

DALLAS COUNTY, TEXAS

Unincorporated Urbanized Areas

**TPDES General Permit # TXR040000
August 13, 2007 through August 12, 2012**



**Storm Water Management Program (SWMP)
Five (5) Year Comprehensive Plan**

January 16, 2008

Dallas County TPDES Management Program

Table of Contents

Section I – Overview, Definitions, and Acronyms

1.	Storm Water Rule Overview	3
2.	Definitions	4 – 6
3.	Acronyms	7

Section II – Permit Applicability and Coverage

1.	Urbanized Area	8
2.	Regulatory Mechanism Restrictions on Texas Counties.....	8

Section III – Storm Water Management Program (SWMP)

Overview and Contrasts with Cities	9 - 11	
1.	Public Education and Outreach	12 - 15
2.	Public Involvement / Participation	16
3.	Illicit Discharge Detection and Elimination	17 - 18
4.	Construction Site Storm Water Runoff Control	19 - 20
5.	Post-Construction Storm Water Management in New Development and Redevelopment	21 - 22
6.	Pollution Prevention / Good Housekeeping for Municipal Operations	23

Section IV – Recordkeeping and Reporting

1.	Recordkeeping	24
2.	Annual Report	24

Section V – Adoption by Dallas County Commissioners Court

1.	Commissioners Court Order No. 2008-0234 dated January 29, 2008.....	25
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Note:

Detailed information about the Texas Commission on Environmental Quality (TCEQ) storm water permit rule, executive decision, and fact sheets are available at the TCEQ website, www.tceq.state.tx.us, and at the Dallas County Public Works Department offices.

Section I – Overview , Definitions, and Acronyms

I.1. Storm Water Rule Overview

Phase 1 of the U.S. Environmental Protection Agency’s (EPA) municipal storm water program began in 1990 under the authority of the Federal Clean Water Act (CWA). Phase I relies on the National Pollutant Discharge Elimination System (NPDES) permit coverage to address pollutants from storm water runoff and dry weather discharges. Phase I permits are required for large and medium Municipal Separate Storm Sewer Systems (MS4’s) serving populations of 100,000 or greater.

The Storm Water Phase 2 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 / sewer 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 MS4’s (population less than 100,000).

The program requires Phase 2 local governments to obtain a permit that includes “Minimum Control Measures” (MCM’s) that must be implemented for coverage. The six (6) MCM’s include: public education and outreach, public involvement / participation, illicit discharge detection and elimination, construction site storm water runoff control, post-construction storm water management in new development and redevelopment, pollution prevention / good housekeeping for municipal operations. There are significant penalties up to \$27,500 per day for non-compliance with federal permit provisions.

The Texas Commission on Environmental Quality (TCEQ) is now authorized by the EPA to issue and enforce the Texas Pollutant Discharge Elimination System (TPDES) Phase 1 and 2 Storm Water permits in lieu of the federal NPDES permits. Effective 08/13/2007 TCEQ Commissioners approved the TPDES General permit to authorize the discharge of storm water from regulated Phase 2 MS4’s. Permittees must submit applications for coverage to the TCEQ prior to February 11, 2008.

The application must include a Notice Of Intent (NOI) for coverage and a Storm Water Management Program (SWMP). The NOI is a document that provides the 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 (BMP’s) will be utilized through implementation of the Minimum Control Measures (MCM’s) to meet permit requirements. The permit term covers a five (5) year period from August 13, 2007 to August 12, 2012. The permit will be renewed at five (5) year intervals which will likely require significant changes to the SWMP for future permit approvals.

I.2. Definitions

Best Management Practices (BMP's) – Schedules of activities including, but not limited to: prohibitions of practices, maintenance procedures, structural controls, local ordinances, management practices to prevent or reduce the discharge of pollutants, pollution prevention education and promotion of same, and public involvement. BMP's also include treatment requirements, operating procedures, and practices to control runoff, spills, waste disposal, or drainage from raw material storage areas.

Classified Segment – Refers to a water body that is listed and described in Appendix A or C of the Texas Surface Water Quality Standards at 30 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..

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

Discharge – When used without a qualifier, refers to the collection and release of storm water runoff or certain non-storm water releases as allowed under the authorization of this general permit.

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

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

Maximum Extent Practicable (MEP) – The technology-based discharge standard for MS4's to reduce pollutants in storm water discharges that was established by CWA § 402 (p). A discussion of MEP as it applies to small MS4's is found at 40 CFR § 122.34.

MS4 (Municipal Separate Storm Sewer Systems) Operator – The public entity, and / or the entity contracted by the public entity responsible for management and operation of the small MS4 that is subject to the terms of this general permit.

MS4 (Municipal Separate Storm Sewer Systems) Small –Refers to a conveyance or system of conveyances including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm sewers / drains: (i) owned or operated by the U.S., a state, city, town, borough, county, district, association, or other public body created pursuant to State law having jurisdiction over the disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under State law

such as a sewer district, flood control district, drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under § 208 of the CWA; (ii) Designed or used for collecting or conveying storm water; (iii) Which is not a combined sewer; (iv) Which is not part of a publicly owned treatment works (POTW) as defined at 40 CFR § 122.2; and (v) Which was not previously authorized under a NPDES or TPDES individual permit as a medium or large MS4, as defined at 40 CFR §§ 122.26 (b) (4) and (b) (7). This term includes systems similar to separate storm sewer systems at military bases, large hospital or prison complexes, and highways and other thoroughfares. This term does not include separate storm sewer systems in very discreet areas, such as individual buildings. For the purpose of this permit, a very discreet system also includes storm sewers / drains associated with certain municipal offices and education facilities serving a nonresidential population, where those storm sewers / drains do not function as a system, and where the buildings are not physically interconnected to an MS4 that is also operated by that public entity.

Outfall – A point source at the point where a MS4 discharges to the waters of the U.S. and does not include open conveyances connecting two (2) MS4's, 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..

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 ..., 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.

Urbanized Area (UA) – An area of high population density, which may include multiple MS4's, as defined and used by the U.S. Census Bureau in the 2000 decennial census.

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 or 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 U.S. 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 man-made bodies of waters which neither were originally created in waters of the U.S. (such as a disposal area in a 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 CWA jurisdiction remains with the EPA.

I.3. Acronyms

BMP's - Best Management Practices
CSN – Construction Site Notices
CWA - Clean Water Act
DCFM – Dallas County Fire Marshal
DCHHS – Dallas County Health and Human Services
DCPW – Dallas County Public Works
DCP&D - Dallas County Planning and Development
DCR&B – Dallas County Road and Bridge Districts
EHD - Environmental Health Division
EPA – Environmental Protection Agency
ETJ – Extra Territorial Jurisdiction
F&N – Freese & Nichols Consulting Engineers
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
MPO – Metropolitan Planning Organization
MS4 – Municipal Separate Storm Sewer System
NCTCOG – North Central Texas Council Of Governments
RDI – Regionally Developed Initiative
SWMP – Storm Water Management Program
SW3P – Storm Water Pollution Prevention Plan
TCEQ – Texas Commission on Environmental Quality
TRC CDC – Trinity River Corridor Corridor Development Certificate
UUA – Unincorporated Urbanized Area
USACE – U.S. Army Corps of Engineers
UTRFS - Upper Trinity River Feasibility Study

Section II – Permit Applicability and Coverage

II.1. Urbanized Area

The TPDES permit requirements apply only to the portions of the Unincorporated Dallas County that are identified as Urbanized Areas (UUA's for Unincorporated Urbanized Areas). There are approximately thirty (30) small non-contiguous Urbanized Areas in the Unincorporated Dallas County. These area areas that identified based upon data in the 2000 U.S. Census Map. The map may be viewed at: <http://cfpub.epa.gov/npdes/stormwater/urbanmapresult.cfm?state=TX>

Two (2) maps are available : (1) Overview map; (2) Detailed map with roads. These maps are linked to the TCEQ storm water permit website.

The Dallas County SWMP addresses permit required BMP's only in the Unincorporated Urbanized Area portions of the County; however, certain elements of the SWMP may be voluntarily implemented by the permittee within the entire Unincorporated Area. One example is *Public Education and Outreach* which may be implemented County-wide within the Unincorporated Area, such as television broadcasts or websites associated with the North Central Texas Council Of Governments (NCTCOG).

II.2. Regulatory Mechanism Restrictions on Texas Counties

The State of Texas is somewhat unique in the U.S. regarding the restrictions it places upon Counties. Basically, the Texas Constitution and State statutes do not grant Texas Counties the ability to create and enforce ordinances such as the ones Cities (Home Rule) are allowed to create in order to meet the TPDES permit requirements. To address this restriction, TCEQ rules contain text stating enactment or enforcement will be 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. Dallas County will address the various elements in the General permit SWMP requirements to the extent allowable under current state and local law.

Section III – Storm Water Management Program (SWMP)

Overview of Dallas County's SWMP

To the extent allowable under state and local law (see II.2 aforementioned), Dallas County's SWMP was developed and will be implemented according to requirements of Part III of the TPDES General permit TX040000, for discharges of storm water to surface water in the State. This SWMP was developed to prevent pollution in storm water drainage systems to the Maximum Extent Practicable. During the five (5) year permit term Best Management Practices (BMP's) will be phased in that meet or exceed Minimum Control Measures (MCM's).

The SWMP addresses six (6) Minimum Control Measures (MCM's) required by TCEQ. MCM's will be implemented in the Unincorporated Urbanized Areas (UUA's) of Dallas County and may be voluntarily implemented in other Unincorporated Areas if warranted by special conditions such as participation in Regionally Developed Initiatives (RDI's). MCM's will be evaluated based upon accomplishment of each MCM's BMP activities.

The Dallas County storm water staff from two (2) departments shall monitor current and future MCM activities and are identified in each section. Those departments are the Environmental Health Division (EHD) of the Dallas County Health and Human Services (DCHHS), and Dallas County Public Works (DCPW). EHD monitors MCM #3 - Illicit Discharge Detection and Elimination (IDDE) such as surveillance of the following Identified Illicit Discharges in the Unincorporated Areas:

1. Improper sewage disposable (domestic / industrial)
2. Illegal solid waste disposal (commercial / non-commercial)
3. Liquid waste disposal (commercial / non-commercial)
4. Hazardous material disposal (commercial)
5. Biological waste

Dallas County Public Works Department (DCPW) monitors MCM #1, 2, 4, 5, and 6, being Public Education and Outreach, Public Involvement / Participation, Construction Site Storm Water Runoff Control, Post-Construction Storm Water Management in New Development and Redevelopment, and Pollution Prevention / Good Housekeeping for Municipal Operations, respectively. Dallas County Road and Bridge Districts forces (DCR&B) #2, 3, and 4 shall continue to implement Best Management Practices in meeting MCM #6 - Pollution Prevention / Good Housekeeping for Municipal Operations.

The Dallas County Planning and Development (DCP&D) staff focuses on County-wide programs for household hazardous waste and the collection of home chemicals thereby making a significant contribution on MCM # 1, 2, and 3, Public Education and Outreach, Public Involvement / Participation, and Illicit Discharge Detection and Elimination (IDDE), respectively. The Dallas County Fire Marshal's (DCFM) primary concerns are Life Safety specializing in the stabilization of Hazardous Materials, and is also in a supporting role on aforementioned related activities.

Environmental Health Division (EHD) contact:

Anthony Jenkins, R.S., Assistant Director
Environmental Health Services
Dallas County Health and Human Services
2377 N. Stemmons Freeway, Suite 609
Dallas, Texas 75207
Tele: 214-819-2115
Fax: 214-819-2868
Email: TJenkins@dallascounty.org

Dallas County Public Works (DCPW) contact:

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Dallas, Texas 75202
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Fax: 214-653-6445
Email: ASaldana@dallascounty.org

Legal Authority (Contrasts with Cities)

Unlike Cities, Counties are not authorized by the State of Texas Constitution or State Statutes to enact the ordinances and implement all of the regulatory requirements that Phase 2 (small MS4) requires. Dallas County implements BMP's "to the extent allowable under state and local law" in the appropriate MCM sections.

Ditch Drainage System (Contrast with Cities)

Unlike Cities, Dallas County's storm drainage / sewer system is not a traditional underground enclosed storm sewer system (i.e. curb inlets, underground pipes, and outfall discharges from pipes). Instead, Dallas County's storm drainage system is mostly comprised of roadway unlined (pervious) ditches. Benefits and challenges associated with this type of system will be addressed in the appropriate MCM sections.

**Large Area and Long Distances between Non-Contiguous Urbanized Areas
(Contrast with Cities)**

Unlike Cities, Dallas County has approximately thirty (30) small non-contiguous Unincorporated Urbanized Areas (UUA's). They constitute approximately six (6) square miles of the seventy-eight (78) square miles of the County Unincorporated Areas (about

7% of the total area). Long travel distances, often exceeding those found in Large MS4 Cities will be required by Small MS4 County staff to implement daily activities associated with this program. This extra challenge is another element to consider when comparing the SWMP's of Counties to Cities in the area.

Annexation and De-annexation (Contrast with Cities)

Unlike Cities, Counties will be losing land areas when City annexation occurs. Counties will not be adding new land areas of responsibilities, nor have to provide services to the annexed land. Dallas County will only add Urbanized Areas when population densities increase within the existing Unincorporated Areas, as designated by the U.S. Census Bureau on a ten (10) year cycle (i.e. next one is 2010), or when Cities de-annex land.

Participants in developing / implementing Dallas County's SWMP

Dallas County's SWMP was developed by County staff with extensive years of related storm water experience. Responsibilities for implementing the SWMP are primarily divided between the Environmental Health Division (EHD) of the Dallas County Health and Human Services (DCHHS), and the Dallas County Public Works Department (DCPW). Each MCM contains the respective County Department primarily responsible for that specific MCM.

Rationale Statement for Dallas County's SWMP

During the development of Dallas County's SWMP, County staff considered BMP's that would protect water quality, comply with General Permit TX040000, meet the Maximum Extent Practicable (MEP), and ensure program costs that would not create undue hardship on County residents and businesses. Established Phase 2 storm water programs from other MS4 operators were reviewed and evaluated.

Regionally Developed Initiatives (RDI's) regarding BMP's from the U.S. EPA NPDES National Menu of Stormwater Best Management Practices were also reviewed and evaluated. A variety of BMP's for each MCM were considered and compared. BMP's were ultimately selected based on an evaluation of overall effectiveness, affordability, and suitability of the MS4 system for the Dallas County Unincorporated Areas. The program will allow continual adjustment and refinement through County implementation, "hands on" experience, and feedback from various sectors of the Unincorporated Area population.

Dallas County has also benefited from maintaining an effective partnership with the NCTCOG, the local Metropolitan Planning Organization (MPO), and an established and recognized leader in creating Regional Developed Initiatives (RDI's) in storm water management.

Section III.1 - Public Education and Outreach (MCM #1)

Dallas County will expand upon its current efforts to ensure that the public within the Unincorporated Urbanized Areas 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. This will be accomplished by providing informational materials in multiple formats and media from various sources including Dallas County, the Dallas County branch of the Texas AgriLife Extension, North Central Texas Council Of Governments (NCTCOG), and other resources may be used to further develop and distribute public education and outreach material. If practical, Dallas County will work with NCTCOG and other local governments to develop suitable community materials for website posting and/or distribution at Dallas County facilities. The community to be addressed will consist of residents, Dallas County employees, businesses, commercial/industrial facilities, and construction site personnel in the Unincorporated Urbanized Areas of Dallas County. Due to the lack of a centralized location to attract visitors within the approximately thirty (30) non-contiguous County Unincorporated Urbanized Areas, visitors will not be a targeted group.

a) BMP, Measurable Goal, and Date – Educational Materials and Distribution

Dallas County will distribute storm water related material at five or more County buildings. Examples include such items as information sheets, brochures, bookmarks, etc.. These materials may be developed by Dallas County staff, NCTCOG Storm Water Education Taskforce, EPA, TCEQ, or any other source, current or future. Some of these materials will address illicit discharges, construction, NOI submittals, and other informational materials required by the permit. Additionally Dallas County may elect to use materials that are intended for TV or radio broadcasts, if such materials are affordable. Also Dallas County may participate in regional storm water education projects to supplement this BMP and will report activities in the annual report.

Goal and Date: At least 500 copies will be distributed annually, beginning in Permit Year 1 and continuing through Permit Year 5. TV or radio broadcasts may substitute for 500 hundred copies.

Status: **In Progress**

b) BMP, Measurable Goal, and Date – Dallas County Websites

Post storm water information on the Dallas County Environmental Health Departmental website,

www.dallascounty.org/department/hhservices/services/environmental/env_services.html

Household Hazard Waste collection information on the Planning and Development Departmental website,

http://www.dallascounty.org/department/plandev/hhw_intro.htm

and other storm water information on the Public Works Departmental website,

http://www.dallascounty.org/departments/pubworks/pubworks_index.html

Dallas County will also provide links to the TCEQ, EPA, and NCTCOG storm water websites.

Goal and Date: These Dallas County websites will be active and contain storm water information beginning in permit Year 1 and continuing through Permit Year 5. The sites will be reviewed annually to determine if content revisions are needed.

Status: **In Progress**

c) BMP, Measurable Goal, and Date – Dallas County News

Dallas County news is published within the Metro section of the Dallas Morning News newspaper on a routine basis. Annually, storm water staff will prepare an article for the Metro News section that targets the TCEQ public education and outreach groups. The County's Health & Human Services Public Information Officer will determine whether it can be used. If not, documentation will be provided that at least two storm water related articles from other sources have been published in other sections of the newspaper during the permit year.

Goal and Date: Either one annual Dallas County news story will be prepared by County staff or two storm water related stories contained in other Dallas Morning News sections and created by others will be documented, beginning in Permit Year 1 and continuing through Permit Year 5.

Status: **Not Started**

d) BMP, Measurable Goal, and Date – March is Texas SmartScape Month

This is a coordinated annual activity of local governments jointly conducting public education and awareness events to promote less pesticide and fertilizer use associated with landscapes. This is a NCTCOG RDI (Regionally Developed Initiative) and records will be maintained on both a regional and entity basis. Dallas County will participate in this annual event. The Dallas County website will provide a link to the Texas SmartScape website, www.txsmartscape.com that is currently maintained by the NCTCOG.

Goal and Date: At least one website posting or newspaper article will be published to support "March is Texas SmartScape Month". Any additional efforts will be documented and reported as part of the annual report to TCEQ. Dallas County will continue to participate in "March Is SmartScape month" activities and do so annually during the 5 year permit term.

Status: **Not Started**

e) BMP, Measurable Goal, and Date – Water Wise Earth Kind™ Demonstration Garden

With assistance from the Dallas County AgriLife Extension, a parking lot at the Dallas

County District 1 Offices was transformed into the first Water Wise Earth Kind™ demonstration garden in Dallas County. The garden features drought resistant vegetation that rarely needs any fertilizer or pesticides. Public tours of this garden are arranged by the Master Gardener office of the Dallas County AgriLife Extension.

Goal & Date: Establish a demonstration garden by Oct. 2005.

Status: **Accomplished & Ongoing**

f) BMP, Measurable Goal, and Date – Texas AgriLife Extension

The Texas AgriLife Extension conducts a variety of environmental educational activities (speeches, TV shows, radio programs and newspaper stories, training, etc.) in Dallas County. Storm water staff will coordinate with the Dallas County AgriLife Extension staff (which will include the volunteer group Dallas County Master Gardeners and Dallas County Master Naturalists) to report any annual educational activities that are storm water related in Dallas County. The AgriLife Extension staff coordinates with many other volunteer groups (i.e. 4-H groups) and will be a good resource to reach the community.

Goal and Date: Dallas County staff will document this information and include it in the annual report, beginning in Permit Year 1 and continuing through Permit Year 5.

Status: **In Progress**

g) BMP, Measurable Goal, and Date – NCTCOG Participation

Participate in the NCTCOG's Storm Water Education Task Force and the Regional Storm Water Management Coordinating Council, in order to develop storm water educational materials which can be used by MS4s in the North Central Texas region. Any materials developed by the Taskforce or Council will be reviewed by Dallas County staff and may be selected for use during appropriate times during the permit term. See (a) Educational Materials and Distribution.

Goal and Date: Document participation in NCTCOG Storm Water groups. Participation will continue throughout the permit term, unless the Task Force and/or Council are dissolved. Records will be maintained beginning in Permit Year 1 and continuing through Permit Year 5.

Status: **Accomplished & Ongoing**

h) BMP, Measurable Goal, and Date – Trinity River Common Vision Program

Since 1990 Dallas County has participated regionally on the "Trinity River Common Vision" Program which includes continued work on the Upper Trinity River Feasibility Study (UTRFS) and Common Vision activities. Program elements include integration of the digital ortho-photography and topography, partnership with the U.S. Army Corps of Engineers (USACE), and sponsorship of Federal Emergency Management Agency's (FEMA) National Flood Insurance Program (NFIP) training. Public education and outreach are achieved regionally by utilizing the NCTCOG website for informational support and access to detailed maps. Coordination meetings with Program updates including roundtable discussions for the multiple municipalities, counties, and governmental agencies are facilitated by the NCTCOG quarterly. Dallas County's annual

participation costs are approximately \$5,000.

Goal and Date: Document participation in NCTCOG Storm Water groups. Participation will continue throughout the permit term, unless the Task Force and/or Council are dissolved. Records will be maintained beginning in Permit Year 1 and continuing through Permit Year 5.

Status: **Accomplished & Ongoing**

Section III.2 - Public Involvement / Participation (MCM #2)

Dallas County will rely upon compliance with public notice requirements regarding public meetings at the North Central Texas Council of Governments (NCTCOG) and the Dallas County Commissioners' Court to receive public input on the storm water management program development and implementation. Also the Draft SWMP will be posted on the County Website prior to submitting it to TCEQ for TPDES General Storm Water Permit coverage.

a) BMP, Measurable Goal, and Date – Public Notice for Meetings

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

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

Status: **Accomplished & Ongoing**

b) BMP, Measurable Goal, and Date – Posting Draft SWMP on Website

After internal review by Dallas County Officials and prior to submittal to TCEQ, staff will post the draft SWMP on the County's website.

Goal and Date: Staff will post the Draft SWMP on the County Website at least 10 days prior to submitting the TCEQ permit application.

Status: **In Progress [ten (10) days before submitting to TCEQ]**

c) BMP, Measurable Goal, and Date – Public Notice in Newspaper

After reviewing Dallas County's NOI and SWMP, TCEQ will issue "the Executive Director's Preliminary Determination". This public notice must be published by Dallas County at least once in the largest circulated newspaper in the County. In addition, this public notice must provide an opportunity for the public to submit comments on the NOI and SWMP, and to request a public meeting. Upon request by the TCEQ, a public meeting for the County Unincorporated Area will be held if it is determined there is sufficient public comments and interest to warrant one.

Goal and Date: Publish TCEQ Executive Director's Preliminary Determination in the Dallas Morning News, including information about public comment and public meeting request within thirty (30) days after being notified by the TCEQ Office of Chief Clerk.

Status: **Not Started**

Section III.3 - Illicit Discharge Detection and Elimination, IDDE (MCM #3)

The Environmental Health Division (EHD) of the Dallas County Health and Human Services (DCHHS) will implement surveillance and enforcement activities to develop an illicit discharge program, in accordance to State law, in the Unincorporated Areas of Dallas County. Illicit discharges that Dallas 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 (i.e. OSSF's, septic systems, aerobic systems, etc.) are subject to County corrective actions and enforcement, as necessary.

a) **BMP, Measurable Goal, and Date – **Detection: Monitoring Drainage System****

Outfalls and/or other locations within drainage ditch systems in the Unincorporated Areas of Dallas County are visually monitored for indications of illicit discharges or water pollution. To confirm the presence of an illicit discharge, chemical and toxicity tests are performed if deemed necessary by the appropriate staff.

Goal and Date: The roads in the Unincorporated Areas of Dallas County will be visually monitored on a quarterly basis. This activity will begin in Permit Year 1 and will continue through Permit Year 5.

Status: **Accomplished and Ongoing**

b) **BMP, Measurable Goal, and Date – **Detection & Correction: Citizen Reports and County Staff Surveillance****

Citizen reporting of apparent illicit discharges in the Unincorporated Areas of Dallas County is another reasonable means of detection. Illicit discharges are also identified by County staff performing various duties, such as Dallas County Road & Bridge District road maintenance crews, Sheriff's Department, and vector control staff. In the Unincorporated Urbanized Areas of Dallas County, County staff will investigate citizen reports and County staff discovered illicit discharges within two (2) weeks, excluding any repeated, unsubstantiated illicit discharge reports at a specific site. Voluntary compliance, as well as civil and criminal enforcement will be provided. TCEQ's Regional Field Office shall be notified if Dallas County is unable to enforce under State law.

Goal and Date: County storm water staff contact phone numbers will be placed on the County website in Permit Year 2. At least 90% of citizen reports and County staff discovered illicit discharges in Unincorporated Urbanized areas are to be investigated within two (2) weeks. This activity is accomplished, on-going, and will begin in Permit Year 1 and continue through Permit Year 5.

Status: **Ongoing**

c) **BMP, Measurable Goal, and Date – **Correction: On-Site Sewage Facilities (OSSF)****

The Environmental Health Division staff of Dallas County Health and Human Services will maintain records, for storm water program, of actions taken regarding malfunctioning On-Site Sewage Facilities in the Unincorporated Areas of Dallas County. Dallas County is an Authorized Agent of the State (TCEQ) to enforce rules regarding the installation and operation of On-Site Sewage Facilities.

Goal and Date: Storm water based software will be obtained and used to track

corrective actions taken regarding On-Site Sewage Facilities beginning in Permit Year 1 and continuing through Permit Year 5.

Status: **In Progress**

d) BMP, Measurable Goal, and Date – **Detection & Correction: Illegal Dumping Team**

The Dallas County Environmental Health Division Illegal Dumping Team is a group of Deputy Constables that investigate illegal dumping in the Unincorporated Areas of Dallas County. These officers are part of the storm water staff and report annual activities (number of illegal dumping cases, cases investigated, violations identified or not, cleanups, and enforcement actions, etc.) that occur in the County storm water drainage systems.

Goal and Date: Officers document activities and include quarterly reports, beginning in Permit Year 1 and continuing through Permit Year 5.

Status: **Accomplished & Ongoing**

e) BMP, Measurable Goal, and Date – **Detection and Correction: NCTCOG Illegal Dumping Hotline**

Dallas County will continue current activities with the North Central Texas Council of Governments to provide the residents of the Unincorporated Areas of Dallas County the opportunity to report illegal dumping to the regional Stop Illegal Dumping Hotline, 1-888-335-DUMP. Dallas County will continue to publicize and follow-up on reports from this hotline. An alternate means of reporting will be developed and implemented by Dallas County if the existing hotline is discontinued.

Goal and Date: Document yearly participation beginning in Permit Year 1 and continue through Permit Year 5.

Status: **Accomplished & Ongoing**

f) BMP, Measurable Goal, and Date – **Detection: Storm Drainage Map**

Dallas County will prepare a storm sewer map of the Unincorporated Urbanized Areas locating outfalls contained in those areas that discharge directly into waters of the State. The County will use the best available resources such as EPA Urbanized Areas maps, NCTCOG developed land maps, TCEQ website, 7.5 minute USGS Quadrant topographic maps, private vendor maps, Atlas of Texas Surface Waters: www.tceq.state.tx.us/comm_exec/forms_pubs/pubs/gi/gi-316/, or other 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. Dallas County will update this map as land development occurs and during permit renewal. Integration of mapping software including training and testing is paramount.

Goal and Date: Selecting mapping software including training and testing is projected beginning in Year 1 and continuing through Year 2. Field locating and mapping outfalls via new software is projected beginning in Year 2 and continuing through Year 3.

Status: **In Progress**

Section III.4 - Construction Site Storm Water Runoff Control (MCM #4)

Dallas County's Systems-In-Place consisting of adopted Commissioners Court Orders, state regulations, County policy, and engineering / construction plan requirements presently provides Storm Water Phase 2 and MS4 compliance in the County Unincorporated Urbanized Areas (UUA's). Construction BMP's are utilized in the UUA's when at least one (1) acre or more of land is disturbed during construction. Said Systems-In-Place include the proper implementation of Erosion (and sediment) Control Plan, Storm Water Pollution Prevention Plan (SW3P), controlling construction site waste, and procedures for receiving and considering information submitted by the public.

Dallas County participates regionally in and coordinates with the NCTCOG on municipal storm water issues through the Regional Storm Water Management Program. Program includes cooperative initiatives that are regional and development of the annual regional storm water work program. Construction Site Storm Water Runoff Control is achieved regionally by utilizing the NCTCOG website for informational support and access to Best Management Practices (BMP's). Coordination meetings with Program updates including watershed roundtable discussions for the multiple municipalities, counties, and governmental agencies are facilitated by the NCTCOG quarterly. Dallas County's annual participation costs are approximately \$ 2,110.

a) **BMP, Measurable Goal, and Date – Regional Participation: iSWM Design Manual for Construction**

Dallas County participates regionally in and coordinates with the NCTCOG, and consulting team leader Freese and Nichols, Inc. (F&N), in creating the integrated Storm Water Management (iSWM), regional guidelines for the development of comprehensive storm water management systems. The integrated Storm Water Management program is based on addressing the quality of storm water runoff in conjunction with traditional storm water quantity methods while minimizing and mitigating the downstream impacts from increased flows due to land development upstream. Construction Site Storm Water Runoff Control is achieved regionally by utilizing the NCTCOG website for informational support and access to the key elements which include drafting the iSWM Policy Guidebook, Design Manual for Development / Redevelopment, and Design Manual for Construction, 1st Edition, (which will replace the NCTCOG's "Storm Water Quality Best Management Practices for Construction Activities" Manual). Coordination meetings with Program updates including iSWM training for multiple municipalities, counties, and governmental agencies are facilitated by the NCTCOG. Dallas County's annual participation costs are approximately \$ 3,353

Goal and Date: The iSWM manual has been completed by the NCTCOG Regional Storm Water Management Program. Dallas County's Systems-In-Place consisting of regional participation in generation of said policy, manual, and construction BMP's is complete.

Status: Accomplished

b) **BMP, Measurable Goal, and Date – Tracking: NOI / CSN File for Construction**

Since the TCEQ requires NOI's and CSN's from the construction site operators to be submitted directly to the MS4's, Dallas County will establish a NOI / CSN File for compliance reference prior to commencing construction MCM activities. Said file will

be separated into two (2) subsections: Urbanized Area NOI's / CSN's and Non-Urbanized Area NOI's / CSN's for the County Unincorporated Areas. Urbanized Areas will be determined utilizing the TCEQ website link to EPA described in Section II.2 for Urbanized Areas. 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.

Goal and Date: NOI/CSN File for Construction will be established during Permit Year 1.

Status: **In Progress**

c) BMP, Measurable Goal, and Date – **Current Commissioners Court Order Regulations: Subdivision and Floodplain Management Regulations**

Dallas County regulates Construction Site Storm Water Runoff via our current Subdivision and frequently updated Floodplain Management Regulations. Approved Engineering / Construction Plans with proper Erosion Control and Storm Water Pollution Prevention Plans (SW3P) and a Development Permit are required prior to the Release For Construction of any private land development projects. Since the Unincorporated Areas are within an adjacent municipality's ETJ, the respective municipality's regulations for platting and engineering are also required to be met by Dallas County.

Goal and Date: Systems-In-Place of current regulations will continue in Permit Year 1.

Status: **Accomplished and Ongoing**

d) BMP, Measurable Goal, and Date – **Proposed Commissioners Court Order Regulations: Updated Subdivision Regulations**

Dallas County intends to adopt updated Subdivision Regulations to jointly regulate and monitor Construction Site Storm Water Runoff and land development within the adjacent municipalities' ETJ in our Unincorporated Areas. These updated Subdivision Regulations shall also be in compliance with Texas House Bill 1445. Since the Unincorporated Areas are within an adjacent municipality's ETJ, the respective municipality's regulations for platting and engineering shall continue to be required by Dallas County.

Goal and Date: Dallas County's Systems-In-Review of said proposed regulations will continue in Permit Year 2 with consideration for adoption "to the extent allowable under state and local law" in Permit Year 3.

Status: **In Progress**

e) BMP, Measurable Goal, and Date – **Proposed Commissioners Court Order Regulations: iSWM Policy Guidebook Design Manual for Construction**

Dallas County intends to review the iSWM Policy Guidebook, Design Manual for Development / Redevelopment, and Design Manual for Construction, 1st Edition, (will replace NCTCOG's "Storm Water Quality Best Management Practices for Construction Activities" Manual). County will encourage adjacent municipalities whose ETJ is in our Unincorporated Areas to jointly review the aforementioned iSWM Policy, Design, and Construction Manuals to better regulate / monitor Construction Site Storm Water Runoff.

Goal and Date: Systems-In-Review of proposed regulations will continue in Permit Year 2 with consideration for adoption "to the extent allowable under state and local law" in Permit Year 3.

Status: **In Progress**

Section III.5 – Post-Construction Storm Water Management in New Development and Redevelopment (MCM #5)

The intent of this MCM is to lessen storm water quality impacts after construction has been completed on new and redeveloped sites of one (1) acre or greater of disturbed earth. Dallas County's Systems-In-Place consisting of adopted Commissioners Court Orders, state regulations, County policy, and engineering / construction plan requirements presently provides Storm Water Phase 2 and MS4 compliance in the County Unincorporated Urbanized Areas (UUA's).

“To the extent allowable under state and local law”, Dallas County will develop and implement a Post-Construction MCM for the County Unincorporated Urbanized Areas. Like most Texas Counties, under this MCM Dallas County presently allows the use of unlined or pervious drainage ditches in lieu of impervious concrete curb and gutter pavement sections in combination with underground storm sewer / drain pipe systems and / or concrete lined channels which Cities typically require and / or allow.

Compared to standard impervious underground storm sewer / drain pipe systems, at grade open / unlined grassy ditch systems allow more storm water runoff to soak or filtrate into the ground. This type of drainage system thereby reduces downstream runoff velocities and erosion, and provides a means of detaining and treating, to some degree, pollutants such as sediments, fertilizers, nutrients, detergents, etc.. It also allows illicit discharges to pond and collect making them easier to detect, locate, and consequently to investigate the probable source to expedite the IDDE's elimination.

Such grassy drainage ditch systems are the least expensive to construct, are compatible with larger lots that are required for maintaining OSSF's (greater than ½ acre in land area when supplied with an underground potable water supply, or greater than 1 acre land when supplied with a private potable water well). This type of rural land development is popular among residents of the County Unincorporated Areas providing an incentive for their continued installation beyond this permit period. Like most Texas Counties, Dallas County presently maintains these at grade open / unlined grassy drainage ditch systems located within the County Road Right-Of-Way (R.O.W.), easement, or prescriptive rights easement, and shall continue to do so throughout the permit period.

Dallas County regionally participates in and coordinates with the NCTCOG on municipal storm water issues through the Regional Storm Water Management Program. Program includes cooperative initiatives that are regional and development of the annual regional storm water work program. Construction Site Storm Water Runoff Control is achieved regionally by utilizing the NCTCOG website for informational support and access to Best Management Practices (BMP's). Coordination meetings with Program updates including watershed roundtable discussions for the multiple municipalities, counties, and governmental agencies are facilitated by the NCTCOG quarterly. Dallas County's annual participation costs are approximately \$ 2,110.

a) BMP, Measurable Goal, and Date – **Strategy: Allow Pervious Drainage Systems**

In lieu of requiring impervious concrete curb and gutter pavement sections in combination with underground storm sewer / drain pipe systems and / or concrete lined channels, Dallas County will generally allow developers, home builders, and residents in the County Unincorporated Areas to use at grade open / unlined grassy drainage ditches adjacent to the privately or County owned and maintained roads. This is both cost effective to the construction community and environmentally based for the County's compliance with the State storm water permit. 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.

Goal and Date: Dallas 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 Systems-In-Place will remain in effect for the duration of the permit period.

Status: **Accomplished and Ongoing**

b) BMP, Measurable Goal, and Date – **Tracking: Additional Pervious Drainage Systems**

Dallas County Road and Bridge forces will maintain the open / unlined grassy drainage ditches located within the County Road Right-Of-Way (R.O.W.), easement, or prescriptive rights easement in the Unincorporated Areas. This will allow the drainage system to operate properly and produce storm water quality benefits as stated previously.

Goal and Date: Dallas County in its annual report will list additional pervious drainage systems as a result of recent land development in the Unincorporated Areas. Updates will be provided in the annual report beginning in Permit Year 1 and continuing for the duration of the permit period.

Status: **In Progress**

Section III.6 - Pollution Prevention / Good Housekeeping (MCM #6)

Dallas County Road and Bridges in the Unincorporated Urbanized Areas (UUA's) are the ownership and maintenance responsibility of the respective Dallas County Road & Bridge District's forces. Dallas County will establish a program to conduct its general operations in a manner that prevents or reduces pollution in storm water runoff to the maximum extent practicable. This MCM requires a local government to examine multiple internal operations to see if they can be maintained or modified to prevent or minimize storm water pollution or illicit discharges. As stated by the TCEQ, examples of local government operations include, but are not limited to: park and open space maintenance; street, road, or highway maintenance; fleet and building maintenance; storm water system maintenance; new construction and land disturbances; parking lots; vehicle and equipment maintenance and storage yards; waste transfer stations; and salt / sand storage locations.

Roads in these areas are typically rural in section with asphalt pavement (20-ft. +/- width with 2-ft. +/- wide shoulders) overlaid on a flex rock base, with unlined grassy drainage ditches. These highly pervious drainage ditches collect the minor storm water runoff flows from the adjacent land, undeveloped or developed, and convey them downstream to an underground crossing culvert. The smaller culverts consist of a Corrugated Metal Pipe (CMP), Reinforced Concrete Pipe (RCP), or a Reinforced Box Culvert. The larger culverts consist of same in multiple sets, or as a reinforced concrete or steel bridge.

a) **BMP, Measurable Goal, and Date** – **Strategy: Maintenance of Pervious Drainage Systems**

Dallas County Road and Bridge Districts forces (DCR&B's) inspect County roads and bridges of their respective districts after significant rainfall events, and periodically during dry weather periods. Said inspections may include the removal of debris blocking the roadway's travel lanes, pavement section condition and safety status, shoulder and ditch slope stability, and the removal of debris blocking the unlined grassy drainage ditch and / or the underground crossing drainage culvert which could ultimately impede proper conveyance to the Waters of the U.S..

Goal and Date: Dallas County Road and Bridge Districts forces will continue to maintain County road open grassy drainage ditches and channels. Said drainage system typically allows more storm water runoff to soak or filtrate into the ground, and reduces downstream runoff velocities and erosion. DCR&B maintenance of the underground crossing drainage culverts and bridges will continue for proper storm water runoff conveyance. Dallas County will review new BMP's which could improve overall maintenance and environmental effectiveness for the duration of the permit period.

Status: **Accomplished and Ongoing**

Dallas County Road and Bridge District's building facilities, construction equipment and fuel storage, and maintenance yards, and the Household Chemical Collection Center are all located within the Incorporated Areas of various Cities in Dallas County. Said items shall be within those Cities jurisdiction, and their respective MS4 permits.

Section IV – Recordkeeping and Reporting

Section IV.1 - Recordkeeping

Dallas County shall maintain all records, a copy of the TPDES general permit, and all data used to complete the application (NOI) for this permit, for a period of at least three years, or for the term of this permit, whichever is longer. A current / updated copy of the SWMP, NOI, and a copy of the permit language / requirements shall be maintained at both the Environmental Health Division (EHD) of the Dallas County Health and Human Services (DCHHS), and Dallas County Public Works (DCPW).

Dallas County shall make the records, including the SWMP and NOI, available to the public, if requested to do so in writing. The SWMP shall be available within two (2) working days following the request from the public. Other records shall be provided within ten (10) working days, unless the request requires an unusual amount of time or effort to assemble. In this case, Texas state law regarding the Public Information Act shall be followed. Reasonable copying and reproduction charges, in accordance with Texas state law, may be levied by the County for researching and preparing any requested materials.

Section IV.2 - Annual Report

Dallas County shall submit a concise annual report to the Executive Director of the TCEQ within ninety (90) days of the end of the permit year. The annual report shall address the requirements listed in the TPDES Phase 2 MS4 general permit rules. The County shall also maintain copies of annual reports at both the Environmental Health Division (EHD) of the Dallas County Health and Human Services (DCHHS), and Dallas County Public Works (DCPW). See the aforementioned SWMP for the respective department's office and location.

**Section V – Adoption by Dallas County Commissioners Court
(Court Order No. 2008-0234 dated January 29, 2008)**