FACT SHEET FOR STATE OF FLORIDA MUNICIPAL SEPARATE STORM SEWER SYSTEM NPDES PERMIT RENEWAL TO DISCHARGE TO WATERS OF THE STATE

PERMIT NUMBER: FLS000010-005 (Major)

FACILITY NAME: Reedy Creek Improvement District Municipal Separate Storm Sewer System (MS4)

1. APPLICANT:

Central Florida Tourism Oversight District
1920 E. Buena Vista Blvd. Ste. A
Lake Buena Vista, FL 32830

2. SUMMARY OF APPLICATION

   a. Chronology of Application

      Application Received: August 31, 2021

      Additional Information Received: September 17, 2021

   b. The current permit for this facility FLS000010-004 expired on February 28, 2022, and was administratively continued in accordance with subsection 62-624.420(4), Florida Administrative Code (F.A.C.) on August 31, 2021.

   c. Type of Facility: Municipal Separate Storm Sewer System (MS4)

3. DESCRIPTION OF THE MUNICIPAL SEPARATE STORM SEWER SYSTEM

   As authorized by Section 403.0885, Florida Statutes (F.S.), and rules promulgated thereunder, and consistent with Section 402(p) of the Clean Water Act (CWA), this permit is being proposed on a system-wide/jurisdiction-wide basis. The permittee named above is hereby authorized to discharge stormwater to waters of the State, in accordance with the approved Stormwater Management Program (SWMP), permit conditions, monitoring requirements, effluent limitations, and other provisions as set forth in the permit. The permittee is authorized to discharge stormwater from all portions of the MS4 owned or operated by the permittee listed above. This permit covers all areas within the political boundaries of Central Florida Tourism Oversight District, a special district designated under Chapter 298, Florida Statutes, served by or otherwise contributing to discharges of stormwater from the Municipal Separate Storm Sewer System (MS4) owned or operated by the applicant listed above.

4. RECEIVING SURFACE WATERS

The following named waterbodies have been identified to which the MS4 discharges, as of the date of development of this fact sheet:

Bonnet Creek	Lake Mabel
Davenport Creek	Shingle Creek
Lake Britt	South Lake
Lake Hancock	Upper Cypress Creek
Lake Hickorynut	Whittenhouse Creek

Total Maximum Daily Loads

The list of impaired waters, Total Maximum Daily Loads (TMDLs), and Basin Management Action Plans (BMAPs) associated with the discharges from a permitted MS4 may change as more information is collected and analyzed. The permittee is ultimately responsible for identifying all TMDLs and BMAPs for which they are responsible under the requirements of Part V. of the permit.

At the time of drafting this document, there were no identified DEP or EPA adopted TMDLs for the waters that may potentially receive discharges from the applicants' MS4 outfalls.

Reedy Creek Improvement District participates in the Lake Okeechobee Basin Management Action Plan (https://storymaps.arcgis.com/collections/1ffb58836a0e4ace86919fa28349c822?item=4).

The following website includes final Florida Department of Environmental Protection (Department, DEP) TMDL reports: https://floridadep.gov/dear/water-quality-evaluation-tmdl/content/final-tmdl-reports

The Department may have in development or in their TMDL workplan, TMDLs that may apply to the applicants' MS4 discharges. The following website identifies draft DEP TMDL reports: https://floridadep.gov/dear/water-quality-evaluation-tmdl/content/draft-tmdls.

The following websites may be used to search for DEP and EPA TMDLs:

- DEP TMDL Interactive Map https://fdep.maps.arcgis.com/home/webmap/viewer.html?webmap=1b4f1bf4c9c3481fb2864a415fbeca77
- Chapter 62-304, F.A.C.: https://www.flrules.org/gateway/ChapterHome.asp?Chapter=62-304
- EPA TMDL Interactive Map: https://mywaterway.epa.gov/

5. REASONABLE ASSURANCE:

The applicant has affirmatively provided the Department with reasonable assurance that the Stormwater Management Program will reduce the discharge of pollutants from the MS4 to the Maximum Extent Practicable (MEP) in accordance with 40 Code of Federal Regulations (CFR) 122.26, paragraph 62-620.100(3)(m), F.A.C., and subsection 62-620.320(1) F.A.C.

6. BASIS FOR SPECIFIC PERMIT CONDITIONS

The stormwater element of the federal National Pollutant Discharge Elimination System (NPDES) program is mandated by Section 402(p) of the CWA, which is set out in the federal statutes at 33 U.S.C. Section 1342(p) and implemented through federal regulations including 40 CFR 122.26. Authorized by Section 403.0885, F.S., the Department's federally approved NPDES stormwater program is set out in various provisions within Chapters 62-4, 62-620, 62-621 and 62-624 of the F.A.C. The specific conditions established by this permit are intended to implement Section 402(p)(3)(B) of the CWA (33 U.S.C. 1251 et seq., as modified by the Water Quality Act of 1987, P.L. 100-4), which requires the Agency to effectively prohibit the discharge of non-stormwater into the MS4 and require the permittee to reduce the discharge of pollutants to the MEP. As required by Section 40 CFR 122.44(k), and adopted by reference in paragraph 62-620.100(3)(m), F.A.C the permittee is required to use Best Management Practices (BMPs) in the form of required pollution prevention measures and a comprehensive SWMP as the mechanism to implement the statutory requirements.

The implementation of BMPs, along with control techniques, system design, engineering methods and such other provisions as the permittee and the Department determine appropriate, taken together, shall comprise the SWMP. The various components of the SWMP, taken as a whole rather than individually, are expected to be sufficient to meet the MEP requirement.

The permittee is required to evaluate the effectiveness of their SWMP and make adjustments, as necessary, to reduce the discharge of pollutants to the MEP. The Department may require modifications to the permittee's SWMP to address impacts on receiving waterbodies if discharges from the MS4 cause or contribute to water quality violations. The Department may require more stringent requirements necessary to comply with new State or Federal statutory or regulatory requirements.

7. DISCUSSION OF CHANGES TO THE PERMIT FROM THE PREVIOUS ISSUANCE

1. The facility name is Reedy Creek Improvement District; the permittee is Central Florida Tourism Oversight District.

2. Sections and subsections throughout the permit were reorganized to streamline content; select sections and subsections renamed for clarification; content revisions made throughout the permit for clarification.

3. Previous version Part I.A *Permit Area* title was removed.

4. Part I.A updated title to *Prohibited Discharges*; included previous version Part I.D *Limitations on Coverage* and Part II.A.7.a list of non-stormwater discharges, from which 'reclaimed water line flushing…' and 'flows from uncontaminated roof drains' were removed for consistency with Rule 62-624.200, F.A.C. and 40 CFR 122.26(d)(2)(iv)(B)(*1*).

5. Part II revised to clarify the relationship between section 402(p)(3)(B) of the Clean Water Act, the MEP standard, narrative effluent limitations, and the iterative approach to make reasonable further progress toward permit goals consistent with EPA interpretation in 64 Federal Register 68722.

6. Content from previous version Part II.A *Stormwater Management Program (SWMP) Requirements* moved under Part III.A Stormwater Management Program.

7. Part II.A revised to describe SWMP requirements, permittee responsibilities, written Standard Operating Procedures (SOP) requirements, and permit modification procedures. Content from previous version Part II.G.3. - *Transfer of Ownership, Operational Authority, or Responsibility for Stormwater Management Program Implementation* is described within Part IX(14).

8. Part II.B – Legal Authority. Content reorganized and revised for clarification; legal authority requirements found in Part III of the previous version consolidated under this section.

9. Part II.B – Legal Authority. Added requirement to review existing legal authority as a component of the Year 4 Annual Report and permit reapplication.

10. Part II.C – Stormwater Management Program Resources. Revised to require fiscal analysis consistent with 40 CFR 122.26(d)(1)(vi); includes reporting in the Year 4 Annual Report and permit reapplication.

11. Part II.D – Recordkeeping Requirements. Consolidated general water quality monitoring data collection protocol and reporting requirements under this section.

12. Part II.E – Added the identification of Department-approved and permittee implemented TMDL implementation plans, Bacteria Pollution Control Plans (BPCP), and Basin Management Action Plan (BMAP) activities.

13. Part II.F – Deadlines for Program Compliance. Added a table that summarizes deadlines found throughout the permit.

14. Part III.A – Clarified that specific permit conditions under each numeric subsection are narrative effluent limitations.

15. Part III.A – Revised and/or clarified program, SOP, and reporting requirements in each subsection.

16. Part III.A.1.a – Revised to clarify major outfall mapping requirements.

17. Part III.A.1.b – Non-major Outfall Mapping. Added mapping requirements, consistent with 40 CFR 122.26(d)(1)(iii)(B)(*1*); includes mapping within five years of permit effective date.

18. Part III.A.1.c – MS4 Inspection & Maintenance. Added requirement for all inspections to include the identification of the presence or absence of illicit discharges, connections, or dumping; added requirement to evaluate segments or specific components of the MS4 for increased inspection frequencies if they have a history of illicit discharges, connections, or dumping. Possible maintenance activities from previous Table II.A.1.a included in this section.

19. Table III.A.1.c – Consolidated previous version 'structural control' and 'frequency of inspection' columns. Removed separate inspection frequency for new systems and systems with chronic problems for dry retention, dry detention, detention with filtration, grass treatment swales, under drain filter, and wet detention, exfiltration trench, and French drains.

20. Table III.A.1.c – Moved ditches, conveyance swales, and other conveyances into a row separate from catch basins, inlets, and grates; increased inspection frequency to once every five years.

21. Table III.A.1.c – Added non-major outfalls, channels, slab covered trenches, and permeable pavement; identified inspection frequencies and requirements.

22. Table III.A.1.c – Replaced language in previous version for pollution control boxes, stormwater pump stations, and major outfalls that reads: 'unless historic operation records demonstrate that a more or less frequent schedule is appropriate' with note describing the process to request a reduced inspection frequency for pollution control boxes, stormwater pump stations, or major outfalls.

23. Part III.A.1.d – Catch Basin, Inlet, and Grate Management. Subsection added requiring the development and identification of performance/operations-based inspection frequencies and evaluation criteria; includes evaluation procedures submission in the Year 1 Annual Report.

24. Part III.A.2 and 2.b – Roadways and Public Use Areas. Added public-use areas that have the potential to impact the MS4 to the Litter Control Program.

25. Previous version Part III.A.3 – Removed optional Adopt-a-Road and Pick-up events and reporting subsection.

26. Part III.A.3 – Consolidated requirements from previous version Part III.A.2 and III.A.4 within this section.

27. Part III.A.3.b – Post-Construction Stormwater Management subsection added; clarified development review requirements; moved Environmental Resource Permit (ERP) notification/confirmation requirements from previous version Part III.A.9.a to this section.

28. Part III.A.3.c – Land Development Regulations & Stormwater Ordinances. Added requirement to review and report on existing codes/regulations relative to low impact development, green stormwater infrastructure, Florida-Friendly Landscaping principles and operation and maintenance of private stormwater management systems.

29. Previous version Part III.A.4 *Flood Control Projects* activities moved to Part III.A.1.d – Catch Basin, Inlet, and Grate Management and Part III.A.3.a – Stormwater Management.

30. Part III.A.4.a – Pesticides, Herbicides, and Fertilizer Ordinance: Reserved.

31. Part III.A.4.c – Certification, Licensing, and Training. Removed annual reporting requirement for pesticide, herbicide, and fertilizer application licensing and certifications.

32. Part III.A.5 – Illicit Discharge and Improper Disposal. Added list of allowed non-stormwater discharges or flows consistent with Rule 62-624.200, F.A.C., and 40 CFR 122.26(d)(2)(iv)(B)(*1*).

33. Part III.A.5.b – Illicit Discharge Detection & Elimination. Consolidated content from previous version Part III.A.7.c *Illicit Discharge and Improper Disposal* (proactive inspections and reactive investigation programs and SOPs) under single subsection.

34. Part III.A.5.c – Spill Prevention & Response. Moved reporting of sanitary sewer overflows and the number of notifications to the appropriate utility owner if wastewater contamination was suspected to impact the MS4 from previous version Part III.A.7.g *Limitation of Sanitary Sewer Seepage* to this section.

35. Part III.A.5.d – Limitation of Sanitary Sewer Contamination. Revised content to clarify this subsection applies to permittees that are the owner/operator of the sanitary sewer system; added language to operate and maintain the collection system in accordance with Chapter 62-604, F.A.C.

36. Part III.A.6 – High-Risk Runoff. Consolidated facility-related requirements found in previous version Part III.A.3, III.A.5, and III.A.8.

37. Part III.A.6.b – High-Risk Facilities. Added requirement to report facilities added or removed from the inventory.

38. Part III.A.7 – Construction Site Runoff. Revised content to clarify confirmation of DEP Construction Generic Permit (CGP) coverage can occur during construction site plan review or construction site inspection.

39. Part III.A.7.a – Site Planning & Best Management Practices. Clarified requirements for construction site plan review; clarified CGP referral requirements.

40. Part III.A.8 – Employee Training. Consolidated training related content from previous version Part III.A.7.c, III.A.7.d, and III.A.9.c under this subsection.

41. Part III.A.8.a – MS4 Inspector Training. Added requirement to develop training program for MS4 inspectors within 12 months.

42. Part III.A.8.d – Construction Training. Clarified training requirements for site plan reviewers, site inspectors, and site operators; revised reporting to clarify annual reporting for the total number of qualified active inspectors and the number of inspectors, operators, and reviewers that received annual training.

43. Part III.A.9 – Public Education & Outreach. Consolidated education and outreach related content from Part III.A.6, III.A.7.e, and III.A.7.f of the previous version under this subsection.

44. Part III.A.9 – Public Education & Outreach. Revised content to clarify this section includes material distribution to and/or events for the general public and businesses.

45. Part III.A.9 – Public Education & Outreach. Added required material distribution and/or activities on the impacts of trash/litter on the MS4 and downstream water bodies; added required material distribution and/or activities to encourage the proper maintenance of private stormwater systems and/or the promotion of LID/GSI.

46. Part III.A.9 – Public Education & Outreach. Added requirement for a minimum of quarterly dissemination of information to inform the public of HHW collection facility locations or events, and the types of materials collected.

47. Previous version Part VIII.B.1 BMAP language revised and moved to Part V.D.

48. Part V.A.1 – TMDL Prioritization Plan. Revised content to clarify that the list should contain all TMDL waterbodies to which the MS4 discharges; clarified that a WBID not previously prioritized will be prioritized in each permit cycle.

49. Part V.A.1– TMDL Prioritization Plan. Added instructions if there are no applicable waterbodies to prioritize.

50. Part V.A.2 – Alternative Restoration Plans. Added subsection including an option for prioritizing a Category 5 impaired waterbody in lieu of a TMDL waterbody during the permit cycle.

51. Part V.B.1 – MS4 Pollutant Loading Evaluation Plan. Added specific plan requirements for Storm Event Outfall Monitoring (V.B.1.a) and Targeted Water Quality Monitoring (V.B.1.c).

52. Part V.B.1.b. Added Pollutant Load Reduction Modeling as an option to evaluate load reductions relative to the TMDL MS4 wasteload allocation.

53. Previous version Part VIII.B.2.d *Supplemental SWMP* replaced by Part V.B.2 – TMDL Implementation Plan; consolidated specific plan requirements.

54. Part V.C.1 – Bacteria Source Identification Plan. Separated source identification activities from Bacteria Pollution Control Plan; added requirement to submit plan within six months of TMDL Prioritization Plan approval.

55. Part V.C.2 – Bacteria Pollution Control Plan. Revised to clarify plan requirements; revised submittal date to no later than the Year 4 Annual Report.

56. Part V.E.4 – Annual TMDL Reporting. Revised to clarify reporting applies to all TMDL Implementation plans (supplemental SWMP) or BPCPs approved in previous permit cycles.

57. Previous version Part V. *Assessment Requirements* changed to Part VI – Assessment Program. Content revised to clarify the program consists of three components: water quality monitoring, pollutant loading estimates, and SWMP evaluation.

58. Florida Stormwater Association Load Reduction Tool moved from previous version Part III.A.3 *Roadways* to Part VI.B.2.a.

59. Annual analysis of financial resources moved from previous version Part II.F. *Stormwater Management Program Resources* to Part VI.B.2.d.

60. Previous version Part V.B.5. Removed requirement to submit a copy of the Assessment Program as an attachment to the Year 4 Annual Report and Reapplication. Added Part VI.B.1, which requires the permittee to review existing Assessment Programs upon issuance of a new permit and submit an updated version with the Year 1 Annual Report if revisions were made to address any changes or new permit requirements for Assessment Programs.

61. Part VII.D – Added requirement to submit all reports electronically as provided in paragraph 62-620.100(3)(bb) and paragraph 62-620.100(3)(cc), F.A.C., when applicable.

62. Part X. – Definitions. Added definitions.

8. PERMIT SCHEDULES

See permit Part III - Schedules for Implementation.

9. ADMINISTRATIVE ORDERS AND CONSENT ORDERS

This permit is not accompanied by an administrative order and the permittee has not entered into a consent order with the Department.

10. THE ADMINISTRATIVE RECORD

The administrative record including application, draft permit, fact sheet, public notice (after release), comments received, and additional information is available for public inspection during normal business hours at the location specified in item 12. Copies will be provided at a minimal charge per page.

11. PROJECT DECISION SCHEDULE FOR PERMIT ISSUANCE
[Rule 62-620.510, F.A.C.]

EVENT	DATE
Draft Permit/Fact Sheet to Applicant and EPA	**3/18/2025**
Applicant to Publish Public Notice of Draft Permit	*4/17/2025
Provide Proof of Publication of Draft Permit Notice	*5/1/2025
Public Comment Period Ends (no later than)	*5/17/2025
Intent to Issue (ITI) Permit/Fact Sheet to Applicant and EPA	*5/19/2025
Applicant to Publish Public Notice of ITI Permit (no later than)	*6/18/2025
Provide Proof of Publication of Notice of ITI Permit (no later than)	*6/25/2025
Public Petition Period Ends (no later than)	*7/2/2025
Final Permit to Applicant and EPA*	***7/3/2025**

** These dates are target dates for planning – actual dates may vary.*

12. DEP CONTACT

Additional information concerning the permit and proposed schedule for permit issuance may be obtained during normal business hours from:

Amanda Dyer
Department of Environmental Protection
NPDES Stormwater Program
2600 Blair Stone Road, Mail Station 3585
Tallahassee, FL 32399-2400
Email: NPDES-MS4@floridadep.gov
Telephone Number: 850-245-7566

13. PROCEDURES FOR THE FORMULATION OF FINAL DETERMINATIONS

a. Public Comment Period

The Department of Environmental Protection proposes to re-issue an MS4 permit to the applicant subject to the conditions as noted in the Draft Permit. This decision is tentative and open to comment from the public.

The permit application file and supporting data are available online at: https://prodenv.dep.state.fl.us/DepNexus/public/searchPortal.

Interested persons are invited to submit written comments regarding permit issuance on the draft permit limitations and conditions through the DEP Business Portal at https://www.fldepportal.com/DepPortal/go/submit-publiccomment, by email NPDES-MS4@floridadep.gov, or mail:

Amanda Dyer
Department of Environmental Protection

NPDES Stormwater Program
2600 Blair Stone Road, Mail Station 3585
Tallahassee, FL 32399-2400

Any interested person may submit written comments on the Department's proposed permitting decision or may submit a written request for a public meeting to the address specified above, in accordance with Rule 62-620.555, F.A.C. The comments or request for a public meeting must contain the information set forth below and must be received in the above-named Department office, NPDES Stormwater Program within **30 days** of receipt or publication of the public notice. Failure to submit comments or request a public meeting within this time period will constitute a waiver of any right such person may have to submit comments or request a public meeting under Rule 62-620.555, F.A.C.

The comments or request for a public meeting shall contain the following information:

(1) The commenting party name, address and telephone number;

(2) Reedy Creek Improvement District MS4, File FLS000010-005;

(3) A description of any changes the commenter proposes for the draft permit;

(4) A full explanation of the factual and legal reasons for each proposed change to the draft permit by the commenter; and

(5) If applicable, a request that a public meeting be scheduled including a statement of the nature of the issues proposed to be raised at the meeting. However, the Department may not always grant a request for a public meeting. Therefore, written comments should be submitted within 30 days of publication of this notice, even if a public meeting is requested.

All comments received within 30 days following the date of public notice, pursuant to Rule 62-620.550, F.A.C., will be considered in the formulation of the final decision with regard to permit issuance.

b. Public Meeting

The Department will hold a public meeting if there is a significant degree of public interest in the draft permit or if it determines that useful information and data may be obtained thereby. Public notice of such a meeting shall be published by the applicant at least **30 days** prior to the meeting.

If a public meeting is scheduled the public comment period is extended until the close of the public meeting. If a public meeting is held, any person may submit oral or written statements and data at the meeting on the Department's proposed action.

c. Issuance of the Permit

The Department will make its decision regarding permit issuance after consideration of all written comments, including comments from the United

States Environmental Protection Agency, all comments received during a public meeting, if held, and the Department's consideration of the requirements of Chapter 403, F.S., and appropriate rules. The Department will respond to all significant comments in writing. The Department's response to significant comments will be included in the administrative record of the permit and will be available for public inspection at the office of the Department.

Unless a request for an administrative hearing is granted, or an extension of time to file a petition for an administrative hearing, as indicated in d. below, is granted, the Department will take final agency action by issuing the permit or denying the permit application. If an administrative hearing is convened, final agency action will be based on the outcome of the hearing.

d. Administrative Hearing

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) to challenge the Department's decision in accordance with Section 120.57, F.S.

An administrative hearing is an evidentiary proceeding in which evidence is presented through testimony and exhibits before an independent hearing officer. The result of an administrative hearing is the issuance of the hearing officer's recommended order to the Department, including the hearing officer's findings of fact based on the evidence presented at the hearing. The Department will issue a final order, granting or denying the permit, based on the hearing officer's recommended order.

The petition for an administrative hearing must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, within 14 days of publication of notice of agency action or within 14 days of personal receipt of notice of agency action, whichever occurs first. The petitioner is to mail a copy of the petition to the applicant at the time of filing. Failure to file a petition within this time period will constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, F.S. The petition is to contain the following information:

(1) The name, address and telephone number of each petitioner, the applicant's name and address, the Department Permit File Number and the county in which the project is proposed;

(2) A statement of how and when each petitioner received notice of the Department's action or proposed action;

(3) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action;

(4) A statement of the material facts which the petitioner contends warrant reversal or modification of the Department's action or proposed action;

(5) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and

(6) A statement of the relief sought by the petitioner, stating precisely the action the petitioner wants the Department to take with respect to the Department's action or proposed action.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in the notice of agency action. Persons whose substantial interests will be affected by any decision of the Department on the application have the right to petition to become a party to the proceeding, regardless of their agreement or disagreement with the Department's proposed action indicated in the notice of agency action.