

JOHNSON COUNTY, TEXAS
Unincorporated Urbanized Areas
TPDES General Permit - Number TXR040000
2019 - 2024



Storm Water Management Program (SWMP)

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1. OVERVIEW, DEFINITIONS, and ACRONYMS

1.1 Storm Water Rule Overview

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

The Phase 2 Storm Water Final Rule (Promulgated December 8, 1999) was the next step in the EPA's efforts to protect the nation's water resources from polluted storm water runoff and dry weather discharges into storm drain systems. The Phase 2 program requires local governments to implement programs and practices to control water pollution, to the maximum extent practicable (MEP) in urbanized areas of small MS4s (population less than 100,000). The Phase 2 Rule established six minimum control measures (MCMs):

1. Public Education, Outreach and Involvement;
2. Illicit Discharge Detection and Elimination;
3. Construction Site Stormwater Runoff Control;
4. Post-Construction Stormwater Management;
5. Pollution Prevention and Good Housekeeping for Municipal Operations, and
6. Management of Industrial Stormwater Sources.

There are significant penalties for non-compliance with federal permit provisions.

The Texas Commission on Environmental Quality (TCEQ) is authorized by EPA to issue and enforce the Texas Pollutant Discharge Elimination System (TPDES) Phase 1 and 2 storm water permits, in lieu of federal NPDES permits. Effective December 13, 2013, TCEQ approved the TPDES General Permit to authorize discharge of storm water from regulated Phase 2 MS4s. The 2013 MS4 permit defines MS4 operators by levels, based on the population served within the 2010 UA. Johnson County, like most Texas counties, is considered a Level 2 MS4. Level 2 MS4s are only required to implement MCMs 1 through 5 and are not required to implement the sixth MCM.

Permittees must submit applications for coverage to TCEQ within 180 days from the date of the issuance of the 2019 permit. The application must include a Notice of Intent for coverage (NOI) and a Storm Water Management Program (SWMP). The NOI is a document that provides TCEQ with an official notification to seek permit coverage and identifies legally responsible parties for permit enforcement. The SWMP describes what actions are to be implemented by the permittee to address the required elements of a storm water program. The SWMP describes in detail which Best Management Practices (BMPs) will be implemented to meet permit requirements. The permit term covers 5 years (January 24, 2019 - January 23rd, 2024). The permit will be renewed

at 5 year intervals, which will likely require significant changes to the SWMP for future permit approvals.

1.2. Definitions

Arid Areas - Areas with an average annual rainfall of less than ten (10) inches.

Benchmarks—A benchmark pollutant value is a guidance level indicator that helps determine the effectiveness of chosen best management practices (BMPs). This type of monitoring differs from "compliance monitoring" in that exceedances of the indicator or benchmark level are not permit violations, but rather indicators that can help identify problems at the MS4 with exposed or unidentified pollutant sources; or control measures that are either not working correctly, whose effectiveness need to be re-considered, or that need to be supplemented with additional BMP(s).

Best Management Practices (BMPs) - Schedules of activities, prohibitions of practices, maintenance procedures, structural controls, local ordinances, and other management practices to prevent or reduce the discharge of pollutants. BMPs also include treatment requirements, operating procedures, and practices to control runoff, spills or leaks, waste disposal, or drainage from raw material storage areas.

Catch basins - Storm drain inlets and curb inlets to the storm drain system. Catch basins typically include a grate or curb inlet that may accumulate sediment, debris, and other pollutants.

Classified Segment - A water body that is listed and described in Appendix A or Appendix C of the Texas Surface Water Quality Standards, at 30 Texas Administrative Code (TAC) § 307.10.

Clean Water Act (CWA) -The Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972, Pub.L. 92-500, as amended Pub. L. 95-217, Pub. L. 95-576, Pub. L. 96-483 and Pub. L. 97-117, 33 U.S.C. 1251 et. seq.

Common Plan of Development or Sale - A construction activity that is completed in separate stages, separate phases, for in combination with other construction activities. A common plan of development or sale is identified by the documentation for the construction project that identifies the scope of the project, and may include plats, blueprints, marketing plans, contracts, building permits, a public notice or hearing, zoning requests, or other similar documentation and activities.

Construction Activity - Soil disturbance, including clearing, grading, excavating, and other construction related activities (e.g., stockpiling of fill material and demolition); and not including routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the site (e.g., the routine grading of existing dirt roads, asphalt overlays of existing roads, the routine clearing of existing right-of-ways, and similar maintenance activities). Regulated construction activity is defined in terms of small and large construction activity.

Small Construction Activity - is construction activity that results in land disturbance of equal to or greater than one (1) acre and less than five (5) acres of land. Small construction activity also includes the disturbance of less than one (1) acre of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than one (1) and less than five (5) acres of land.

Large Construction Activity - is construction activity that results in land disturbance of equal to or greater than five (5) acres of land. Large construction activity also includes the disturbance of less than five (5) acres of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than five (5) acres of land.

Construction Site Operator - The entity or entities associated with a small or large construction project that meet(s) either of the following two criteria:

- (a) The entity or entities that have operational control over construction plans and specifications (including approval of revisions) to the extent necessary to meet the requirements and conditions of this general permit; or
- (b) The entity or entities that have day-to-day operational control of those activities at a construction site that are necessary to ensure compliance with a stormwater pollution prevention plan (SWP3) for the site or other permit conditions (for example they are authorized to direct workers at a site to carry out activities required by the SWP3 or comply with other permit conditions).

Control Measure - Any BMP or other method used to prevent or reduce the discharge of pollutants to water in the state.

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

Discharge — When used Without a qualifier, refers to the discharge of stormwater runoff or certain non-stormwater discharges as allowed under the authorization of this general permit.

Edwards Aquifer - As defined in 30 TAC §213.3 (relating to the Edwards Aquifer), that portion of an arcuate belt of porous, water-bearing, predominantly carbonate rocks known as the Edwards and Associated Limestones in the Balcones Fault Zone trending from west to east to northeast in Kinney, Uvalde, Medina, Bexar, Comal, Hays, Travis, and Williamson Counties; and composed of the Salmon Peak Limestone, McKnight Formation, West Nueces Formation, Devil's River Limestone, Person Formation, Kainer Formation, Edwards Formation, and Georgetown Formation. The permeable aquifer units generally overlie the less-permeable Glen Rose Formation to the south, overlie the less-permeable Comanche Peak and Walnut Formations north of the Colorado River, and underlie the less-permeable Del Rio Clay regionally.

Edwards Aquifer Recharge Zone - Generally, that area where the stratigraphic units constituting the Edwards Aquifer crop out, including the outcrops of other geologic formations in proximity to the Edwards Aquifer, where caves, sinkholes, faults, fractures, or other permeable features

would create a potential for recharge of surface waters into the Edwards Aquifer. The recharge zone is identified as that area designated as such on official maps located in the offices of the TCEQ or the TCEQ website.

Final Stabilization - A construction site where any of the following conditions are met:

- (a) All soil disturbing activities at the site have been completed and a uniform (for example, evenly distributed, without large bare areas) perennial vegetative cover with a density of 70 percent of the native background vegetative cover for the area has been established on all unpaved areas and areas not covered by permanent structures, or equivalent permanent stabilization measures (such as the use of riprap, gabions, or geotextiles) have been employed.
- (b) For individual lots in a residential construction site by either:
 - (1) The homebuilder completing final stabilization as specified in condition (a) above; or
 - (2) The homebuilder establishing temporary stabilization for an individual lot prior to the time of transfer of the ownership of the home to the buyer and after informing the homeowner of the need for, and benefits of, final stabilization.
- (c) For construction activities on land used for agricultural purposes (for example pipelines across crop or range land), final stabilization may be accomplished by returning the disturbed land to its preconstruction agricultural use. Areas disturbed that were not previously used for agricultural activities, such as buffer strips immediately adjacent to a surface water and areas which are not being returned to their preconstruction agricultural use must meet the final stabilization conditions of condition (a) above.
- (d) In arid, semi-arid, and drought-stricken areas only, all soil disturbing activities at the site have been completed and both of the following criteria have been met:
 - (1) Temporary erosion control measures (e.g., degradable rolled erosion control product) are selected, designed, and installed along with an appropriate seed base to provide erosion control for at least three years without active maintenance by the operator, and
 - (2) The temporary erosion control measures are selected, designed, and installed to achieve 70 percent vegetative coverage within three years.

General Permit - A permit issued to authorize the discharge of waste into or adjacent to water in the state for one or more categories of waste discharge within a geographical area of the state or the entire state as provided by Texas Water Code (TWC) §26.040.

Groundwater Infiltration - For the purposes of this permit, groundwater that enters a municipal separate storm sewer system (including sewer service connections and foundation drains) through such means as defective pipes, pipe joints, connections, or manholes.

High Priority Facilities - High priority facilities are facilities with a high potential to generate stormwater pollutants. These facilities must include, at a minimum, the MS4 operator's maintenance yards, hazardous waste facilities, fuel storage locations, and other facilities where chemicals or other materials have a high potential to be discharged in stormwater. Among the

factors that must be considered when giving a facility a high priority ranking are: the amount of urban pollutants stored at the site, the identification of improperly stored materials, activities that must not be performed outside (for example, changing automotive fluids, vehicle washing), proximity to water bodies, proximity to sensitive aquifer recharge features, poor housekeeping practices, and discharge of pollutant(s) of concern to impaired water(s).

Hyperchlorinated Water— Water resulting from hyperchlorination of waterlines or vessels, with a chlorine concentration greater than 10 milligrams per liter (mg/L).

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

Illicit Discharge - Any discharge to a municipal separate storm sewer that is not entirely composed of stormwater, except discharges pursuant to this general permit or a separate authorization and discharges resulting from emergency firefighting activities.

Impaired Water - A surface water body that is identified as impaired on the latest approved CWA § 303(d) List waters with an EPA approved or established total maximum load (TMDL that are found on the latest EPA approved Texas Integrated Report of Surface Water Quality for CWA Sections 305(b) and 303(d) which lists the category 4 and 5 water bodies.

Indian Country - Defined in 18 USC § 1151 as:

- (a) All land within the limits of any Indian reservation under the jurisdiction of the United States (U.S.) Government, notwithstanding the issuance of any patent, and including rights-of-way running through the reservation;
- (b) All dependent Indian communities within the borders of the U.S. whether within the original or subsequently acquired territory thereof, and whether within or without the limits of a state; and
- (c) All Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through the same. This definition includes all land held in trust for an Indian tribe.

Indicator Pollutant - An easily measured pollutant, that may or may not impact water quality that indicates the presence of other stormwater pollutants.

Industrial Activity - Any of the ten (10) categories of industrial activities included in the definition of "stormwater discharges associated with industrial activity" as defined in 40 Code of Federal Regulations (CFR) §122.26(b)(14)(i)-(ix) and (xi).

Infeasible - For the purpose of this permit, infeasible means not technologically possible, or not economically practicable and achievable in light of best industry practices. The TCEQ notes that it does not intend for any small MS4 permit requirement to conflict with state water right laws.

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

MS4 Operator - For the purpose of this permit, the public entity or the entity contracted by the public entity, responsible for management and operation of the small municipal separate storm sewer system that is subject to the terms of this general permit.

Municipal Separate Storm Sewer System (MS4) - A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):

- (a) Owned or operated by the U.S., a state, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to state law) having jurisdiction over the disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts wider state law such as a sewer district, flood control district or drainage district, or similar' entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under the CWA §208 that discharges to surface water in the state;
- (b) That is designed or used for collecting or conveying stormwater;
- (c) That is not a combined sewer; and
- (d) That is not part of a publicly owned treatment works (POTW) as defined in 40 CFR §122.2.

Non-traditional Small MS4 - A small MS4 that often cannot pass ordinances and may not have the enforcement authority like a traditional small MS4 would have to enforce the stormwater management program. Examples of non-traditional small MS4s include counties, transportation authorities (including the Texas Department of Transportation), municipal utility districts, drainage districts, military bases, prisons and universities.

Notice of Change (NOC) - A written notification from the permittee to the executive director providing changes to information that was previously provided to the agency in a notice of intent.

Notice of Intent (NOI) - A written submission to the executive director from an applicant requesting coverage under this general permit.

Notice of Termination (NOT) - A written submission to the executive director from a permittee authorized under a general permit requesting termination of coverage under this general permit.

Outfall - A point source at the point where a small MS4 discharges to waters of the U.S. and does not include open conveyances connecting two municipal separate storm sewers, or pipes, tunnels, or other conveyances that connect segments of the same stream or other waters of the U.S. and are used to convey waters of the U.S. For the purpose of this permit, sheet flow leaving a linear transportation system without channelization is not considered an outfall. Point sources such as curb cuts; traffic or right-of-way barriers with drainage slots that drain into open culverts, open swales or an adjacent property, or otherwise not actually discharging into waters of the U.S. are not considered an outfall.

Permittee - The MS4 operator authorized under this general permit.

Point Source - (from 40 CFR § 122.22) any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural stormwater runoff.

Pollutant(s) of Concern - For the purpose of this permit, includes biochemical oxygen demand (BOD), sediment or a parameter that addresses sediment (such as total suspended solids (TSS), turbidity or siltation), **pathogens**, oil and grease, and any pollutant that has been identified as a cause of impairment of any water body that will receive a discharge from an MS4. (Definition from **40 CFR § 122.32(e)(13)**).

Redevelopment - Alterations of a property that changed the "footprint" of a site or building in such a way that there is a disturbance of equal to or greater than one (1) acre of land. This term does not include such activities as exterior remodeling, routine maintenance activities, and linear utility installation.

Semiarid Areas - Areas with an average annual rainfall of at least ten (10) inches, but less than 20 inches.

Small Municipal Separate Storm Sewer System (MS4) — A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains):

- (a) Owned or operated by the U.S., a state, city, town, borough, county, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under state law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under CWA 5 208;
- (b) Designed or used for collecting or conveying stormwater;
- (c) Which is not a combined sewer;
- (d) Which is not part of a publicly owned treatment works (POTW) as defined in 40 CFR § 122.2; and
- (e) Which was not previously regulated under a National Pollutant Discharge Elimination System (NPDES) or a Texas Pollutant Discharge Elimination System (TPDES) individual permit as a medium or large municipal separate storm sewer system, as defined in 40 CFR §§122.26(b)(4) and (b)(7). This term includes systems similar to separate storm sewer systems at military bases, large hospitals or prison complexes, and highways and other thoroughfares. This term does not include separate storm sewers in very discrete areas, such as individual buildings. For the purpose of this permit, a very discrete system also includes storm drains associated with certain municipal offices and education facilities serving a nonresidential population, where those storm drains do not function as a system, and where the buildings are not physically interconnected to a small MS4 that is also operated by that public entity.

Stormwater and Stormwater Runoff- Rainfall runoff, snow melt runoff, and surface runoff and drainage.

Stormwater Associated with Construction Activity - Stormwater runoff from an area where there is either a large construction or a small construction activity.

Stormwater Management Program (SWMP) - A comprehensive program to manage the quality of discharges from the municipal separate storm sewer system.

Structural Control (or Practice) - A pollution prevention practice that requires the construction of a device, or the use of a device, to capture or prevent pollution in stormwater runoff. Structural controls and practices may include but are not limited to: wet ponds, bioretention, infiltration basins, stormwater wetlands, silt fences, earthen dikes, drainage swales, vegetative lined ditches, vegetative filter strips, sediment traps, check dams, subsurface drains, storm drain inlet protection, rock outlet protection, reinforced soil retaining systems, gabions, and temporary or permanent sediment basins.

Surface Water in the State - Lakes, bays, ponds, impounding reservoirs, springs, rivers, streams, creeks, estuaries, wetlands, marshes, inlets, canals, the Gulf of Mexico inside the territorial limits of the state (from the mean high water mark (MHW) out 10.36 miles into the Gulf), and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, navigable or non-navigable, and including the beds and banks of all water courses and bodies of surface water, that are wholly or partially inside or bordering the state or subject to the jurisdiction of the state; except that waters in treatment systems which are authorized by state or federal law, regulation, or permit, and which are created for the purpose of waste treatment are not considered to be water in the state.

Total Maximum Daily Load (TMDL) - The total amount of a substance that a water body can assimilate and still meet the Texas Surface Water Quality Standards.

Traditional Small MS4 - A small MS4 that can pass ordinances and have the enforcement authority to enforce the stormwater management program. An example of traditional MS4s includes cities.

Urbanized Area (UA) - An area of high population density that may include multiple small MS4s as defined and used by the U.S. Census Bureau in the 2000 and the 2010 Decennial Census.

Waters of the United States - (According to 40 CFR § 122.2) Waters of the United States or waters of the U.S. means:

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

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

1.3. Acronyms

BMPs - Best Management Practices

CSN — Construction Site Notice

CWA - Clean Water Act

EPA— Environmental Protection Agency

ETJ — Extra Territorial Jurisdiction

FEMA— Federal Emergency Management Agency

FEMA's NFIP — Federal Emergency Management Agency's National Flood Insurance Program

HAZ MAT— Hazardous Materials, Substance, and / or Waste, etc.

ISWM — integrated Storm Water Management

MCM — Minimum Control Measures

MEP— Maximum Extent Practicable

MS4-- Municipal Separate Storm Sewer System

NCTCOG -- North Central Texas Council Of Governments

NOI - Notice Of Intent

OSSF - On Site Sewage Facilities

POTW - Publicly Owned Treatment Works

RDI -- Regionally Developed Initiative

SWMP - Storm Water Management Program

SW3P or SWPPP - Storm Water Pollution Prevention Plan

TCEQ-Texas Commission on Environmental Quality

TPDES -Texas Pollutant Discharge Elimination System

UUA - Unincorporated Urbanized Area

USACE - U.S. Army Corps of Engineers

2. PERMIT APPLICABILITY AND COVERAGE

2.1. Urbanized Areas

The TPDES Permit requirements (Appendix A) apply only to the portions of unincorporated Johnson County that are identified as urbanized areas. There are approximately 41.94 square miles of urbanized areas in unincorporated Johnson County according to the 2010 Decennial Census by the U.S. Bureau of Census. These areas are in the north-central portion of the county and are mostly in the vicinity of the cities of Briar Oaks, Burseson, Cross Timber and Joshua.

The Johnson County SWMP addresses the MS4 Permit requirements only in the unincorporated urbanized areas of the County (Appendix B). However, certain elements of the SWMP may be voluntarily implemented by the permittee within greater Johnson County. Examples are "Public Education, Outreach, and Involvement", portions of which may be accomplished regionally through internet and newspaper announcements that are read on a County-wide basis.

2.2. Regulatory Restrictions for Counties

The State of Texas has placed certain restrictions upon counties that potentially effect the implementation of this SWMP. The Texas Constitution and State Statutes do not grant Texas counties the ability to create and enforce ordinances, an authority given to Texas cities. To address this restriction the TCEQ rules contain text stating: "to the extent allowable under state and local law". Johnson County will address the various elements in the General Permit SWMP requirements "to the extent allowable under state and local law"

2.3. Endangered Species Act:

The presence of threatened/endangered aquatic or aquatic dependent species was identified in, or around, the receiving waterbodies of the MS4 as listed below:

Species	Waterbody(ies)
Coffin Cave mold beetle (<i>Batrisodes texanus</i>)	Brazos River Basin
Tooth cave ground beetle (<i>Rhadine Persephone</i>)	Brazos River Basin
Bee Creek Cave harvestman (<i>Texella reddelli</i>)	Brazos River Basin
Bone Cave harvestman (<i>Texella reyesi</i>)	Brazos River Basin
Navasota ladies'-tresses (<i>Spiranthes parksii</i>)	Brazos River Basin, Trinity River Basin

3. STORM WATER MANAGEMENT PLAN

3.1. Overview of Johnson County's SWMP

To the extent allowable under state law, Johnson County's SWMP was developed and will be implemented according to the requirements of Part III of the TPDES General Permit TX040000, for the discharges of storm water to surface water in the State. This SWMP was developed to prevent pollution in storm drainage systems to the maximum extent practicable, with control measures being phased in during

the five year term of the permit. The SWMP addresses five minimum control measures (MCM's) as required by TCEQ rules. Level 2 MS4s, like Johnson County, are only required to be implemented by Level Four MS4s. MCM's will be implemented in urbanized areas of unincorporated Johnson County and may be voluntarily implemented in other unincorporated areas of Johnson County if warranted by special conditions such as participation in regional programs. MCM's will be evaluated based upon the accomplishment of activities (BMP's) listed under each' Minimum Control Measure.

Johnson County will evaluate its SWMP yearly in conjunction with the preparation of the Annual Report as required by Part II.E.4 of the TXR040000 permit.

3.2. Contrast with Cities

3.2.1. Legal Authority

Unlike cities, counties are not authorized by the state to enact ordinances and implement all of the regulatory requirements that the Phase 2, MS4 permit requires. Johnson County addresses these regulatory requirements to the extent allowable under state and local law.

3.2.2. Ditch Drainage System

Unlike most cities, Johnson County's storm drainage system is not a traditional underground drainage system (curb inlets, underground storm sewer and outfall discharges from pipes). Instead, Johnson County's storm drainage system is mostly comprised of grass-lined ditches. Benefits and challenges associated with this type of system are addressed in the appropriate MCM sections.

3.2.3. Large Area and Long Distances between Non-Contiguous Urbanized Areas

Unlike cities, Johnson County now has approximately three, non-contiguous urbanized areas scattered across the northern portion of the County. Long travel distances, often exceeding those found in large MS4 cities, will be required by a small County staff to implement daily activities associated with this program. This extra challenge should be considered when comparing the SWMPs of the County and the cities in the area.

3.2.4. Annexation and De-annexation

Unlike cities, counties typically lose land area over time as city annexation and growth occurs. Counties will not be adding new land areas of responsibilities, nor have to provide services to such annexed land. The County will only add Unincorporated Urbanized Areas (UUA) if population densities increase such that the regional UA boundary is expanded, as designated by the U.S. Census Bureau on a ten (10) year cycle (i.e. next one is 2020), or when cities de-annex land.

3.3. Minimum Control Measure #1: Public Education, Outreach, and Involvement

Johnson County will expand upon its current efforts to ensure that the public within the UUA is informed about the impacts that storm water runoff can have on water quality, the hazards associated with illegal discharges, and improper disposal of waste. In addition, opportunities for residents to become involved with this program are included in this SWMP. This MCM will be accomplished by providing informational materials in multiple formats and media from various sources including Johnson County, the Johnson County branch of the Texas AgriLife Extension, the North Central Texas Council Of Governments (NCTCOG), and other resources that may be used to further develop and distribute public education and outreach material. This information dissemination will be across a broad spectrum of recipients including

residents, County employees, businesses, commercial/industrial facilities, and construction site personnel in the UUA of Johnson County.

In addition, Johnson County will rely upon compliance with public notice requirements regarding public meetings at Johnson County Commissioners' Court to receive public input on the SWMP development and implementation. The Draft SWMP will be posted on the county website prior to submitting it to TCEQ for TPDES General Storm Water Permit coverage.

Johnson County will assess its public education, outreach and involvement activities/goals annually and evaluate their effectiveness.

Best Management Practices to support this MCM are detailed below.

3.3.1. Texas Smartscape

Johnson County is partnering with the Master Gardeners of Johnson County to use County facility landscaping as a tool to educate its citizens. This BMP has worked well and will continue during this permit term.

Activity:

Johnson County will continue to work with the Master Gardeners of Johnson County, with the assistance of the Texas AgriLife Extension Service in Cleburne, Texas, to perform landscaping functions at County facilities and provide an information kiosk to inform residents about the appropriate procedures to prepare and maintain native and adapted landscaping. In the last permit term, Johnson County added an information rack regarding native and adapted plants and environmentally safe use of fertilizers and pesticides will be distributed at the kiosk.

Goals:

Year 1: Add an additional information stand. Keep a count of informative literature disseminated thru year 5.

Year 3: Add one additional information flyers to the public information racks and track number distributed.

3.3.2. Seminar Presentation

Johnson County Public Works Department conducts an annual Small Acreage and Landowner Seminar in conjunction with the Texas AgriLife Extension Service, Texas Parks and Wildlife, the City of Cleburne, Johnson County Farm Bureau, and Bluebonnet R, C&D. This educational outreach was implemented in the last permit term, BMP will continue during this permit term.

Activity:

Johnson County will continue to conduct these seminars and incorporate stormwater information into these seminars. Information regarding proper septic tank maintenance and general stormwater educational material will be presented.

Goal:

Years 1 through 5: Conduct this seminar once per year for the five-year permit term. The number of participants at the seminars will be recorded.

3.3.3. Website

Johnson County maintains an informative website that distributes information regarding a variety of subjects important to residents and visitors. A calendar of events is maintained on the website.

<https://www.johnsoncountytexas.org/departments/public-works/storm-water>

The last permit term Johnson County Public Works posted the following links on the website.

- Household Hazardous Waste
- National Pollution Discharge Elimination System (NPDES)
- NCTCOG Regional Stormwater Management Program
- North Central Texas Smartscape
- Regulations Affecting Construction Activities in Unincorporated Johnson County
- TCEQ Stormwater Permits
- The Dirty Dozen
- Recycling Locator

Activity:

During the last permit term, Johnson County Public Works was unable to record the number of website visits.

Goal

Acquire ability to track number of stormwater site visits in year 2. Log and track 100% of stormwater site visits years 2 through 5.

3.3.4. Networking

The Johnson County Public Works Director has been elected onto the NCTCOG Public Works Council (PWC), which provides expertise and support to the Executive Board and staff of NCTCOG on a wide range of local public works issues. For example, the PWC provides continuing advice regarding the Public Works Construction Standards - North Central Texas, as well as such issues as managing right-of-way, comprehensive and consistent storm water management through integrated Stormwater Management (iSWM), and regional pavement design guidance, and identified sub regional issues.

Activity:

Johnson County will continue to attend NCTCOG meetings and keep abreast of stormwater training and educational opportunities offered by this group and other similar groups. Johnson County will also participate in Regionally Developed Initiatives that the County deems applicable.

Goals:

Years 1 through 5, participate in 80% of all available meetings and Regionally Developed Initiatives and disperse information gleaned from these activities to citizens and employees of Johnson County. Meetings attended and informational material distributed based on these activities will be documented.

3.3.5. Household Hazardous Waste

Johnson County has been facilitating its residents' use of the City of Fort Worth's HHW drop-off facility. Public education material is available at these locations, as well. Vouchers are available at Public Works and the precinct barns.

Activity:

Johnson County will continue to facilitate the use of the City of Fort Worth's HHW drop-off facility. In addition, Johnson County will continue to provide vouchers for citizens to drop off HHW at the City of Fort Worth's facility.

Goals:

Years 1 through 5, monitor and report all residents' participation. Record educational material distributed.

3.3.6. Public Notice for Meetings

Johnson County will continue to rely upon compliance with public notice requirements regarding public meetings at the North Central Texas Council of Governments (NCTCOG) and the Johnson County Commissioners' Court to receive public input on the storm water management program development and implementation.

Activity:

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

Goals:

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

3.3.7. Posting Draft SWMP on Website

Johnson County will post a copy of the Draft SWMP on the County Website prior to submitting it to TCEQ for TPDES General Storm Water Permit coverage.

Activity:

Post the draft SWMP on the County Website at least 10 days prior to submitting the TCEQ permit application.

Goals:

Prior to submittal to TCEQ, accept comments from public and incorporate into SWMP as appropriate.

3.3.8. Post Approved SMWP and the Annual Reports on Website

Johnson County will post its approved SWMP and the Annual Reports on the website:

<https://www.johnsoncountytexas.org/departments/public-works/storm-water>

Activity:

Post the approved SWMP and the Annual Reports on the Johnson County website.

Goals:

Post the approved SWMP and the Annual Reports on the Johnson County website in year 1 and continue to post the annual report yearly for the duration of the permit term.

3.3.9. Citizen Complaint Registry

Citizen and staff reporting of suspected illicit discharges, septic system failures and construction site stormwater runoff in the UUA of Johnson County is an ongoing activity. Citizens shall access the Citizen Complaint Registry at <https://www.johnsoncountytexas.org/departments/public-works> to publically report illicit discharges and stormwater runoff. In the UUA of Johnson County, county staff will investigate citizen- or staff-reported illicit discharges and septic system failures within 30 days, excluding any repeated, unsubstantiated, illicit discharge reports at a specific site. Voluntary compliance will be encouraged; however, civil and criminal enforcement will be enacted as required. TCEQ's Regional Field Office shall be notified if Johnson County is unable to compel compliance under state law.

Activity:

Monitor Citizen Complaint Registry and investigate alleged septic system failures, suspected illicit discharges, and stormwater runoff.

Goals:

Permit years 1 through 5. Investigate 80% of citizen and staff reported illicit discharges, stormwater runoff, and septic system failures in UUA within 30 days.

3.4. Minimum Control Measure #2: Illicit Discharge Detection and Elimination (1DDE)

Johnson County will develop surveillance and enforcement processes to implement an illicit discharge program, in accordance to state law, in the UUA of Johnson County. Illicit discharges that Johnson County cannot enforce will be referred to the TCEQ Region 4 Office in Fort Worth, Texas. Improper disposal of sewage from malfunctioning On-Site Sewage Facilities (OSSFs), such as malfunctioning septic systems or aerobic systems, are subject to County corrective actions and enforcement, as necessary. Johnson County will access its illicit discharge detection and elimination activities/goals annually and evaluate their effectiveness.

Staff attend NCTCOG meetings. The numbers of meetings are recorded.

Best Management Practices to support this MCM are detailed below.

3.4.1. Illegal Dumping Enforcement

Johnson County Public Works has established a communication network with the Sheriff's Office to investigate illegal dumping in the UUA of the county.

Activity:

Continue to coordinate with the Sheriff's Office to report, investigate, and enforce illegal dumping incidents.

Goals:

For permit years 1 through 5, refer all cases of suspected illegal dumping incidents to the Sheriff's Office and record number of referrals and disposition of those referrals.

3.4.2. On-Site Sewage Facilities (OSSF)

Johnson County will maintain records of actions taken regarding malfunctioning OSSFs in the UUA of Johnson County as an Authorized Agent of the State (TCEQ) to enforce rules regarding the installation and operation of OSSFs.

Activity:

Investigate all alleged septic system failures made by citizens and document actions taken to correct problems. Inspectors look for illicit discharges when traveling throughout the county.

Goals:

For permit years 1 through 5, track all inspections and corrective actions taken regarding OSSFs.

3.4.3. Roadway and Drainage Review

County staff who are surveying the County's road network are conducting illicit discharge detection. To better monitor any illicit activity in the UUA, the County has formalized an inspection process. All illicit discharges will be investigated. If a discharge is found to be from an OSSF, Johnson County Public Works will take the appropriate action. TCEQ's Regional Field Office shall be notified if Johnson County is unable to compel compliance.

Activity:

Inspect roadway and drainage ways and investigate all suspected illicit discharges.

Goals:

For permit years 1 through 5, track all inspections and corrective actions taken regarding suspected illicit discharges.

3.4.4. Household Hazardous Waste

See Section 3.3.5 under MCM 1 Public Education, Outreach, and Involvement

3.4.5. Emergency Planning Procedure

Johnson County Public Works has worked with the Emergency Management Coordinator to develop plans and procedures to respond to a variety of hazardous materials spills and releases

occurring in the UUA of the County. This coordination will continue so as to improve and revise emergency procedures to ensure all hazardous materials releases are addressed to reduce or eliminate effects on the stormwater system in the UUA of the County.

Activity:

Revise and implement procedures to respond to hazardous materials incidents in the unincorporated urbanized areas of Johnson County.

Goals:

Years 1 through 5 Johnson County will continue to update all of its procedures to respond to a variety of hazardous materials spills and releases. Monitor effectiveness of procedures and amend when needed.

3.4.6. Storm Drain System Mapping

During the previous permit term, Johnson County developed a map of the storm drain system. Johnson County will update the map as needed to reflect new storm drain locations in the UUA, locating outfalls contained in those areas that discharge directly into waters of the State. The County will use the best available resources in map preparation. This Storm Drainage Map will also contain existing street names, outfall locations, culverts, bridges, and other features that will be useful in identifying illicit discharges.

Activity:

The last permit term Johnson County created a map of the storm drain system.

Goal:

Years 1 through 5 all new storm drains added during the permit term will be added to the storm drain map.

3.4.7. Training

Johnson County will inform or train appropriate employees involved illicit discharge or illicit connection. Staff attends NCTCOG and other training opportunities. The County will maintain a training attendance list for inspection by TCEQ when requested.

Activity:

Johnson County informs county personnel about the identification of illicit discharges, logging inspections and reporting violations, and tracking costs and time for abatement of illicit discharges.

Goals:

Johnson County will continue its training program and reporting forms during Year 1 through 5 of the Permit term.

3.5. Minimum Control Measure #3: Construction Site Stormwater Runoff Control

Johnson County, to the extent allowable under state law, will develop, implement, conduct inspections on all sites, and enforce a program to reduce pollutants in any storm water runoff to the MS4 from construction activities that result in a land disturbance of greater than or equal to one acre. Reduction of storm water discharges from construction activity disturbing less than one acre must be included in the program if that construction activity is part of a larger common plan of development or sale that would disturb one acre or more.

Johnson County recognizes that some of the urbanized area in the county lies within the City of Briar Oaks, Burleson, Cross Timbers, Joshua and Mansfield. Each city is responsible for the implementation of the permit for that area of the urbanized areas. Johnson County further recognizes that a portion of the remaining urbanized area falls within the extra-territorial jurisdiction of the City of Burleson and that Johnson County relinquishes the authority to regulate any subdivision plats per the Inter-local Agreement dated March 22, 2002. As an operator of a regulated MS4, Johnson County understands the importance of sharing the responsibility to implement this MCM with the cities in the county. For cities' that Johnson County does not have an inter-local agreement with, the city limits will be the boundaries for the implementation of this MCM.

Johnson County staff attend NCTCOG meetings and like training. Number of events are recorded.

Best Management Practices to support this MCM are detailed below.

3.5.1. Platting/Permitting Procedural Review

Johnson County currently conducts periodic interdepartmental reviews of platting/permitting procedures and keeps employees apprised of changes related to stormwater. This activity will continue during the current permit term.

Activity:

Conduct periodic interdepartmental reviews of platting/permitting procedures and ensure procedures comply with the MS4 permitting requirements. Incorporate new software to assist in permitting. Johnson County will access its construction site runoff control activities/goals annually and evaluate their effectiveness.

Goal:

Johnson County Public Works continues in its practice of keeping a count of all SWPPP, CSNs and NOIs when appropriate and require drainage studies to be submitted during platting and before development, permit applications are approved. Johnson County Public Works is in the process of making modifications to its current permitting process. Have new software in place by year 1 of the permit term. Johnson County Public works will continue to review its platting/ permitting procedures, years 1 through 5.

3.5.2. Review of Inter-local Agreements

During the previous permit term, Johnson County implemented a review process to ensure that all inter-local agreements comply with the MS4 stormwater permit requirements. This BMP will continue during the new permit term.

Activity:

Review inter-local agreements periodically to ensure they include provisions that ensure compliance with the MS4 stormwater permit.

Goals:

Johnson County will periodically review inter-local agreements and ensure that all new agreements are compliant with the MS4 stormwater permit, years 1 through 5 of the permit term.

3.5.3. Land Development Rules and Regulations

Johnson County ensures existing and new land development rules and regulations comply with the MS4 stormwater permit requirements. During the new permit term, this BMP will continue.

Activity:

Review existing land development rules and regulations to ensure they include provisions that ensure compliance with the MS4 stormwater permit. In addition, stormwater permit requirements will be considered when new rules and regulations are considered.

Goal:

Years 1 through 5 Johnson County will continue with this practice of reviewing all its land development rules and regulations to ensure-compliance with MS4.

3.5.4. Notice of Intent (NOI)/Construction Site Notice (CSN) File

Since the TCEQ requires NOI's and CSN's from the construction site operators to be submitted directly to the MS4s, Johnson County created these files in the previous permit term for compliance reference. Small construction sites are not required to submit NOI's to the TCEQ; however, they are required to submit CSN's to their respective MS4.

Activity:

In the last permit term, Johnson County developed files for NOI and CSN's.

Goal:

Years 1 through 5 Johnson County will continue to maintain all these files.

3.5.5. "ISWM Program Implementation Tiered Measurement" Document

The iSWM Program Implementation Tiered Measurement document provides communities with a checklist of outcomes that they can use to determine iSWM status when applying to become an iSWM certified community.

Activity:

Johnson County will use the "iSWM Program Implementation Tiered Measurement" document as a reference when approving all plats, conducting all inspections, and performing all corrective measures that promote stormwater quality.

Goal:

Johnson County will use the "iSWM Program Implementation Tiered Measurement" document as a reference in years 1 through 5.

3.5.6. Training

Johnson County will inform or train appropriate employees involved in implementing the construction stormwater program. Staff attends NCTCOG and other training opportunities. The County will maintain a training attendance list for inspection by TCEQ when requested.

Activity:

Johnson County informs and trains county personnel about the construction stormwater program including but not limited to permitting plan review, construction site inspections, and enforcement.

Goals:

Johnson County will continue its training program and reporting forms during Year 1 through 5 of the Permit term.

3.6. Minimum Control Measure #4: Post-Construction Stormwater Management in New Development and Redevelopment

To the extent allowable under state law, the County will develop and implement a Post-Construction MCM for the UUA of the County. The intent of the MCM is to lessen the adverse impact of storm water on the overall quality of water in the County due to new development or redevelopment projects.

Since Texas counties do not have the rule/ordinance making authority that cities have, the County cannot enforce a program to reduce pollutants in post-construction storm water runoff.

However, the County will participate in this MCM by continuing to allow the use of unlined or pervious drainage ditches instead of impervious concrete gutter and underground storm drain systems, which cities typically favor.

Compared to impervious underground storm drain systems, above ground open, grassy drainage ditch systems allow more storm water runoff to soak into the ground. This reduces downstream runoff and the velocity of runoff (reducing erosion). The grass-lined ditches, to some extent, provide a means of detaining and treating, or reducing, the presence of some pollutants (sediment, nutrients, fertilizers, detergents, etc.).

Johnson County maintains drainage ditches and channels that serve county roads and will continue to do so throughout the term of this permit.

Johnson County will access its post construction stormwater management activities/goals annually and evaluate their effectiveness.

3.6.1. Pervious Drainage Systems

Johnson County will continue to allow the use of pervious ditches in the design of roads in the UUA of the County. This has proven to be an effective and cost efficient method to control storm water runoff and reduce the impact the added storm water runoff has on the overall quality of water in the County.

However, as mentioned earlier, the County has legal agreements with each of the cities that control the development/platting within the Extra Territorial Jurisdiction of each of the cities. The cities will ultimately decide what type of drainage system to allow, and the BMP's to be required to attain the goals of their programs and in accordance with their permits.

Activity:

Johnson County will generally allow developers, homebuilders, and residents in the UA to use at grade, open/unlined grassy drainage ditches adjacent to the privately or county owned and maintained roads. Specific legal agreements with some adjacent municipalities may supersede this County policy, but overall this strategy and policy will continue for the duration of the permit period.

Goals:

Johnson County will allow open/unlined grassy drainage ditches and channels to receive and transport storm water runoff generated offsite (i.e. on adjacent private land) from impervious surfaces such as roofs, driveways, sidewalks, and private and public roads and streets. This existing standard will remain in effect for the duration of the permit period.

3.6.2. Drainage Analysis and Tracking

Johnson County will continue to review development plans during platting and the development permitting process to ensure culvert and storm drain systems are designed to ensure the least amount of impacts to storm water quality and quantity.

Activity:

Johnson County will review plats for adequate culvert and storm drain design.

Goals:

During years 1 through 5 of the permit term, Johnson County will continue the drainage review process while reviewing all plats and issuing all development permits.

3.6.3. Texas Smartscape

See Section 3.3.1 under MCM 1 for details on this BMP.

3.6.4. Floodplain Regulations

Activity:

Johnson County works within 44 CFR 60.3 flood management parameters to control, construct, manage, and inspect any FEMA floodplain pursuant to Johnson County flood ordinance.

Goals:

Incorporate flood regulations in all platting and permitting procedures. In addition, Johnson County will update the current flood program procedures and guidelines when needed. Continue this goal Years 1 through 5 of the permit term.

3.6.5. iSWM

If adopted and implemented properly, iSWM allows local governments to create a stormwater program that meets state and federal standards while promoting development that minimizes future erosion and flooding in a cost and time effective manner. iSWM violations that Johnson County cannot enforce will be referred to the TCEQ Region 4 Office in Fort Worth, Texas.

Activity:

Johnson County will utilize, to the extent allowable by state and local law, the "iSWM Program Implementation Tiered Measurement" document as a reference when approving plats and conducting inspections that ensure and promote stormwater quality.

Goals:

Create a stormwater brochure to share with all developers and contractors and track number distributed. This BMP will *be* implemented during Year 4 of the permit term.

3.7. Minimum Control Measure #5: Pollution Prevention and Good Housekeeping for Municipal Operations

Johnson County will develop and implement an operation and maintenance program, including an employee training component that has the ultimate goal of preventing or reducing pollutant runoff from county activities and county owned areas including but not limited to park and open space maintenance; street, road, or highway maintenance; fleet and building maintenance; stormwater system maintenance; new construction and land disturbances; county parking lots; vehicle and equipment maintenance and storage yards; waste transfer stations; and salt/sand storage locations. All waste materials removed from the MS4 will be disposed of in accordance with 30 TAC Chapters 330 or 335, as applicable. Structural controls are not applicable to this MS4.

3.7.1. County Facility Inventory

Johnson County has developed an inventory of facilities and stormwater controls that it owns and operates within the UUA of the County.

Activity:

Johnson County will maintain an inventory of facilities that are owned or operated by the County.

Goals:

An inventory of county facilities was developed during the last permit term.
Stay current on inventory of county facilities owned or operated by Johnson County by adding all new facilities for the permit term.

3.7.2. Training

Johnson County will inform or train appropriate employees involved in implementing pollution prevention, good housekeeping practices, and illicit discharge or connection. Staff attends NCTCOG and other training opportunities. The County will maintain a training attendance list for inspection by TCEQ when requested.

Activity:

Johnson County informs at least 50% of appropriate county personnel about the identification of illicit discharges, logging inspections and reporting violations, and tracking costs and time for abatement of illicit discharges.

Goals:

Johnson County will continue its training program and reporting forms during Year 1 through 5 of the Permit term.

3.7.3. County Operation and Maintenance Activities

Johnson County will evaluate operation and maintenance (O&M) activities for their potential to discharge pollutants in stormwater.

Activity:

Johnson County will evaluate their O&M activities associated with road and parking lot maintenance, bridge maintenance, cold weather operations, and right-of-way maintenance.

Goals:

Johnson County will continue to evaluate all potential pollutants emanating from O&M activities during years 1 through 5 of the Permit term.

3.7.4. Contractor Requirements and Oversight

All contractors hired by Johnson County to perform maintenance activities on County owned facilities will be contractually required to comply with all stormwater control measures, good housekeeping practices, and facility-specific stormwater management operating procedures. Johnson County shall provide oversight of contractor activities to ensure that contractors are using appropriate control measures. Oversight procedures will be maintained on-site and available for inspection by TCEQ.

Activity:

Johnson County will provide oversight and require all contractors to comply with all stormwater control measures, good housekeeping practices, and facility-specific stormwater management operating procedures.

Goals:

Johnson County will continue to ensure contractors are following appropriate control measures regarding stormwater management and good housekeeping practice during years 1 through 5 of the Permit term.

4. RECORD KEEPING AND REPORTING

4.1 Record Keeping

Johnson County shall retain all records, a copy of this TPDES general permit, and records of all data used to complete the application (NOI) (Appendix C) for this general permit and satisfy the public participation requirements for a period of at least three years or for the remainder of the term of this

general permit, whichever is longer. This period may be extended by request of the executive director at any time.

1. Johnson County shall submit the records to the Executive Director of the TCEQ only when specifically asked to do so. The SWMP required by this general permit (including a copy of the general permit) must be retained at a location accessible to the TCEQ.
2. Johnson County shall make the NOI and the SWMP available to the public at reasonable times during regular business hours, if requested to do so in writing. Copies of the SWMP must be made available within ten (10) working days of receipt of a written request. Other records must be provided in accordance with the Texas Public Information Act. However, all requests for records from federal facilities must be made in accordance with the Freedom of Information Act.
3. The period during which records are required to be kept shall be automatically extended to the date of the final disposition of any administrative or judicial enforcement action that may be instituted against the permittee.

4.2. Reporting

4.2.1. Annual Report

Johnson County shall submit a concise annual report to the Executive Director of the TCEQ within 90 days of the end of each reporting year. For the purpose of this section, the reporting year may include either the permit year, the permittee's fiscal year, or the calendar year, as elected by Johnson County and notified to the TCEQ in the application submittal. The annual report must address the previous reporting year.

Implementation Schedule is as follows;

Year 1	Year 2	Year 3	Year 4	Year 5
Jan – Dec 2019	Jan – Dec 2020	Jan – Dec 2021	Jan – Dec 2022	Jan – Dec 2023

The Annual Report must include:

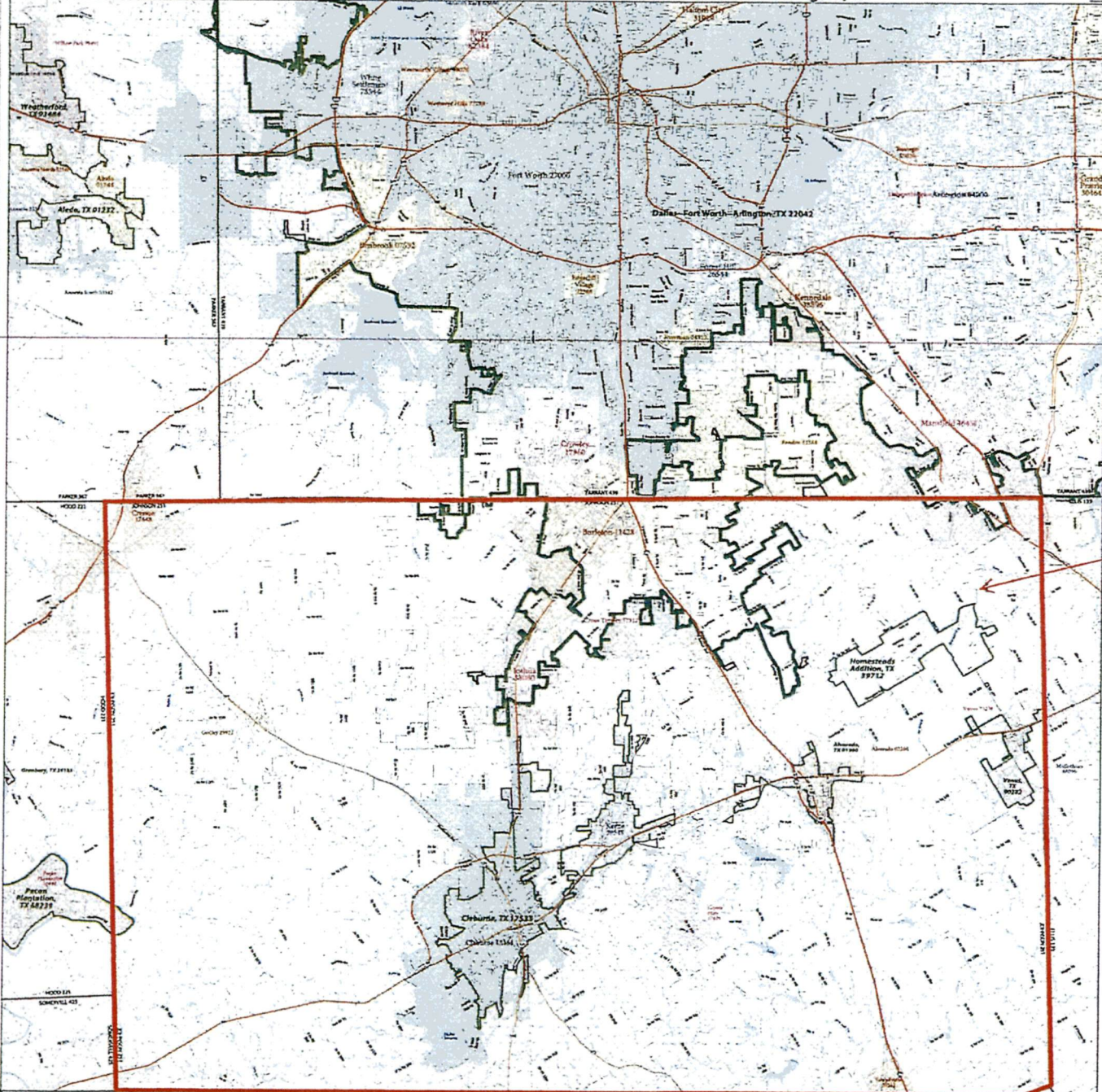
1. The status of the compliance with permit conditions, an assessment of the appropriateness of the identified BMPs, progress towards achieving the statutory goal of reducing the discharge of pollutants to the MEP, the measurable goals for each of the MCMs, and an evaluation of the success of the implementation of the measurable goals;
2. A summary of the results of information collected and analyzed, during the reporting period, including monitoring data used to assess the success of the program at reducing the discharge of pollutants to the MEP;
3. A summary of the stormwater activities Johnson County plans to undertake during the next reporting year;
Proposed changes to the SWMP, including changes to any BMPs or any identified measurable goals that apply to the program elements;

5. Description and schedule for implementation of additional BMPs that may be necessary, based on monitoring results, to ensure compliance with applicable TMDLs and implementation plans; and
6. Notice that the MS4 operator is relying on another government entity to satisfy some of its permit obligations (if applicable).

The annual report must be prepared whether or not the NOI and SWMP have been approved by the TCEQ.

ADOPTION BY JOHNSON COUNTY COMMISSIONERS COURT

2010 CENSUS - URBANIZED AREA REFERENCE MAP: Dallas-Fort Worth-Arlington, TX



LEGEND

STANDARD HOUSING UNIT	STANDARD	LAND AREA	CANADA
Water		LANDS RES 1880	
Public Common Areas		T1310	
Metropolitan		Dover, DE 34580	
Other Areas		Toohe, VT 88057	
Urban		NEW YORK 36	
Suburban		181 021	
Rural		West Town 01483	
Unincorporated		MILFORD 47500	
Unincorporated		Davis 34300	
Unincorporated		North Village 3110	

When international, state, county, and/or MCD boundaries coincide, the map shows the boundary closest to only the highest ranking of those boundaries.

1. A "1" following an MCD name denotes a Non-MCD. A "1" following a place name denotes that the MCD name is the same as the place name and FIPS code is the same as the MCD code.

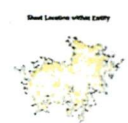
2. MCD boundaries are shown in the following order to which order of MCDs: Missouri, North Carolina, Michigan, Minnesota, Missouri, Oklahoma, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Utah, Vermont, Virginia, Washington, Wisconsin, Wyoming, and Alaska.

3. Place label colors correspond to the place FIPS code.

SELECTED ARLA COUNTIES ON MAP SHEET

4111	Collin
4121	Dallas
4123	Denton
4151	Tarrant

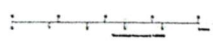
Johnson County



All map boundaries and names are as of January 1, 2010. Where names are shared on maps from the 2010 Census Bureau, the boundaries shown are the official boundaries from the 2010 Census Bureau. All other boundaries are derived from other sources and are not official.

Metropolitan: 2010 Census Metropolitan Area, January 1, 2010
 Non-Metropolitan: U.S. Census Bureau, 2010 Census (Official)
 Data Source: U.S. Census Bureau, 2010 Census (Official)

Scale
 1:100,000
 1 inch = 8 miles



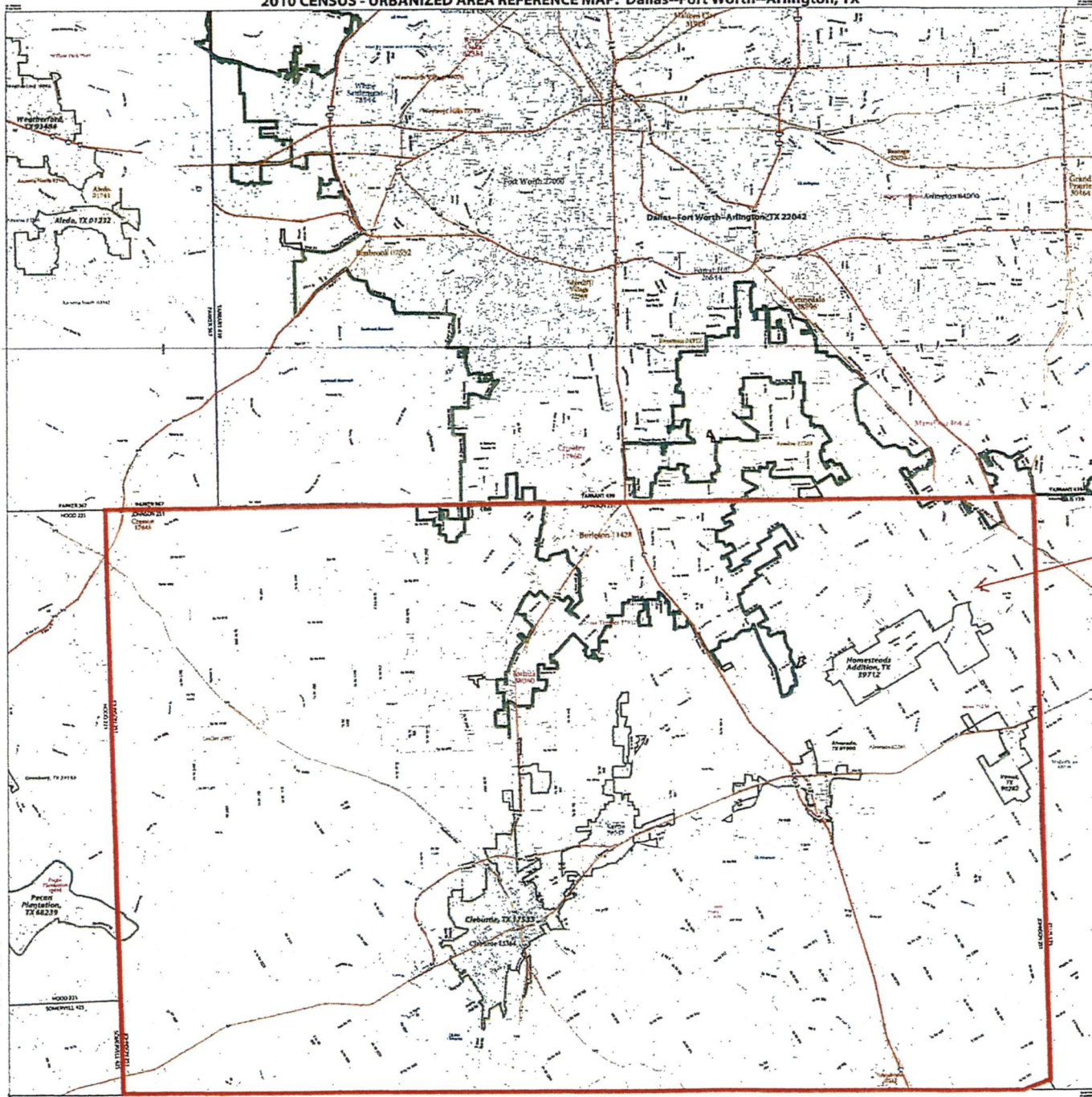
Map to Sheet

1	2	3
4	5	6

MAPSHEET 4
 Total Sheets: 6
 Index Sheets: 1
 Primary Sheets: 6

UA NAME: Dallas-Fort Worth-Arlington, TX
 UA CODE: 32942
 2010 URBANIZED AREA DATA
 © 2010 Census Bureau

2010 CENSUS - URBANIZED AREA REFERENCE MAP: Dallas-Fort Worth-Arlington, TX



SYMBOL DESCRIPTION	SYMBOL	LAW STATE
International Boundary	CANADA
United States Border	LANSIE PMS 1880
Oil Seismicity Tract Land	11980
Unincorporated Area	Dover, DE 24580
Other Class	Toole, VT 88057
Non-incorporated	NEW YORK 36
County boundary (unincorporated)	181 078
County City	MILFORD 47600
Unincorporated Area	Davis 24300
County boundary (other)	De Woe 17088 18188

DESCRIPTION	SYMBOL	DESCRIPTION	SYMBOL
Interstate	State Road
US Highway	County Road
Major Road	Other Road
Minor Road	Other Road
Other Road	Other Road
Other Road	Other Road
Other Road	Other Road

When international maps occur, under NCEC boundaries, the line shows the boundary until the first meeting of these boundaries.

1. A 1/2" following an NCEC name shows a line NCEC. A 1/2" following a short name indicates that a line NCEC exists with the same name and ID number as the first NCEC listed in this section.

2. NCEC boundaries are shown in the following cases in which one of the NCEC numbers is a general purpose governmental area: Colorado, Illinois, Indiana, Kansas, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nevada, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, and Wisconsin. Other NCEC numbers indicate that some unincorporated governmental areas and others are not shown on this map.

3. Place names and symbols in the place of other labels indicate "Other Class" names.

SUBJECT AREA COUNTIES ON MAP SHEET

0011	Clay
0012	Franklin
0013	Franklin
0014	Franklin

Johnson County

All data boundaries and names are as of January 1, 2010. Other names shown on this map are for historical reference only. The boundaries shown on this map are for informational purposes only and do not constitute a warranty of accuracy. The boundaries shown on this map are for informational purposes only and do not constitute a warranty of accuracy.

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Sheet No.	1	2
1	2	3
4	5	6

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 Sheet 2 of 6
 Sheet 2 of 6
 Sheet 2 of 6

UA NAME: Dallas-Fort Worth-Arlington, TX
 UA CODE: 22643
 FIPS 190: 22643
 FIPS 190: 22643





Notice of Intent (NOI) for Small Municipal
Separate Storm Sewer Systems (MS4) authorized
under TPDES Phase II MS4 General Permit
TXR040000

IMPORTANT:

Use the INSTRUCTIONS to fill out each question in this form.

Once approved, your permit authorization can be viewed at:
<http://www.tceq.texas.gov/goto/wq-dpa>

APPLICATION FEE:

You must pay the \$400 Application Fee to TCEQ for the application to be complete.
Payment and NOI must be mailed to separate addresses.

You can pay online at: <http://www.tceq.texas.gov/goto/epay>

Select Fee Type: GENERAL PERMIT MS4 PHASE II STORMWATER DISCHARGE NOI
APPLICATION

Provide your payment information below, for verification of payment:

Mailed Check/Money Order Number: _____
 Check/Money Order Amount: _____
 Name Printed on Check: _____

EPAY Voucher Number: _____

 Is a copy of the Payment Voucher enclosed? Yes

One (1) copy of the NOI, Stormwater Management Program (SWMP) cover sheet,
and SWMP MUST be submitted with the original NOI, SWMP cover sheet, and
SWMP.

Is the copy attached? Yes

REASON FOR APPLICATION:

Select the reason you are submitting this application:

- New authorization
- Renewal of authorization number: TXR040561

Note: An authorization cannot be renewed after July 23, 2019

Section 1. OPERATOR (Applicant)

- a) If the applicant is currently a customer with TCEQ, what is the Customer Number (CN) issued to this entity? CN 602629933
- b) What is the exact Legal Name of the entity (applicant) applying for this permit?
Johnson County
- c) Complete and attach a Core Data Form (TCEQ-10400) for this customer.

Section 2. ANNUAL BILLING CONTACT

The operator is responsible for paying the annual water quality fee. The annual fee will be assessed to permits active on September 1 of each year. TCEQ will send a bill to the address provided in this section. The operator is responsible for terminating the permit when it is no longer needed.

Provide the name and contact information of the billing contact.

Prefix (Mr. or Ms.): Mr.

First and Last Name: Thomas D. Disheroon

Title: Public Works Director

Organization Name: Public Works

Phone Number: 817-556-6380

Fax Number: 817-556-6129

Email: davidd@johnsoncountytexas.org

Mailing Address: 2 North Mill Street, Suite 305

City, State, and Zip Code: Cleburne, TX 76033

Section 3. APPLICATION CONTACT

This is the person TCEQ will contact if additional information is needed about this application.

Provide the name and contact information of the application contact.

Prefix (Mr. or Ms.): Mr.

First and Last Name: Thomas D. Disheroon

Title: Public Works Director

Organization Name: Johnson County

Phone Number: 817-556-6380

Fax Number: 817-556-6129

Email: davidd@johnsoncountytexas.org

Mailing Address: 2 North Mill Street, Suite 305

City, State, and Zip Code: Cleburne, TX 76033

Section 4. REGULATED ENTITY (RE) INFORMATION FOR SITE

- a) If this is an existing permitted site, what is the Regulated Entity Number (RN) issued to this site? RN 105601819
- b) Name of site as known by the local community:
Johnson County MS4
- c) Name of the urbanized area(s) the Phase II MS4 is located within:
Dallas-Fort worth-Arlington
- d) Provide a brief description of the regulated MS4 boundaries: *Example: Area within the City of XXXX limits that is located within the xxx urbanized area:*
Area within the unincorporated Johnson County limits that are located within the Dallas-Fort Worth-Arlington Urbanized area.

Section 5. GENERAL CHARACTERISTICS

- a) Is this site located on Indian Country Lands?
- Yes, do not submit this form. You must obtain authorization through U.S. EPA Region 6.
- No, continue to item b
- b) Has TCEQ formally “designated” the small MS4 as needing coverage under this general permit?
- Yes. Attach a copy of the documentation sent to the MS4 by TCEQ.
- No
- c) Select the MS4 level, which is based on the population served within the urbanized area (UA) based on the most recent Decennial Census at the time of issuance of the general permit.
- Level 1: Traditional small MS4s with a population of less than 10,000.
- Level 2: Traditional small MS4s with a population of at least 10,000 but less than 40,000.
- Non-traditional MS4s: This level also includes all non-traditional small MS4s regardless of population unless the non-traditional MS4 can demonstrate that it meets the criteria for a waiver from permit coverage. *Examples of non-traditional small MS4s include counties, drainage districts, transportation entities, military bases, universities, colleges, correctional institutions, municipal utility districts, and other special districts.*
- Level 3: Traditional small MS4s with a population of at least 40,000 but less than 100,000.
- Level 4: Traditional small MS4s with a population of 100,000 or more.
- d) What is the estimated current population served by your MS4 (regulated area?)
10,162 People

e) Is the MS4 part of a coalition?

Yes

No

f) If yes, list the entity names of the coalition members responsible for implementation of the SWMP *and* their unique TXR04#### number.

1. Click here to enter text. TXR04 Click here to enter text.

2. Click here to enter text. TXR04 Click here to enter text.

3. Click here to enter text. TXR04 Click here to enter text.

4. Click here to enter text. TXR04 Click here to enter text.

5. Click here to enter text. TXR04 Click here to enter text.

6. Click here to enter text. TXR04 Click here to enter text.

If needed, add a copy of this page to add more entities.

g) What is your annual reporting year?

Calendar year

Small MS4 General Permit year

MS4 Fiscal year - What is the last month and day of the fiscal year? Click here to enter text.

h) Stormwater Management Program (SWMP)

1. I certify that the SWMP submitted with this NOI has been developed according to the provisions of the Small MS4 General Permit TXR040000. Yes

2. I certify that the SWMP Cover Sheet is completed and attached to the front of the SWMP. Yes

3. Have the program elements in the previous SWMP been re-assessed and modified and new program elements been developed and implemented, as necessary?

Yes

No. This facility did not have a previous authorization.

4. Is the optional 7th Minimum Control Measure (MCM) for Municipal Construction Activities selected and included with the attached SWMP?

No. Continue to Question 5.

Yes.

If yes, is MCM 7 limited to the regulated area within the urbanized area?

Yes. Continue to Question 5.

No

If No, then MCM 7 is included in the geographic area or boundary outside of the urbanized area. Note: In this case, you must incorporate the entire area

(urbanized and non-urbanized areas) in the SWMP and implement all MCMs 1-7 in the urbanized and non-urbanized areas.

5. Provide the name and contact information of the person responsible for implementing or coordinating implementation of the SWMP.

Prefix (Mr. or Ms.): Mr.

First and Last Name: Thomas D. Disheroon

Title: Public Works Director

Organization Name: Johnson County

Phone Number: 817-556-6380

Fax Number: 817-556-6129

Email: davidd@johnsoncountytexas.org

Mailing Address: 2 North Mill Street, Suite 305

City, State, and Zip Code: Cleburne, TX 76033

i) Discharge Information

1. What is the name of the waterbody(ies) receiving stormwater discharges from the MS4? Chamber Creek

2. What is the classified segment number(s) that the discharges will eventually reach? 0814

Does the small MS4 discharge directly or indirectly into the classified segment(s)?

Directly

Indirectly

3. Are any of the waterbody(ies) receiving discharges from the small MS4 identified as impaired waters (Category 4 or 5) in the *Texas Integrated Report of Surface Water Quality*?

Yes

What is the name of the impaired waterbody(ies) receiving the discharge from the small MS4? Click here to enter text.

What is/are the pollutants(s) of concern? Click here to enter text.

No

4. Does the impaired water body(ies) have a TMDL (Category 4 waterbody)?

Yes

What is/are the pollutants with a TMDL? Click here to enter text.

No

5. Does your MS4 discharge into any other MS4 entity's jurisdiction prior to discharge into water in the state?

Yes

What is the name of the MS4 operator? Johnson County

No

6. Edwards Aquifer Rule

Is the discharge or potential discharge within the Recharge Zone, Contributing Zone, within the Contributing Zone within the Transition Zone, or zero to ten (0 to 10) miles upstream of the Recharge Zone of the Edwards Aquifer?

Yes - NOTE: A copy of the agency approved Water Pollution Abatement Plan (WPAP) required by the Edwards Aquifer Rule (30 TAC Chapter 213) must be either included or referenced in the SWMP.

No

j) Public Participation Process

1. Provide the name and contact information of the person responsible for publishing notice of the executive director's preliminary determination on the MS4's NOI and SWMP?

Prefix (Mr. or Ms.): Mr.

First and Last Name: Thomas D. Disheroon

Title: Public Works Director

Company: Johnson County

Phone Number: 817-556-6380

Fax Number: 817-556-6129

Email: davidd@johnsoncountytexas.org

Mailing Address: 2 North Mill Street, Suite 305

Internal Routing (Mail Code, Etc.): N/A

City, State, and Zip Code: Cleburne, TX 76033

2. Provide the name and location of the public place where copies of the NOI, SWMP, Small MS4 General Permit TXR040000, and general permit fact sheet may be viewed and copied by the public?

Name of Public Place: Johnson County Public Works Department Office, Johnsoncountytexas.org

Address of Public Place: 2 North Mill Street, Suite 305, Cleburne, TX 76033

County of Public Place: Johnson County

3. Provide the address for the website where the MS4's SWMP and annual report will be posted. <https://www.johnsoncountytexas.org/departments/public-works/storm-water/>

Do not have a website.

Section 6. CERTIFICATION

I certify that I have obtained a copy and understand the terms and conditions of the Phase II (Small) MS4 General Permit TXR040000 issued January 24, 2019.

Yes

I certify that the small MS4 qualifies for coverage under the Phase II (Small) MS4 General Permit TXR040000.

Yes

I understand that a Notice of Termination (NOT) must be submitted when this authorization is no longer needed.

Yes

I understand that authorizations active on September 1st of each year will be assessed an Annual Water Quality Fee.

Yes

Operator Certification

Operator Signatory Name: Roger Harmon

Operator Signatory Title: Johnson County Judge

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision 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 there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

I further certify that I am authorized under 30 Texas Administrative Code §305.44 to sign and submit this document, and can provide documentation in proof of such authorization upon request.

Signature (use blue ink):  Date: May 28, 2019

RECEIVED

JUN 17 2019

Water Quality Applications Team

STORMWATER MANAGEMENT PROGRAM (SWMP) COVER SHEET

This cover sheet **MUST** be attached to the front of the SWMP.

Operator

Operator name: Johnson County

Required Program Elements

The SWMP needs to include:

- BMPs and measurable goals that are clear, specific, and measurable,
- Annual Reporting Year selected, and
- Estimated population served by the MS4.

Legal Authorities

Include in the SWMP the list of local legal authorities (i.e., ordinance, rule) that the MS4 has adopted to implement any of the MCMs. List all and what MCM they each cover.

Minimum Control Measures

For each MCM, complete the table by entering the page number where the required element can be found in the SWMP

MCM 1: Public Education, Outreach, and Involvement

Table 1: Required Elements for MCM 1

MCM 1 Required Elements	SWMP page number
SWMP includes a stormwater education and outreach program to educate public employees, business, and the general public about hazards associated with the illegal discharges and improper disposal of waste and about the impacts stormwater can have on water quality, and steps they can take to reduce pollutants in stormwater	11-13
Clearly define the goals and objectives of the program based on high-priority community-wide issues	11-13
Identify the target audiences	11-14
Develop or use appropriate educational material	11-14
Procedures to distribute educational material	11-14
Make the educational material available to the target audience at least annually	11-14

MCM 1 Required Elements	SWMP page number
Post the SWMP and annual reports on the MS4's website, if the MS4 has a website	14
Include the MS4's website address where the SWMP and annual reports will be found, if the MS4 has a website	14
SWMP includes a program that complies with state and local public notice requirements	14
Include public input in the implementation of the program	14
Include opportunities for citizen to participate in implementation of control measures	14
Ensure the public can easily can find information about the SWMP.	14
SWMP lists Best Management Practices (BMPs) used to fulfill this MCM. Examples of possible BMPs could be stream-clean-ups, storm drain stenciling, volunteer water quality monitoring, brochures, billboards, and websites.	11-14
SWMP includes measurable goals that are clear, specific, and measurable, and the method of measurement, for addressing stormwater quality	11-14
SWMP has been fully implemented, or includes a schedule of implementation not to exceed five (5) years from the general permit issuance date of January 24, 2019	11-14

MCM 2: Illicit Discharge Detection and Elimination

Table 2: Required Elements for MCM 2

MCM 2 Required Elements	SWMP page number
Description of the program that will be used to detect, investigate and eliminate illicit discharges. The program includes a plan to detect and address illicit discharges, including illegal dumping to the MS4 system.	15
MS4 map: The map includes: <ul style="list-style-type: none"> • Location of all small MS4 outfalls operated by the MS4 and that discharge into waters of the U.S.; • Location and name of all surface waters receiving discharge from the MS4s outfalls; • For Level 3 and 4 small MS4s: Location of MS4 owned or operated facilities and stormwater controls; and • For Level 4 small MS4s: Location of priority areas. 	16-17
Methods for informing and training MS4 field staff	15
Procedures for tracing the source of an illicit discharge	15-16

MCM 2 Required Elements	SWMP page number
Procedures for removing the source of the illicit discharge	15-17
Procedures to facilitate public reporting of illicit discharges or water quality impacts associated with discharges into or from the small MS4	15-17
Procedures for responding to illicit discharges and spills	15-17
Procedures for inspections in response to complaints	15-16
For Level 2, 3, and 4 small MS4: Procedures to prevent and correct leaking on-site sewage disposal systems	16
For Level 3 and 4 small MS4s: Procedures for follow-up investigation to verify that the illicit discharge has been eliminated	N/A
For Level 4 small MS4s: Procedures for identifying and creating a list of priority areas within the small MS4s likely to have illicit discharges	N/A
For Level 4 small MS4s: Procedures for a dry weather field screening program to assist in detecting and eliminating illicit discharges to the small MS4. Dry weather field screening consists of (1) field observations and (2) field screening.	N/A
For Level 4 small MS4s: Procedures to reduce the discharge of floatables in the small MS4	N/A
SWMP lists BMPs used to fulfill this MCM. Examples of possible BMPs could be hazardous materials disposal opportunities, inspections of the storm sewer system, and dye testing.	15-17
SWMP includes measurable goals that are clear, specific, and measurable, and the method of measurement, for addressing stormwater quality	15-17
SWMP has been fully implemented, or includes a schedule of implementation not to exceed five (5) years from the general permit issuance date of January 24, 2019	15-17

MCM 3: Construction Site Stormwater Runoff Control

Table 3: Required Elements for MCM 3

MCM 3 Required Elements	SWMP page number
Program requires operators of construction sites one acre and greater (including larger common plan) to select, install, implement, and maintain stormwater control measures	17-18
Description of ordinance or other regulatory mechanism to require erosion and sediment controls, as well as sanctions to ensure compliance, to the extent allowable under state and local law	17-19

MCM 3 Required Elements	SWMP page number
Program requires construction site operators to implement BMPs for erosion and sediment control	17-18
Program requires construction site operators to have procedures for initiating and completing soil stabilization measures	18-19
Program requires construction site operators to implement BMPs to control pollutants from equipment and vehicle washing and other wash waters	17-19
Program requires construction site operators to implement BMPs to minimize exposure to stormwater of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste, and other materials	17-19
Program requires construction site operators to implement BMPs to minimize the discharge of pollutants from spills and leaks.	17-19
Program ensures that the construction site has developed a stormwater pollution prevention plan in accordance with the TPDES Construction General Permit TXR150000	17-19
Program prohibits illicit discharges such as wash out wastewater, fuels, oils, soaps, solvents, and dewatering activities	17-19
Procedures for construction site plan review to consider water quality impacts	18-19
Procedures for construction site inspections and enforcement of control measures, to the extent allowable under state and local law	17-19
Procedures for receipt and consideration of information submitted by the public	17-19
Procedures for MS4 staff training	17-19
For Level 3, and 4 small MS4s: Procedures to develop and maintain an inventory of all permitted active public and private construction sites greater than one acre (and sites that are less than one acre if part of larger common plan of development or sale)	N/A
SWMP lists BMPs used to fulfill this MCM. Examples may include: notification to discharger of responsibilities under TPDES CGP; hire staff to review construction site plans; provide a web page for public input on construction activities; perform site inspections and enforcement; provide education and training for construction site operators; and mechanism to prohibit discharges into MS4 where necessary.	17-19
SWMP includes measurable goals that are clear, specific, and measurable, and the method of measurement, for addressing stormwater quality	17-19

MCM 3 Required Elements	SWMP page number
SWMP has been fully implemented, or includes a schedule of implementation not to exceed five (5) years from the general permit issuance date of January 24, 2019	17-19

18MCM 4: Post Construction Stormwater Management in New Development and Redevelopment

Table 4: Required Elements for MCM 4

MCM 4 Required Elements	SWMP page number
Description of a program that will be developed, implemented and enforced, to control stormwater discharges from private and public new development and redeveloped sites that discharge into the small MS4 that disturb one acre or more (and sites that disturb less than one acre that are part of a larger common plan of development or sale)	19-21
Description of ordinance or other regulatory mechanism that is in place or planned which will regulate discharges from new development and redevelopment projects	19-21
Establish, implement, and enforce a requirement that owners or operators of new development and redeveloped sites design, install, implement, and maintain a combination of structural and non-structural BMPs appropriate for the community and that protects water quality	19-21
Procedures to document and maintain records of enforcement actions	19-21
Procedures to ensure long-term operation and maintenance of post construction stormwater control measures	19-21
Operation and maintenance of post construction stormwater control measures is documented	19-21
For Level 4 small MS4s: Develop and implement an inspection program to ensure that all post construction stormwater control measures are operating correctly and are being maintained. Inspections must be documented	N/A
SWMP lists BMPs used to fulfill this MCM. Examples may include: local ordinance in place or planned; guidance document for developers to use; specific BMPs established for particular watersheds; list of appropriate BMPs provided to operators; elimination of curbs and gutters; incentives for use of permeable choices, such as porous pavement; requirements for wet ponds or other BMPs for certain size sites; and xeriscaping.	19-21
SWMP includes measurable goals that are clear, specific, and measurable, and the method of measurement, for addressing stormwater quality	19-21

MCM 4 Required Elements	SWMP page number
SWMP has been fully implemented, or includes a schedule of implementation not to exceed five (5) years from the general permit issuance date of January 24, 2019	19-21

MCM 5: Pollution Prevention and Good Housekeeping for Municipal Operations

Table 5: Required Elements for MCM 5

MCM 5 Required Elements	SWMP page number
Description of an operation and maintenance (O&M) program, including an employee training component, to reduce/prevent pollution from municipal activities and municipally owned areas included but not limited to park and open space maintenance; street, road, or highway maintenance; fleet and building maintenance; stormwater system maintenance; new construction and land disturbances; municipal parking lots; vehicle and equipment maintenance and storage yards; waste transfer stations; and salt/sand storage locations	21-22
Develop and maintain an inventory of facilities and stormwater controls that are owned or operated by the MS4	21-22
Procedures to inform or train staff involved in implementing pollution prevention and good housekeeping practices. Maintain training attendance records	21
Procedures to remove and properly dispose of waste from the MS4	21-22
Contractors hired by the MS4 must be required to comply with operating procedures. Develop contractor oversight procedures	21-22
Evaluate O&M activities for their potential to discharge pollutants in stormwater for road and parking lot maintenance, bridge maintenance, cold weather operations, right-of-way maintenance, etc.	21-22
Identify pollutants of concern that could be discharged from the O&M activities	21-22
Develop and implement pollution prevention measures that will reduce discharge of pollutants from O&M activities	21-22
Conduct inspections of pollution prevention measures and maintain inspection log	21-22
Procedures for inspecting and maintaining structural controls	21-22
For Level 3 and 4 small MS4s: Develop and implement an O&M program to reduce the collection of pollutants in catch basins and other surface structures in the storm sewer system	N/A

MCM 5 Required Elements	SWMP page number
For Level 3 and 4 small MS4s: Develop a list of potential problem areas in the storm sewer system for increased inspection (for example, areas with recurring illegal dumping)	N/A
For Level 3 and 4 small MS4s: Implement an O&M program to reduce discharge of pollutants from roads that includes at least a street sweeping and cleaning program, or inlet protection. The program includes an implementation schedule and a waste disposal procedure	N/A
For Level 3 and 4 small MS4s: Assess its facilities for their potential to discharge pollutants into stormwater and identify high priority facilities that have a high potential to generate stormwater pollutants. At a minimum, facilities include the MS4s maintenance yards, hazardous waste facilities, fuel storage locations, and any other facilities at which chemicals or other materials have a high potential to be discharged in stormwater. Document the results of the assessments	N/A
For Level 3 and 4 small MS4s: Develop facility specific stormwater management Standard Operation Procedures for high priority facilities	N/A
For Level 3 and 4 small MS4s: MS4 implements stormwater controls at high priority facilities that address good housekeeping; de-icing and anti-icing storage; fueling operations and vehicle maintenance; equipment and vehicle washing	N/A
For Level 3 and 4 small MS4s: Develop and implement an inspection program that includes high priority facilities	N/A
For Level 4 small MS4s: Develop an application and management program for pesticides, herbicides, and fertilizers used at public open spaces. Implement the following: educational activities, permits, etc for applicators and distributors; encourage of non-chemical solutions for pest management; develop schedules that minimizes discharge of pollutants; ensure collection and proper disposal of unused pesticides, herbicides, and fertilizers	N/A
For Level 4 small MS4s: Evaluate flood control projects. Design, construct, and maintain new flood control structures to provide erosion prevention and pollutant removal from stormwater. Retrofitting of existing structural flood control devices is implemented to the maximum extent practicable (MEP)	N/A
SWMP lists BMPs used to fulfill this MCM. Examples may include: BMPs which address fleet vehicle maintenance/washing; BMPs which address parking lot and street cleaning; catch basin and storm drain system cleaning; landscaping and lawn care (e.g. xeriscaping); waste materials management; road salt application and storage practices; used oil recycling; pest management practices; fire training facilities; BMPs which address roadway and bridge maintenance; golf course maintenance/waste	21-22

MCM 5 Required Elements	SWMP page number
disposal; disposal of cigarette butts; and park maintenance (e.g., providing trash bags).	
SWMP includes measurable goals that are clear, specific, and measurable, and the method of measurement, for addressing stormwater quality	22-23
SWMP has been fully implemented, or includes a schedule of implementation not to exceed five (5) years from the general permit issuance date of January 24, 2019	22-23

MCM6: Industrial Stormwater Sources

Table 6: Required Elements for MCM 6

MCM 6 Required Elements	SWMP page number
For Level 4 MS4 only: Identify and control industrial stormwater sources that at least includes the MS4's landfills; other treatment, storage, or disposal facilities for municipal waste; hazardous waste treatment, storage, disposal and recovery facilities; and facilities that are subject to Emergency Planning and Community Right-to-Know Act (EPCRA).	N/A
For Level 4 MS4 only: Procedures for inspecting and implementing control measures for discharges from industrial stormwater sources.	N/A

Optional MCM 7: Municipal Construction Activities

This MCM is only applicable where the small MS4 has selected to be the construction site operator for their municipal construction activities. This MCM provides an alternative to the MS4 operator seeking discharge authorization under the Construction Stormwater General Permit TXR150000.

Table 7: Required Elements for MCM 7

MCM 7 Required Elements	SWMP page number
Description of how municipal construction activities will be conducted so as to take into consideration local conditions of weather, soils, and other site specific considerations	N/A
Description of the area that this MCM will address and where the MS4 operator's municipal construction activities are covered (e.g. within the boundary of the urbanized area, the corporate boundary, a special district boundary, an extra territorial jurisdiction, or other similar jurisdictional boundary)	N/A

MCM 7 Required Elements	SWMP page number
If the area included in this MCM includes areas outside of the UA, then all MCMs (MCM 1 through MCM 7) will be implemented over those additional areas as well	N/A
Description of how contractor activities will be supervised or overseen to ensure that the Stormwater Pollution Prevention Plan (SWP3) requirements are properly implemented at the construction site(s); or how the MS4 operator will make certain that contractors have a separate authorization for stormwater discharges if needed	N/A
General description of how a construction SWP3 will be developed for each municipal construction site	N/A
Records of municipal construction activities authorized under this optional MCM	N/A

Texas Commission on Environmental Quality General Permit Payment Submittal Form

Use this form to submit your Application Fee only if you are mailing your payment.

- Complete items 1 through 5 below.
- Staple your check in the space provided at the bottom of this document.
- Do not mail this form with your NOI form.
- Do not mail this form to the same address as your NOI.

Mail this form and your check to:

BY REGULAR U.S. MAIL

Texas Commission on Environmental
Quality
Financial Administration Division
Cashier's Office, MC-214
P.O. Box 13088
Austin, TX 78711-3088

BY OVERNIGHT/EXPRESS MAIL

Texas Commission on Environmental
Quality
Financial Administration Division
Cashier's Office, MC-214
12100 Park 35 Circle
Austin, TX 78753

Fee Code: GPA

General Permit: TXR040000

1. Check / Money Order No: _____
2. Amount of Check/Money Order: _____
3. Date of Check or Money Order: _____
4. Name on Check or Money Order: _____
5. NOI INFORMATION

If the check is for more than one NOI, list each Project/Site (RE) Name and Physical Address exactly as provided on the NOI. DO NOT SUBMIT A COPY OF THE NOI WITH THIS FORM AS IT COULD CAUSE DUPLICATE PERMIT ENTRIES.

If more space is needed, you may attach a list.

Project/Site (RE) Name: _____

Project/Site (RE) Physical Address: _____

Staple Check in This Space

Instructions for Notice of Intent (NOI) for Small
Municipal Separate Storm Sewer Systems (MS4)
authorized under
TPDES Phase II MS4 General Permit TXR040000

GENERAL INFORMATION

Where to Send the Notice of Intent (NOI)

You are required to submit the original and one copy of the NOI, Core Data Form(s), Stormwater Management Program (SWMP) Cover Sheet, and the SWMP. Submit these documents to one of the following addresses:

BY REGULAR U.S. MAIL:

Texas Commission on Environmental
Quality
ARP Team (MC-148)
P.O. Box 13087
Austin, Texas 78711-3087

BY OVERNIGHT/EXPRESS MAIL:

Texas Commission on Environmental
Quality
ARP Team (MC-148)
12100 Park 35 Circle
Austin, TX 78753

Fees Associated with this General Permit

The application fee of \$400 is required to be paid at the time the NOI is submitted. Failure to submit payment at the time the application is filed will cause delays in acknowledgment or denial of coverage under the general permit. Payment of the fee may be made by check or money order, payable to TCEQ, or through EPAY (electronic payment through the web).

Mailed Payments:

Use the attached General Permit Payment Submittal Form. The application fee is submitted to a different address than the NOI. Read the General Permit Payment Submittal Form for further instructions.

Where to Send the Payment

BY REGULAR U.S. MAIL:

Texas Commission on Environmental
Quality
Financial Administration Division
Cashier's Office, MC 214
P.O. Box 13088
Austin, Texas 78711-3087

BY OVERNIGHT/EXPRESS MAIL:

Texas Commission on Environmental
Quality
Financial Administration Division
Cashier's Office, MC 214
12100 Park 35 Circle
Austin, TX 78753

ePAY Electronic Payment: <http://www.tceq.texas.gov/epay>

When making the payment you must select Water Quality, and then select the fee category "General Permit MS4 Phase II Stormwater Discharge NOI Application". You must include a copy of the payment voucher with your NOI. Your NOI will not be considered complete without the payment voucher.

Annual Water Quality Fee

This fee is assessed to permittees with an active authorization under the general permit on September 1 of each year. The designated billing contact will receive an invoice for payment of the annual fee in November of each year. The payment will be due 30 days from the invoice.

A 5% penalty will be assessed if the payment is not received by TCEQ by the due date. Annual fee assessments cannot be waived as long as the authorization under the general permit is active on September 1.

It is important for the permittees to submit an NOT when coverage under the general permit is no longer required. An NOT is effective on the postmarked date of mailing the form to TCEQ. If the NOT is mailed it is recommended that the NOT be mailed using a method that documents the date mailed and received by TCEQ.

Mailed Payments:

You must return your payment with the billing coupon provided with the billing statement.

ePAY Electronic Payment: <http://www.tceq.texas.gov/epay>

You must enter your account number provided at the top portion of your billing statement. Payment methods include American Express, MasterCard, Visa, and electronic check payment (ACH).

TCEQ Contact List

Small Business & Local Government Assistance	800-447-2827
Application - status and form questions:	512-239-4671
Technical questions:	512-239-4671
Environmental Law Division:	512-239-0600
Records Management - obtain copies of forms:	512-239-0900
Reports from databases (as available):	512-239-DATA (3282)
Cashier's office:	512-239-0357 or 512-239-0187

Notice of Intent Process

When your Core Data Form, NOI, and SWMP are received by the program, the form will be processed as follows:

Administrative Review: Each item on the form will be reviewed for a complete response. In addition, the operator's legal name must be verified with Texas Secretary of State as valid and active (if applicable). The address(s) on the form must be verified with the US Postal service as receiving regular mail delivery. Do not give an overnight/express mailing address.

Notice of Deficiency: If an item is incomplete or not verifiable as indicated above, a notice of deficiency (NOD) will be mailed to the operator. The operator will have 30 days to respond to the NOD. The response will be reviewed for completeness.

Technical Review of SWMP: The NOI and SWMP will be reviewed to verify compliance with the requirements in the general permit. More information may

be requested by phone or technical NOD letter mailed to the SWMP contact. When a determination is made that the SWMP meets the requirements of the general permit, the Executive Director's preliminary determination will be prepared and filed with the TCEQ Office of Chief Clerk (OCC).

Public Participation Process: The OCC will mail the Executive Director's preliminary determination to the public participation contact provided in the NOI. This individual must publish the notice in the newspaper of largest circulation in the county where the small MS4 is located.

The comment period begins on the first date the notice is published and ends 30 days later, unless a public meeting is held. If a public meeting is held, the comment period will end at the closing of the public meeting.

The applicant must submit a copy of the newspaper clipping and an affidavit signed by the newspaper staff to the OCC within 60 days of receiving the written instructions from the OCC.

If significant public interest exists, the executive director will direct the applicant to publish notice of the meeting and to hold the public meeting. The applicant must publish the notice of public meeting at least 30 days prior to the public meeting and hold the meeting in the county where the MS4 is located.

Acknowledgment of Coverage: An Acknowledgment Certificate will be mailed to the operator. This certificate acknowledges coverage under the general permit.

or

Denial of Coverage: Coverage may be denied if the operator fails to respond to the NOD, the response is inadequate, or the NOI and SWMP do not meet the requirements of the general permit. If coverage is denied, the operator will be notified.

General Permit

Coverage under the general permit begins upon approval of the NOI, Core Data Form, and SWMP by TCEQ and after the public notice process has been completed. You should have a copy of your general permit when submitting your application. You may view and print your permit for which you are seeking coverage, at the following website <http://www.tceq.texas.gov>. Search using keyword TXR040000.

General Permit Forms

The Notice of Intent (NOI), Notice of Termination (NOT), Notice of Change (NOC) and Core Data Form (including instructions) are available at the TCEQ web site <http://www.tceq.texas.gov>.

Change in Operator

An authorization under the general permit is not transferable. If the operator changes, the present permittee must submit a Notice of Termination (NOT) and the new operator must submit a Notice of Intent and a Core Data Form. The NOT, NOI and Core Data Form must be submitted no later than 10 days prior to the change in status.

INSTRUCTIONS FOR FILLING OUT THE FORM

Renewal of General Permit: Dischargers holding an active authorizations under the expired General Permit are required to submit a NOI to continue coverage. The existing authorization number is required. If the authorization number is not provided or has been terminated, expired, or denied a new permit number will be issued.

This number will begin with TXR04. Do not use TXR040000, it is *the general permit number not your* authorization number.

Section 1. Operator (Applicant)

a) Customer Number (CN)

TCEQ assigns each customer a number that begins with CN, followed by nine digits. This is not a permit number, registration number, or license number. If the applicant is an existing TCEQ customer, the Customer Number is available at the following website: <http://www15.tceq.texas.gov/crpub/>. If the applicant is not an existing TCEQ customer, leave the space for CN blank.

b) Legal Name of Applicant

Provide the current legal name of the applicant. The name must be provided exactly as filed with the Texas Secretary of State, or on the legal documents forming the entity as filed with the county. If filed in the county, provide a copy of the legal documents showing the legal name.

c) Core Data Form

Complete and attach a Core Data Form (TCEQ-10400) for each customer.

Section 2. Annual Billing Contact

An annual fee is assessed to each operator holding an active authorization under the general permit on September 1 of each year.

Provide the contact name and complete mailing address where the annual fee invoice should be mailed. Verify the address with the USPS. It must be an address for delivery of regular mail, not overnight express mail.

The phone number should provide contact to the individual responsible for paying the annual fee.

The fax number and e-mail address are optional and should correspond to the individual responsible for paying the annual fee.

Section 3. Application Contact

Provide the name, title and contact information of the person that TCEQ can contact for additional information regarding this application. This contact may be a consultant or entity other than the applicant.

Section 4. Regulated Entity (RE) Information For Site

a) Regulated Entity Reference Number (RN)

The RN is issued by TCEQ to sites where an activity is regulated by TCEQ. This is not a permit number, registration number, or license number. Search TCEQ's Central Registry to see if the site has an assigned RN at

<http://www15.tceq.texas.gov/crpub/>. If this regulated entity has not been assigned an RN, leave this space blank.

- b) Name of the Project or Site
Provide the name of the site or project as known by the public in the area where the site is located. The name you provide on this application will be used in the TCEQ Central Registry as the Regulated Entity name.
- c) Name of Urbanized Area
List the formal name of the urbanized area(s) where the MS4 is located using the 2010 U.S. Census maps referenced in Section 5. c) below. For example: Dallas-Fort Worth-Arlington Urbanized area.
- d) Describe the boundaries of the regulated portion of the small MS4
Briefly describe the boundaries of the regulated portion of the small MS4.

Section 5. General Characteristics

- a) Indian Country Lands
If your site is located on Indian Country Lands, the TCEQ does not have authority to process your application. Do not submit this application form to TCEQ. You must obtain authorization through EPA, Region 6, in Dallas.
- b) TCEQ “Designated” Small MS4
A small MS4 that is outside of an urbanized area that is formally “designated” by TCEQ is eligible for coverage under this general permit. The small MS4 Operator must obtain authorization under this general permit or apply for coverage under an individual TPDES stormwater permit within 180 days of notification of their designation. If the small MS4 was already designated, please attach a copy of the documentation sent to the MS4 by TCEQ.
- c) MS4 Level
The general permit defines MS4s by four different levels, based on the population served within the 2010 U.S. Census urbanized area (UA). “Population served” means the residential population within the regulated portion of the small MS4 based on the 2010 U.S. Census, except for non-traditional small MS4s that are classified as Level 2.

A reference map identifying the 2010 U.S. Census UAs can be found at www.epa.gov/npdes/urbanized-area-maps-mpdes-ms4-phase-ii-stormwater-permits.

Districts that did not have a population during the 2010 U.S. Census, are required to apply when their population exceeds the population threshold for permit coverage.
- d) **Estimated Population**
List the current estimated population served by the MS4. This number will not be used to determine the Levels.
- e) Coalitions of MS4 entities
Indicate if the MS4 is part of a coalition that share efforts in meeting any or all of the SWMP requirements.

f) Members of the Coalition

List the name of each member of the coalition *and* their unique Phase II MS4 authorization number.

g) Annual Reporting Year

The annual report must address the previous reporting year. The selected reporting year cannot be changed during the permit term.

- If the MS4 selects the calendar year, then the reporting year is from January 1 through December 31 of each year.
- If the MS4 selects the Phase II MS4 General Permit year, the reporting year is from the effective date of the general permit plus 365 days of each year.
- If the MS4 selects the fiscal year, the reporting year is from the first day of the MS4's fiscal year through the last day of the MS4's fiscal year. Provide the month and last day of the MS4's fiscal year.

h) SWMP

1. Certify, by selecting Yes, that the SWMP has been developed in accordance with the general permit requirements and is attached to this NOI.
2. Certify, by selecting Yes, that the SWMP Cover Sheet has been completed and is attached to the front of the SWMP.
3. If the MS4 was previously authorized under the general permit, the program elements in the previous SWMP must be re-assessed and modified. Additionally, new program elements must be developed. Do not submit the exact same SWMP that was previously submitted. Indicate that you have revised the previous SWMP, or that this is a newly regulated MS4.
4. Indicate if the MS4 is seeking coverage under this general permit for the optional MCM 7 for municipal construction activities where the MS4 meets the definition of "construction site operator".
If Yes, the SWMP must include the geographic area or boundary where MCM 7 will be implemented. If this area extends beyond the geographic area or boundary of the urbanized area, then all MCMs 1-7 must be implemented in the urbanized and non-urbanized areas. The MS4 operator can utilize MCM 7 only in areas that are in compliance with the SWMP's MCMs 1-7. If you do NOT incorporate the entire SWMP (MCMs 1-7) in the urbanized and the non-urbanized areas, then the MS4 cannot utilize only MCM 7 outside of the urbanized area.

If No, the MS4 can obtain this coverage at any time during the general permit term by submitting a Notice of Change.
5. Provide the name and contact information of the designated person responsible for implementing or coordinating implementation of the SWMP.

i) Discharge Information

1. Provide the name of all waterbodies that receive discharges from the MS4. The discharge eventually reaches a receiving waterbody such as a local stream or lake, possibly via a drainage ditch or even through another MS4 prior to reaching the waterbody. Please note that this general permit does not grant permission to use another MS4 as a conveyance of stormwater and certain non-storm water discharges along the discharge route.
2. Identify the classified segment number(s) that will eventually receive the

discharge. You can find classified segment numbers in the Atlas of Texas Surface Waters at: www.tceq.texas.gov/publications/gi/gi-316 or the Surface Water Quality (Segments) Viewer at:

<https://www.tceq.texas.gov/gis/segments-viewer>

Indicate if the discharge is directly into the classified segment or if it reaches the classified segment after being discharged into another waterbody or MS4.

3. Indicate if any waterbodies receiving discharges are identified as impaired waters (Category 4 or 5) in the *Texas Integrated Report of Surface Water Quality*, which is available at:

http://www.tceq.texas.gov/waterquality/assessment/305_303.html.

If Yes, provide the name(s) of the impaired waterbodies and the pollutants of concern for those waterbodies. The pollutants of concern are the parameters for which the waterbody is impaired.

4. Indicate if the impaired waterbody has a TMDL and list the pollutants with a TMDL (Category 4 waterbody).
5. Indicate if the discharge is into any other MS4 entity's jurisdiction prior to reaching water in the state.
If Yes, provide the name of the MS4 operator that receives the discharge.

6. Edwards Aquifer Rule

Indicate if the discharge or potential discharge is within the Recharge Zone, Contributing Zone, or Contributing Zone within the Transition Zone of the Edwards Aquifer. See maps on the TCEQ website to determine if the site is located within the Recharge Zone, Contributing Zone, or Contributing Zone within the Transition Zone of the Edwards Aquifer at

<https://www.tceq.texas.gov/permitting/eapp/viewer.html>.

If Yes, additional requirements may exist under the Edwards Aquifer Protection Program (30 TAC Chapter 213). For activities regulated under 30 TAC Chapter 213, any required plans must be included in the SWMP. Compliance with any Edwards Aquifer requirements is in addition to the requirements of this general permit.

- j) Public Participation

1. Provide the name and contact information of the person responsible for publishing the public notice in the newspaper.
2. Provide the name and location of a public place where copies of the NOI, SWMP, General Permit, and permit fact sheet will be available to the public for viewing. Examples of public places include public libraries, city hall, municipal buildings, etc.
3. Provide the address for the website where the MS4's SWMP and annual report will be posted. Indicate if the MS4 does not have a website.

Section 6. Certifications

Failure to indicate "Yes" to ALL of the certification items may result in denial of coverage under the general permit. The certification must bear an original signature of a person meeting the signatory requirements specified under 30 Texas Administrative Code §305.44.

IF YOU ARE A CORPORATION:

The regulation that controls who may sign an application form is 30 Texas Administrative Code §305.44(a), which is provided below. According to this code provision, any corporate representative may sign an NOI or similar form so long as the authority to sign such a document has been delegated to that person in accordance with corporate procedures. By signing the NOI or similar form, you are certifying that such authority has been delegated to you. The TCEQ may request documentation evidencing such authority.

IF YOU ARE A MUNICIPALITY OR OTHER GOVERNMENT ENTITY:

The regulation that controls who may sign an NOI or similar form is 30 Texas Administrative Code §305.44(a), which is provided below. According to this code provision, only a ranking elected official or principal executive officer may sign an NOI or similar form. Persons such as the City Mayor or County Commissioner will be considered ranking elected officials. In order to identify the principal executive officer of your government entity, it may be beneficial to consult your city charter, county or city ordinances, or the Texas statutes under which your government entity was formed. An NOI or similar document that is signed by a government official who is not a ranking elected official or principal executive officer does not conform to §305.44(a) (3). The signatory requirement may not be delegated to a government representative other than those identified in the regulation. By signing the NOI or similar form, you are certifying that you are either a ranking elected official or principal executive officer as required by the administrative code. Documentation demonstrating your position as a ranking elected official or principal executive officer may be requested by the TCEQ.

If you have any questions or need additional information concerning the signatory requirements discussed above, please contact the Texas Commission on Environmental Quality's Environmental Law Division at 512-239-0600.

30 TEXAS ADMINISTRATIVE CODE §305.44. SIGNATORIES TO APPLICATIONS

(a) All applications shall be signed as follows.

(1) For a corporation, the application shall be signed by a responsible corporate officer. For purposes of this paragraph, a responsible corporate officer means a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures. Corporate procedures governing authority to sign permit or post-closure order applications may provide for assignment or delegation to applicable corporate positions rather than to specific individuals.

(2) For a partnership or sole proprietorship, the application shall be signed by a general partner or the proprietor, respectively.

(3) For a municipality, state, federal, or other public agency, the application shall be signed by either a principal executive officer or a ranking elected official. For purposes of this paragraph, a principal executive officer of a federal agency includes

the chief executive officer of the agency, or a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., regional administrator of the EPA).

SWMP Cover Sheet

The SWMP cover sheet must be completed and placed on the front of the SWMP. Both the SWMP cover sheet and the SWMP must be submitted with the complete NOI.

Provide the name of the MS4 operator.

For each MCM, complete the table by entering the page number (or page number range) where each required program element can be found in the SWMP.

Note: Some program elements are only required for certain MS4 levels. The tables clearly identify these MS4 level specific requirements. If one of these program element does not apply to the MS4 level for this facility, enter NA. Additionally, MCM 7 is optional. If you selected "No" on the NOI Section 5.e.4 question, enter NA on Table 7.