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Overview of County's Stormwater Permit Program

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What is Stormwater?

Stormwater refers to rain or snow melt that does not soak (infiltrate) into the ground, thus becoming surface runoff or drainage that enters surface waterways either directly or via a storm sewer system.





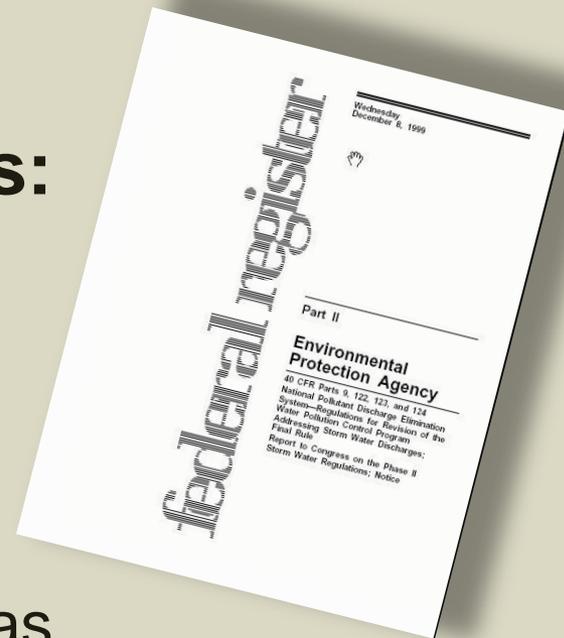
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Stormwater Regulations

A Federal **unfunded** mandate authorized by the Clean Water Act that impact, among other entities, municipal governments.

Implemented in 2 phases:

- ❖ **Phase I – Nov. 1990**
 - Population > 100,000
- ❖ **Phase II – Dec. 1999**
 - Based on U.S. Census Bureau Urbanized Areas
 - “Small MS4s” Population > 50,000
 - Others as designated by ADEQ

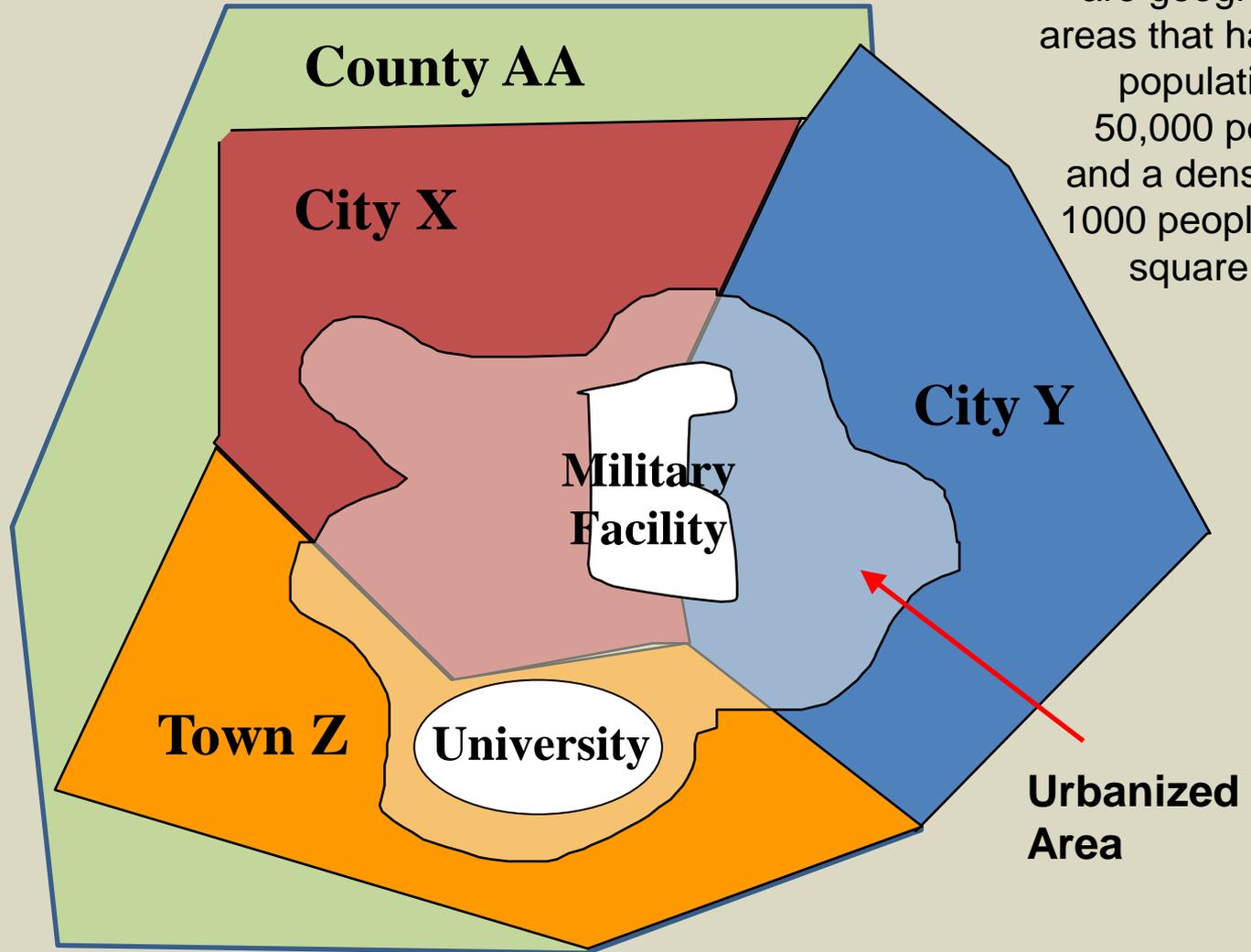




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Census-based Trigger into the Phase II Program

Urbanized Areas are geographic areas that have a population of 50,000 people and a density of 1000 people per square mile.





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Original Permit Area

Based on 2000 Census Data

Permitted area: 6.6 square miles



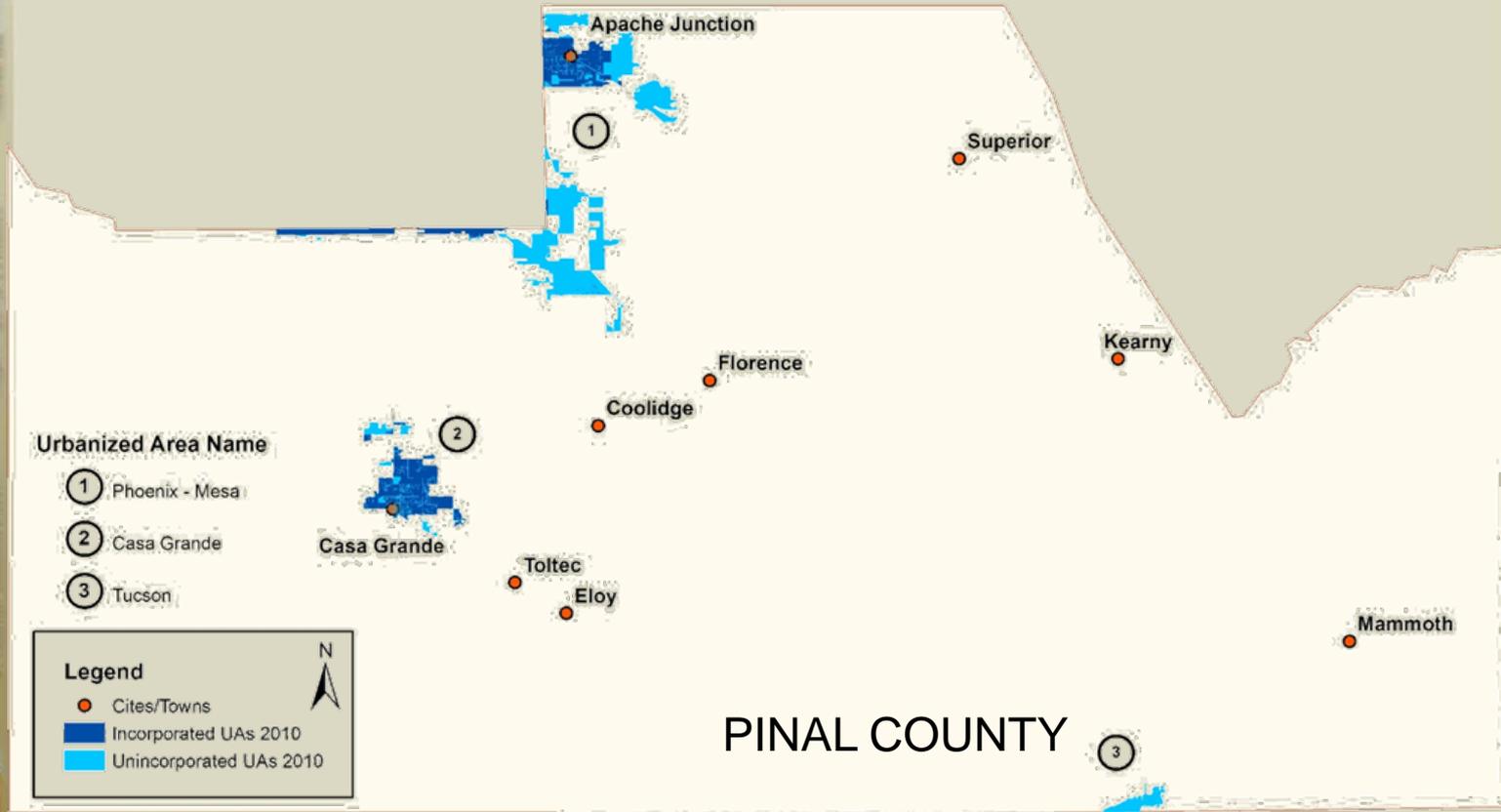


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Latest Permit Area

Based on 2010 Census Data

Permitted area: 47.2 square miles

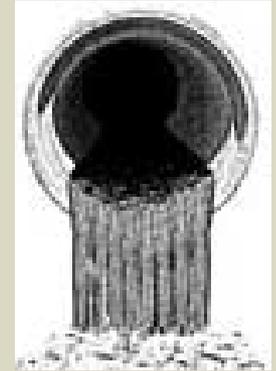




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Where in the Clean Water Act?

**CWA Section 402:
National Pollutant Discharge
Elimination System (NPDES)**



**CODE OF FEDERAL REGULATIONS
Title 40 – Protection of Environment
Part 122 - EPA Permit Programs
(40 CFR 122)**





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Permitting Framework

- Emphasis on pollution prevention
- Opportunity to tailor stormwater program to the municipality
- System/jurisdiction wide compliance
- Coverage under a general permit is possible as long as the eligibility criteria of the permit is met.
- Periodic self-evaluation and reporting.





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Arizona Phase II Program

- ❖ On December 2002, Arizona became one of 45 states with authorization from U.S. EPA to operate the NPDES Permit Program for the state.
- ❖ Referred to as the Arizona Pollutant Discharge Elimination System (AZPDES) Permit Program.
- ❖ Pinal is currently under AZPDES Permit No. AZG2002-002 General Permit for Small MS4s





Facts of General Permits

- ❖ Entity seeking coverage submits a complete and accurate “Notice of Intent” (NOI) to the permit authority.
- ❖ Permit seeker must meet all of the terms of the general permit to remain in compliance.
- ❖ Permit good for a maximum period of five (5) years, but can be “administratively continued” by the permit authority when expired.





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AZ Phase II Communities

Small MS4s in Arizona, as established by the 2010 Census, with regulatory stormwater programs.

- Apache Junction
- Avondale
- Arizona State University
- Buckeye
- Camp Verde
- Carefree
- Casa Grande
- Cave Creek
- Chandler
- **Coconino County**
- **Cochise County**
- Cottonwood
- Davis Monthan Air Force Base
- Douglas
- El Mirage
- Flagstaff
- Fountain Hills
- Gilbert
- Goodyear
- Guadalupe
- Lake Havasu
- Litchfield Park
- Luke Air Force Base
- Marana
- **Maricopa County**
- Marine Corps Air Station, Yuma
- Mesa
- **Mohave County ***
- Nogales
- Northern Arizona University
- Oro Valley
- Paradise Valley
- Peoria
- **Pinal County**
- Prescott
- Prescott Valley
- Queen Creek
- Sedona
- Sierra Vista
- South Tucson
- Surprise
- Tolleson
- University of Arizona
- Veterans Hospital, PHX
- Veterans Hospital, TUC
- **Yavapai County**
- Youngtown
- Yuma
- **Yuma County**





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Six Minimum Control Measures



MCM 1 – Public Outreach

MCM 2 – Public Involvement/Participation



MCM 3 – Illicit Discharge Detection & Elimination



MCM 4 – Construction Site Runoff Control

MCM 5 – Post-Construction Stormwater Management Control



MCM 6 – Good Housekeeping for Municipal Operations



Stormwater Permit Program

MCM 1 – Public Outreach

- ✓ Conduct outreach activities about the impacts of stormwater discharges on water bodies and the steps that the public can take to reduce pollutants in storm water runoff.
- ✓ Produce/distribute education materials.

MCM 2 – Public Involvement/Participation

- ✓ Comply with State, Local or Tribal notice requirements.
- ✓ Encourage community to be involved in program development and participation.





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MCM 3 – Illicit Discharge Detection and Elimination

- ✓ Develop, implement and enforce a program to detect and eliminate illicit discharges
- ✓ Develop storm sewer system & outfall map.
- ✓ Prohibit non-stormwater discharges to the storm sewer system (i.e., **ordinance** with enforcement options)
- ✓ Dry-weather outfall inspection program.
- ✓ Inspector Training





Stormwater Permit Program

MCM 4 – Construction Site Runoff Control

- ✓ Use an **ordinance**, or other regulatory means, with penalties, that requires appropriate erosion and sediment controls; plus control waste.
- ✓ Have procedures for: 1) Site plan review, 2) Site inspection & enforcement, and 3) Complaint receipt and handling.

MCM 5 – Post-Construction Stormwater Management Control

- ✓ Ensure adequate long-term operation and maintenance of structural BMPs





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Stormwater Permit Program

MCM 6 – Good Housekeeping for Municipal Operations

- ✓ Develop an O&M program to prevent or reduce pollutant runoff from municipal operations.
- ✓ Employee training to prevent and reduce storm water pollution from activities such as the maintenance of park and open space, buildings, and storm water systems.





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New AZPDES Small MS4 General Permit Long Overdue

- Effective July 1, 2010, new fee program for water quality permits.
- ADEQ expected to issue a draft new permit within the year.
- New municipal stormwater permit expected to be more stringent.
- An audit by ADEQ of the County's Stormwater Program is eminent. ADEQ hopes to audit all Phase 2 communities every 5 years.





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Recommendations

- Draft a Stormwater Quality Ordinance
- Determine program budget for new permit area and program requirements
- Return to the Board in work session with the draft and discuss
- Ordinance will be compliant with the six minimum control measures required by ADEQ and EPA

