year or greater recurrence interval). If spot checks indicate widespread damage/maintenance needs, inspect all stormwater treatment and flow control BMPs/facilities that may be affected. Conduct repairs or take appropriate maintenance action in accordance with maintenance standards established above, based on the results of the inspections.
 - iii. Each Permittee shall inspect all catch basins and inlets owned or operated by the Permittee every two years. Clean catch basins if the inspection indicates cleaning is needed to comply with maintenance standards established in the *Stormwater Management Manual for Western Washington*. Decant water shall be disposed of in accordance with Appendix 6 – *Street Waste Disposal*.

The following alterntives to the standard approach of inspecting all catch basins every two years may be applied to all or portions of the system:

- (a) The catch basin inspection schedule of every two years may be changed as appropriate to meet the maintenance standards based on maintenance records of double the length of time of the proposed inspection frequency. In the absence of maintenance records for catch basins, the Permittee may substitute written statements to document a specific, less frequent inspection schedule. Written statements shall be based on actual inspection and maintenance experiences and shall be certified in accordance with G19 – *Certification and Signature*.
 - (b) Inspections every two years may be conducted on a “circuit basis” whereby 25% of catch basins and inlets within each circuit are inspected to identify maintenance needs. Include an inspection of the catch basin immediately upstream of any MS4 outfall, discharge point, or connections to public or private storm systems, if applicable. Clean all catch basins within a given circuit for which the inspection indicates cleaning is needed to comply with maintenance standards established under S5.C.7.a.
 - (c) The Permittee may clean all pipes, ditches, and catch basins and inlets within a circuit once during the permit term. Circuits selected for this alternative must drain to a single point.
- iv. Compliance with the inspection requirements in S5.C.7.c.i-iii, above, shall be determined by the presence of an established inspection program achieving at least 95% of required inspections.
- d. Implement practices, policies, and procedures to reduce stormwater impacts associated with runoff from all lands owned or maintained by the Permittee, and road maintenance activities under the functional control of the Permittee. No later than December 31, 2022, document the practices, policies, and procedures. Lands owned or maintained by the Permittee include, but are not limited to: streets, parking lots, roads, highways, buildings, parks, open space, road rights-of-way, maintenance yards, and stormwater treatment and flow control BMPs/facilities.

The following activities shall be addressed:

- i. Pipe Cleaning
- ii. Cleaning of culverts that convey stormwater in ditch systems
- iii. Ditch maintenance
- iv. Street cleaning
- v. Road repair and resurfacing, including pavement grinding
- vi. Snow and ice control
- vii. Utility installation
- viii. Pavement striping maintenance
- ix. Maintaining roadside areas, including vegetation management
- x. Dust control
- xi. Application of fertilizers, pesticides, and herbicides according to the instructions for their use, including reducing nutrients and pesticides using alternatives that minimize environmental impacts

- xii. Sediment and erosion control
 - xiii. Landscape maintenance and vegetation disposal
 - xiv. Trash and pet waste management
 - xv. Building exterior cleaning and maintenance
- e. Implement an ongoing training program for employees of the Permittee whose primary construction, operations or maintenance job functions may impact stormwater quality. The training program shall address the importance of protecting water quality, operation and maintenance standards, inspection procedures, relevant SWPPPs, selecting appropriate BMPs, ways to perform their job activities to prevent or minimize impacts to water quality, and procedures for reporting water quality concerns. Follow-up training shall be provided as needed to address changes in procedures, techniques, requirements, or staffing. Permittees shall document and maintain records of training provided. The staff training records to be kept include dates, activities or course descriptions, and names and positions of staff in attendance.
- f. Implement a Stormwater Pollution Prevention Plan (SWPPP) for all heavy equipment maintenance or storage yards, and material storage facilities owned or operated by the Permittee in areas subject to this Permit that are not required to have coverage under the *Industrial Stormwater General Permit* or another NPDES permit that authorizes stormwater discharges associated with the activity. As necessary, update SWPPPs no later than December 31, 2022, to include the following information. At a minimum, the SWPPP shall include:
- i. A detailed description of the operational and structural BMPs in use at the facility and a schedule for implementation of additional BMPs when needed. BMPs selected must be consistent with the *Stormwater Management Manual for Western Washington*, or a Phase I program approved by Ecology. The SWPPP must be updated as needed to maintain relevancy with the facility.
 - ii. At minimum, annual inspections of the facility, including visual observations of discharges, to evaluate the effectiveness of the BMP, identify maintenance needs, and determine if additional or different BMPs are needed. The results of these inspections must be documented in an inspection report or check list.
 - iii. An inventory of the materials and equipment stored on-site, and the activities conducted at the facility which may be exposed to precipitation or runoff and could result in stormwater pollution.
 - iv. A site map showing the facility's stormwater drainage, discharge points, and areas of potential pollutant exposure.
 - v. A plan for preventing and responding to spills at the facility which could result in an illicit discharge.
- g. Maintain records of the activities conducted to meet the requirements of this Section.

8.2 Ongoing and Planned Activities for Municipal Operations and Maintenance

Milton currently implements activities and programs meeting the Permit requirements.

Table 8.2 identifies ongoing programs and activities that help Milton comply with the Permit, and includes specific actions planned for 2021.

Table 8.1 Municipal Operations and Maintenance: Programs and Activities	
Ongoing	Plan for 2021
1. Maintain maintenance standards in accordance with Volume V of the SWMMWW.	No changes planned for 2021.
2. Conduct annual inspections of stormwater treatment and flow control BMPs/facilities.	No changes planned for 2021.
3. Spot check stormwater treatment and flow control/BMPs/facilities after major storm events.	No changes planned for 2021.
4. Inspect all catch basins on a two-year cycle.	Complete 2-year cycle started in 2020.
5. Maintain practices, policies and procedures to reduce stormwater impacts from City-owned or maintained lands.	Update procedures as appropriate.
6. Maintain practices, policies and procedures to reduce stormwater impacts from road maintenance activities.	Update procedures as appropriate.
7. Maintain an ongoing training program for City staff whose job functions may impact stormwater quality.	Provide training on stormwater pollution prevention best management practices.
8. Maintain a Stormwater Pollution Prevention Plan (SWPPP) for the City Shop and material storage yards.	No changes planned for 2021.
9. Maintain records of inspections and maintenance or repair activities.	Upgrade process to maintain records in accordance with permit requirements.

9. Source Control Program for Existing Development

9.1 Permit Requirements

a. The permittee shall implement a program to prevent and reduce pollutants in runoff from areas that discharge to the MS4

- i. Application of operational source control BMPs, and if necessary, structural source control BMPs or treatment BMPs/facilities, or both, to pollution generating sources associated with existing land use and activities.
- ii. Inspections of pollutant generating sources at publicly and privately owned institutional, commercial and industrial sites to enforce implementation of required BMPs to control pollution discharging into the MS4.
- iii. Application and enforcement of local ordinances at sites, identified pursuant to S5.C.8.b.ii, including sites with discharges authorized by a separate NPDES permit. Permittees that are in compliance with the terms of this Permit will not be held liable by Ecology for water quality standard violations or receiving water impacts caused by industries and other Permittees covered, or which should be covered under an NPDES permit issued by Ecology.
- iv. Practices to reduce polluted runoff from the application of pesticides, herbicides and fertilizers from the sites identified in the inventory.

b. Minimum performance measures:

- i. No later than August 1, 2022, Permittees shall adopt and make effective an ordinance(s), or other enforceable documents, requiring the application of source control BMPs for pollutant generating sources associated with existing land uses and activities (see Appendix 8 to identify pollutant generating sources).

The requirements of this subsection are met by using the source control BMPs in the SWMMWW, or a Phase I Program approved by Ecology. In cases where the manual(s) lack guidance for a specific source of pollutants, the Permittee shall work with the owner/operator to implement or adapt BMPs based on the best professional judgement of the Permittee.

Applicable operational source control BMPs shall be required for all pollutant generating sources. Structural source control BMPs, or treatment BMPs/facilities, or both, shall be required for pollutant generating sources if operational source control BMPs do not prevent illicit discharges or violations of surface water, groundwater, or sediment management standards because of inadequate stormwater controls. Implementation of source control requirements may be done through education and technical assistance programs, provided that formal enforcement authority is available to the Permittee and is used as determined necessary by the Permittee, in accordance with S5.C.8.b.iv, below.

- ii. No later than August 1, 2022, the Permittees shall establish an inventory that identifies publicly and privately owned institutional, commercial, and industrial sites which have the potential to generate pollutants to the MS4. The inventory shall include:

(a) Businesses and/or sites identified based on the presence of activities that are pollutant generating (refer to Appendix 8 of the permit).

(b) Other pollutant generating sources, based on complaint response, such as; home-based businesses and multi-family sites.

iii. No later than January 1, 2023, Permittees shall implement an inspection program for sites identified pursuant to S5.C.8.b.ii, above.

(a) All identified sites with a business address shall be provided information about activities that may generate pollutants and the source control requirements applicable to those activities. This information shall be provided by mail, telephone, electronic communications, or in person. This information may be provided all at one time or spread out over the permit term to allow for tailoring and distribution of the information during site inspections.

(b) The Permittee shall annually complete the number of inspections equal to 20% of the businesses and/or sites listed in their source control inventory to assess BMP effectiveness and compliance with source control requirements. The Permittee may count follow-up compliance inspections at the same site toward the 20% inspection rate. The Permittee may select which sites to inspect each year and is not required to inspect 100% of sites over a 5-year period. Sites may be prioritized for inspection based on their land use category, potential for pollution generation, proximity to receiving waters, or to address an identified pollution problem within a specific geographic area or sub-basin.

(c) Each Permittee shall inspect 100% of sites identified through credible complaints.

(d) Permittees may count inspections conducted based on complaints, or when the property owner denies entry, to the 20% inspection rate.

iv. No later than January 1, 2023, each Permittee shall implement a progressive enforcement policy that requires sites to comply with stormwater requirements within a reasonable time period as specified below:

(a) If the Permittee determines, through inspections or otherwise, that a site has failed to adequately implement required BMPs, the Permittee shall take appropriate follow-up action(s), which may include phone calls, reminder letters, emails, or follow-up inspections.

(b) When a Permittee determines that a site has failed to adequately implement BMPs after a follow-up inspection(s), the Permittee shall take enforcement action as established through authority in its municipal codes or ordinances, or through the judicial system.

(c) Each Permittee shall maintain records, including documentation of each site visit, inspection reports, warning letters, notices of violations, and other enforcement records, demonstrating an effort to bring sites into compliance. Each Permittee shall also maintain records of sites that are not inspected because the property owner denies entry.

(d) A Permittee may refer non-emergency violations of local ordinances to Ecology, provided, the Permittee also makes a documented effort of progressive enforcement. At a minimum, a Permittee's enforcement effort shall include documentation of inspections and warning letters or notices of violation.

v. Permittees shall train staff who are responsible for implementing the source control program to conduct these activities. The ongoing training program shall cover the legal authority for source control, source control BMPs and their proper application, inspection protocols, lessons learned, typical cases, and enforcement procedures. Follow-up training shall be provided as needed to address changes in procedures, techniques, requirements, or staff. Permittees shall document and maintain records of the training provided and the staff trained.

9.2 Ongoing and planned activities for Source Control Program for Existing Development

Milton has been ahead of the curve on this requirement. Prior to 2016 language and procedures for this requirement were incorporated into the city's code. In 2016 and 2017 the city launched a program to inspect all private businesses and over 90% of them were completed. Initiating this type of program on an annual basis will require an expansion of the city's current resources.

Milton will continue to introduce or enforce new requirements as they come online according to Ecology's schedule. For 2021, there are no mandated updates to the program.

10. Special Conditions

10.1 Compliance with Total Maximum Daily Load Requirements

The federal Clean Water Act requires that Ecology establish "Total Maximum Daily Loads" (TMDL) for rivers, streams, lakes, and marine waters that don't meet water quality standards. A TMDL is a calculation of the maximum amount of a pollutant that a water body can receive and still meet water quality standards.

After the TMDL has been calculated for a given water body, Ecology determines how much each source must reduce its discharges of the pollutant in order bring the water body back into compliance with the water quality standards. TMDL requirements are included in the Permit for discharges into affected water bodies.

Stormwater discharges covered under the Permit are required to implement actions necessary to achieve the pollutant reductions called for in applicable TMDLs. Applicable TMDLs are those approved by the EPA before the issuance date of the Permit or which have been approved by the EPA prior to the issue date of the Permit or the date Ecology issues coverage under the Permit, whichever is later. In accordance with Permit condition S7 Compliance with Total Maximum Daily Load Requirements the City must comply with the following TMDL:

NONE

10.2 Monitoring and Assessment Permit Requirements

A. Regional Status and Trends Monitoring

1. All Permittees that chose S8.B Status and Trends Monitoring Option #1 in the *Phase II Western Washington Municipal Stormwater Permit*, August 1, 2013 – July 31, 2018 (extended to July 31, 2019), shall make a one-time payment into the collective fund to implement regional small streams and marine nearshore areas status and trends monitoring in Puget Sound. This payment is due on or before December 1, 2019. Submit payment according to Section S8.D, below.
2. All City and County Permittees covered under the *Phase II Western Washington Municipal Stormwater Permit*, August 1, 2013 – July 31, 2018 (extended to July 31, 2019), except the Cities of Aberdeen and Centralia, shall notify Ecology in writing which of the following two options for regional status and trends monitoring (S8.A.2.a or S8.A.2.b) the Permittee chooses to carry out during this permit term. The written notification with G19 signature is due to Ecology no later than December 1, 2019.
 - a. Make annual payments into a collective fund to implement regional receiving water status and trends monitoring of either: small streams and marine nearshore areas in Puget Sound; or, urban streams in Clark and Cowlitz Counties in the Lower Columbia River basin, depending on the Permittee's location. The annual payments into the collective fund are due on or before August 15 each year beginning in 2020. Submit payments according to Section S8.D, below.

Or

- b. Conduct stormwater discharge monitoring per the requirements in S8.C

Either option will fully satisfy the Permittee's obligations under this Section (S8.A.2). Each Permittee shall select a single option for this permit term.

B. Stormwater Management Program (SWMP) Effectiveness and Source Identification Studies

1. All Permittees that chose S8.C Effectiveness Studies Option #1 in the *Phase II Western Washington Municipal Stormwater Permit*, August 1, 2013 – July 31, 2018 (extended to July 31, 2019), shall make a one-time payment into the collective fund to implement effectiveness studies and source identification studies. The payment is due on or before December 1, 2019. Submit payment according to Section S8.D, below.
2. All City and County Permittees covered under the *Phase II Western Washington Municipal Stormwater Permit*, August 1, 2013 – July 31, 2018 (extended to July 31, 2019), shall notify Ecology in writing which of the following two options (S8.B.2.a or S8.B.2.b) for effectiveness and source identification studies the Permittee chooses to carry out during this permit term. The written notification with G19 signature is due to Ecology no later than December 1, 2019.
 - a. Make annual payments into a collective fund to implement effectiveness and source identification studies. The annual payments into the collective fund are due on or before August 15 each year beginning in 2020. Submit payments according to Section S8.D, below.

Or

- b. Conduct stormwater discharge monitoring per the requirements in S8.C.

Either option will fully satisfy the Permittee's obligations under this Section (S8.B.2). Each Permittee shall select a single option for this permit term.

3. All Permittees shall provide information as requested for effectiveness and source identification studies that are under contract with Ecology as active Stormwater Action Monitoring (SAM) projects. These requests will be limited to records of SWMP activities and associated data tracked and/or maintained in accordance with S5 – *Stormwater Management Program for Cities, Towns, and Counties and/or S9 – Reporting Requirements*. A maximum of three requests during the permit term from the SAM Coordinator will be transmitted to the Permittee’s permit coordinator via Ecology’s regional permit manager. The Permittee shall have 90 days to provide the requested information.

C. Stormwater discharge monitoring

1. This Section applies only to Permittees who choose to conduct stormwater discharge monitoring per S8.A.2.b and/or S8.B.2.b in lieu of participation in the regional status and trends monitoring and/or effectiveness and source identification studies. **Milton is not conducting stormwater discharge monitoring for this permit cycle.**

D. Payments into the collective funds.

1. Each Permittee’s S8.A and S8.B payment amounts are listed in Appendix 11 and in the invoices that will be sent to the Permittee approximately three months in advance of each payment due date.
2. Mail payments according to the instructions in the invoice, or via United States Postal Service to:
Department of Ecology Cashiering Unit
P.O. Box 47611
Olympia, WA 98405-7611

10.3 Reporting and Requirements

- A. No later than March 31 of each year beginning in 2020, each Permittee shall submit an annual report. The reporting period for the annual report will be the previous calendar year unless otherwise specified.

Permittees shall submit annual reports electronically using Ecology’s Water Quality Permitting Portal (WQWebPortal) available on Ecology’s website.

Permittees unable to submit electronically through Ecology’s WQWebPortal shall contact Ecology to request a waiver and obtain instructions on how to submit an annual report in an alternative format.
- B. Each permittee is required to keep all records related to this Permit and the SWMP for at least five years.
- C. Each Permittee shall make all records related to this Permit and the Permittee’s SWMP available to the public at reasonable times during business hours. The Permittee will provide a copy of the most recent annual report to any individual or entity, upon request.
 1. A reasonable charge may be assessed by the Permittee for making photocopies of records.
 2. The Permittee may require reasonable advance notice of intent to review records related to this permit.
- D. The annual report for cities, towns, and counties

Each annual report shall include the following:

1. A copy of the Permittee’s current SWMP Plan, as required by S5.A.2.
2. Submittal of the annual report form as provided by Ecology pursuant to S9.A, describing the status of implementation of the requirements of this Permit during the reporting period.
3. Attachments to the annual report form including summaries, descriptions, reports, and other information as required, or as applicable, to meet the requirements of this Permit during the reporting period, or as a required submittal. Refer to Appendix 3 for annual report questions.
4. If applicable, notice that the MS4 is relying on another governmental entity to satisfy any of the obligations under this Permit.
5. Certification and signature pursuant to G19.D, and notification of any changes to authorization pursuant to G19.C.
6. A notification of any annexations, incorporations or jurisdictional boundary changes resulting in an increase or decrease in the Permittee’s geographic area of permit coverage during the reporting period.

10.4 Ongoing and Planned Activities for Special Conditions

Milton has chosen to pay into the collective funds for the Status and Trends Monitoring and Effectiveness Studies. This is much more cost effective than conducting in-house monitoring as allowed in Option #2 for each of the monitoring options.

Table 10.2 identifies ongoing programs and activities that help Milton comply with the Permit, and includes specific actions planned for 2021.

Table 10.1 Special Conditions: Programs and Activities	
Planned and Ongoing – Monitoring and Assessment	Plan for 2021
1. Pay into collective fund for Status and Trends Monitoring.	Payment of \$1,597 due August 15, 2021.
2. Pay into collective fund for Effectiveness Studies.	Payment of \$2,661 due August 15, 2021.
3. Pay into collective fund for Source Identification Information Repository.	Payment of \$247 due August 15, 2021.