

Quarterly Teleconference for Florida Phase II MS4s

Wednesday, September 13, 2023

Meeting Minutes

The next quarterly teleconference is scheduled for:

- 12/13/2023
- Submit agenda topics to Sharon.Surita@FloridaDEP.gov
- [Subscribe to Phase II MS4 GovDelivery](#)

NPDES Stormwater Contacts:

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Beth Robertson	Phase II MS4 Coordinator	850-245-8495
Ryan Riffle	MS4 Data Steward	850-245-7566
Sharon Surita	MS4 Support	

Attendee Count: 76 (staff 5)

Welcome – Borja Crane-Amores

- New Phase II coordinators, Kristie Beeman and Beth Robertson.
- One Phase I Coordinator position still vacant

Audit Tool – Kristie Beeman

- DEP Contracted with Atkins to build an audit and inspection tool in Survey123, an ArcGIS application.
- Can be used on a tablet and generates reports for each audit and site inspection; we can take pictures and photographs are embedded in the report; also auto populates corrective action for any associated non-compliance noted during the audit.
- Rolled out the tool in August. Still working out the kinks. Sharon Surita is coordinating with Atkins on the design and maintenance of the tool.
- Standardized the audit process between DEP Coordinators. Creates reports for each audit and site inspection, imbedded with images, and corrective actions for any non-compliance discovered during the audit, which will reduce the amount of time between audits and permittees receiving the reports.
- With implementation of this new tool, it is imperative that permittees have available all SOPs, inspection/activity documentation and tracking for each permit requirement at the time of the audit. If documentation is not provided during an audit, that requirement will be marked as not implementing the program. The goal is to allow coordinators to focus on

determining compliance and reduce the significant back and forth for receiving and reviewing documents after the fact.

In-House Applications – Kristie Beeman

- Applicants will be hearing from us in October to initiate permitting process

Permit Technical Changes – Matt Irwin

- Phase II Generic Permit and NOI were updated for technical changes in July 2023; based on a review of the adopted documents
 - Several citations were updated to the correct administrative code and some grammatical corrections
 - Appendix A dropdown allows for selection of correct BMP number and description
 - Clarified BMP descriptions
 - Distinction between CGP and ERP
 - Clarified language for prioritizing a water body and BMAPs
- Forms are online for review
 - Phase II Generic Permit: <https://www.flrules.org/Gateway/reference.asp?No=Ref-12373>
 - Phase II NOI: <https://www.flrules.org/Gateway/reference.asp?No=Ref-12374>
 - Chapter 62-621, F.A.C. <https://www.flrules.org/gateway/ChapterHome.asp?Chapter=62-621>
 - NPDES Program Website: <https://floridadep.gov/water/stormwater/content/regulated-phase-ii-ms4s>
- Q/A
 - *Carolina Alvarez (Brevard County)*: Will a summary be provided? This will be better if you were showing these sections?
 - *Sally Adkins (City of Gainesville)*: It's hard to follow this without seeing changes
 - *Robert Potts (Geosyntec)*: Will DEP be providing summary of these changes?
 - *Steven Kelly (FDOT)*: I went to the Rulemaking link above. It's not clear what changes were made. Is there a strikethrough/underline version of the changes/edits that were made to the rule?
 - *Borja Crane-Amores*: We will provide strikethrough document with the minutes.

TMDL review – Kristie Beeman

- Overview and resource sheet are attached
 - Determining whether you need to complete a TMDL Prioritization
 - DEP TMDLs may be prioritized over EPA TMDLs
 - Which TMDLs you discharge to
 - Determining factors
 - WLAs and pollutant sources
 - Possible implementation steps
- Q/A
 - *Sally Adkins (City of Gainesville)*: What is the reason for including the prioritization plan in the NPDES permit?

- *Borja Crane-Amores*: We have permittees where the BMAP doesn't cover all the TMDLS they discharge into, so they will need to look at those discharges and that is where the prioritization process is triggered. Additionally, permittees that don't participate in a BMAP at all will need to undergo the process.
- *Kristie Beeman*: If all the TMDLS you discharge into are covered by a BMAP, you don't need to develop a prioritization plan
- *Karen Bliss (Charlotte County)* – When does this come into play because we are submitting the cycle 5 permit and are responding to the RAI. Are these changes going to affect something in progress?
 - *Kristie Beeman*: If you applied post 2021, these changes would already apply.
 - *Borja Crane-Amores*: Matt is going to provide revisions with the strike-through technical changes. Rulemaking efforts were completed in 2021. These are not substantive changes, rather the changes are citations that were incorrect along with grammatical errors. Had we made substantive changes, we would have had to go through rulemaking effort which would be open for public comment, etc. Underlines indicate something that was added and strike through indicates something that was removed.

General Updates - Matt Irwin; Borja Crane-Amores

- Regulated Phase II MS4 universe is expected to increase by up to 40% and can impact new designations and boundaries. EPA layers depicts the 2020 U.S. Census
 - <https://www.epa.gov/npdes/final-phase-ii-rule-clarification-related-census-bureau-urban-area-designation-criteria>
 - EPA provided notice of the final rule's promulgation in the [Federal Register](https://www.govinfo.gov/content/pkg/FR-2023-06-12/pdf/2023-12494.pdf), <https://www.govinfo.gov/content/pkg/FR-2023-06-12/pdf/2023-12494.pdf> on June 12, 2023. The effective date for the final rule is July 12, 2023.
 - EPA has also published the updated Census webpage that includes information on the 2020 Census urban area maps. <https://www.epa.gov/npdes/urban-area-maps-mpdes-ms4-phase-ii-stormwater-permits>.
- Reminder: we have a new program email address NPDES-MS4@floridadep.gov that replaces ePost. Please send reports, responses, and other routine items to this address. A member of staff is dedicated to receiving, distributing, and filing all incoming messages.
- We have spent some effort in enforcement, and we have developed a list of common violations encountered that may be helpful in compliance process.
- The Permit Resource Manual is being overhauled and will also be beneficial to the Phase II universe. Info for both Phase I and Phase II permits will be provided in the updated Resource Manual.

Q & A / Open Discussion

- *Sally Adkins*: What are the potential changes to MS4s that are already designated?
 - *Borja Crane-Amores*: Are you asking about the current Phase II expanded areas? We can put together some overlays of the 2010 and 2020 U.S. Census Urban Areas to help you determine current UA vs 2020 UA. Our main priority is to evaluate areas

that are not currently permitted. There is an exemption waiver that goes into the process.

- *Sandra Reller (City of Titusville)*: Can you update us on the audit schedule?
 - *Kristie Beeman*: There are two sections to the audit in the meeting agenda. The first lists the remaining audits to be conducted through September 30, 2023. The second lists the potential audits to be conducted for Federal Fiscal Year 23-24 (October 1, 2023 – September 30, 2024). We will be prioritizing permitting in October, so audits are not expected to be performed during that timeframe.
- *Borja Crane-Amores; Kristie Beeman*: EPA conducted audits for Port St. Lucie, Fort Pierce and St. Lucie County last month. PGA consultants conducted the inspections with EPA staff shadowing. FDEP also conducted inspections concurrently; for DEP's responsibility to conduct audits.
 - *Sally Adkins*: Did EPA reach out prior to conducting audit?
 - *Kristie Beeman*: They did reach out to us prior and we did request audit documents. Consultant has 40 days to generate a report for the EPA.
 - *Steven Kelly (FDOT)*: Can you put a copy of the EPA inspection report on OCULUS?
 - *Borja Crane-Amores*: We will make sure the report is in Oculus for the permittees when it becomes available. There was an initiative to investigate the Indian River Lagoon and so MS4 activities were being evaluated. EPA typically does not want the State to reach out to the target entities. We had a pre-meeting to understand what the intent of the EPA audit was so FDEP could provide education as needed (i.e. post-construction, BMAPs, etc.)
 - *Sally Adkins*: Were those permittees due for an audit?
 - *Kristie Beeman*: They were scheduled for the subsequent year; therefore we conducted an early audit.

Teleconference minutes and videos can be accessed on the shared drive at:

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Audits to be Conducted by September 30, 2023
Note that this depicts a tentative list that is subject to change

Permittee Name	County	Permit Number	Coordinator
Baldwin	Duval	FLR04E086	Kristie Beeman
Brooksville	Hernando	FLR04E119	Beth Robertson
Edgewater	Volusia	FLR04E016	Kristie Beeman
Estero	Lee	FLR04E159	Beth Robertson
FDOT District 1 - Okeechobee	Okeechobee	FLR04E0161	Michelle Bull
Florida Atlantic University	Palm Beach	FLR04E094	Beth Robertson
Florida City	Miami-Dade	FLR04E088	Kristie Beeman
Gulf Breeze	Santa Rosa	FLR04E085	Beth Robertson
Minneola	Lake	FLR04E111	Beth Robertson
Naval Air Station Pensacola	Escambia	FLR04E058	Beth Robertson
Rockledge	Brevard	FLR04E047	Kristie Beeman
Village CDD No. 1-10	Sumter	FLR04E116	Beth Robertson

Audits to be Conducted by September 30, 2024

Note that this depicts a tentative list that is subject to change

Permittee Name	County	Permit Number	Coordinator
Clewiston	Hendry	FLR04E134	Kristie Beeman
DeBary	Volusia	FLR04E120	Kristie Beeman
DeLand	Volusia	FLR04E078	Kristie Beeman
Deltona	Volusia	FLR04E099	Kristie Beeman
Dunnellon	Marion	FLR04E154	Beth Robertson
Eustis	Lake	FLR04E100	Beth Robertson
FDOT District 1 – Highlands	Highlands	FLR04E147	Michelle Bull
FDOT District 6 - Monroe	Miami-Dade	FLR04E132	Michelle Bull
FDOT District 7 – Citrus County	Citrus	FLR04E142	Michelle Bull
Florida International University	Miami-Dade	FLR04E092	Beth Robertson
Fruitland Park	Lake	FLR04E114	Beth Robertson
Glades County	Glades	FLR04E137	Kristie Beeman
Hendry County	Hendry	FLR04E138	Kristie Beeman
Highlands County	Highlands	FLR04E148	Kristie Beeman
Inverness	Citrus	FLR04E144	Beth Robertson
Lady Lake	Lake	FLR04E105	Beth Robertson
Lake County	Lake	FLR04E106	Beth Robertson
Leesburg	Lake	FLR04E110	Beth Robertson
Mascotte	Lake	FLR04E146	Beth Robertson
Melbourne Beach	Brevard	FLR04E041	Kristie Beeman
Montverde	Lake	FLR04E155	Beth Robertson
Naval Air Station Jacksonville	Duval	FLR0E091	Beth Robertson
Orange City	Volusia	FLR04E126	Kristie Beeman
Orange Park	Clay	FLR04E075	Kristie Beeman
Palm Coast	Flagler	FLR04E145	Kristie Beeman
Panama City Beach	Bay	FLR04E123	Kristie Beeman
Ponce Inlet	Volusia	FLR04E071	Kristie Beeman
Satellite Beach	Brevard	FLR04E072	Kristie Beeman
Sebastian	Indian River	FLR04E124	Kristie Beeman
Sebring	Highlands	FLR04E149	Beth Robertson
Titusville	Brevard	FLR04E079	Kristie Beeman
Umatilla	Lake	FLR04E108	Beth Robertson
University of North Florida	Duval	FLR04E158	Beth Robertson
Wildwood	Sumter	FLR04E162	Beth Robertson



**National Pollutant Discharge Elimination System Two-Step Generic Permit
for Discharge of Stormwater from Phase II Municipal Separate Storm
Sewer Systems
DEP Form 62-621.300(7)(a)
Effective February 16, 2021**

This permit is issued under Section 403.0885, Florida Statutes (F.S.), and implemented through applicable provisions of Chapters 62-4, 62-620, 62-621, and 62-624, Florida Administrative Code (F.A.C.). Coverage under this generic permit constitutes authorization to discharge stormwater from Phase II Municipal Separate Storm Sewer Systems (MS4s) to surface waters of the State pursuant to the Department of Environmental Protection's (Department) federally approved National Pollutant Discharge Elimination System (NPDES) stormwater program. This generic permit is adopted and incorporated by reference at paragraph 62-621.300(7)(a), F.A.C.

Two-Step Generic Permit: Consistent with Title 40, Code of Federal Regulations (CFR) §122.28(d)(2), coverage under this generic permit includes the "Generic Permit for Discharge of Stormwater from Phase II Municipal Separate Storm Sewer Systems," [DEP Form 62-621.300(7)(a)], which establishes terms and conditions herein applicable to all eligible Phase II MS4 operators as the first step. Appendix A of the "Notice of Intent to Use Generic Permit for Discharge of Stormwater from Phase II Municipal Separate Storm Sewer Systems," [DEP Form 62-621.300(7)(b)], establishes additional permit requirements, consistent with Parts V and X of this generic permit, and comprises the second step to obtain coverage under this generic permit. Appendix A [DEP Form 62-621.300(7)(b)] must be submitted by the applicant to the Department for review, and the applicant must respond to the Department's requests for additional information. Compliance with both steps is required for coverage under this generic permit.

Part I. Authorization to Discharge.....	2
A. Authorized Discharges	2
B. Limitations on Coverage	2
C. Eligibility Conditions	3
Part II. General Provisions	3
Part III. Contents of Notice of Intent-Appendix A	4
A. Best Management Practices and Measurable Goals.....	4
B. Menu of Best Management Practices	4
Part IV. Stormwater Discharge Permit Compliance and the Maximum Extent Practicable Standard.....	4
Part V. Stormwater Management Program and Six Minimum Control Measures	4
A. Stormwater Management Program Required [40 CFR §122.34].....	4
B. Minimum Control Measures [40 CFR §122.34(b)].....	5
Part VI. Reporting	7
A. Annual Report Deadline.....	7
B. Annual Report Contents	8
Part VII. Record Keeping Requirements	8
Part VIII. Sharing Responsibility for Minimum Control Measures.....	8
A. Sharing Responsibilities [40 CFR §122.35(a)]	8
B. Permittee Responsibilities.....	9
Part IX. Qualifying Alternative Program.....	9
A. Department Authority to Recognize and Amend.....	9
B. Permittee/Operator Responsibilities.....	9

C. Recognized Qualifying Alternative Programs	9
Part X. Other Conditions	9
A. Operation and Maintenance.....	9
B. Requirements for Total Maximum Daily Loads and/or Reasonable Assurance Plans to Address Impaired Waters Under Section 403.067, F.S. [40 CFR §122.34(c)].....	10
Part XI. General Conditions	10
A. General Conditions.....	10
B. Additional General Conditions Pursuant to Rule 62-620, F.A.C	13

Part I. Authorization to Discharge

A. Authorized Discharges

Coverage under this generic permit authorizes the discharge of stormwater from regulated Phase II MS4s consistent with Section 402(p)(6) of the federal Clean Water Act.

B. Limitations on Coverage

Stormwater discharges that are mixed with non-stormwater discharges are not authorized under this generic permit unless such discharges are:

1. In compliance with a separate NPDES permit; or,
2. Within one of the following categories of non-stormwater discharges (as defined by Rule 62-624.200(2), F.A.C.), and provided the non-stormwater discharges do not cause or contribute a violation of water quality standards:
 - a. water line flushing,
 - b. landscape irrigation,
 - c. diverted stream flows,
 - d. rising ground waters,
 - e. uncontaminated groundwater infiltration (as defined in 40 CFR §35.2005(20)),
 - f. uncontaminated pumped groundwater,
 - g. discharges from potable water sources,
 - h. foundation drains,
 - i. air conditioning condensate,
 - j. irrigation water,
 - k. springs,
 - l. water from crawl space pumps,
 - m. footing drains,
 - n. lawn watering runoff,
 - o. water from individual residential car washing,
 - p. flows from riparian habitats and wetlands,
 - q. dechlorinated swimming pool discharges,
 - r. residual street wash water,
 - s. discharges or flows from firefighting activities

- t. Reclaimed water line flushing authorized pursuant to a permit issued under the authority of Chapter 62-610, F.A.C.; and
- u. Flows from uncontaminated roof drains.

C. Eligibility Conditions

Coverage under this generic permit may be obtained by operators of Phase II MS4s who are designated as required to seek permit coverage in accordance with Rule 62-624.800 and Rule 62-624.810, F.A.C. To obtain permit coverage, the operator must:

1. Submit a "Notice of Intent (NOI) to Use the National Pollutant Discharge Elimination System Two-Step Generic Permit for Discharge of Stormwater from Phase II Municipal Separate Storm Sewer Systems" [DEP Form 62-621.300(7)(b)] to the Department's NPDES Stormwater Program, Bob Martinez Center, 2600 Blair Stone Road, MS #3585, Tallahassee, Florida 32399. Electronic submittal is preferred.
2. Pay the appropriate permit fee, as provided in subparagraph 62-4.050(4)(d)(5), F.A.C. Instructions for electronic submittal of permit fees can be obtained by contacting the NPDES Stormwater Program by calling the NPDES Stormwater Notice Center at 850-245-7522 or writing 2600 Blair Stone Road, MS# 3585, Tallahassee, Florida 32399. The Department will not process the Notice of Intent [DEP Form 62-621.300(7)(b)], without the submittal of the appropriate fee.
3. Provide public notice in accordance with Rule 62-620.550, F.A.C. Consistent with 40 CFR §122.28(d)(2)(ii), the Department will respond to significant comments received during the comment period as provided in paragraph 62-620.555(3)(b), F.A.C. Public notice, public comments, and request for public hearing shall follow the procedures of paragraphs 62-620.550(2) through (4) and Rule 62-620.555, F.A.C. [Rule 62-621.300(7)(c)(d)1, F.A.C.]

Commented [IM1]: Correct citation; there is no (d)

Part II. General Provisions

- A. Coverage under this generic permit shall be effective upon written notification by the Department and is limited to a term of five years from the effective date of coverage.
- B. A renewal of coverage under this generic permit shall be submitted at least 180 days prior to the expiration of the five-year permit term, along with the appropriate fee, in accordance with paragraphs 62-4.050(4)(d)(5)(a) through (c), F.A.C., and public notice in accordance with Rule 62-620.550(3)(b), F.A.C.
- C. The permittee must develop and implement all components of its stormwater management program no later than five (5) years from the date of initial coverage under this generic permit.
- D. For each successive term of permit coverage, the permittee must evaluate compliance with the terms and conditions of this generic permit. The evaluation must include the effectiveness of the components of its stormwater management program, and the status of achieving measurable goals in its implementation of the stormwater management program for consistency with the requirements of the generic permit and 40 CFR §122.34(d). [Subparagraph 62-621.300(7)(c)(d)3, F.A.C.]
- E. If the permitted operator of the Phase II MS4 changes, such that a different entity is responsible for operating the Phase II MS4, a new Notice of Intent, [DEP Form 62-621.300(7)(b)] and the appropriate permit fee must be filed with the Department. If the change is a name change only, the permitted operator must notify the

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Commented [IM3]: Correct citation.

Commented [IM4]: Correct citation; there is no (d)

Department in writing, addressed to NPDES Stormwater Program, 2600 Blair Stone Road, MS# 3585, Tallahassee, Florida 32399, advising of the name change. An explanation for the basis of the name change must be reflected in the next annual report that follows the name change.

Part III. Contents of Notice of Intent-Appendix A

A. Best Management Practices and Measurable Goals

Completion of Appendix A of the “Notice of Intent to Use Generic Permit for Discharge of Stormwater from Phase II Municipal Separate Storm Sewer Systems [DEP Form 62-621.300(7)(b)] shall serve as written documentation of the required stormwater management program, further described in Part V of this generic permit. Appendix A includes a list of best management practices (BMPs) to be implemented by the permittee, as well as proposed measurable goals for each of the required elements under the six minimum control measures, set forth in Part V.B of this generic permit.

Consistent with 40 CFR §122.34(a), the BMPs proposed by the permittee must be expressed in clear, specific, and measurable terms. Using Appendix A of [DEP Form 62-621.300(7)(b)], the permittee shall identify a schedule that includes the permit year in which the operator will begin to implement each element of the required minimum control measures as well as permit year(s) the operator intends to fully implement each element. In some cases, it may be more appropriate for the operator to indicate the frequency of the action. The operator shall identify the entity or department expected to be responsible for implementing and/or coordinating each BMP.

B. Menu of Best Management Practices

The U.S. Environmental Protection Agency maintains a National Menu of Best Management Practices for Stormwater, located at <https://floridadep.gov/water/stormwater/content/guidance-and-web-links>, which can be useful in developing a stormwater management program.

Part IV. Stormwater Discharge Permit Compliance and the Maximum Extent Practicable Standard

The permittee shall develop and implement a stormwater management program to reduce the discharge of pollutants from the Phase II MS4 to surface waters of the State to the maximum extent practicable (MEP). Terms and conditions may include narrative effluent limitations requiring implementation of BMPs, which are generally the most appropriate form of effluent limitations when designed to satisfy technology requirements (including reduction of pollutants to the MEP) and to protect water quality. [40 CFR §122.34(a)]

The permittee’s implementation of BMPs, consistent with its approved stormwater management program as described in Appendix A and required pursuant to this generic permit, constitutes compliance with the standard of reducing pollutants to the MEP. The MEP standard is applied to MS4s in recognition of the fact that operators of a MS4 typically do not have total control over the quality or quantity of stormwater entering their systems that ultimately discharge to surface waters of the State.

Part V. Stormwater Management Program and Six Minimum Control Measures

A. Stormwater Management Program Required [40 CFR §122.34]

The permittee shall implement a stormwater management program (SWMP) that satisfies the requirements of this generic permit, including the minimum control measures listed in Part V.B of this generic permit. The permittee shall assess and adjust its SWMP, as part of an iterative process, to maximize efficiency and make reasonable further progress toward the goal of reducing the discharge of pollutants to surface waters of the State to the MEP. The permittee shall use Appendix A of the “Notice of Intent to Use Generic Permit for Discharge of Stormwater from Phase II Municipal Separate Storm Sewer Systems” [DEP Form 62-621.300(7)(b)], to establish the terms and conditions of the SWMP.

B. Minimum Control Measures [40 CFR §122.34(b)]

The permittee shall implement, or continue to implement, BMPs specified under the minimum control measures provided in this section during the permit term of coverage. The SWMP must include BMPs for each element of the six minimum control measures listed below.

1. Public Education and Outreach on Stormwater Impacts Minimum Control Measure

- a. Implement a program that utilizes delivery methods to distribute educational materials and/or conduct equivalent outreach activities to targeted audiences within the community about the impacts of stormwater discharges on water bodies, and the steps that the public can take to reduce pollutants in stormwater runoff.

2. Public Involvement/Participation Minimum Control Measure

- a. Implement a public participation/involvement program that includes delivery methods to participants and complies with state and local public notice requirements.

3. Illicit Discharge Detection and Elimination Minimum Control Measure

- a. Develop, if not already completed, a storm sewer system map showing the location of all outfalls, and the names and location of all surface waters of the State that receive discharges from those outfalls.
- b. To the extent allowable under state or local law, effectively prohibit, through ordinance or other regulatory mechanism, non-stormwater discharges into the MS4. Illicit discharges are defined in paragraph 62-624.200(2), F.A.C.
- c. Develop, if not already developed, and implement a plan to detect and address non-stormwater discharges, including illicit discharges, illegal connections, illegal dumping, and improper disposal of waste to the MS4, and implement appropriate enforcement procedures and actions. The plan shall consist of a standard operating procedures (SOP) that includes:
 1. Schedules and protocols for identification of priority areas for detailed screening of the system based on the likelihood of illicit discharges and connections. Detailed screening can include visual screening, water sampling of stormwater conveyances and outfalls, infrared or thermal photography, investigation of information submitted by cross-trained staff that are able to detect illicit discharges in the field, or investigations of public complaints.
 2. Investigation techniques for suspected or detected illicit discharges, including procedures for source tracing, to identify the source(s) of the suspected illicit discharges, illegal connections, illegal dumping, and improper disposal to the MS4.
 3. Procedures, including enforcement, for removal and/or correction of the source of the illicit discharge, illegal connection, illegal dumping, and improper disposal to the MS4.
 4. Documentation of actions taken under the plan.
- d. Inform public employees, businesses, and the general public of the hazards associated with illicit discharges, illegal connections, illegal dumping, and the improper disposal of waste.

4. Construction Site Stormwater Runoff Control Minimum Control Measure

- a. Develop and implement, to the extent allowable under State or local law, an ordinance or other regulatory mechanism to require erosion and sediment controls, and control of wastes, as well as sanctions to ensure compliance, to reduce pollutants in any stormwater runoff to the Phase II MS4 from construction activities that will result in a land disturbance of greater than or equal to one acre. Reduction of pollutants associated with stormwater discharges from construction activity disturbing less than one acre must also be included if that construction activity is part of a larger common plan of development or sale that would disturb one acre or more.
- b. Develop and implement requirements for construction site operators to implement appropriate erosion and sediment control BMPs.
- c. Develop and implement requirements for construction site operators to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that may cause adverse impacts to water quality.
- d. Develop and implement procedures for construction site plan review that incorporate the consideration of potential water quality impacts of stormwater runoff from construction activities. The plan review procedures shall include notification to construction site operators that they may be required to seek coverage under paragraph 62-621.300(4)(a), F.A.C., Part IV, Chapter 373, F.S., and/or Chapter 62-330, F.A.C.
- e. Develop and implement procedures for receipt and consideration of information submitted by the public.
- f. Develop and implement a SOP for construction site inspection and enforcement of control measures. The SOP for construction site stormwater runoff control program inspections shall include:
 1. Prioritization of sites for inspection based on the nature and extent of the construction activity, topography, and characteristics of soils and receiving water quality.
 2. Implementation of techniques for inspection to ensure the selection, installation and maintenance of BMPs is consistent with the regulatory mechanism required in Part V.B.4.a of this generic permit.
 3. Enforcement responses such as warnings, stop-work orders, non-monetary penalties, fines, bonding requirements, referrals and/or permit denials to address non-compliance, to the extent allowable under state and local law.
 4. Verification the construction site operator has received coverage under paragraph 62-621.300(4)(a), F.A.C., and/or Chapter 62-330, F.A.C., if required.

5. Post-Construction Stormwater Management in New Development and Redevelopment Minimum Control Measure¹

- a. To the extent allowable under State or local law, use an ordinance or regulatory mechanism to establish a program that addresses post-construction stormwater runoff from new development and redevelopment projects

¹ The Department recognizes Qualifying Alternative Programs under Part IX.C of this generic permit to implement this minimum control measure. The permittee is not required to develop additional BMPs for Part V.B.5 in its SWMP.

that disturb greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale that discharge into the Phase II MS4. The program must require that controls are in place that would minimize water quality impacts.

- b. Develop and implement strategies that include a combination of structural and/or non-structural BMPs appropriate for the community.
- c. Require adequate long-term operation and maintenance of BMPs.

6. Pollution Prevention/Good Housekeeping for Municipal Operations Minimum Control Measure

- a. Develop and implement an operation and maintenance program that has the ultimate goal of preventing or reducing pollutant runoff from municipal operations. The program must include the following as applicable to operation and maintenance of the Phase II MS4:

1. ~~Inspection Maintenance~~ activities, maintenance schedules, and procedures for long-term ~~operation of inspection~~ structural controls to reduce floatables and other pollutants discharged from the Phase II MS4;
 2. Procedures for non-structural controls, to reduce floatables and other pollutants discharged from the Phase II MS4;
 3. Controls for reducing or eliminating the discharge of pollutants from streets, roads, highways, municipal parking lots, maintenance and storage yards, fleet or maintenance shops and waste transfer stations;
 4. Procedures for properly disposing of wastes removed from the MS4 and areas listed in Part V.B.6 of this generic permit (such as street sweeping debris, litter collected, dredge spoil, accumulated sediments, floatables, and other debris); and
 5. Ways to ensure that new flood management projects are designed in such a way that they minimize or reduce pollutant loading to the MS4 or waters of the State, and examine existing projects for incorporating additional water quality protection devices or practices.
- b. Use training materials that are available from EPA, the Department or other organizations, to train employees in the prevention and reduction of stormwater pollution from MS4 operator activities, such as park and open space maintenance, fleet and building maintenance, new construction and land disturbances, and stormwater system maintenance. The training efforts must include a SOP that identifies the following:
 1. The topics to be covered in the training to address pollution prevention and good housekeeping in municipal operations;
 2. Positions within departments or divisions, and/or contractors that will receive training (for each topic);
 3. Frequency at which those positions will be trained; and
 4. Methods for tracking and documenting who is trained and when.

Commented [IM5]: Correct terminology.

Inspections are conducted to identify maintenance needs; maintenance is conducted to ensure long-term operation of the system.

Commented [BM6R5]: 2003 language
(1) Develop and implement an operation and maintenance program that has the ultimate goal of preventing or reducing pollutant runoff from municipal operations

Part VI. Reporting

A. Annual Report Deadline

Unless the permittee is relying on another entity to satisfy its NPDES permit obligations under Part VIII of this generic permit, the permittee shall submit Annual Reports to the Department for each year under the permittee's

initial term of permit coverage. Annual Reports are due within six months of the anniversary date of permit coverage and must be completed using DEP Form 62-621.300(7)(d). After the permittee's initial term of permit coverage, the permittee shall submit annual reports for years two and four of subsequent terms of permit coverage, unless the Department requires more frequent reports.

All reports submitted in accordance with this section must be submitted electronically by the owner, operator, or the duly authorized representative of the Phase II MS4 to the Department as provided in paragraph 62-620.100(3)(bb) and paragraph 62-620.100(3)(cc), F.A.C. Annual Reports must be signed in accordance with the requirements of Rule 62-620.305, F.A.C.

B. Annual Report Contents

1. The status of compliance with permit conditions, an assessment of the appropriateness of the identified BMPs and progress toward achieving identified measurable goals for each of the required elements of the six minimum control measures listed in Part V and the conditions set forth in Part X of this generic permit;
2. Summaries or results of information collected and analyzed. If independent monitoring is performed, provide monitoring data collected during the reporting period;
3. A summary of the stormwater activities the permittee plans to undertake to comply with this generic permit during the next reporting cycle; and
4. Any change in BMPs, measurable goals or schedules for implementation identified in the approved SWMP.

Part VII. Record Keeping Requirements

The permittee shall keep records required by this generic permit for at least three (3) years from the date permit coverage expires. Upon request from the Department, the permittee shall submit copies of records required by this generic permit to the Department as soon as possible, but in no case later than five (5) business days, unless granted an extension by the Department. The permittee shall make its records, including a description of its SWMP, available to the public in accordance with Chapter 119, F.S.

Part VIII. Sharing Responsibility for Minimum Control Measures

A. Sharing Responsibilities [40 CFR §122.35(a)]

A permittee may rely upon another entity or entities to satisfy its permit obligations to implement one or more minimum control measures if:

1. The other entity, in fact, implements the control measure;
2. The control measure, or component thereof, is at least as stringent as the corresponding permit requirement;
3. The other entity agrees to implement the control measure on the permittee's behalf. Sharing arrangements for fulfilling permit obligations, including those related to reporting, must be established in the form of a written agreement between entities; and
4. Notice that the permittee is relying on another **governmental** entity to satisfy any part of its permit obligations (if applicable);
 - a. In periodic reports submitted, as required by this generic permit, the permittee shall also specify that it is relying upon another entity to satisfy some of its permit obligations;
 - b. If relying upon another entity regulated under Chapter 62-624, F.A.C., to satisfy all of its permit obligations, including its obligation to file periodic reports, the permittee shall note that in its NOI, but is not required to file the periodic reports.

Commented [IM7]: Remove 'governmental'.

Permittees may rely on another entity regardless of affiliation.

B. Permittee Responsibilities

Whether relying on another entity or entities for some or for all the minimum control measures, or not, the permittee:

1. Shall provide information in the “Notice of Intent to Use Generic Permit for Discharge of Stormwater from Phase II Municipal Separate Storm Sewer Systems” [DEP Form 62-621.300(7)(b)] that identifies the entity or entities that the permittee is relying upon to satisfy its one or more of its permit obligations(s). The permittee shall specify the entity responsible for satisfying each measure(s) under Parts V and/or X of this generic permit that entity is responsible for;
2. Shall specify in the periodic reports, as required under Part VI of this generic permit, that it is relying upon another entity to satisfy some of its permit obligations. The permittee shall include the information required under Part VI for each measure or report on the progress of the measure(s) being implemented by the other entity; and
3. Remains ultimately responsible for compliance with its permit obligations if the other entity fails to implement the control measure(s) or components thereof.

Part IX. Qualifying Alternative Program

A. Department Authority to Recognize and Amend

The Department has the authority to recognize where other governmental entities that implement one or more of the minimum control measures within a Phase II MS4’s jurisdiction, or where the Department itself is responsible. This generic permit may be reopened and modified, resulting in the requirement for the permittee to modify their approved Appendix A of the “Notice of Intent to Use Generic Permit for Discharge of Stormwater from Phase II Municipal Separate Storm Sewer Systems,” [DEP Form 62.621.300(7)(b)] to include schedules to develop and implement the minimum control measure(s) if the other entity fails to implement the minimum control measures, or if the Department determines that the qualifying alternative program does not provide reasonable assurance of compliance with this generic permit, or other applicable state or federal laws.

B. Permittee/Operator Responsibilities

The permittee is not required to implement the minimum measures for which a qualifying alternative program has been recognized, unless the qualifying alternative program is no longer recognized by the Department as set forth in a subsequent revision of this generic permit. If the permittee chooses to implement BMPs in addition to the efforts of the qualifying alternative program(s), it should include a description of the BMPs and measurable goals for each BMP in its proposed SWMP.

C. Recognized Qualifying Alternative Programs

For meeting the requirements of the minimum control measures as described Part V.B.5 of this generic permit, Post-construction Stormwater Management in New Development and Redevelopment, the program(s) implementing environmental resource permits, pursuant to Part IV, Chapter 373, F.S., and Chapter 62-330, F.A.C., are recognized as qualifying alternative programs for implementing the regulation of construction and operation of stormwater management and treatment systems within each program’s geographical boundaries.

Part X. Other Conditions

A. Operation and Maintenance

All facilities and systems of treatment and control that are installed or used to achieve compliance with the conditions of this generic permit must be properly operated and maintained at all times. Proper operation and maintenance includes adequate laboratory controls and appropriate quality assurance procedures.

B. Requirements for Total Maximum Daily Loads and/or Reasonable Assurance Plans to Address Impaired Waters Under Section 403.067, F.S. [40 CFR §122.34(e)]

The permittee shall address the implementation of Total Maximum Daily Loads (TMDL) and Reasonable Assurance Plans (RAP) in accordance with Section 403.067, F.S.

1. Basin Management Action Plans (BMAPs) and Reasonable Assurance Plans (RAPs)
 - a. Adopted BMAPs or RAPs

If the permittee discharges stormwater to a waterbody within the boundary of a Department-adopted BMAP or RAP in accordance with Section 403.067, F.S., the permittee shall comply with the adopted provisions of the BMAP or RAP that specify activities to be undertaken by the permittee.

- b. BMAPs and RAPs in Development

If a BMAP or RAP is in development during the permit cycle, the permittee shall continue to participate in the BMAP or RAP process and comply with the provisions of the BMAP or RAP that specify activities to be undertaken by the permittee, once adopted.

2. Department-Adopted TMDL without BMAP

If the permittee discharges stormwater to a waterbody for which a Department-adopted TMDL pursuant to Chapter 62-304, F.A.C., and a wasteload allocation has been established for regulated MS4 stormwater discharges, and a BMAP has not been developed or planned, the permittee shall address the TMDL in its SWMP as follows:

- a. Prioritization of TMDL Waterbodies without BMAPs

Stormwater discharges for this part include direct discharges as well as stormwater discharged through an interconnected MS4. If the permittee discharges the pollutant(s) of concern into more than one waterbody for which a TMDL(s) has been adopted by the Department, the permittee shall prioritize a minimum of one TMDL waterbody to be addressed in accordance with Part X.B.2.b for each permit cycle. The permittee shall develop a prioritized list of TMDL waterbodies, including a description of the factors used to rank the list of waterbodies, to which the MS4 discharges the pollutant(s) of concern. The list shall be used to identify waterbodies for which action(s) shall be taken in accordance with Part X.B.2.b of this generic permit. The permittee must submit the list to the Department for review in the Year 4 annual report.

- b. Implementation

To address the pollutant(s) of concern in the TMDL waterbody or waterbodies identified by the permittee pursuant to Part X.B.2.a, the permittee shall revise the SWMP to include a schedule for implementing structural and/or non-structural BMPs and other program activities. The revised SWMP must be submitted to the Department for review and approval as part of permit coverage renewal specified in Part II.B. of this generic permit.

Part XI. General Conditions

A. General Conditions

General conditions are pursuant to Rule 62-621.250, F.A.C., and Rule 62-620.610, F.A.C., as specified below:

1. The terms, conditions, requirements, limitations and restrictions set forth in this permit are binding and enforceable pursuant to Chapter 403, F.S. Any permit noncompliance constitutes a violation of Chapter 403, F.S., and is grounds for enforcement action, permit termination, permit revocation and reissuance, or permit revision. [Paragraph 62-620.610(1), F.A.C.]

2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications or conditions of this permit constitutes grounds for revocation and enforcement action by the Department.
[Paragraph 62-620.610(2), F.A.C.]
3. As provided in Subsection 403.087(6), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor authorize any infringements of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit or authorization that may be required for other aspects of the total project which are not addressed in this permit. [Paragraph 62-620.610(3), F.A.C.]
4. This permit conveys no title to land or water, does not constitute state recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title. [Paragraph 62-620.610(4), F.A.C.]
5. This permit does not relieve the permittee(s) from liability and penalties for harm or injury to human health or welfare, animal or plant life, or property caused by the construction or operation of this permitted source; nor does it allow the permittee(s) to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department. The permittee(s) shall take all reasonable steps to minimize or prevent any discharge, reuse of reclaimed water, or residuals use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment. It shall not be a defense for a permittee(s) in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. [Paragraph 62-620.610(5), F.A.C.]
6. [Paragraph 62-620.610(6), F.A.C.] through [Paragraph 62-620.610(8), F.A.C.] [Not Applicable]
7. The permittee(s), by accepting this permit, specifically agrees to allow authorized Department personnel, including an authorized representative of the Department and authorized EPA personnel, when applicable, upon presentation of credentials or other documents as may be required by law, and at reasonable times, depending upon the nature of the concern being investigated, to:
 - a. Enter upon the permittee's premises where a regulated facility, system, or activity is located or conducted, or where records shall be kept under the conditions of this permit;
 - b. Have access to and copy any records that shall be kept under the conditions of this permit;
 - c. Inspect the facilities, equipment, practices, or operations regulated or required under this permit; and
 - d. Sample or monitor any substances or parameters at any location necessary to assure compliance with this permit or Department rules. [Paragraph 62-620.610(9), F.A.C.]
8. In accepting this permit, the permittee(s) understands and agrees that all records, notes, monitoring data, and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except as such use is proscribed by Section 403.111,

Florida Statutes, or Rule 62-620.302, F.A.C. Such evidence shall only be used to the extent that it is consistent with the Florida Rules of Civil Procedure and applicable evidentiary rules. [Paragraph 62-620.610(10), F.A.C.]

9. [Paragraph 62-620.610(9), F.A.C.] through [Paragraph 62-620.610(12), F.A.C.] [Not Applicable]
10. The permittee(s), in accepting this permit, agrees to pay the applicable regulatory program and surveillance fees in accordance with Rule 62-4.052, F.A.C. [Paragraph 62-620.610(13), F.A.C.]
11. [Paragraph 62-620.610(14), F.A.C.] through [Paragraph 62-620.610(17), F.A.C.] [Not Applicable]
12. Sampling and monitoring data shall be collected and analyzed in accordance with Rule 62-4.246, Chapter 62-160 and Chapter 62-601, F.A.C., and 40 CFR §136, as appropriate.
 - a. Monitoring results shall be reported at the intervals specified elsewhere in this permit and shall be reported on a Discharge Monitoring Report (DMR), DEP Form 62-620.910(10), or as specified elsewhere in the permit.
 - b. If the permittee monitors any contaminant more frequently than required by the permit, using Department approved test procedures, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR.
 - c. Calculations for all limitations which require averaging of measurements shall use an arithmetic mean unless otherwise specified in this permit.
 - d. Except as specifically provided in Rule 62-160.300, F.A.C., any laboratory test required by this permit shall be performed by a laboratory that has been certified by the Department of Health Environmental Laboratory Certification Program (DOH ELCP). Such certification shall be for the matrix, test method and analyte(s) being measured to comply with this permit. For domestic wastewater facilities, testing for parameters listed in paragraph 62-160.300(4), F.A.C., shall be conducted under the direction of a certified operator.
 - e. Field activities including onsite tests and sample collection shall follow the applicable standard operating procedures described in DEP-SOP-001/01 adopted by reference in Chapter 62-160, F.A.C.
 - f. Alternate field procedures and laboratory methods may be used where they have been approved in accordance with Rule 62-160.220, F.A.C. and Rule 62-160.330, F.A.C. [Paragraph 62-620.610(18), F.A.C.]
13. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule detailed elsewhere in this permit shall be submitted no later than 14 days following each schedule date. [Paragraph 62-620.610(19), F.A.C.]
14. The permittee(s) shall report to the Department any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee(s) becomes aware of the circumstances. A written submission shall also be provided within 5 days of the time the permittee(s) becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance including exact dates and time, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

- a. The following shall be included as information which must be reported within 24 hours under this condition:
 - (1) through (3) [Not Applicable]
 - (4) Any unauthorized discharge to surface or ground waters.
- b. Oral reports as required by this subsection shall be provided as follows:
 - (1) For unauthorized releases or spills of treated or untreated wastewater reported pursuant to subparagraph 62-620.610(14)(a)4, F.A.C., that are in excess of 1,000 gallons per incident, or where information indicates that public health or the environment will be endangered, oral reports shall be provided to the Department by calling the STATE WATCH OFFICE TOLL FREE NUMBER (800) 320-0519, as soon as practical, but no later than 24 hours from the time the permittee becomes aware of the discharge. The permittee, to the extent known, shall provide the following information to the State Watch Office:
 - (a) Name, address, and telephone number of person reporting;
 - (b) Name, address, and telephone number of permittee or responsible person for the discharge;
 - (c) Date and time of the discharge and status of discharge (ongoing or ceased);
 - (d) Characteristics of the wastewater spilled or released (untreated or treated, industrial or domestic wastewater);
 - (e) Estimated amount of the discharge;
 - (f) Location or address of the discharge;
 - (g) Source and cause of the discharge;
 - (h) Whether the discharge was contained on-site, and cleanup actions taken to date;
 - (i) Description of area affected by the discharge, including name of water body affected, if any; and
 - (j) Other persons or agencies contacted.
 - (2) Oral reports not otherwise required to be provided pursuant to subparagraph 62-620.610(14)(b)1, F.A.C., above, shall be provided to the Department within 24 hours from the time the permittee(s) becomes aware of the circumstances.
- c. If the oral report has been received within 24 hours, the noncompliance has been corrected, and the noncompliance did not endanger health or the environment, the Department shall waive the written report. [Paragraph 62-620.610(20), F.A.C.]

15. [Paragraph 62-620.610(21), F.A.C.] through [Paragraph 62-620.610(23), F.A.C.] [Not Applicable]

B. Additional General Conditions Pursuant to Rule 62-620, F.A.C.

In addition to applicable sections of Rule 62-620.610, F.A.C., the following conditions apply:

- 1. When requested by the Department, the permittee shall provide any information required by law which is needed to determine whether there is cause for revising, revoking and reissuing, or terminating coverage under

this permit, or to determine compliance with the permit. The permittee shall also provide to the Department upon request copies of records required by this permit to be kept. If the permittee becomes aware of relevant facts that were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be submitted or corrections reported to the Department within 10 days of discovery.

2. Unless specifically stated otherwise in Department rules, the permittee, in accepting this permit coverage, agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.
3. The use of generic permits issued under this chapter is limited to a term not to exceed five years. The renewal of permit coverage shall be in accordance with Rule 62-620.335, F.A.C., unless otherwise specified in the generic permit. The application requirements for submittal of request for coverage are located in Rule 62-621.300, F.A.C., or each specific generic permit.
4. Coverage under this generic permit may be suspended, revoked and reissued, or terminated in accordance with Rule 62-620.345, F.A.C., if the Secretary determines that there has been a violation of any of the terms or conditions of the permit, there has been a violation of state water quality standards or the permittee has submitted false, incomplete or inaccurate data or information.
5. In accordance with paragraph 62-620.100(3)(bb), F.A.C., and paragraph 62-620.100(3)(cc), F.A.C., NPDES regulated entities must electronically report NPDES data to the Department. Paragraph 62-620.100(3)(bb) F.A.C., contains requirements for electronic reporting of NPDES information from NPDES-regulated entities, (including waivers). Paragraph 62-620.100(3)(cc) F.A.C., contains the information NPDES-regulated entities must electronically report and the minimum set of NPDES data that must be entered in or transferred to EPA's national NPDES data system.
 - a. [Paragraph 62-621.250(5)(a), F.A.C.] [Not Applicable]
 - b. [Paragraph 62-621.250(5)(b), F.A.C.] [Not Applicable]



**Notice of Intent to Use National Pollutant Discharge Elimination
System (NPDES) Two-Step Generic Permit for Discharge of
Stormwater from Phase II Municipal Separate Storm Sewer Systems
DEP Form 62-621.300(7)(b)
Effective February 16, 2021**

Part I. Instructions

This Notice of Intent (NOI) form shall be completed and submitted to the NPDES stormwater program as part of the request for coverage under the NPDES Two-Step Generic Permit for Discharge of Stormwater from Phase II Municipal Separate Storm Sewer (MS4) Systems subsection 62-621.300(7)(a), F.A.C. Applicants must be familiar with the Rule, Generic Permit, Appendix A, and instructions before completing this NOI form. **Attach information on separate sheets as necessary.**

- a. Submit this completed form, supporting documentation, and the permit fee to the NPDES Stormwater Notice Center, 2600 Blair Stone Rd., M.S. #3585, Tallahassee, FL 32399. Electronic submittal is preferred.
- b. Payment of the permit fee shall be in accordance with Rule 62-4.050(4)(d)5(6), F.A.C., and may be mailed by check to the address listed above. Instructions for electronic payment of the permit fee can be obtained by contacting the NPDES Stormwater Notice Center at 850-245-7522 or 866-336-6312 (toll-free). **DEP will not process this form without submittal of the appropriate fee.**
- c. Provide public notice pursuant to subparagraph 62-620.550(3)(b), F.A.C.
- d. File the completed NOI by the appropriate deadline under subparagraph 62-624.810800(1)(b), F.A.C.

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Part II. MS4 Operator Information

MS4 Operator Name: City, Town, County, Special District, association, FDOT District, Facility owned or operated by the United States or entity that owns or operates the Phase II MS4.

Name of the Responsible Authority: Principal executive officer, ranking elected official, or senior officer having the responsibility for overall operations of a principal geographic unit of the agency.

Title: Enter Responsible Authority (RA) title.

Mailing Address (Street or P.O. Box): Enter RA street/P.O. Box.

City: Enter RA city. Zip Code: Enter RA zip code. County: Enter RA county.

Phone Number: Enter RA phone number. E-mail Address: Enter RA email.

Name of the Designated Phase II MS4 Stormwater Management Program Contact:

Enter name of person who has direct responsibility to manage, gather and evaluate information for this permit.

Title: Enter MS4 Contact title.

Mailing Address (Street or P.O. Box): Enter MS4 Contact street/P.O. Box.

City: Enter MS4 Contact city. Zip Code: Enter MS4 Contact zip code.

County: Enter MS4 Contact county.

Phone Number: Enter MS4 Contact phone number. E-mail Address: Enter MS4 Contact email.

Florida Department of Environmental Protection
Notice of Intent to Use
NPDES Two-Step Generic Permit for Stormwater Discharges from Phase II MS4s

Part III. Location of the Phase II MS4

Physical Address (if different than the mailing address above):

Enter location of main office or division, operations center, or location where records for this permit are maintained.

City or Town: Enter Phase II MS4 city. Zip Code: Enter Phase II MS4 zip code. County: Enter Phase II MS4 county.

Approximate Center of MS4: Latitude: ° ' " Longitude: ° ' "

Ownership Status: ☐ Public ☐ State ☐ Federal

Total resident population of the Phase II MS4: Enter population.

Name of the U.S. Census Urbanized Area(s) the Phase II MS4 is located within (if applicable):

Enter name of urbanized area.

Part IV. Sharing Responsibility

1. Another entity, regulated under 62-624, F.A.C. has agreed to implement *all* permit obligations on my behalf. ☐ No ☐ Yes

1a. If yes, provide the following information:

Name of the entity implementing all permit obligations on my behalf: Enter name of Permitted Phase II MS4 that implements all your permit obligations on your behalf.

Responsible Authority Name and Title: Enter name and title of RA of Phase II MS4 that implements all your permit obligations.

Mailing Address (Street or P.O. Box): Enter Phase II MS4 street/P.O. Box.

City: Enter Phase II MS4 city. Zip Code: Enter Phase II MS4 zip code. County: Enter Phase II MS4 county.

Phone Number: Enter Phase II MS4 phone number. E-mail Address: Enter Phase II MS4 email.

2. Another entity implements **one or more** of the minimum control measures (or component thereof) on my behalf. ☐ No ☐ Yes

2a. If yes, provide the following information:

Name of the entity implementing some of the permit obligations on my behalf: Enter name of the entity that implements some permit obligations on your behalf.

Name and Title of Entity Representative: Enter name and title of entity representative.

Mailing Address (Street or P.O. Box): Enter entity street/P.O. Box.

City: Enter entity city. Zip Code: Enter entity zip code. County: Enter entity county.

Phone Number: Enter entity phone number. E-mail Address: Enter entity email.

Florida Department of Environmental Protection
Notice of Intent to Use
NPDES Two-Step Generic Permit for Stormwater Discharges from Phase II MS4s

Part V. Receiving Waters

Identify the named receiving waterbodies to which your Phase II MS4 discharges. Include all such waterbodies known to you at the time of this application. Attach additional pages as needed.

[Click to enter receiving water.](#)
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Part VI. Minimum Control Measures

Use Appendix A to list Best Management Practices (BMP) for each minimum control measure described in Parts V.B and X of the generic permit. List all BMPs currently in place or planned for all elements under each minimum control measure. You must include a minimum of one BMP for each of the elements provided in the form, but more than one BMP for each element may be necessary to achieve the performance standard.

The following information must be provided for each BMP in Appendix A:

BMP Identification Number: Uniquely identify the BMP and organize it within the appropriate element of each minimum control measure.

BMP Description: Provide a narrative description of the activity that will be implemented. The BMP description can include the name of a program, publication, procedure, document, or other descriptor that indicates the name or action of the BMP.

Measurable Goal: Enter the information that will be collected and used to account for and document development and/or implementation of the BMP. The outcomes of measurable goals will be summarized¹ and provided in reports to the Department. Examples of measurable goals are provided throughout Appendix A. Note: Some BMPs, such as ordinance adoption, standard operating procedure development, etc. once developed, will not require a measurable goal, unless a change to that item is planned and requires a schedule.

Schedule for Implementation (and/or completion for the development of new BMPs): Specify timeframes in which each BMP will be developed. Once developed, indicate the schedule by which it will be implemented thereafter, (e.g. Years 1, 2, 3, etc.) during the permit term. Where it is feasible and preferred, you may enter a frequency, e.g. “annually”, “quarterly”, etc. to specify when the BMP will be implemented and/or how often it will be documented.

¹ The Department requires summarized information in reports, but the permittee must keep detailed records of BMP implementation. Detailed information is generally reviewed upon request and/or confirmed during compliance assessments, such as audits.

Florida Department of Environmental Protection
Notice of Intent to Use
NPDES Two-Step Generic Permit for Stormwater Discharges from Phase II MS4s

Responsible Entity: Indicate the individual, position or division within the permittee's organization that will implement the BMP. If an entity outside of the permittee's organization will implement the BMP, specify that fact both in Appendix A and in Part IV of this NOI.

Attach all pages of Appendix A to your NOI, as this will serve as written documentation of your required stormwater management program and constitute the second step for obtaining coverage under the two-step Phase II MS4 generic permit. Unless submitting monitoring data and/or information requested by the Department, do not submit any other materials with your NOI.

Florida Department of Environmental Protection
Notice of Intent to Use
NPDES Two-Step Generic Permit for Stormwater Discharges from Phase II MS4s

Indicate the number of BMPs listed in Appendix A for each minimum control measure:

Public Education and Outreach: Enter total number of Public Education and Outreach BMPs.

Public Involvement/Participation: Enter total number of Public Involvement/Participation BMPs.

Illicit Discharge Detection and Elimination: Enter total number of IDDE BMPs.

Construction Site Stormwater Runoff Control: Enter total number of Construction Site Stormwater Runoff Control BMPs.

Post-Construction Stormwater Management: Enter total number of Post-Construction Stormwater Management in New Development and Redevelopment BMPs.

Pollution Prevention/Good Housekeeping: Enter total number of Pollution Prevention/Good Housekeeping BMPs.

Basin Management Action Plans and/or Reasonable Assurance Plans: Enter total number of projects, activities, BMPs to address BMAPs and/or RAPs.

Total Maximum Daily Loads without a BMAP: Enter total number of projects, activities, BMPs to address TMDLs without BMAPs.

Florida Department of Environmental Protection
Notice of Intent to Use
NPDES Two-Step Generic Permit for Stormwater Discharges from Phase II MS4s

Part VII. Certification²

I certify, under penalty of law, that this document and all attachments were prepared under my direction or supervision, and in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowingly committing violations.

Name of the Phase II MS4 Responsible Authority (type or print): .

Title: .

Signature: .

Date signed: Click or tap to enter a date. Phone Number: .

Email Address: .

² Signatory requirements are contained in Rule 62-620.305, F.A.C.

**NPDES Phase II MS4 Notice of Intent
Appendix A-Stormwater Management Program**

Appendix A-Stormwater Management Program

1. Public Education and Outreach Minimum Control Measure [Part V.B.1 of the Phase II MS4 generic permit]

- a. Implement a program to distribute educational materials to the community, and/or conduct equivalent outreach activities, about the impacts of stormwater discharges on water bodies, and the steps that the public can take to reduce pollutants in stormwater runoff.

BMP Description and/or Subject or Topics: May include, but are not limited to the following: General Stormwater Information, Pesticide and Fertilizer Application, Pet Waste Management, Recycling, Residential Yard Waste Management (e.g. onsite leaves and grass clippings), Riparian Corridor Protection/Restoration, Storm drain Marking, Trash Management.

Delivery Methods: May include, but are not limited to the following: Brochures, Contests, Displays/Posters/Kiosks, Government Event, Local Public Service Announcement, Meetings, Newspaper Articles, Publication of MS4 Annual Report(s), Publication of Stormwater Management Program, School Programs, Social Media, Special Events/Fairs, Targeted Group Training, Videos, Website.

Target Audiences: May include, but are not limited to: Agricultural, Businesses, Contractors, Industries, Public, Public Employees, Residential, Restaurants, etc.

Measurable Goal: Indicate the information you will collect and use to describe implementation of the corresponding BMP, (e.g. number of web hits, attendees, etc.)

Schedule for Implementation: Provide the permit year(s) and/or frequency at which you will develop and/or implement the BMP (e.g. quarterly, monthly, etc.)

Commented [IM3]: Delete comma

**NPDES Phase II MS4 Notice of Intent
Appendix A-Stormwater Management Program**

Table 1. Public Education and Outreach BMPs

BMP #	BMP Description and/or Subject or Topic	Target Audience	Delivery Method	Measurable Goal	Schedule for Implementation	Responsible Entity
Choose an item.	Choose an item.	Choose an item.	Choose an item.	Click or tap here to enter text.	Select Schedule	Click or tap here to enter text.
Choose an item.	Choose an item.	Choose an item.	Choose an item.	Click or tap here to enter text.	Select Schedule	Click or tap here to enter text.
Choose an item.	Choose an item.	Choose an item.	Choose an item.	Click or tap here to enter text.	Select Schedule	Click or tap here to enter text.
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Choose an item.	Choose an item.	Choose an item.	Choose an item.	Click or tap here to enter text.	Select Schedule	Click or tap here to enter text.

**NPDES Phase II MS4 Notice of Intent
Appendix A-Stormwater Management Program**

BMP #	BMP Description and/or Subject or Topic	Target Audience	Delivery Method	Measurable Goal	Schedule for Implementation	Responsible Entity
Choose an item.	Choose an item.	Choose an item.	Choose an item.	Click or tap here to enter text.	Select Schedule	Click or tap here to enter text.
Choose an item.	Choose an item.	Choose an item.	Choose an item.	Click or tap here to enter text.	Select Schedule	Click or tap here to enter text.
Choose an item.	Choose an item.	Choose an item.	Choose an item.	Click or tap here to enter text.	Select Schedule	Click or tap here to enter text.

**NPDES Phase II MS4 Notice of Intent
Appendix A-Stormwater Management Program**

2. Public Involvement/Participation Minimum Control Measure [Part V.B.2 of the Phase II MS4 Generic Permit]

- a. Implement a public participation/involvement program that includes delivery methods to participants and complies with state and local public notice requirements.

BMP Description and/or Subject or Topics: May include, but are not limited to the following: General Stormwater Information, Green Infrastructure/Better Site Design/Low Impact Development, Illicit Discharge Detection and Elimination, Infrastructure Maintenance, Pesticide and Fertilizer Application, Pet Waste Management, Recycling, Residential Yard Waste Management (e.g. onsite leaves and grass clippings), Riparian Corridor Protection/Restoration, Storm drain Marking, Transportation/Commuting (e.g., commuter reduction, carpooling, leaky cars), Trash Management.

Delivery Methods: May include, but are not limited to the following: Citizen Committee Meetings, Government Meeting (e.g. public hearing, Council meeting), Involvement in Development of Stormwater Program Annual Report, Involvement in Development of Stormwater Management Program, Involvement in Development of Ordinances to Control Discharges of Stormwater to MS4, Public Workshop, Volunteer Event.

Target Participants: May include, but are not limited to: Agricultural, Businesses, Contractors, Industries, Public, Public Employees, Residential, Restaurants.

Measurable Goal: Indicate the information you will collect and use to describe implementation of the corresponding BMP, (e.g. number of workshops, events, attendees, etc.)

Schedule for Implementation: Provide the permit year and/or frequency at which you will develop and/or implement the BMP, (e.g. quarterly, monthly, etc.)

**NPDES Phase II MS4 Notice of Intent
Appendix A-Stormwater Management Program**

Table 2. Public Involvement/Participation BMPs

BMP #	BMP Description and/or Subject or Topic	Target Audience	Delivery Method	Measurable Goal	Schedule for Implementation	Responsible Entity
Choose an item.	Choose an item.	Choose an item.	Choose an item.	Click or tap here to enter text.	Select Schedule	Click or tap here to enter text.
Choose an item.	Choose an item.	Choose an item.	Choose an item.	Click or tap here to enter text.	Select Schedule	Click or tap here to enter text.
Choose an item.	Choose an item.	Choose an item.	Choose an item.	Click or tap here to enter text.	Select Schedule	Click or tap here to enter text.
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**NPDES Phase II MS4 Notice of Intent
Appendix A-Stormwater Management Program**

BMP #	BMP Description and/or Subject or Topic	Target Audience	Delivery Method	Measurable Goal	Schedule for Implementation	Responsible Entity
Choose an item.	Choose an item.	Choose an item.	Choose an item.	Click or tap here to enter text.	Select Schedule	Click or tap here to enter text.
Choose an item.	Choose an item.	Choose an item.	Choose an item.	Click or tap here to enter text.	Select Schedule	Click or tap here to enter text.
Choose an item.	Choose an item.	Choose an item.	Choose an item.	Click or tap here to enter text.	Select Schedule	Click or tap here to enter text.

**NPDES Phase II MS4 Notice of Intent
Appendix A-Stormwater Management Program**

3. Illicit Discharge Detection and Elimination (IDDE) Minimum Control Measure [Parts V.B.3.a-d of the Phase II MS4 Generic Permit]

- a. Develop, if not already completed, a storm sewer system map showing the location of all outfalls, and the names and locations of all surface waters of the State that receive discharges from those outfalls. Include *multiple* BMPs for element 3a as follows, and add additional BMPs as needed:

3a-01 BMP Description: [Development of] Phase II MS4 Outfall Map.

Measurable Goal: Once the map is developed, the most recent date the map was updated will serve as the measurable goal in reports to the Department.

Schedule for Implementation: If the map is not yet developed, provide the anticipated permit year the Phase II MS4 Outfall Map will be completed. If the map is developed, enter the most recent date the map was updated.

3a-02 BMP Description: Maintain and update outfall information the Phase II MS4 Outfall Map.

Measurable Goal: Indicate that you will record the total number of Phase II MS4 outfalls mapped and provide in reports to the Department.

Schedule for Implementation: Provide the frequency at which you will update the Phase II MS4 Outfall map.

- b. To the extent allowable under state or local law, effectively prohibit, through ordinance or other regulatory mechanism, non-stormwater discharges into the MS4. Illicit discharges are defined in subsection 62-624.200(2), F.A.C.

BMP Description: [Development of] regulatory mechanism, e.g. ordinance, policy, instruction, etc. (If developed and effective, enter the name and/or citation of the regulatory mechanism as the BMP Description.

Measurable Goal: Once the mechanism is in place, the date it was most recently updated will serve as the measurable goal in reports to the Department.

Schedule for Implementation: If the regulatory mechanism is not yet developed, provide the permit year the mechanism is expected to become effective. If the regulatory mechanism is in place, enter the effective date.

**NPDES Phase II MS4 Notice of Intent
Appendix A-Stormwater Management Program**

- c. Develop and implement a plan to detect and address non-stormwater discharges, including illicit discharges, illegal connections, illegal dumping, and improper disposal to the storm sewer system, and implement appropriate enforcement actions consistent with Part V.B.3.a of the Phase II MS4 generic permit. Include *multiple* BMPs for element 3c as follows:

3c-01 BMP Description: [Development of] a Standard Operating Procedure (SOP) per Part V.B.3.c of the Phase II MS4 generic permit. (If developed and effective, enter the name and/or location SOP).

Measurable Goal: Once the SOP is in place, the effective date will serve as the measurable goal in reports to the Department.

Schedule for Implementation: If the SOP is not yet developed, provide the permit year the SOP is expected to become effective. If the SOP is in place, enter the effective date.

3c-02 Illicit Discharge Detection Program: Utilize the SOP required under 3c-01 to perform illicit discharge detection and elimination activities. Subdivide the BMP to include the following BMP descriptions and associated measurable goals:

3c-02(a) BMP Description: Planned, scheduled or proactive screenings and/or inspections.

Measurable Goal: Indicate that you will summarize the number of scheduled screenings or inspections performed.

Schedule for Implementation: You may refer to the effective SOP for this schedule.

3c-02(b) BMP Description: Investigations based on complaints and/or conditions observed in the field.

Measurable Goal: Indicate that you will summarize the number of reactive investigations performed.

Schedule for Implementation: The timeframe for response once the report of a potential illicit discharge, non-stormwater discharge or illegal dumping incident is received should be provided in the SOP.

3c-03 BMP Description: Illicit Discharge Elimination

Measurable Goal: Indicate that you will summarize the number of illicit discharges eliminated, investigations performed in reports to the Department.

Commented [IM4]: Correct measurable goal reporting.

Commented [BM5R4]: Consistent with GP

Form 62-621.300(7)(a) Part V.B.3.c
3. Procedures, including enforcement, for **removal and/or correction** of the source of the illicit discharge, illegal connection, illegal dumping, and improper disposal to the MS4.

**NPDES Phase II MS4 Notice of Intent
Appendix A-Stormwater Management Program**

Schedule for Implementation: The timeframe for response once a potential illicit discharge, non-stormwater discharge or illegal dumping incident is confirmed should be provided in the SOP.

- d. Inform public employees, businesses and the general public of hazards associated with illicit discharges, illegal connections, illegal dumping and the improper disposal of waste. Include *multiple* BMPs for element 3d. In all cases, the schedule for implementation will be the timeframes in which you implement the BMP, and thus is not listed here.

Instructions for entering information for this element in Table 3 are provided below the BMP descriptions:

3d-01 BMP Description: Illicit discharge information (subject or topic) provided to public employees. The measurable goal is the number of employees informed.

3d-02 BMP Description: Illicit discharge information (subject or topic) provided to businesses. The measurable goal is the number of businesses informed.

3d-03 BMP Description: Illicit discharge information (subject or topic) provided to members of the general public. The measurable goal is the number of members of the general public informed.

BMP Description/Subject or Topics: May include, but are not limited to the following: Hazards Associated with illicit discharges (General), Pesticide and Fertilizer Application, Pet Waste Management, Residential Yard Waste Management (e.g. onsite leaves and grass clippings), Storm Drain Marking, Trash Management.

Delivery Methods: May include, but are not limited to the following: Brochures, Business or Tax Records Correspondence, Displays/Posters/Kiosks, Government Event, Local Public Service Announcement, Meetings, Newspaper Articles, Publication of MS4 Annual Report(s), Publication of Stormwater Management Program, Publication of Ordinance, School Programs, Social Media, Special Events/Fairs, Targeted Group Training, Utility Bill Insert, Videos, Website, Other (specify).

Target Audiences: Include a minimum of one BMP for each of the following:

Public Employees;

Businesses (e.g. Contractors, Restaurants, Landscaping Companies, Automotive Facilities, Industries, etc.); and

General Public (e.g. Residential, Schools, Clubs, Homeowners Associations).

**NPDES Phase II MS4 Notice of Intent
Appendix A-Stormwater Management Program**

Measurable Goal: Indicate that you will summarize the number of activities performed (e.g. number of workshops, employees trained, inserts included with business license documents, etc.)

Table 3. Illicit Discharge Detection and Elimination (IDDE) BMPs

BMP #	BMP Description / Subject or Topic for Element 3d	Target Audience for Element 3d	Delivery Method for Element 3d	Measurable Goal	Schedule for Implementation	Responsible Entity
3c-02	Choose an item.	Choose an item.	Choose an item.	Choose an item.	Choose an item.	Click or tap here to enter text.
Choose an item.	Choose an item.	Choose an item.	Choose an item.	Choose an item.	Select Schedule	Click or tap here to enter text.
Choose an item.	Choose an item.	Choose an item.	Choose an item.	Choose an item.	Select Schedule	Click or tap here to enter text.
Choose an item.	Choose an item.	Choose an item.	Choose an item.	Choose an item.	Select Schedule	Click or tap here to enter text.
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Choose an item.	Choose an item.	Choose an item.	Choose an item.	Choose an item.	Select Schedule	Click or tap here to enter text.
Choose an item.	Choose an item.	Choose an item.	Choose an item.	Choose an item.	Select Schedule	Click or tap here to enter text.
Choose an item.	Choose an item.	Choose an item.	Choose an item.	Choose an item.	Select Schedule	Click or tap here to enter text.

Commented [IM6]: Delete 3c-02; this is not a BMP
Add “3c-02(a)” and “3c-02(b)”;

**NPDES Phase II MS4 Notice of Intent
Appendix A-Stormwater Management Program**

4. Construction Site Stormwater Runoff Control Minimum Control Measure [Part V.B.4.a-f of the Phase II MS4 Generic Permit]

- a. Develop and implement, to the extent allowable under State or local law, an ordinance or other regulatory mechanism to require erosion and sediment controls, and control of wastes, as well as sanctions to ensure compliance, to reduce pollutants in any stormwater runoff to the Phase II MS4 from construction activities that will result in a land disturbance of greater than or equal to one acre. Reduction of pollutants associated with stormwater discharges from construction activity disturbing less than one acre must also be included if that construction activity is part of a larger common plan of development or sale that would disturb one acre or more.

BMP Description: [Development of] regulatory mechanism, e.g. ordinance, policy, instruction, etc. (If developed and effective, enter the name and/or citation of the regulatory mechanism as the BMP Description.

Measurable Goal: Once the mechanism is in place, the date it was most recently updated will serve as the measurable goal in reports to the Department.

Schedule for Implementation: If the regulatory mechanism is not yet developed, provide the permit year the mechanism is expected to become effective. If the regulatory mechanism is in place, enter the effective date.

- b. Develop and implement requirements for construction site operators to implement appropriate erosion and sediment control best management practices.

BMP Description: Utilize a tracking system to record the location and operator information for construction sites regulated under the mechanism described in element 4a. Note: A single tool and/or process may be used to execute BMP(s) under Elements 4b and 4c.

Measurable Goal: Indicate you will collect and report the number of active construction sites that are required to adhere to local erosion and sediment control requirements within the specified time period.

Schedule for Implementation: Once developed and in place, provide the frequency at which you will collect information in order to implement the BMP (e.g. annually, quarterly, etc.).

- c. Develop and implement requirements for construction site operators to control wastes such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that may cause adverse impacts to water quality.

BMP Description: Utilize a tracking system to record the location and operator information for construction sites regulated under the mechanism described in element 4a.

Commented [IM7]: Grammar.

**NPDES Phase II MS4 Notice of Intent
Appendix A-Stormwater Management Program**

Measurable Goal: Indicate you will collect and report the number of construction sites that are required to adhere to local requirements to control wastes generated from construction activities during the specified time period.

Schedule for Implementation: See guidance for Element 4b.

- d. Develop and implement procedures for site plan reviews that incorporate considerations of potential water quality impacts. Include *multiple* BMPs for element 4d as follows:

4d-01 BMP Description: Review plans for compliance with the regulatory mechanism described in element 4a.

Measurable Goal: Indicate you will collect and report the number of site plans reviewed during the specified time period.

Schedule for Implementation: Once procedures for site plan review are developed, indicate the frequency (e.g., annually, quarterly, etc.) at which you will collect summarized information (number of site plans reviewed).

4d-02 BMP Description: Notify operators of qualifying construction sites, such as those who must comply with the mechanism described in element 4a, that coverage may be required ~~under Environmental Resource Permits (ERP)~~ pursuant to Rule 62-621.300(4), F.A.C. and/or Chapter 62-330, F.A.C.

Measurable Goal: Indicate you will collect and report the number of operators notified. Note: The tools and/or process identified in 4d-01 may be used to account for this BMP.

Schedule for Implementation: See guidance for Element 4d-01.

- e. Develop and implement procedures for receipt and consideration of information submitted by the public.

BMP Description: Utilize a tracking system to receive comments/complaints received from the public.

Measurable Goal: Indicate you will collect and report number of comments received from the public during the specified time period.

Schedule for Implementation: Once procedures for receiving and tracking comments and/or complaints is in place, indicate the frequency (e.g., annually, quarterly, etc.) at which you will collect summarized information (number of comments received).

Commented [IM8]: Delete to reduce confusion. ERP permitting is carried out only under cited Chapter 62-330; a separate NPDES permit is issued under cited Rule 62-621.00(4).

**NPDES Phase II MS4 Notice of Intent
Appendix A-Stormwater Management Program**

- f. Develop and implement procedures for site inspection and enforcement of control measures. Include *multiple* BMPs for element 4f as follows:

4f-01 **BMP Description:** Develop and/or implement a SOP as required in Part V.B.4.f of the Phase II MS4 generic permit.

Measurable Goal: Once the SOP is in place, the effective date will serve as the measurable goal in reports to the Department.

Schedule for Implementation: If the SOP is not yet developed, provide the permit year the SOP is expected to become effective. If the SOP is in place, enter the effective date.

4f-02 **BMP Description:** Conduct inspections of construction sites for compliance with the mechanism described in Element 4a. The measurable goal is the number of construction site stormwater runoff control inspections performed.

Measurable Goal: Indicate that you will summarize the number of inspections performed.

Schedule for Implementation: Once inspections are underway, indicate the frequency (e.g., annually, quarterly, etc.) at which you will collect summarized information (number of inspections performed).

4f-03 **BMP Description:** Track enforcement actions taken to address non-compliance with the regulatory mechanism described in element 4a.

Measurable Goal: Indicate that you will summarize the number of enforcement actions taken.

Schedule for Implementation: Indicate the frequency (e.g., annually, quarterly, etc.) at which you will collect summarized information (number of enforcement actions).

4f-04 **BMP Description:** Verify construction site operator has obtained coverage ~~under ERP~~ pursuant to subparagraph 62-621.300(4)(a), F.A.C. and/or Chapter 62-330, F.A.C., if required.

Measurable Goal: Indicate that you will summarize the number of sites and/or operators for which ~~CGP and/or~~ ERP coverage was verified.

Schedule for Implementation: Indicate the frequency (e.g., annually, quarterly, etc.) at which you will collect summarized information (number of sites for which coverage was verified).

Commented [IM9]: Delete to reduce confusion. ERP permitting is carried out only under cited Chapter 62-330; a separate NPDES permit is issued under cited Rule 62-621.00(4).

Commented [IM10]: Without this addition, the Measurable Goal is inconsistent with the BMP Description.

**NPDES Phase II MS4 Notice of Intent
Appendix A-Stormwater Management Program**

Table 4. Construction Site Stormwater Runoff Control BMPs

BMP #	BMP Description	Measurable Goal	Schedule for Implementation	Responsible Entity
Choose an item.	Choose an item.	Choose an item.	Select Schedule	Click or tap here to enter text.
Choose an item.	Choose an item.	Choose an item.	Select Schedule	Click or tap here to enter text.
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Choose an item.	Choose an item.	Choose an item.	Select Schedule	Click or tap here to enter text.

Commented [IM11]: Add “4f-04” to dropdown for BMP #, it is not currently available as a selection.

Add “Verify construction sites obtain ERP and/or CGP Coverage” to BMP Description dropdown.

Add to the dropdown for Measurable Goal:
“Number of ERP and CGP Notifications”
and
“Number of ERP and CGP Verifications”

These two Measurable Goals are not available as a selection.

**NPDES Phase II MS4 Notice of Intent
Appendix A-Stormwater Management Program**

5. Post-Construction Stormwater Management in New Development and Redevelopment Minimum Control Measure [Part V.B.5.a-c of the Phase II MS4 Generic Permit]

Qualifying Alternative Program (QAP). If the Department and/or Water Management District(s) is serving to meet the requirements of this minimum control measure through the implementation of environmental resource permits (ERP), enter the following information into Appendix A:

BMP Description for BMPs 5a-5c:

BMPs under this minimum control measure are implemented through a Qualifying Alternative Program (QAP) pursuant to Part IV, Chapter 373, F.S. and Chapter 62-330, F.A.C. for the regulation of construction and operation of stormwater management and treatment systems (post-construction BMPs) within their jurisdictional boundaries.

Measurable Goal *Reserved*

Schedule for Implementation *Reserved*

Responsible Entity(s): Department of Environmental Protection *and appropriate* Water Management District(s) as follows:

Qualified Alternative Program, in accordance with Part IX of the Phase II MS4 generic permit, includes the following for implementing Chapter 62-330, F.A.C. includes:

- The Florida Department of Environmental Protection

Qualified Alternative Programs, in accordance with Part IX of the generic permit, include the following for implementing Part IV, Chapter 373, F.S.:

- Northwest Florida Water Management District
- Suwannee River Water Management District
- St. Johns River Water Management District
- Southwest Florida Water Management District

**NPDES Phase II MS4 Notice of Intent
Appendix A-Stormwater Management Program**

- South Florida Water Management District

If the permittee chooses to locally implement a program *in addition* to ERPs issued by the QAP, the requirements for Elements 5a-5c are as follows:

- a. To the extent allowable under state or local law, use an ordinance or regulatory mechanism to establish a program that addresses post-construction stormwater runoff from new development and redevelopment projects that disturb greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale that discharge into the Phase II MS4. The program must require that controls are in place that would minimize water quality impacts from new development or redevelopment, such as those which are developed to meet Part V.B.5.b of the Phase II MS4 generic permit.

BMP Description: [Development of] regulatory mechanism, e.g. ordinance, policy, instruction, etc. (If developed and effective, enter the name and/or citation of the regulatory mechanism as the minimum control measure BMP Description for purposes this generic permit.)

Measurable Goal: Once the mechanism is in place, the date it was most recently updated will serve as the measurable goal in reports to the Department.

Schedule for Implementation: If the regulatory mechanism is not yet developed, provide the permit year the mechanism is expected to become effective. If the regulatory mechanism is in place, enter the effective date.

- b. Develop and implement strategies that include a combination of structural and/or non-structural BMPs, appropriate for the community, and that align with the regulatory mechanism identified in element 5a.

BMP Description: List and describe the strategy(s) you will implement.

Example strategies include:

- Assessment of ordinances, policies, programs and studies that address stormwater runoff quality, including opportunities for the public to participate in development of a program.
- Participation in local watershed planning efforts which attempt to involve a diverse group of stakeholders, including interested citizens;

**NPDES Phase II MS4 Notice of Intent
Appendix A-Stormwater Management Program**

- SOPs for: permitting (if imposing local requirements separately from ERP as described in Part V.B.5.a of the Phase II MS4 generic permit), conducting pre-construction design plan review, performing inspections during construction to verify post construction BMPs are built as designed, penalty provisions associated with non-compliance with design, construction or operation and maintenance of post-construction stormwater management BMPs;
- Maintain an inventory of post-construction stormwater management BMPs relative to the area served by the regulated Phase II MS4;
- Comprehensive, Master Planning or Zoning Ordinance that identify post-construction stormwater management program goals, such as minimizing water quality impacts from post-construction runoff from new development and redevelopment;
- Implementation strategies such as the use of site-based, infiltration, vegetative or other structural or non-structural post-construction stormwater management BMPs; and/or
- Perform periodic review to ensure that existing requirements are responsive to changing technologies in stormwater management.

Measurable Goal: Indicate that you will collect and summarize information on the chosen strategy(s) to implement the BMP.

Schedule for Implementation: If enacting a policy and/or plan, provide the permit year it is expected to be in place. For BMPs that are implemented on an ongoing basis, indicate the frequency (e.g., annually, quarterly, etc.) at which you will collect summarized information (e.g. site plans reviewed, update the inventory, notices to owners, etc.)

- c. Require adequate long-term operation and maintenance of BMPs. Develop operation and maintenance policies, procedures and enforcement procedures. Include *multiple* BMPs for element 5c as follows:

5c-01 BMP Description: Develop and implement standard operating procedures for inspection of stormwater management controls and/or post-construction stormwater management BMPs for proper operation and compliance with the regulatory mechanism identified in element 5a. The inspections may include those performed by the regulated Phase II MS4 operator, or by the property owner and tracked by the regulated Phase II MS4 operator.

Measurable Goal: Indicate that you will summarize the number of inspections performed and/or tracked.

**NPDES Phase II MS4 Notice of Intent
Appendix A-Stormwater Management Program**

Schedule for Implementation: Once inspections are underway, indicate the frequency (e.g., annually, quarterly, etc.) at which you will collect summarized information (number of inspections performed).

5c-02 **BMP Description:** Track enforcement actions taken to ensure compliance with the regulatory mechanism identified in element 5a.

Measurable Goal: Indicate that you will summarize the number of enforcement actions taken.

Schedule for Implementation: Indicate the frequency (e.g., annually, quarterly, etc.) at which you will collect summarized information (number of enforcement actions).

5c-03 **BMP Description:** Develop and implement procedures to maintain post-construction stormwater controls and/or BMPs where a property owner fails to do so, or an approach through which maintenance shall be performed or tracked by the regulated Phase II MS4 operator.

Measurable Goal: Indicate that you will summarize the number of ~~number of~~ stormwater management controls and/or BMPs maintained.

Schedule for Implementation: Indicate the frequency (e.g., annually, quarterly, etc.) at which you will collect summarized information (number of enforcement actions).

Commented [IM12]: Delete this duplication.

**NPDES Phase II MS4 Notice of Intent
Appendix A-Stormwater Management Program**

Table 5. Post-Construction Stormwater Management in New Development and Redevelopment BMPs

BMP #	BMP Description	Measurable Goal	Schedule for Implementation	Responsible Entity
Choose an item.	Choose an item.	Choose an item.	Select Schedule	Choose an item.
Choose an item.	Choose an item.	Choose an item.	Select Schedule	Choose an item.
Choose an item.	Choose an item.	Choose an item.	Select Schedule	Choose an item.
Choose an item.	Choose an item.	Choose an item.	Select Schedule	Choose an item.
Choose an item.	Choose an item.	Choose an item.	Select Schedule	Choose an item.
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Choose an item.	Choose an item.	Choose an item.	Select Schedule	Choose an item.
Choose an item.	Choose an item.	Choose an item.	Select Schedule	Choose an item.
Choose an item.	Choose an item.	Choose an item.	Select Schedule	Choose an item.
Choose an item.	Choose an item.	Choose an item.	Select Schedule	Choose an item.

**NPDES Phase II MS4 Notice of Intent
Appendix A-Stormwater Management Program**

6. Pollution Prevention/Good Housekeeping in Municipal Operations Minimum Control Measure [Part V.B.6.a-b of the Phase II MS4 Generic Permit]

- a. Develop and implement an operation and maintenance program that has the ultimate goal of preventing or reducing pollutant runoff from municipal operations. At a minimum, the program must be consistent with Parts V.B.6.a(1-5). Include *multiple* BMPs for Element 6a. Examples of BMP descriptions and measurable goals are provided below. In all cases, the schedule for implementation will be the timeframes in which you implement the BMP, and thus is not listed here.

Commented [IM13]: Change dash to a period.

BMP Descriptions for Structural Controls: Stormwater Control Inspection and Maintenance (list each type of control as a separate BMP, e.g. 6a-01, 6a-02, 6a-03, etc.)

Structural Controls: Include but are not limited to: Dry Retention, Underdrain Filter Systems, Exfiltration Trench/French Drain, Grass Treatment Swale, Dry Detention Systems, Wet Detention Systems, Alum Injection Systems, Pollution Control Boxes, Pump Stations, MS4 Outfalls, Weirs or Other Control Structures, Pipes/Culverts, Canals, Inlets/Grates/Catch Basins, Ditches/Conveyance Swales.

Number of Structures: Amount of each type of structural control within the Phase II MS4 that is inventoried, inspected and maintained.

Units of Measure: The increments by which components of your MS4 are measured. Includes but are not limited to acres, linear feet, etc.

Training Topic: The topics you will use to train municipal employees, such as spill prevention, pollution prevention, etc.

Commented [IM14]: This item is in the wrong location of the document, this section has no relationship with training.

Measurable Goal: The number of activities, such as inspections and/or maintenance, performed to implement the BMP.

See placement below.

- b. Use training materials that are available from EPA, the Department, or other organizations, conduct employee training in the prevention and reduction of stormwater pollution from MS4 operator activities such as park and open space maintenance, fleet and building maintenance, new construction and land disturbances, and stormwater system maintenance. Include *multiple* BMPs for element 6b as follows:

6b-01BMP Description: Develop and/or implement a SOP as required in Part V.B.6.b of the Phase II MS4 generic permit.

Measurable Goal: Once the SOP is in place, the effective date will serve as the measurable goal in reports to the Department.

Schedule for Implementation: If the SOP is not yet developed, provide the permit year the SOP is expected to become effective. If the SOP is in place, enter the effective date.

**NPDES Phase II MS4 Notice of Intent
Appendix A-Stormwater Management Program**

6b-02 **BMP Description:** Conduct training on the topics of stormwater pollution prevention and reduction in accordance with SOP.

Training Topic: The topics you will use to train municipal employees, such as spill prevention, pollution prevention, etc.

Commented [M15]: Moved from above. This is the correct location for this item.

Measurable Goal: Indicate you will summarize the number of employees/contractors trained.

Schedule for Implementation: Indicate the frequency (e.g., annually, quarterly, etc.) at which you will collect.

Table 6. Pollution Prevention/Good Housekeeping in Municipal Operations BMPs

BMP #	BMP Description	Number of Structures (for structural controls/BMPs)	Units of measure (for structural controls/BMPs) or Training Topic	Measurable Goal	Schedule for Implementation	Responsible Entity
Choose an item.	Choose an item.	Click or tap here to enter text.	Choose an item.	Choose an item.	Select Schedule	Click or tap here to enter text.
Choose an item.	Choose an item.	Click or tap here to enter text.	Choose an item.	Choose an item.	Select Schedule	Click or tap here to enter text.
Choose an item.	Choose an item.	Click or tap here to enter text.	Choose an item.	Choose an item.	Select Schedule	Click or tap here to enter text.
Choose an item.	Choose an item.	Click or tap here to enter text.	Choose an item.	Choose an item.	Select Schedule	Click or tap here to enter text.
Choose an item.	Choose an item.	Click or tap here to enter text.	Choose an item.	Choose an item.	Select Schedule	Click or tap here to enter text.
Choose an item.	Choose an item.	Click or tap here to enter text.	Choose an item.	Choose an item.	Select Schedule	Click or tap here to enter text.
Choose an item.	Choose an item.	Click or tap here to enter text.	Choose an item.	Choose an item.	Select Schedule	Click or tap here to enter text.
Choose an item.	Choose an item.	Click or tap here to enter text.	Choose an item.	Choose an item.	Select Schedule	Click or tap here to enter text.
Choose an item.	Choose an item.	Click or tap here to enter text.	Choose an item.	Choose an item.	Select Schedule	Click or tap here to enter text.

**NPDES Phase II MS4 Notice of Intent
Appendix A-Stormwater Management Program**

BMP #	BMP Description	Number of Structures (for structural controls/BMPs)	Units of measure (for structural controls/BMPs) or Training Topic	Measurable Goal	Schedule for Implementation	Responsible Entity
Choose an item.	Choose an item.	Click or tap here to enter text.	Choose an item.	Choose an item.	Select Schedule	Click or tap here to enter text.

**NPDES Phase II MS4 Notice of Intent
Appendix A-Stormwater Management Program**

7. Identification of Activities to Address Total Maximum Daily Load (TMDL) and/or Reasonable Assurance Plans to Address Impaired Waters Under Section 403.067, F.S. (Required for renewal of coverage) [Part X.B of the Phase II MS4 Generic Permit]

Indicate the activities that are implemented accordance with Part X.B of the Phase II MS4 generic permit in Tables 7 and 8.

a. BMAPs and/or RAPs

Indicate whether you participate in Basin Management Action Plan (BMAP) and/or Reasonable Assurance Plans (RAP) in accordance with Section 403.067, F.S., as a result of stormwater discharges from your MS4.

- ☐ The operation of the Phase II MS4 does not require participation in any BMAP or RAP. (Skip Table 7.)
- ☐ As the operator of the Phase II MS4, we are participating in a BMAP or RAP. (Complete Table 7.)

Use Table 7 to summarize information on your participation in BMAPs or RAPs to meet Part X.B.1 of the generic permit. Replicate the table and attach separately if you will participate in more than one (1) BMAP or RAP during the permit cycle.

Table 7. BMAP and/or RAP Information

BMAP or RAP Name	Click or tap here to enter text.
Date BMAP or RAP was Adopted	Click or tap here to enter text.
Description of Activity(s)	Click or tap here to enter text.
Schedule for Implementation and/or Completion	Click or tap here to enter text.

NPDES Phase II MS4 Notice of Intent
Appendix A-Stormwater Management Program

b. TMDL Without a BMAP

Determine whether your Phase II MS4 discharges to waterbody(s) for which the Department adopted a TMDL pursuant to Chapter 62-304, F.A.C. and for which a wasteload allocation has been established for regulated Phase II MS4s.

- ☐ The Phase II MS4 does not discharge to any waterbody for which the Department adopted a TMDL in accordance with Chapter 62-304, F.A.C. (Skip Table 8.)
- ☐ The waterbody(s) will be prioritized in Year 4 in accordance with Part X.B.2.a of the generic permit. (Skip Table 8.)
- ☐ The Phase II MS4 discharges to waterbody(s) for which the Department adopted a TMDL and a BMAP has not been developed or planned. The waterbody(s) have been prioritized **in the previous cycle** in accordance with Part X.B.2.a of the generic permit and proposed activities that will be implemented **this permit cycle** to meet Part X.B.2.b of the generic permit are listed in Table 8.

Commented [IM16]: These two additions provide the correct context.

Use Table 8 to summarize information on the activity(s) you will implement to address the TMDL(s) without BMAP in accordance with Part X.B.2 of the generic permit. Replicate the table and attach separately if you will prioritize more than one (1) TMDL without a BMAP for the permit cycle.

The Department developed tools to assist permittees with analyses of the MS4's stormwater and pollutant loading contributions, in order to effectively focus BMPs, implementation measures, and activities that will result in reductions of pollutants of concern to a TMDL waterbody. You may contact the NPDES Stormwater Program at (850) 245-7522, or by writing the Department of Environmental Protection, NPDES Stormwater Program, 2600 Blair Stone Rd. Mail Station 3585, Tallahassee, Florida 32399-2400 for more information.

The following list includes activities which could be undertaken to meet the requirement. The list is provided as guidance and does not preclude you from selecting technologies or projects other than those listed.

Possible Projects and Activities for TMDL without BMAP

Agricultural BMPs
Aquatic Vegetation Harvesting
Capital Improvement Project (describe)
Control Structure
Creating/Enhancing Living Shoreline
Dry Detention Pond
Targeted Education Efforts (TMDL waterbody-specific, pollutant of concern (POC)-focused)
Exfiltration Trenches
Filter Marsh
Floating Islands/Managed Aquatic Plant Systems
Floodplain Restoration

NPDES Phase II MS4 Notice of Intent
Appendix A-Stormwater Management Program

Florida Friendly Fertilizer Ordinance
Florida Friendly Landscaping Ordinance
Hydrologic Restoration
Land Acquisition
Land Development Code Change -100% On-site Retention
Land Development Code Change-Alum Injection Systems
Land Development Code Change-Baffle Boxes-First Generation (hydrodynamic separators)
Land Development Code Change-Baffle Boxes-Second Generation
Land Development Code Change-BMP Cleanout (private systems)
Land Development Code Change-BMP Treatment Train
Land Development Code Change-Catch Basin Inserts/Inlet Filter Cleanout
Land Development Code Change-Hybrid Wetland Treatment Technology
Land Development Code Change-Hydrodynamic Separators
Land Development Code Change-Low Impact Development-Rain Gardens
Land Development Code Change-Low Impact Development & Green Infrastructure to reduce contributions of POC
Land Development Code Change-On-line Retention BMPs
Land Development Code Change-Regional Stormwater Treatment
Land Development Code Change-Restrict Additional Loadings of (POCs) in New Development
Land Development Code Change-Stormwater Treatment Areas
Land Development Code Change-Mandatory Stream/waterway Buffers
Land Preservation
Land Use Change Restrict to land use with lower Estimated Mean Concentrations of POC
Muck Removal/Restoration
On-site Sewage Treatment Disposal System Phase Out
Pet Waste Ordinance
Pet Waste Program
Promotion of Infiltration BMPs to Reduce Discharge Volumes (and loads)
Shoreline Stabilization
Source Identification/Elimination activities (similar to IDDE or DEAR Bacteria Toolkit)
Stormwater Retrofit
Stormwater Reuse
Stormwater Study
Stormwater System Rehabilitation (describe)
Street Sweeping
Swale/Inlet Replacement
Targeted Water Quality Monitoring to identify/estimate MS4 or potential source
Targeted Water Quality Monitoring to indicate of MS4's effectiveness in addressing impairment
Wet Detention Pond
Wetland Treatment

NPDES Phase II MS4 Notice of Intent
Appendix A-Stormwater Management Program

Table 8. Prioritized TMDL (without BMAP)

Prioritized TMDL Report Name	Click or tap here to enter text.
Activity(s) to Address TMDL without BMAP	Click or tap here to enter text.
Measurable Goals (if applicable)	Click or tap here to enter text.
Schedule for Implementation and/or Completion	Click or tap here to enter text.
Responsible Entity(s)	Click or tap here to enter text.



FLORIDA DEPARTMENT OF Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Ron Desantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

TMDL Prioritization Summary

- **What is a TMDL?**
 - “Total Maximum Daily Load”
 - A scientific determination of the maximum amount of a pollutant that a waterbody can absorb and still meet water quality standards (WQS)
 - Waterbodies are identified by their WBID (water body ID) and larger waterbodies may be divided up into different WBIDs
 - Determined by assessing quality of surface water
- **Permits Issued Post-2021**
 - The Generic Permit requires that if you discharge to a TMDL not covered by a BMAP, you must develop a prioritization plan in Year 4, and an implementation plan with the reapplication/NOI.
- **Prioritization Plan Overview**
 - A Prioritization Plan is the research and proposal for which waterbodies the permittee discharges to, the waterbody you will prioritize and includes waste load allocation, factors involving prioritization, and possible BMPs.
 - You must prioritize ONE TMDL WBID per permit cycle
 - If you only have one TMDL, that is the one you prioritize
 - DEP TMDLs may be prioritized over EPA TMDLs
 - EPA TMDLs should be verified impaired by DEP
 - If you discharge to multiple TMDLs, then your prioritization plan should have factors you use to pick the top priority WBID.
- **Step 1: Determining whether you need to complete a TMDL Prioritization**
 - Ask the following questions:
 - Do you discharge into a TMDL WBID?
 - Find this information in your fact sheet and in the [FDEP TMDL map](#)
 - Is there a BMAP for this waterbody?
 - Are all TMDLs addressed by BMAP?
 - Bacteria TMDL vs. Non-bacteria TMDL
 - Types of TMDL (3 most common):
 - Bacteria
 - Nutrient
 - Dissolved Oxygen

- **Step 2: Which TMDLs do you discharge to?**
 - Your plan must include a list of TMDLS you discharge to, with the following information:
 - the WBID (Water body ID)
 - The name of the receiving water body or WBID
 - The Impairment (Pollutant) to the water body
 - EPA or FDEP TMDL
 - The Year the TMDL was adopted
 - Who else may discharge into the WBID
 - Multiple permittees who discharge into one WBID are encouraged to coordinate their prioritizations/ implementation.
- **Step 3: Determining Factors**
 - Your prioritization plan must include a table with rankings showing how the TMDLs were prioritized along with an explanation of what factors were used to do so.
 - Example Factors:
 - Is the waterbody of local or regional significance?
 - Public access to waterbody?
 - Swimming and Recreation in Waterbody?
 - What type of impairment?
 - Is there a health risk?
 - Do you already have plans for a project to improve a waterbody?
 - What percentage of the discharge do you contribute to?
 - What is the wasteload allocation?
- **Step 4: Waste load Allocation & Pollutant Sources**
 - Pollutant Sources
 - Conduct research on the primary sources of pollution in your municipality and their contribution
 - This can include testing performed by the permittee or research conducted by others such as what is found in the TMDL report.
 - Wasteload allocation
 - Using drainage maps of the MS4, determine your contribution of the pollutant of concern to the WBID
 - Allows for determination of how much you are inputting and therefore how much you should reduce your waste by.

- **Step 5: Possible Implementation Steps**
 - The last section of a TMDL prioritization plan will include a GENERAL description of the implementation plan:
 - Possible BMPs
 - Potential funding mechanisms
 - Any applicable local water quality standards
 - Description of further data collection
- **Summary:**
 - TMDL prioritization plans will have the following sections:
 - What TMDLs the permittee discharges to
 - The Determining factors in choosing a TMDL to prioritize
 - Waste load allocations & pollutant sources
 - What will be included in your implementation plan

Resource Sheet

Total Maximum Daily Loads (TMDL) Program

<https://floridadep.gov/TMDL>

Interactive TMDL Map

<https://fdep.maps.arcgis.com/home/webmap/viewer.html?webmap=1b4f1bf4c9c3481fb2864a415fbeca77>

TMDL Status Map

<https://fdep.maps.arcgis.com/home/webmap/viewer.html?webmap=1b4f1bf4c9c3481fb2864a415fbeca77>

TMDL Reports

<https://floridadep.gov/dear/water-quality-evaluation-tmdl/content/final-tmdl-reports#finaltable>

Waste Load Allocation BMP Train Software Download*

<https://stars.library.ucf.edu/bmptrains/26/>

*This software may be best utilized by an engineer or someone with similar experience

Fact Sheets with TMDLs listed are issued with permits and may also be found on OCULUS

<https://depdms.dep.state.fl.us/Oculus/servlet/login>