

**TPDES GENERAL
PERMIT #TXR040000**



HAYS COUNTY

Storm Water Management Program

Prepared by Hays County to meet the requirements of the Texas Pollutant Discharge Elimination System (TPDES) General Permit TXR040000 for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems.



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PART I: INTRODUCTION AND PLAN DEVELOPMENT

1.1 PHASE 2 MS4 BACKGROUND

The U.S. Environmental Protection Agency (EPA) issued National Pollutant Discharge Elimination System (NPDES) regulations in 1999 to protect storm water quality in small cities and urbanized areas. The NPDES Storm Water Program is a comprehensive two-phased national program mandated under the Clean Water Act by Congress for addressing urban sources of storm water discharges from municipal separate storm sewer systems (MS4s) that affect water quality. The program requires the implementation of controls designed to prevent pollutants from being discharged with storm water runoff into local receiving waters. Phase I of the program, implemented in the 1990's, required MS4 operators in urbanized areas with populations over 100,000 to implement programs to mitigate urban storm water pollution. Phase II of the program covers smaller MS4s with populations below 100,000 and portions of counties within the Urbanized Area (UA) as defined and used by the U.S. Census Bureau in the 2000 decennial census.

The Texas Commission on Environmental Quality (TCEQ) is authorized by the EPA to issue and enforce the Texas Pollutant Discharge Elimination System (TPDES) Phase I and II Storm Water Permits in lieu of the federal NPDES permits. As of August 13, 2007, TCEQ Commissioners approved the TPDES General Permit to authorize the discharge of storm water from regulated Phase II MS4s. Hays County, as a local government operating an MS4 within an urbanized area, must obtain a permit. The five year permit term ends on August 13, 2012.

This Storm Water Management Program (SWMP) document has been prepared by Hays County to meet the regulatory requirements of the TPDES Phase II General Storm Water Permit TXR040000 for storm water discharges from small MS4s to waters of the United States. Modifications to this SWMP are permitted and revisions shall be summarized in an annual report submitted to the TCEQ.

This initial SWMP is to be submitted with a Notice of Intent (NOI) to the TCEQ to acquire coverage under the TPDES General Permit for the portion of the County within the UA (permit area) as shown in Figure 1.1. This SWMP was developed and will be implemented in accordance with the requirements of the TCEQ General Permit TXR040000 to reduce and prevent pollution in storm water, specifically within the MS4 boundary, to the Maximum Extent Practicable (MEP) and effectively prohibit illicit discharges into the MS4.

1.2 HAYS COUNTY INFORMATION

A small portion of Hays County is considered a regulated small MS4 located within the Austin UA, as defined by the U.S. Bureau of Census in the 2000 decennial census (Figure 1.1). The County must obtain authorization for the discharge of pollutants in storm water runoff and is eligible for coverage under the TPDES General Permit, complying with Title 40 CFR Part 122. Hays County has been named in the *Federal Register* as subject to Phase II regulations.

Founded in 1848, Hays County is located in central Texas, between Austin and San Antonio with the majority of the county west of the I-35 corridor. San Marcos is currently the county seat. The county covers 680 square miles (678 square miles – land; 2 square miles - water) with a population of 65,614 and 25,247 Total Housing Units (Source: 2000 Census). Hays County will be losing land areas as annexation occurs. In addition will neither be adding new areas of responsibilities, nor will it be required to provide services to annexed land. Additional areas within Hays County could become regulated in the future based on the 2010 census if it is determined that population densities have increased in existing unincorporated areas of the county.

1.3 DISCHARGES TO THE EDWARDS AQUIFER

A portion of the Hays County MS4 permit area, as shown in Figure 1.1, is located over the Recharge Zone, Transition Zone and Contributing Zone of the Edwards Aquifer, as mapped by the TCEQ, and therefore must meet the requirements of 30 TAC Chapter 213 (Edwards Aquifer Rule), the provisions and requirements of a TPDES General Permit, and comply with Title 40 CFR Part 122 of the *Federal Register*. When a Water Pollution Abatement Plan (WPAP) has been prepared per the Edwards Aquifer Rules, those requirements are in addition to the TPDES General Permit. A copy of all WPAP's prepared for the County within the permit area during the permit term shall be attached to this SWMP.

1.4 DISCHARGES TO WATER-QUALITY IMPAIRED RECEIVING WATERS

New sources or discharges of the constituents(s) of concern to impaired waters are not authorized by this Permit unless otherwise allowable under 30 TAC Chapter 305 and applicable state law. Impaired waters are those that do not meet applicable water standards(s) and are listed on the Clean Water Act 303(d) list. Constituents of concern are those for which the water body is listed as impaired.

Discharges of the constituents(s) of concern to impaired water bodies for which there is a TMDL implementation plan are not eligible for this Permit unless they are consistent with the approved TMDL and implementation plan.

At the time of this submittal, there were no receiving waters within the permit area that are included in the latest EPA approved Clean Water Act 303(d) list. Plum Creek segment 1810, is located in Hays County, however it is outside the permit area and does not receive discharges directly from the MS4. In addition, Slaughter Creek, Segment 1427A is located in Travis County near the permit area, but does not receive discharges from the MS4. There is a component of this SWMP that discusses forthcoming requirements, and addresses the need to comply with TMDL requirements that may be implemented during the permit term.

1.5 EXISTING REGULATORY STORM WATER JURISDICTIONS

Local regulations for construction and land development which include the requirements for storm water already cover much of unincorporated Hays County in addition to the state TCEQ Edwards Aquifer Rules and Storm Water General Permits. In addition, many of the municipal extraterritorial jurisdictions (ETJs) have some level of storm water regulations. All County-maintained roadways, many county facilities, and the County's subdivision, floodplain and Onsite Sewage Facility (OSSF) permit regulations overlap with these existing jurisdictions in the unincorporated areas. Municipal Utility Districts (MUDs), Water Control and Improvement Districts (WCIDs), and the special districts within the UA may have storm water regulatory responsibilities under the MS4 General Permit as well.

1.6 HAYS COUNTY ORGANIZATION AND RESOURCES

1.6.1 Hays County Commissioners' Court

The Hays County Commissioners' Court is the elected representative body of Hays County government, consisting of four precinct commissioners and a county judge elected county-wide. Primary responsibilities of the court include county government administration; construction and maintenance of county roads, parks and facilities; criminal justice system oversight; and public health and safety ordinance authority as allowed by state law. County Commissioners are responsible for managing the county public roadway system, which includes an associated drainage infrastructure. Hays County manages its roadway system under a County-wide, consolidated precinct system rather than individual precinct road administration.

1.6.2 Resource Protection, Transportation and Planning (RPTP) Department

The Hays County RPTP Department - Road & Bridge, is designated by the Commissioners' Court responsible for constructing and maintaining roads in unincorporated areas, and will have the responsibility for implementation of the majority of the Best Management Practices (BMPs) in the SWMP. RPTP is responsible for maintenance of County roadways and bridge infrastructure in the unincorporated areas (approximately 740 miles) that have been officially accepted for maintenance by the Commissioners' Court. RPTP reviews and permits any construction that includes additions and improvements to County roadways, and accepts such improvements into its' maintained roadway system if they are constructed to standards. RPTP – Environmental Health Division is responsible for subdivision, floodplain and septic system development permitting authority in the unincorporated areas of the County.

1.6.3 Other Departments Involved in SWMP Implementation

Other County Departments having responsibilities for implementation or assistance with Minimum Control Measures (MCMs) indicated in the SWMP include: Recycling and Solid Waste Department with a total of two transfer stations located in Driftwood and Wimberley; the County Attorney's Office, District Attorney's Office, Texas AgriLIFE Extension Office of Hays County, Communications Department, GIS/911 Addressing Department, the County's Sheriff's Department and County Information Technology Department.

1.6.4 County Legal Authority and Revenue Sources

In the areas related to storm water, the County currently has authority to regulate floodplain and subdivision development, on-site sewage facilities and auto yards. Subdivision in municipal ETJs must be administered through the county and/or municipality, or both combined. Hays County is also using the Texas Water Code criminal provisions for enforcement of pollution discharges.

The Texas Constitution and State statutes do not grant Texas counties the ability to create and enforce ordinances to meet the TPDES requirements. Unlike cities, counties are not authorized to implement all of the regulatory requirements that Phase II requires. To address this restriction TCEQ rules contain text stating "to the extent allowable under state and local law." This statement is cited several times in Part III, SWMP development and implementation, of the general permit. Hays county will address the various elements in the General Permit SWMP requirements to the extent allowable under current state and local law.

Hays County revenue sources are currently limited to ad valorem taxes, sales taxes and permit fees.

1.7 SUMMARY OF STORM WATER MANAGEMENT PROGRAM

The overall SWMP has been created to meet the requirements of Part 122.34 of Title 40 of the Code of Federal Regulations. The SWMP contains the following six MCMs:

- Public Education and outreach program designed to measurably reduce storm water pollution;
- Public involvement process to guide the development of the storm water management program;
- An Illicit Discharge Detection and Elimination (IDDE) program to identify and remove improper discharges into the storm sewer system;
- Construction site storm water runoff control;
- Post-construction storm water management in new development and redevelopment, and;
- Pollution prevention/good housekeeping for County operations.

Each of the MCMs has been evaluated and lists of BMPs have been developed to address them. The BMPs have been chosen based on the recommendations of the General Permit application and several have been chosen from the U.S. EPA list of recommendations for each of the minimum control measures. Each of the BMPs includes measurable goals, responsible parties and a schedule for implementation. The measurable goals and schedule have been developed to quantify and provide a time table to accomplishing each of the BMPs.

Many of the current programs and selected BMPs will be applied to Hays County in its entirety, including areas that are outside of the permit area. However, in most instances, this SWMP sets measurable goals, schedules and reporting parameters for the permit area only, unless otherwise noted.

Hays County's SWMP was developed by County staff with storm water experience. Responsibilities for implementation of the SWMP will be coordinated by the Resource Protection, Transportation and Planning Department.

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PART II: MINIMUM CONTROL MEASURES (MCMs)

MCM1 Public Education and Outreach

1.1 TCEQ GENERAL PERMIT REQUIREMENTS

(a) A Public Education and Outreach program must be developed and implemented to distribute educational materials to the community or conduct equivalent outreach activities that will be used to inform the public. The MS4 operator may determine the most appropriate sections of the populations at which to direct the program. The MS4 operator must consider the following groups and the SWMP shall provide justification for any group that is not included in the program:

- (1) residents;*
- (2) visitors;*
- (3) public service employees;*
- (4) businesses;*
- (5) commercial and industrial facilities; and*
- (6) construction site personnel.*

The outreach must inform the public about the impacts that storm water run-off can have on water quality, hazards associated with illegal discharges and improper disposal of waste, and steps they can take to reduce pollutants in storm water run-off.

(b) The MS4 operator must document activities conducted and materials used to fulfill this control measure. Documentation shall be detailed enough to demonstrate the amount of resources used to address each group. This documentation shall be retained in the annual reports required in Part IV. B. 2. of this general permit.

1.2 CURRENT PROGRAMS, MEASURABLE GOALS AND RESPONSIBLE PARTIES

- 1.2.1 County Website - Hays County currently operates a website available to the public that provides information pertaining to floodplain permits, OSSF permitting, driveway culvert specifications and utility permits. The County's new subdivision regulations are available online through the Hays County website (www.co.hays.tx.us). County staff will continue to improve the website and include information such as updates on Conservation Easements/Open Space Acquisition and Water Quality Protection and Planning Partnerships as listed in this SWMP document. This program targets Hays County residents, visitors, public service employees, business, commercial and industrial facilities and construction site personnel. The website is available to the entire county and no area-specific documentation is possible.
- 1.2.2 OSSF Flyers - The RPTP – Environmental Health Division has OSSF flyers and handouts for proper septic maintenance available at their office as well as included with permit application packets. Hays County will continue to provide training and outreach to better educate and inform commercial and residential OSSF Permit holders and operators in the County on the practices required for OSSF systems to be constructed, operated, and maintained in optimum condition and to prevent and reduce any pollutant discharge. This program targets Hays County residents. The flyers and handouts are available to the entire county and no area-specific documentation is possible.

- 1.2.3 Edwards Aquifer Recharge Zone Roadside Signs have been placed at Recharge Zone boundaries to educate and inform the general public of the environmentally sensitive area. The County will continue to inventory and maintain these signs. This program targets Hays County residents and visitors. The signs are placed throughout the county, but only signs placed within the permit area will be reports.

Table 1 MCM 1 – Public Education and Outreach Current Programs				
BMP	Major Tasks	Measurable Goals	Due Date	Responsible Parties
Website	Continue to provide information such as permitting requirements and county development regulations online.	Continue activity. Record storm water related additions to the website, and number of permitting webpage hits, and report annually.	Years 2010-2012	IT Department RPTP
OSSF Flyers	Continue to distribute OSSF brochures and flyers to public and permit applicants.	Continue activity. Record number of brochures distributed county-wide and report annually.	Years 2010-2012	RPTP – Environmental Health Div.
Edwards Aquifer Recharge Zone Signs	Maintain existing signs. Map other locations where signs could be installed in ROW.	Annually update sign inventory and conduct annual inspection and maintenance when needed. Record number of signs added within the permit area, and report annually.	Years 2010-2012	RPTP – Road & Bridge Div.

1.3 SELECTED BMPS, MEASURABLE GOALS AND RESPONSIBLE PARTIES

- 1.3.1 County Employee Newsletter - The County provides a bi-monthly newsletter to employees regarding policy, health and safety. The County will include one article pertaining to SWMP and MCMs quarterly. This program targets Hays County and their families. The newsletter will be distributed county-wide and no area-specific documentation is possible.
- 1.3.2 Illegal Dump Signs (1-888-NO-DUMPS) – The County currently has in stock 50 signs to be installed at areas where frequent illegal trash dumping occurs. Signs have already been acquired from the CAPCOG Regional Environmental Task Force and installed at high priority sites. In addition, RPTP staff are currently compiling a list of additional locations throughout the county, and specifically within the permit area, that have had consistent problems with illegal dumping. This program targets Hays County residents and visitors. The signs are placed throughout the county, but only signs placed within the permit area will be reported.
- 1.3.3 SWMP Web Page – The County will add a page to the current website that includes storm water related information to inform and educate County residents, visitors, county employees, businesses, commercial and industrial facilities and construction personnel on impacts of pollution in storm water run-off and the steps they can take to reduce those pollutants. Examples of topics this webpage may cover include a Storm Water Quality Contact Information/Hotline; a copy of the SWMP and the associated regulations and background information; public service information supporting construction and post-construction measures including assistance or web links to County and other development permit regulations; discussions, information and internet links for general storm water pollution and flooding related issues, impacts, mitigation, regulations, practices, etc. The webpage can provide opportunities for public service information or web links for other MS4 operators in support or coordination with the SWMP. This program targets Hays County residents, visitors, public service employees, businesses, commercial and industrial facilities and construction site personnel. The website is available to the entire county and no area-specific information is possible.
- 1.3.4 Educational Material and Distribution – Hays County will distribute storm water related materials at 3 or more County buildings. Examples include such items as information sheets, brochures, bookmarks, etc. These materials may be developed by Hays County staff, EPA, TCEQ or any other source. Some of these materials will address topics such as illicit discharges, construction, NOI submittals and any other information materials required by the permit. Also Hays County may participate in regional storm water education projects to supplement or replace (if the regional activities are more effective or reach a larger audience) this BMP and will report activities in the annual report. This program targets Hays County residents, visitors, public service employees, businesses, commercial and industrial facilities and construction site personnel. The distributed materials are available to the entire county and no area-specific documentation is possible.

Table 2
MCM 1- Public Education and Outreach Selected BMPs

BMP	Major Tasks	Measurable Goals	Due Date	Responsible Party
County Employee Newsletter	Include SWMP related information in newsletter quarterly.	Submit 4 articles annually to be included in County Employee Newsletter. Record the article topics and publish dates, and report annually.	Year 2011-2012	IT Department RPTP Communications Dept.
Illegal Dumping Signs	Develop location plan and select locations in each precinct for sign placement.	Complete activity.	Year 2011-2012	RPTP - Environmental Health Div. – Environmental Crimes Road & Bridge Div.
	Install and maintain signs.	Keep installation and maintenance log. Record all signs installed and maintained within the permit area, and report annually.	Years 2011-2012	RPTP- Road & Bridge Div.
SWMP Web Page	Develop SWMP Web Site Plan including a list of topics and maintenance schedule.	Complete activity.	Years 2011-2012	RPTP- Environmental Health Div.
	Design and publish the web page as part of the existing Hays county website.	Complete activity. Record new topics added to the webpage, and report annually.	Years 2011-2012	Road & Bridge Div. IT Department
	Maintain and update web site, including posting new information and topics in accordance with the maintenance schedule.	Record totals, number of SWMP web page hits using log counter, and report annually.	Years 2011-2012	
Distribute Educational Materials	Distribute information sheets, brochures, bookmarks, etc. to educate the public on storm water related issues.	Record numbers of items distributed, and report annually	Years 2011-2012	RPTP

MCM 2 Public Involvement and Participation

2.1 TCEQ GENERAL PERMIT REQUIREMENTS

The MS4 operator must, at a minimum, comply with any State and local public notice requirements when implementing a public involvement/participation program. It is recommended the program include provisions to allow all members of the public within the small MS4 community to participate in SWMP development and implementation.

2.2 CURRENT PROGRAMS, MEASURABLE GOALS AND RESPONSIBLE PARTIES

2.2.1 Community Storm Water Initiatives – The County will continue to support and participate in local and regional storm water management initiatives, which include opportunity for participation by interested parties and stakeholders from the public, local community groups and government agencies.

- Current programs in which the County is actively involved in:
- CAPCOG's Greenprint for Growth Initiative
- The Upper San Marcos Watershed Protection Plan
- Hamilton Creek Watershed Planning Group
- Hays County Master Drainage Plan (USACE Lower Colorado River Basin Flood Damage Evaluation Project in coordination with LCRA)
- Plum Creek Watershed Partnership
- Regional Water Quality Protection Plan for the Barton Springs Segment of the Edwards Aquifer (RWQPP)
- Cypress Creek Watershed Protection Plan
- Edwards Aquifer Recovery Implementation Program (EARIP)

The County will continue to participate in local watershed planning in order to stay informed of local storm water quality issues, potential Total Maximum Daily Loads (TMDL) initiatives, and pollutants of concern for impaired or sensitive water bodies. The County will develop a list of sensitive and impaired water bodies as identified by the local watershed planning and monitoring agencies or state and federal monitoring agencies; maintain records of any TMDL requirements and pollutants of concern for any local MS4 receiving streams that are considered sensitive or impaired; review TMDL requirements or load allocations to determine if additional BMPs or changes in existing practices are required to meet TMDL load allocations or to protect sensitive or impaired water bodies located within the MS4 jurisdiction. Current local watershed planning groups occur county-wide with no impaired water bodies currently located within the permit area. When it is determined that an impaired water body is within the permit area, reports on the activity within the permit area will be reported annually.

2.2.2 Open Space Acquisition – Hays County will continue to support and participate in efforts to set aside open space for public benefits, including water quality protection. Chapter 705.5.06 of Hays County Development Regulations outlines the requirements for parkland dedication.

2.2.3 Household Hazardous Waste Collection – The County will continue an existing interlocal program that allows participation by County residents to dispose of small amounts of household (non-commercial) hazardous and industrial wastes at designated times and locations throughout the County. Scheduled dates and times for events will be posted on the county website and run in local newspapers.

Table 3
MCM 2 – Public Involvement and Participation Current Programs

BMP	Major Tasks	Measurable Goals	Due Date	Responsible Party
Community Storm Water Initiatives	Continue participation in ongoing efforts for water quality protection.	Record meetings attended and activities participated in by County staff and report annually.	Years 2010-2012	RPTP
	Continue participation in Watershed Protection Planning efforts; develop a list of sensitive/impaired water bodies; review TMDL requirements for water bodies located within the permit area.	Record meetings attended and activities participated in by County staff and report annually.	Years 2010-2012	
	Complete Hays County Master Drainage Plan and give county residents in flood prone areas the opportunity for input.	Complete final report. Record attendance at public participation meetings and number of public inquiries, and report annually.	Years 2010-2012	
Open Space Acquisition/ Conservation Easements	Continue to provide opportunities for landowner participation in Hays County efforts to purchase conservation easements.	Record number and size of parcels purchased and associated costs, and report annually.	Years 2010-2012	RPTP Parks Dept.
Household Hazardous Waste Collection	Continue participation in interlocal projects.	Record financial contributions by the County and amount of materials collected, and report annually.	Years 2010-2012	Recycling/ Solid Waste Dept.

2.3 SELECTED BMPS, MEASURABLE GOALS AND RESPONSIBLE PARTIES

- 2.3.1 SWMP Public Notices – Hays County Commissioners’ Court is subject to state/local public notice requirements, which meet the TCEQ minimum requirements for public involvement/participation.
- 2.3.2 Post Draft SWMP on Website – After internal review by Hays County Officials and prior to submittal to TCEQ, staff will post the draft SMWP document on the County Website atleast 14 days prior to submitting the application.
- 2.3.3 Public Notice in Newspaper – After reviewing Hays County’s NOI and SWMP, TCEQ will issue “the executive director’s preliminary determination.” This public notice must be published by Hays County at least once in the largest circulated paper in the county. In addition, this public notice must provide an opportunity for the public to submit comments on the NOI and SWMP and request a public meeting. A public meeting will be held if TCEQ determines there is sufficient interest.

Table 4
MCM 2 – Public Involvement and Participation Selected BMPS

BMP	Major Tasks	Measurable Goals	Due Date	Responsible Party
SWMP Public Notices	Comply with all public notice legal requirements for SWMP implementation.	Record commissioners’ court agenda items, newspaper or internet notices posted when related to TPDES permit requirements, and report annually.	Years 2011-2012	RPTP
Public Notice in Newspaper	Publish executive director’s preliminary determination in largest circulated paper in county within 30 days after being notified by TCEQ Office of Chief Clerk..	Record submittal and publication locations and dates, and report annually.	Years 2011-2012	RPTP

MCM 3 Illicit Discharge and Elimination

3.1 TCEQ GENERAL PERMIT REQUIREMENTS

(a) A Section within the SWMP must be developed to establish a program to detect and eliminate illicit discharges to the small MS4. The SWMP must include the manner and process to be used to effectively prohibit illicit discharges. To the extent allowable under state and local law, and ordinance or other regulatory mechanism must be utilized to prohibit and eliminate illicit discharges. Elements must include:

1. Detection

The SWMP must list the techniques used for detecting illicit discharges; and

2. Elimination

The SWMP must include appropriate actions and, to the extent allowable under state and local law, establish enforcement procedures for removing the source of an illicit discharge.

(b) Allowable Non-Storm Water Discharges

Non-storm water flows listed in Part II.B. and Part VI.B. do not need to be considered by the MS4 operator as an illicit discharge requiring elimination unless the operator of the small MS4 or the executive director identifies the flow as a significant source of pollutants to the small MS4. In lieu of considering non-storm water sources on a case-by-case basis, the MS4 operator may develop a list of common and incidental non-storm water discharges that will not be addressed as illicit discharges requiring elimination. If developed, the listed sources must not be reasonably expected to be significant sources of pollutants either because of nature of the discharge or the conditions that are established by the MS4 operator prior to accepting the discharge to the small MS4. If this list is developed, then all local controls and conditions established for these listed discharges must be prescribed in the SWMP and any changes to the SWMP must be included in the annual report described in Part IV.B.2. of this general permit, and must meet the requirements of Part II.D.3. of the general permit.

(c) Storm Sewer Map

(1) A map of the storm sewer system must be developed and must include the following:

(i) The location of all outfalls;

(ii) The names and locations of all waters of the U.S. that receive discharges from the outfalls; and

(iii) Any additional information needed by the permittee to implement its SWMP.

(2) The SWMP must include the source of information used to develop the storm sewer map, including how the outfalls are verified and how the map will be regularly updated.

3.2 CURRENT PROGRAMS, MEASURABLE GOALS AND RESPONSIBLE PARTIES

3.2.1 On-Site Sewage Facility (OSSF) Program – The County will continue the OSSF program, which reviews, permits and inspects existing and new OSSF systems within the county MS4 under the standards Chapter 741 of the Hays County Development Regulations, which derives its authority from 30 TAC Chapter 285. This program includes maintenance contracts for certain types of existing OSSF systems, and semi-annual integrity testing of commercial OSSF systems. The program also includes investigation and enforcement of illicit sewage discharges from OSSF systems and continuing education efforts to inform the public about proper OSSF operation and maintenance. The OSSF Program is implemented county-wide, but only activity within the permit area will be reported.

3.2.2 Regional Environmental Task Force – The County will continue participation in the Regional Environmental Task Force (RETF), a network of civil and criminal law enforcement officers working in coordination to prevent illegal dumping and other environmental crimes in Central Texas. The Task Force was established in 1996 with an interlocal agreement. Members include the counties of Bastrop, Blanco, Burnet, Caldwell, Fayette, Hays, Lee, Llano, Travis and Williamson Counties. In addition, an illegal dumping hotline is available for Hays County residents through the RETF website. The hotline is available county-wide and no area-specific documentation is possible.

3.2.3 Roadside Litter Abatement – The County Road and Bridge Department will continue existing program to respond, remove, and properly dispose of solid wastes illegally dumped on County roadsides, including trash, debris, brush, household items, etc. The litter abatement program is implemented throughout the County, but only activity within the permit area will be reported.

3.2.4 County Transfer and Recycling Stations – The County will continue to operate two transfer stations open to the public for disposal of items such as: used oil, oil filters, antifreeze, batteries, household trash and recyclables, construction materials, iron, metal, tin, appliances, aluminum scrap, and tires for a nominal fee. Household hazardous materials and brush are not accepted at this time. Locations and hours of operation are posted on the County website. The transfer and recycling stations are available to residents county-wide and no area-specific documentation is possible.

Table 5 MCM 3 – Illicit Discharge and Detection Elimination Current Programs				
BMP	Major Tasks	Measurable Goals	Due Date	Responsible Parties
On-Site Sewage Facility (OSSF) Permit Program	Review, permit and inspect new and upgraded OSSF systems in the county MS4.	Record permit applications reviewed, permitted, inspected and approved systems within the permit area, and report annually.	Years 2010-2012	RPTP- Environmental Div.- Environmental Crimes
	Review and inspect maintenance contracts and reports for aerobic systems, and review semi-annual integrity testing of commercial systems.	Record contracts inspected and reviewed, commercial test results reviewed, NOVs issued, and cases filed annually, and report annually.	Years 2010-2012	
	Receive, investigate and resolve complaints of improper operation and maintenance of OSSF systems.	Record complaints investigated resolved and referred to enforcement within the permit area and report annually.	Years 2010-2012	
Regional Environmental Task Force (RETF)	Continue participation in RETF quarterly meetings and training efforts.	Record meetings and training sessions attended by County staff, and report annually.	Years 2010-2012	RPTP – Environmental Div. – Environmental Crimes
Roadside Litter Abatement	Continue existing program to remove litter from county roadsides and properly dispose of at landfills.	Record miles of roadsides cleaned and cubic yards of waste disposed within the permit area, and report annually.	Years 2010-2012	RPTP- Road & Bridge Department
Transfer Stations	Continue existing program available to the public to dispose of household and commercial items for a nominal fee.	Record total number of visits and/or amount of waste received, and report annually.	Years 2010-2012	Recycling & Solid Waste Dept

3.3 SELECTED BMPS, MEASURABLE GOALS AND RESPONSIBLE PARTIES

- 3.3.1 Develop IDDE Program – The County will adopt regulations and/or regulatory mechanisms to implement and continue programs to detect and eliminate illicit discharges to the County drainage system, including the regulated MS4 to the extent allowable under state and local law. County IDDE efforts will be coordinated where feasible with existing jurisdictions in the County MS4, including Buda, other municipalities and TCEQ. Interlocal agreements will be implemented or revised if necessary and as possible. The IDDE program will be implemented county-wide, but only activity within the permit area will be reported.
- 3.3.2 Create MS4 map with outfalls – The County will develop and maintain a map of the County regulated MS4 drainage system within the permit area only using the Hays county GIS database. The map will include, as a minimum: roadways, municipal city limits (ETJs), MS4 drainage structures and outfalls, surface waters, FEMA 100-year floodplain, Edwards Aquifer boundaries and karst features and major watershed boundaries.
- 3.3.3 MS4 Outfall Screening - Development of a program to conduct systematic dry weather screening of outfalls in the MS4 in order to identify the presence of illicit discharges and/or connections, and eliminate illicit discharges and/or connections to the MS4 according to local stormwater regulations.

Table 6
MCM 3 – Illicit Discharge Detection and Elimination Selected BMPs

BMP	Major Tasks	Measurable Goals	Due Date	Responsible Party
Develop IDDE Program	Adopt regulations and/or regulatory mechanisms for IDDE program; Revise Enforcement Policy and Procedure as necessary for IDDE efforts.	Complete activity. Record adopted regulatory mechanisms, policies and procedures and report annually.	Years 2011-2012	RTP- Environmental Health Div. – Environmental Crimes
	Develop and implement an IDDE response plan identifying the primary first response jurisdiction and contacts for MS4 area.	Complete activity.	Years 2011-2012	
	Review/revise existing county IDDE contact points as necessary and designate lead staff for IDDE complaint response.	Complete activity.	Years 2011-2012	
	Investigate/inspect and resolve illicit discharge complaints.	Record complaints received, investigated, referred to others, resolved and/or enforced within the permit area, and report annually.	Years 2011-2012	
MS4 Map	Develop MS4 map	Complete activity. Record source of information used to develop map, how outfalls were verified and how often map is updated, and report annually.	Year 2011	RTP GIS Department
	Develop and implement system to maintain and update MS4 map for municipal annexations in MS4 area.	Complete activity. Update and maintain map. Record total area removed from the County regulated MS4 area through annexation, and report annually.	Years 2011-2012	RTP Environmental Health Div. – Environmental Crimes
	Perform inspections to document structures, BMPs and outfalls in MS4 area and update map accordingly.	Record number of structures and outfalls added to MS4 area and add to the MS4 map.	Years 2011-2012	IT Department
MS4 Outfall Screening	Conduct systematic dry weather inspections of outfalls located within permit area.	Record number of outfalls screened, number of incidents with illicit discharges, and enforcement actions, if applicable.	Years 2011-2012	RTP

3.4 LIST OF ALLOWABLE, INCIDENTAL STORM WATER DISCHARGES

The following non-stormwater sources may be discharged from the small MS4 and are not required to be addressed in the small MS4's Illicit Discharge and Detection or other Minimum Control Measures, unless they are determined by the permittee or the TCEQ to be significant contributors of pollutants to the small MS4:

- Water line flushing (excluding discharges of hyper chlorinated water, unless water is first dechlorinated and discharges are not expected to adversely affect aquatic life);
- Runoff or return flow from landscape irrigation, lawn irrigation, and other irrigation utilizing potable water, ground water, or surface water sources;
- Discharges from potable water sources;
- Diverted stream flows;
- Rising ground waters and springs;
- Uncontaminated ground water infiltration;
- Uncontaminated pumped ground water;
- Foundation and footing drains;
- Air conditioning condensation;
- Water from crawl space pumps;
- Individual residential vehicle washing;
- Flows from wetland and riparian habitats;
- Dechlorinated swimming pool discharges;
- Street wash water;
- Discharges or flows from fire fighting activities (fire fighting activities do not include washing of trucks, runoff water from training activities, test water from fire suppression systems, and similar activities);
- Other allowable non-storm water discharges that are specifically listed in 40 CFR 122.26(d)(2)(iv)(B)(1);
- Non-storm water discharges that are specifically listed in the TPDES Multi-Sector General Permit (MSGP) or the TPDES Construction General Permit (CGP); and
- Other similar occasional incidental non-storm water discharges, unless the TCEQ develops permits or other regulations addressing these discharges.

Any additional non-storm water discharges not included in this list but later determined to significantly contribute pollutants to the MS4 will be added to the SWMP and prohibited through the County, if allowable under state law, or enforced through the Texas Water Code if necessary to eliminate the source of the discharge.

MCM 4 Construction Storm Water Runoff Controls

4.1. TCEQ GENERAL PERMIT REQUIREMENTS

The MS4 operator, to the extent allowable under State and local law, must develop, implement, and enforce a program to reduce pollutants in any storm water run-off to the small MS4 from construction activities that result in a land disturbance of more than or equal to one acre or if that construction activity is part of a larger common plan of development or sale that would disturb one or more acres of land. The MS4 operator is not required to develop, implement, and/or enforce a program to reduce pollutant discharges from sites where the construction site operator has obtained a waiver from permit requirements under the NPDES or TPDES construction permitting requirements based on a low potential for erosion.

(a) The program must include the development and implementation of, at a minimum, an 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.

(b) Requirements for construction site contractors to, at a minimum:

(1) implement appropriate erosion and sediment control BMPs; and

(2) control waste such as discarded building materials, concrete truck washout water, chemicals, litter, and sanitary waste at the construction site that may cause adverse impacts to water quality.

(c) The MS4 must develop procedures for:

(1) site plan review which incorporate consideration of potential water quality impacts;

(2) receipt and consideration of information submitted by the public; and

(3) site inspection and enforcement of control measures to the extent allowable under State and local law.

4.2 CURRENT PROGRAMS, MEASURABLE GOALS AND RESPONSIBLE PARTIES

- 4.2.1 Floodplain and Subdivision Review- The Hays County RPTP Environmental Health Division currently reviews, permits, and inspects land development construction activities in the county for County Development Regulations Chapter 711 – Site Development Review and Development Authorizations, Chapter 735- Flood Damage Protection, Chapter 721- Roadway Standards, Chapter 725 – Storm Water Management Standards, and Chapter 741 On-Site Sewage Facilities. There are non-subdivision construction sites within ETJs that are not included in the current ETJ interlocal agreements which require construction runoff controls, including: site and commercial projects, utilities, residential home building, etc. Outside municipal ETJs, the County administers a single process for all construction permit applications. Floodplain and subdivision reviews are performed county-wide, but only activity within the permit area will be reported.
- 4.2.2 Construction Plan Review – The County has an existing development permitting review process which requires all development permit applicants and construction site operators to demonstrate compliance with SWP3 standards for the MS4 where a proposed project is located prior to the issuance of a county development permit. County is currently creating an environmental checklist to be given to applicants to assist them in the permitting process. Construction plan reviews are performed county-wide, but only activity within the permit area will be reported.
- 4.2.3 Inspection and Enforcement - The County currently conducts site visits to existing developments to ensure construction sites are inspected for applicable SWP3 regulations and standards, and enforcement measures are taken for non-compliance. Inspections include site development, home building and commercial construction. RPTP staff attends pre-construction meetings and addresses any SWPPP issues and ensures ESCs are properly installed per plan prior to start of construction. Inspections are performed and enforcement measures are taken county-wide, but only activities within the permit area will be reported.

Table 7
MCM 4 – Construction Site Storm Water Run-off Control Current Programs

BMP	Major Tasks	Measurable Goals	Due Date	Responsible Party
Floodplain and Subdivision Review	Continue existing program of floodplain and subdivision review and platting process.	Record numbers of floodplain and subdivision review applications associated with construction within the permit area that are received, processed, approved and denied, and report annually.	Years 2010-2012	RPTP
Construction Plan Review	Continue existing program of construction plan review to ensure SWPPP and ESC compliance.	Record numbers of plans associated with construction occurring within the permit area that are received, processed, approved and denied, and report annually.	Years 2010-2012	RPTP
4 . 3 S E L	Inspection and Enforcement	Continue existing program of site inspection and enforcement to the extent allowable by state and local law.	Years 2010-2012	RPTP
	4 . 3 S E L	Continue distributing environmental checklists at pre-construction meetings	Record number of preconstruction meetings relating to construction occurring in the permit area that are attended by county staff, and associated environmental checklists distributed, and report annually.	

4.3 SELECTED BMPS, MEASURABLE GOALS AND RESPONSIBLE PARTIES

- 4.3.1 Permit Application SWMP Checklist – The County will implement a checklist for permittees that address all steps of the development application and review process. The checklist will be used county-wide, but only reviews associated with construction within the permit area will be reported.

Table 8
MCM 4 – Construction Site Storm Water Run-off Control Selected BMPs

BMP	Major Tasks	Measurable Goals	Due Date	Responsible Party
Permit Application SWMP Checklist	Develop and implement a Permit Checklist review system for 100% of permit applications which includes storm water regulations and requirements.	Complete and implement SWMP checklist. Record number of permit applications associated with permit area that are reviewed, and report annually.	Years 2011-2012	RPTP

MCM 5 Post-Construction Storm Water Management

5.1 TCEQ GENERAL PERMIT REQUIREMENTS

To the extent allowable under State and local law, the MS4 operator must develop, implement, and enforce a program to address storm water runoff from new development and redevelopment projects that disturb greater or equal to one acre of land, including projects less than acre that are part of a larger common plan of development or sale that will result in disturbance in one or more acres, that discharge into the MS4. The program must ensure that controls are in place that would prevent or minimize water quality impacts. The permittee shall:

- (a) develop and implement strategies which include a combination of structural and/or non-structural BMPs appropriate for the community;*
- (b) use an ordinance or other regulatory mechanism to address post-construction run-off from new development and redevelopment projects to the extent allowable under State and local law; and*
- (c) ensure adequate long-term operation and maintenance of BMPs.*

5.2 CURRENT PROGRAMS, MEASURABLE GOALS AND RESPONSIBLE PARTIES

- 5.2.1 BMP Inspections – Continue routine inspections of post-construction BMPs during construction phase to ensure they are being constructed per plan. Hays County staff conducts final inspections of post-construction BMPs prior to County acceptance of roads into county maintenance program. Inspections are performed county-wide, but only activities within the permit area will be recorded.
- 5.2.2 Post Construction Water Quality Regulations – The County’s current Subdivision Development Regulations Chapter 725 – Storm Water Management Standards, address post-construction water quality controls where allowable under state law.
- 5.2.3 Permit Application and Construction Plan Review – The County has an existing construction plan review process which requires all development permit applicants and construction site operators to demonstrate compliance with post-construction control standards for the MS4 in which a proposed project will be located. The permit application and construction plan review process applies to construction county-wide, but only activities within the permit area will be reported.

Table 9
MCM 5 – Post-Construction Storm Water Management Current Programs

BMP	Major Tasks	Measurable Goals	Due Date	Responsible Party
BMP Inspections	Continue inspection of post-construction BMPs during construction phase to ensure BMPs are constructed per plan. Final inspection conducted prior to County acceptance.	Record number of BMP inspections performed within the permit area, and associated ponds accepted by the county, and reported annually..	Years 2010-2012	RPTP
Post-Construction Water Quality Regulations	Continue to implement post-construction water quality regulations, advising permit applicants of existing regulations.	Record number of permit application meetings and determinations of requirements associated with construction within the permit area and report annually.	Years 2010-2012	RPTP
Permit Application and Construction Plan Review	Continue to review construction plans for compliance with applicable regulations.	Record review comments and engineering reports to confirm compliance with construction within the permit area, and report annually.	Years 2010-2012	RPTP

5.3 SELECTED BMPs, MEASURABLE GOALS AND RESPONSIBLE PARTIES

- 5.3.1 Post Construction Water Quality Regulations – The county will develop, implement, and enforce post-construction storm water quality regulations and technical standards for new development and redevelopment projects in the county MS4 that disturb greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale one acre or larger. These regulations will be adopted as part of the County development regulations where allowable under State law. The County will use other regulatory mechanisms to the extent allowable under State law to accomplish post-construction requirements for any areas or project types not allowable under County development regulations. These other regulatory mechanisms may include, but are not limited to: Interlocal Agreements or County development regulations for compliance with existing local, state, or federal health and safety standards prior to county permit issuance. Post-construction regulations and standards will include a combination of structural and non-structural practices. Post-construction regulations will be appropriate and consistent with the local community and stakeholders, and will as a minimum meet or provide equivalent protection to any existing post-construction regulations in the area of the County where a proposed project is located. Post-construction standards can include, but are not limited to: buffer zones for streams and critical environmental features, structural storm water basins, cut and fill limits, open space or parkland dedication, conservation development incentives, drainage design criteria; and ensuring long-term operation and maintenance of structural controls through subdivision plat notes, maintenance agreements, or interlocal agreements.
- 5.3.2 Permit Application and Plan Review - The County will incorporate additional measures and procedures into its existing development permit and construction plan review processes to require all development permit applicants to demonstrate compliance with the adopted Post-Construction Water Quality Regulations for the MS4 in which a proposed project is located prior to the issuance of a county development permit. The permit application and construction plan review process applies to construction county-wide, but only activities within the permit area will be reported.
- 5.3.3 Post-Construction BMP Inspections and Maintenance - The County will implement regulations, regulatory mechanisms, and procedures to the extent allowable under State law, to ensure the adequate long-term operation and maintenance of post-construction BMPs discharging into the County. Regulations and mechanisms will include provisions to require owners/operators of BMPs to perform maintenance activities to ensure proper operating condition. Regulations may also include specifying responsible parties through subdivision plat notes, drainage/conservation easements, maintenance agreements, interlocal agreements; or reliance on existing post-construction BMP requirements, such as the TCEQ Edwards Aquifer Program, Municipal ETJs, or special storm water district (MUD/WCID). RPTP will inspect new BMPs as they are completed, and the MS4 map if they are within the permit area.. RPTP will develop criteria for assessment of BMP maintenance condition and referral to the appropriate entity or jurisdiction for maintenance. The County will perform operation and maintenance activities for any BMPs accepted as part of the County's infrastructure. The post-construction BMP inspections and maintenance regulations will apply to BMPs county-wide, but only BMPs within the permit area will be reported.

Table 10
MCM 5 – Post-Construction Storm Water Management Selected BMPs

BMP	Major Tasks	Measurable Goals	Due Date	Responsible Party
Post-Construction BMP Inspection and Maintenance	Develop and adopt regulations and other regulatory mechanisms to ensure operation and maintenance of post-construction BMPs in the County.	Complete activity.	Years 2011-2012	RPTP
	Adopt criteria for BMP maintenance.	Complete activity.	Years 2011-2012	
	Develop and maintain an inventory of post-construction BMPs in County.	Record number of sites inspected, compliant at final inspection, and referred to other jurisdictions within the permit area, and report annually.	Years 2011-2012	
	Conduct inspections and any required maintenance for any BMPs accepted by the County.	Record number of BMPs inspected and/or maintained within the permit area, and report annually.	Years 2011-2012	
Permit Application and Plan Review	Develop and implement a Permit Checklist review system permit applications which includes identification of post-construction storm water regulation requirements.	Complete and implement Permit Checklist. Record number of permit applications associated with construction within the permit area, and report annually.	Years 2011-2012	RPTP
	Develop and implement a plan review system for all projects requiring post-construction storm water BMPs.	Record number of project plans reviewed and permitted within the permit area, and report annually.	Years 2011-2012	
Post-construction Water Quality Regulations	Develop criteria and standards for post-construction storm water management, to include both structural and non-structural controls.	Complete Activity.	Years 2011-2011	RPTP
	Adopt ordinance requiring regulated development and redevelopment to comply with criteria and standards manual, including a system of escalating penalties for non-compliance.	Complete Activity. Record adopted ordinances and report annually.	Years 2011-2012	RPTP
	Implement interlocal agreements or other mechanisms which include post-construction storm water regulations for subdivision and non-subdivision construction.	Complete Activity. Record mechanisms implemented and report annually.	Year 2012	RPTP

MCM 6 Pollution Prevention and Good Housekeeping for County Operations

6.1 TCEQ GENERAL PERMIT REQUIREMENTS

A section within the SWMP must be developed to establish an operation and maintenance program. Including an employee training component, that has the ultimate goal of preventing or reducing pollutant run-off from municipal operations.

(a) Good Housekeeping and Best Management Practices (BMPs)

Housekeeping measures and BMPs (which may include new or existing structural and non-structural controls) must be identified and either continued or implemented with the goal of preventing or reducing pollutant runoff from municipal operations. Examples of municipal operations and municipally owned areas include, but are not limited to:

- (1) park and open space maintenance;*
- (2) street, road, or highway maintenance;*
- (3) fleet and building maintenance;*
- (4) storm water system maintenance;*
- (5) new construction and land disturbances;*
- (6) municipal parking lots;*
- (7) vehicle and equipment maintenance and storage yards;*
- (8) waste transfer stations; and*
- (9) salt/sand storage locations.*

(b) Training

A training program must be developed for all employees responsible for municipal operations subject to the pollution prevention/good housekeeping program. The training program must include training materials directed at preventing and reducing storm water pollution from municipal operations. Materials may be developed, or obtained from the EPA, states, or other organizations and sources. Examples or descriptions of training materials being used must be included in the SWMP.

(c) Structural Control Maintenance

If BMPs include structural controls, maintenance of the controls must be performed at a frequency determined by the MS4 operator and consistent with maintaining the effectiveness of the BMP. The SWMP must list all of the following:

- (1) maintenance activities;*
- (2) maintenance schedules;*
- (3) long-term inspection procedures for controls used to reduce floatables and other pollutants.*

(d) Disposal of Waste

Waste removed from the small MS4 and waste that is collected as a result of maintenance of storm water structural controls must be properly disposed. A section within the SWMP must be developed to include procedures for the proper disposal of waste, including;

(1) dredge spoil;

(2) accumulated sediments; and

(3) floatables

(e) Municipal Operations and Industrial Activities

The SWMP must include a list of all:

(1) municipal operations that are subject to the operation, maintenance or training program developed under the conditions of this section; and

(2) municipally owned or operated industrial activities that are subject to TPDES industrial storm water regulations.

6.2 CURRENT PROGRAMS, MEASURABLE GOALS AND RESPONSIBLE PARTIES

6.2.1 County-owned Vehicle Maintenance – The County Road & Bridge Division will continue a program to maintain County-owned vehicles according to manufacturers' specifications, and develop a program to identify and eliminate vehicle fluid leaks. Task include routine maintenance on all vehicles according to manufacturers' specifications; maintaining an inventory of County-owned vehicles; inspection of County vehicles for fluid leaks during routine maintenance; require County vehicle operators to conduct daily inspections of vehicles to check for fluid leaks; review vehicle inspection and maintenance records on an annual basis to evaluate conformance to vehicle manufacturer service specifications; annually report number of leaking vehicles repaired under this program.

6.2.2 Erosion and Sediment Control (ESC) Installation and Maintenance for County Projects – The County Road & Bridge Division currently has an ESC crew dedicated to road construction and maintenance projects. The County will continue to develop and implement erosion and sediment control BMPs for road and drainage construction in the County MS4 which disturb soil but do not require an SWPPP or NOI. Temporary sediment controls and/or permanent erosion control BMPs will be used for maintenance construction activities with potential for significant sediment discharge, based on criteria developed by the County. Criteria for the use of BMPs will be based on evaluation of erosion and sediment potential including: size of disturbed area, time of construction exposure, slope steepness, soil stability, run-on drainage contribution, and long-term stabilization needs of the area under construction.

Table 11
MCM 6 – Pollution Prevention and Good Housekeeping Existing BMPs

BMP	Major Tasks	Measurable Goals	Due Date	Responsible Party
Vehicle Maintenance	Continuation of a program to maintain County-owned vehicles according to manufacturer's specifications, and development of a program to eliminate fluid leaks.	Continue to conduct routine maintenance on all County-owned vehicles, develop and maintain inventory of vehicles, schedule repairs, conduct inspections, review records on an annual basis and report annually.	2010-2012	RPTP – Road & Bridge Division
ESC Installation and Maintenance for County projects	Continue installation and routine maintenance of temporary erosion and sediment controls on county construction and maintenance projects.	Record active and completed projects within the permit area, and report annually.	Years 2010-2012	RPTP

6.3. SELECTED BMPS, MEASURABLE GOALS AND RESPONSIBLE PARTIES

6.3.1 Staff Training – The County will develop and implement a training program for employees at the facilities subject to the storm water pollution prevention and good housekeeping BMPs for this section. The training program will be directed at preventing and reducing storm water pollution from County operations and will consist of two primary components:

- 1) General background on storm water, the effects of urbanization on storm water, and storm water pollution prevention and mitigation techniques using EPA and TCEQ recommended training videos and written materials as a minimum. Similar training materials from private (such as Center for Watershed Protection), or state and local sources will be added over time as necessary.
- 2) Procedures and standards for implementation of the specific pollution prevention and good housekeeping maintenance operations conducted for the County infrastructure. Topics that may be covered include erosion and sediment control, spill response, structural control maintenance, and waste management and disposal. Training will use photos, written handouts, checklists, and discussions of the required duties of employees to implement the BMPs.

Staff training will be implemented county-wide, and no specific area documentation is possible.

6.3.2 Proper Waste Storage and Disposal – Hays County Road crews will contain and remove floatable trash daily from worksites. Accumulated sediment from ROW work will be stockpiled and contained on site or disposed of properly. There are currently no County-owned vehicle maintenance or storage facilities located within the permit area.

Table 12 MCM 6 – Pollution Prevention and Good Housekeeping Selected BMPs				
<i>BMP</i>	<i>Major Tasks</i>	<i>Measurable Goals</i>	<i>Due Date</i>	<i>Responsible Party</i>
Staff Training	Provide ongoing training related to storm water, procedures and standards and BMP operation and maintenance.	Record training activities and number of staff receiving training, and report annually.	Years 2011-2012	RPTP
Disposal of Waste	Implement a daily floatable trash pickup protocol, contain stockpiled sediment, dispose of waste material properly.	Record number of ROW projects in permit area, document staff training on waste disposal protocols and report annually.	Years 2011-2012	RPTP

PART III IMPLEMENTATION AND REPORTING

1.1 MEASURABLE GOALS CRITERIA

The County will evaluate the effectiveness of the SWMP at reducing pollutant discharges to the County MS4 during the permit term primarily through successful performance and achievement of the BMP measurable goals listed, rather than water quality sampling or monitoring data. The BMPs and associated tasks in the SWMP were selected in part because these practices have been proven successful for other MS4 Operators when performed correctly in the past. Therefore, if the County performs the BMP measurable goals successfully within the schedules indicated, the result should be a reduction in storm water pollutant discharges to the County MS4 during the permit term.

1.2 REPORTING

Non-Compliance Notification – In accordance with TAC Chapter 305.125(9), the County will report any non-compliance to the TCEQ which may endanger human health and safety. Report of such information will be provided orally or by email to the TCEQ office.

Report Revisions and Additional Information – When Hays County becomes aware that it either submitted incorrect information or failed to submit any relevant facts in an NOI, NOT, or NOC, or any other report, it will promptly submit the facts or information to the TCEQ Executive Director of designee.

The County will submit an annual report to the TCEQ in conformance with the following schedule:

Annual Report Due to TCEQ (on or before):	
Years 1-4	November 13, 2011
Year 5	November 13, 2012

The annual report shall be submitted to:

Texas Commission on Environmental Quality
Storm Water & Pretreatment Team; MC-148
P.O. Box 13087
Austin, Texas 78711-3087

The annual report will include, as a minimum:

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 measureable goals for each of the MCMs, and an evaluation of the success of the implementation of the measurable goals.
2. Status of any additional control measures implemented by the County.
3. Any MCM activities initiated before permit issuance (up to three years) will be included, under the appropriate headings, as part of first annual report.
4. A summary of the results of information collected and analyzed, if any, during the reporting period, including monitoring data used to assess the success of the program at reducing the discharge of pollutants to the MEP.
5. A summary of the storm water activities Hays County plans to undertake during the next reporting cycle (including an implementation schedule).
6. Proposed changes to the storm water management program, including changes to any BMPs or any identified measurable goals that apply to the program elements.
7. The number of Hays County construction activities authorized under this general permit and the total number of acres disturbed.
8. The number of non-Hays County construction activities that occurred within the jurisdiction of the permittee (as noticed to Hays County by the construction operators).
9. Notice that Hays County is relying on another government entity to satisfy some permit obligations (if applicable).

1.3 RECORDKEEPING

The County will retain all records, a copy of the General Permit TXR040000, and records of all data used to complete the NOI for this permit, for the term of the permit. The County will submit the records to the TCEQ Executive Director when requested. Copies of the SWMP will be available to the public if requested in writing. The SWMP will be made available within 2 working days following the request. Other records will be provided within 10 working days.



**Notice of Intent (NOI) for Storm Water
Discharges from Small Municipal Separate
Storm Sewer Systems (MS4) under the TPDES
Phase II MS4 General Permit (TXR040000)**

TCEQ Office Use Only

Permit No.:

RN:

CN:



**Did you know you can pay on line? Go to <https://www6.tceq.state.tx.us/epay/>
Select Fee Type: GENERAL PERMIT MS4 PHASE II STORM WATER DISCHARGE NOI APPLICATION**

Application Fee: You must pay the \$100 Application Fee to TCEQ for the application to be considered complete.
How did you pay this fee?

<input type="checkbox"/> Mailed:	Check/Money Order No.:	Name Printed on Check:
<input type="checkbox"/> EPAY:	Voucher No.:	Is the Payment Voucher copy attached? <input type="checkbox"/> Yes

IMPORTANT:

- Use the attached **INSTRUCTIONS** when completing this form.
- After completing this form, use the attached **CUSTOMER CHECKLIST** to make certain all items are complete and accurate.
- Missing, illegible, or inaccurate items may delay final acknowledgment or coverage under the general permit.

One (1) copy of the NOI and SWMP with the completed SWMP Cover Sheet MUST be submitted with the original NOI and SWMP.

Is the copy attached? ☐ Yes

A. OPERATOR (applicant)

1. If the applicant is currently a customer with TCEQ, what is the Customer Number (CN) issued to this entity?
CN 601098205

2. What is the full Legal Name of the applicant?
Hays County
(The exact legal name must be provided.)

3. What is the applicant's mailing address as recognized by the **US Postal Service**?

Address: 111 East San Antonio St.		Suite No./Bldg. No./Mail Code:
City: San Marcos	State: TX	ZIP Code: 78666

Country Mailing Information (if outside USA).	Country Code:	Postal Code:
4. Phone No.: (512) 393-2202	Extension:	
5. Fax No.: (512) 393-2282	E-mail Address: ms4@co.hays.tx.us	

6. Indicate the type of Customer:

<input type="checkbox"/> Federal Government	<input type="checkbox"/> State Government	<input checked="" type="checkbox"/> County Government
<input type="checkbox"/> City Government	<input type="checkbox"/> Other Government	

7. Number of Employees: ☐ 0-20; ☐ 21-100; ☐ 101-250; ☐ 251-500; or ☒ 501 or higher

B. BILLING ADDRESS

The Operator is responsible for paying the annual 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.

Is the billing address same as the Operator Address? ☐ Yes, go to **Section C.** ☒ No, fill out **Section B**

1. Billing Mailing Address: P.O. Box 906		Suite No./Bldg. No./Mail Code:
City: San Marcos	State: TX	ZIP Code: 78667
2. Country Mailing Information (if outside USA).		Country Code: Postal Code:
3. Billing Contact (Attn or C/O): Brooke Leftwich		
4. Phone No.: (512) 393-2177		Extension:
5. Fax No.: (512) 393-7393		E-mail Address: brooke.leftwich@co.hays.tx.us

C. REGULATED ENTITY (RE) INFORMATION			
1. Has the TCEQ issued a Regulated Entity Reference Number (RN) for the regulated MS4 ? Yes. What is the RN? RN No - TCEQ will assign the RN number after the NOI is submitted.			
2. Name that is used to identify the small MS4 (Regulated Entity). (Example: City of XXX MS4) Hays County MS4			
3. Provide a brief description of the regulated MS4 boundaries: (Example: Area within the City of XXXX limits that is located within the xxx (e.g. Dallas) urbanized area.) Unincorporated area of Hays County located within Austin Urbanized Area (UA)			
4. a. What is the county where the largest residential population exists within the regulated MS4 boundaries? Hays County			
b. Is the MS4 located within additional counties? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, what county(s)?			
5. What is the latitude and longitude of the approximate center of the regulated portion of the small MS4? Latitude: 30deg06'51.65" N Longitude: 97deg51'33.70" W			
6. What is the mailing address for the regulated entity? Is the RE mailing address the same as the Operator? <input checked="" type="checkbox"/> Yes, go to Section F. <input type="checkbox"/> No, provide the address.			
Street Number:		Street Name:	
City:	State:	ZIP Code:	
D. GENERAL CHARACTERISTICS			
1. I certify that any portion of the regulated MS4 is not located on Indian Country Lands. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, you must obtain authorization through EPA, Region VI.			
2. What is the Standard Industrial Classification (SIC) code (see instructions for common codes): 9121			
3. Has TCEQ "designated" the small MS4 as needing coverage under this general permit? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "No" and no portion of the Small MS4 is located within an Urbanized Area as determined by the 2000 Decennial Census by the U.S. Bureau of Census requiring a NOI be submitted, the operator is not eligible for coverage under this general permit through the NOI.			
4. Storm Water Management Program (SWMP)			
a. I certify that the SWMP submitted with this Notice of Intent has been developed according to the provisions of this general permit TXR040000. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
b. I certify that the SWMP Cover Sheet is completed and attached to the front of the SWMP. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No to question a. or b. the application is considered incomplete and may be returned.			
b. Who is the person responsible for implementing or coordinating implementation of the SWMP? (Note: All contact information requested below is required.)			
Name: Brooke Leftwich		Title: Environmental Compliance Specialist	Company: Hays County
Address: P.O. Box 906		Suite No./Bldg. No./Mail Code:	
City: San Marcos	State: TX	ZIP Code: 78667	
Phone No.: (512) 787-7340		Extension: N/A	
Fax No.: (512) 393-7393		E-mail Address: brooke.leftwich@co.hays.tx.us	
5. Seventh Minimum Control Measure (MCM) for Municipal Construction Activities			
a. Is the Minimum Control Measure for authorization to discharge storm water from municipal construction activities included with the attached SWMP? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
b. If you answered "Yes" to 5.a., what are the boundaries within which those activities will occur?			
<p>Note: If the boundaries are located outside of the urbanized area, then the entire SWMP must also incorporate the additional areas.</p>			

c. Is the discharge or potential discharge from regulated construction activities within the Recharge Zone, Contributing Zone, or Contributing zone within the Transition zone of the Edwards Aquifer? ☒ Yes ☐ No

If the answer is "Yes", please note that a copy of the agency approved Plan required by the Edwards Aquifer Rule (30 TAC Chapter 213) must be either included or referenced in the construction storm water pollution prevention plan(s).

6. Discharge Information

a. What is the name of the receiving water body(s) from the MS4?
Little Bear Creek and Garlic Creek

b. What is the classified segment(s) that receives discharges, directly or indirectly, from the small MS4?
Onion Creek Segment 1427

c. Are any of the surface water bodies receiving discharges from the small MS4 on the latest EPA-approved CWA § 303(d) list of impaired waters? ☐ Yes ☒ No

If Yes, what is the name of the impaired water body(s) receiving the discharges from the small MS4?

d. Is the discharge into any other MS4 prior to discharge into surface water in the state? ☒ Yes ☐ No
If Yes, what is the name of the MS4 Operator? City of Buda

7. Edwards Aquifer

Is the discharge or potential discharge from the MS4 within the Recharge Zone, Contributing Zone, or Contributing Zone within the Transition Zone of the Edwards Aquifer? ☒ Yes ☐ No

If the answer is Yes, please note that a copy of the agency approved Plan required by the Edwards Aquifer Rule (30 TAC Chapter 213) for activities also regulated under this general permit must be either included or referenced in the SWMP.

8. Public Participation Process

The Office of Chief Clerk will send the operator or person responsible for publishing notice, the notice of the executive director's preliminary determination of the NOI and SWMP, for publishing in a newspaper of largest circulation in the county where the small MS4 is located. If multiple counties, notice must be published at least once in the newspaper of largest circulation in the county containing the largest resident population.

The applicant must file with the Chief Clerk a copy of an affidavit of the publication within 60 days of receiving the written instructions from the Office of Chief Clerk.

a. I will comply with the Public Participation requirements described in Part II.D.12 of the general permit. ☒ Yes ☐ No
If No, coverage under this general permit is not obtainable.

b. Who is the person responsible for publishing notice of the executive director's preliminary determination on the NOI and SWMP? (Note: All contact information requested below is required.)

Name: Brooke Leftwich Title: Environmental Compliance Specialist Company: Hays County

Address: P.O. Box 906 Suite No./Bldg. No./Mail Code:

City: San Marcos State: TX ZIP Code: 78667

Phone No.: (512) 787-7340 Extension:

Fax No.: (512) 393-2227 E-mail Address: brooke.leftwich@co.hays.tx.us

c. What is the name and location of the public location where copies of the NOI and SWMP, as well as the executive director's general permit and fact sheet, may be viewed?

Name of Public Place: Hays County Courthouse

Address of Public Place: 111 E San Antonio St., San Marcos, TX 78666

County of Public Place: Hays

E. CERTIFICATION

Check "Yes" to the certifications below. **Failure to indicate "Yes" to ALL items may result in denial of coverage under the general permit.**

I certify that I have obtained a copy and understand the terms and conditions of the general permit TXR040000.

☒ Yes

I certify that the small MS4 qualifies for coverage under the 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 permits active on September 1st of each year will be assessed an Annual Water Quality Fee.

☒ Yes

Operator Certification:

I, ALBERT H. "BERT" COBB JR. M.D. County Judge
Typed or printed name Title

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: _____

Bert Cobb Jr.

Date: _____

1-5-2011

(Use blue ink)

