CITY OF EAGLE POINT

"Gateway to the Lakes"

OREGON

EAGLE POINT CITY COUNCIL

Council Chambers
17 Buchanan Ave. South, Eagle Point, Oregon
October 23, 2018

REGULAR MEETING AGENDA

1. CALL TO ORDER – 6:00 P.M.
2. FLAG SALUTE AND INVOCATION
3. AUDIENCE QUESTIONS OR COMMENTS CONCERNING ITEMS NOT ON THE AGENDA
4. PRESENTATIONS
   - 4.1 Presentation on visit to Sister City Showa Japan.
5. PUBLIC HEARINGS
   - 5.1 Public Hearing to consider repealing and replacing Eagle Point Municipal Code (EPMC) Chapter 17.66, Updating Land Use Planning Fees, and establishing Public Works and Engineering Development Review and Inspection Fees.
   - 5.2 Public Hearing to consider amending the Eagle Point Municipal Code regarding Storm Water Discharge.
   - 5.3 Public Hearing to consider an application to subdivide and develop the property at Tax Assessors Map 351W34BD, Lot 2500 in the R-3 Multi-Family Medium Density Residential zoning district. (Sienna Hills Subdivision, Phase 7) Planning Action File Number: PA #18-12:SUB.
6. CONSENT CALENDAR
   - 6.1 Presentation of Regular Meeting Minutes of September 25, 2018.
7. CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT CALENDAR
8. PRESENTATION OF BILLS TO BE PAID
9. OLD BUSINESS

10. NEW BUSINESS

    10.1 Ordinance No. 2018-12. An Ordinance repealing and replacing Eagle Point Municipal Code (EPMC) Chapter 17.66, Updating Land Use Planning Fees, and establishing Public Works and Engineering Development Review and Inspection Fees.

    10.2 Ordinance No. 2018-13. An Ordinance amending the Eagle Point Municipal Code regarding Storm Water Discharge

    10.3 Resolution No. 2018-48. A Resolution amending the rate structure for Solid Waste Collection for Southern Oregon Sanitation.

    10.4 Discussion regarding the Royal Avenue Grant for Engineering and Right of Way.

    10.5 Discussion regarding All-Way Stop at Crystal Drive/Ridgeview Drive/Chantrell Court.

    10.6 Discussion regarding the City logo design.

11. REPORTS FROM CITY COUNCIL AND CITY COMMITTEE REPRESENTATIVES

12. STAFF REPORTS

    12.1 Planning Department.

    12.2 Financial Department.

    12.3 Public Works Department.

    12.4 Police Department.

13. INFORMATION

14. EXECUTIVE SESSION PURSUANT TO ORS 192.660(2)(h), To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

15. EXECUTIVE SESSION PURSUANT TO ORS 192.660(2)(e), To conduct deliberations with persons designated by the governing body to negotiate real property transactions..

16. ADJOURN

AGENDA AND COUNCIL PACKETS ALSO AVAILABLE ON WEBSITE
www.cityofeaglepoint.org

If a physical accommodation is needed to participate in this meeting, please contact the City Recorder at 541-826-4212 ext. 106 or TTY/TDD 711 or 800-735-2900. Notification of at least 48 hours prior to the meeting will assist the City in providing reasonable accommodations. (28 CFR 35.102-35.104 ADA Title II).

BUSINESS OF THE CITY COUNCIL
EAGLE POINT, OREGON

AGENDA STATEMENT

Item Number: 5.1 and 10.1
Meeting Date: October 23, 2018

ITEM NO. 5.1: Public Hearing to consider repealing and replacing Eagle Point Municipal Code (EPMC) Chapter 17.66, Updating Land Use Planning Fees, and establishing Public Works and Engineering Development Review and Inspection Fees.

ITEM NO. 10.1: Ordinance No. 2018-12. An Ordinance repealing and replacing Eagle Point Municipal Code (EPMC) Chapter 17.66, Updating Land Use Planning Fees, and establishing Public Works and Engineering Development Review and Inspection Fees.

SUBMITTED BY: Henry Lawrence, City Administrator

SUMMARY EXPLANATION: Fees for planning, land use and public works development activities have not been updated in the Eagle Point Municipal Code (EPMC) since 2002. During the recession of 2008 – 2016, there was very little development activity and fees were not raised in order to not discourage development activity. In addition, historically the City has utilized the services of an outside consulting city engineer and generally passed on those costs to developers by seeking reimbursement. With the engineering registration of Robert Miller, P.E., we have brought more of the review and inspection activities in-house and need to recoup our costs for these services.

Attachment No. 1 is a chart showing the changes in Eagle Point planning fees and a comparison with other cities.

The proposed Ordinance No. 2018-12 includes Exhibit "A" updating the planning fees and adding a few additional public works review and inspection fees not previously incorporated into the code.

FINANCIAL IMPACT: Positive impact to revenue, although total unknown.

APPROVED FOR SUBMITTAL: 10/18/18
Henry Lawrence, City Administrator

STAFF RECOMMENDATION: Approval.

ATTACHMENTS: Attachment No. 1 - Planning Fee Comparisons
Ordinance No. 2018-12 with Exhibit "A", Chapter 17.66 Fee Schedule

Proposed Updates to Planning Action Fees

Planning Action	Eagle Point
Annexation	~~800~~ ~~$3,500~~
Appeal	$750
Boundry Line Adjustment	
No hearing	~~60~~ ~~$300~~
Hearing	~~300~~ ~~$600~~
Comp Plan Amendment	$5,000
Conditional Use Permit (CUP)	~~500~~ ~~$1,500~~
Ordinance Interpretation letter	~~$120.00 + actual costs~~ ~~$300~~
Partiton	
Major	Same as Subdivision
Minor (1 - 3 lots)	~~500~~ ~~$1,200~~
Expedited (additional fee)	~~120~~ ~~$600~~
Pre-Application Review	$200
Additional Services	Hourly Rate
Planned Development	~~Based on req'd approvals~~ Captured by CUP fee
Right of Way Vacation	~~$600.00 plus actual costs~~
Minor	~~$1,000~~
Major	~~$3,000~~
Site Plan Review	
Type A	
Residential (without TIS)	~~600~~ ~~$1,500~~
Residential (with TIS)	~~1500~~ ~~$2,000~~
Commercial (with TIS)	~~5000~~ ~~$3,000~~
Pemanent Mobile Vendor	~~1500~~ ~~$1,500~~
Type B	~~124~~ ~~$600~~
Subdivision (planning only)	~~(+ P.Wks. P.E. Review/ inspection)~~
4-24 lots (TIS may be req'd)	$1000 plus $300/lot
25-49 lots (TIS required)	$3000 plus $300/lot
50+ lots (TIS required)	$5000 plus $300/lot
Variance	~~750~~ ~~$1,500~~
Zone Change	~~750~~ ~~$2,500~~

Fees Charged by Neighboring Cities as of FY 2016-17

Ashland	Central Pt	Grants Pass	Medford	Rogue River	Shady Cove	Talent
$4,205	$3,900	$686	$1,365	$3,500	$3,000	$2,570
$150-$325	$1,000	$240-$406	$100-$600	$600	$300	$257
$346	$60	$247	$75	$350	$300	$222
	$1,200					
$4,907	$9,300	$1,715	$2940 plus $50 /acre	$3,500	$2,500	$5,140
$1046-$2099	$3,100	$899	$950	$600	$600	$592
$346	$600		$200	$150		
$1046+$69/unit		$733	$1,110	$1,200	$1,200	
	$3,100	$733	$1,110	$1,200	$600	
			$4,772			
$136	$25	$147	$300	$200-$300	$400	
	$7,900	$722+ $43/lot	$2,280		$2000+$50/lot	
	$3,800	$247	$3,413	$3,500		$1,106
$1046+ $$69/unit		$324-$573		$150	$175	
	$2,900		$1110 +			
					$450	
$2795+$140/lot	$4,700	$722+ $43/lot	$1400 + $15/lot after 15	$2500 + $325 /lot	$2,000	$1081 +$25/lot
$2795+$140/lot	$4,700	$722+ $43/lot	$1400 + $15/lot after 15	$2500 + $325/lot	$2,000	$1081 +$25/lot
$2795+$140/lot	$4,700	$722+ $43/lot	$1400 + $15/lot after 15	$2500 + $325 /lot	$2,000	$1081 +$25/lot
$2,099	$1,600	$899	$700	$3,500	$500	$592
$2,795	$2,800	$1,440	$710	$350	$1,500	$2,570

ORDINANCE NO. 2018-12

AN ORDINANCE REPEALING AND REPLACING EAGLE POINT MUNICIPAL CODE (EPMC) CHAPTER 17.66, UPDATING LAND USE PLANNING FEES, AND ESTABLISHING PUBLIC WORKS AND ENGINEERING DEVELOPMENT REVIEW AND INSPECTION FEES.

WHEREAS, the City of Eagle Point administers a planning, zoning, and development review, permitting and construction inspection program; and

WHEREAS, the fee structure for many of these activities are currently codified in Chapter 17.66 and have not been updated since 2002; and

WHEREAS, the current fee structure also includes a mechanism to collect engineering review and inspection fees for review and inspections done by private-sector city engineers contracted by the City; and

WHEREAS, the Public Works Director has recently obtained an Oregon professional engineer certificate allowing the City to bring some of the development plan review and construction inspection in-house to be done by existing staff; and

WHEREAS, an updated fee mechanism is needed in order to recoup costs for development plan review and field inspections that were either previously performed by private-sector engineers on a reimbursement basis or not provided for in previous municipal code codifications.

Now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EAGLE POINT, OREGON, THAT:

1. EPMC Chapter 17.66 is hereby repealed and replaced with a new Chapter 17.66, attached and incorporated herein as Exhibit "A".

2. This Ordinance shall become effective (30) days after formal adoption by the City Council.

ADOPTED by the City Council and signed in authentication of its adoption this 23rd day of October, 2018.

_____
Robert E. Russell, Mayor

ATTEST:

_____
Cindy Hughes, City Recorder

Exhibit "A"

Chapter 17.66
FEE SCHEDULE

Sections:

17.66.010 Purpose
17.66.020 Cost accruals and invoicing for additional city expenses.
17.66.030 Fee schedule and methodology adoption

17.66.010 Purpose

The purpose of the planning fee schedule and methodology is to reasonably assess and receive reimbursement for any city expenses and staff time related to compliance with development criteria in the comprehensive plan, zoning, subdivision, and all land development related ordinances.

17.66.020 Cost accruals and invoicing for additional city expenses.

City costs shall begin accruing at application submittal and include, but not be limited to, publishing legal notifications, mailings, recordings, attorney fees, engineering, and planning or other consultant fees. Excepting pre-application review, costs shall be collected at the time of application for required approvals. Pre-application review shall be considered as a separate item from formal land use application submittal. Fees for this process shall become due and payable when an official city response on a specific project is requested by a potential applicant or developer. Allowance is made, without cost, for the informal exchange of information between staff and potential applicants as part of departmental customer service. For example, there is no fee for discussing a preliminary subdivision plat in relation to zoning, lot sizes or basic street configuration for connectivity with other developments. A fee may be due for reviewing a tentative plat to determine whether it is complete for official application purposes.

If an application is withdrawn before the planning process is completed, fees shall be reimbursed in an amount equal to the amount paid less the costs for city staff time devoted to the processing of the application.

If appropriate, projects with costs exceeding initial application fees shall be invoiced for the difference. Payment of said invoices shall be made prior to the issuance of any final development signoffs, certificates of occupancy or business licenses.

17.66.030 Fee schedule and methodology adoption

This fee schedule and supporting methodology for land use applications, planning actions, engineering review, and project inspection are hereby adopted and incorporated into the record.

A. Planning Action Fees

Comprehensive Plan Amendment	
Map or Text Amendment	$2,500
Map and Text Amendment	$4,000
Zoning Ordinance Amendment	
Map or Text Amendment	$2,500
Map and Text Amendment	$4,000
Annexation & Zoning Designation	$3,500
Tentative Subdivision (does not include civil engineering review and inspections)	
4-24 lots (TIS may be required)	$1,000 + $300 per lot
25-49 lots (TIS required)	$3,000 + $300 per lot
50+lots (TIS required)	$5,000 + $300 per lot
Final Subdivision: see Engineering Review Fees and Inspection Services Fees below.	
Partition	
Major (more than 3 lots)	Same as Tentative Subdivision
Minor (up to 3 lots)	$1,200
Expedited	$ 600
Boundary Line Adjustment	
Hearing Required	$ 600
Administrative (no hearing)	$ 300
Right-of-way Vacation	
Minor	$1,000
Major	$3,000
Planned Development	Captured by CUP fee
Conditional Use Permit (CUP)	$1,500
Site Plan Review	
Type A (Conventional)	
Residential (without TIS)	$1,500
Residential (with TIS)	$2,000
Commercial (with TIS)	$3,000
Permanent Mobile Food Vendor	$1,500
Type B (Administrative)	$ 600
Variance	$1,500

Appeal	$ 750
Ordinance Interpretation	$ 300
Pre-Application Review	$ 200
Additional Services	hourly rates

B. Engineering Review Fees

Engineering Review will be provided based upon the actual hours required times the City's hourly rate for the City Engineer, beginning after the Final Order (Planning Commission and City Council, if appropriate) is completed. The hourly rate will be assessed until the civil engineering plans are approved by the City Engineer.

C. Inspection Services Fees

Inspection Services for periodic review of construction and final inspection will be provided pursuant to a fixed fee calculation based on the estimated construction cost of public improvements for the development. The developer's engineer is to provide the estimated construction cost that shall be approved by the City Engineer. The amount is to be paid prior to a preconstruction meeting. The fees cover all City inspections, engineering review of plans, approval of changes, final inspections, review and approval of as-built drawings, final plat approval, and the one-year warranty inspection.

Estimated Construction Cost	**Inspection Services Fee**	**Inspection Services Amount**
(up to)		
$100,000	3%	$3,000
$200,000	2.60%	$5,200
$300,000	2.30%	$6,900
$400,000	2.10%	$8,400
$500,000	1.90%	$9,500
$600,000	1.80%	$10,800
$700,000	1.70%	$11,900
$800,000	1.60%	$12,800
$900,000	1.50%	$13,500

Greater than $1,000,000: City Engineer will provide estimate.

*Installation of Water Services by city crew – 1" service line
Unpaved Streets $2,000

Paved Streets	$3,200
If contractor provides excavation, backfill, and paving of trench, city crews will tap the main city water line	$1,200

*Installation of Water Services – Greater than 1" service line
Actual cost of time and materials for all personnel and equipment

*Commercial: time and materials for all personnel and equipment

*Customers are expected to hire a private contractor to install water on private property. On rare occasions it may be appropriate for city crews to provide the installation. Such cases shall be approved by the Public Works Director or designee.

D. Public Works Review and Inspection Permit Fees

Sidewalk with residential permit	$50
Sidewalk with residential permit (Corner)	$75
Driveway approach with residential permit	$50
Driveway approach with residential permit (Corner)	$75
Sidewalk and driveway approach with residential permit	$50
Sidewalk and driveway approach with residential permit (Corner)	$75
Retrofit of either sidewalk or driveway permit	$75
Repair of sidewalk (to encourage repairs)	$0
Sidewalk/driveway fee after 3 failed inspections	$50
Street Cut permit (if within 5-year new pavement moratorium)	$1,000
Retaining wall inspection (minor; non-engineered)	$175
Engineered retaining wall permit, plan review and inspection	$675
Site drainage inspection	$50
Erosion control permit	$30
Encroachment fees	$50
Grading or filling permit (if unrelated to building permit)	
50 cubic yards or less (not adjacent to wetland or critical area)	No permit required
51 – 250 cy	$100
251-1,000 cy	$250
1,001 to 10,000 cy	$450

BUSINESS OF THE CITY COUNCIL
EAGLE POINT, OREGON

AGENDA STATEMENT

Item Number: 5.2 and 10.2
Meeting Date: October 23, 2018

ITEM NO. 5.2: Public Hearing to consider amending the Eagle Point Municipal Code regarding Storm Water Discharge.

ITEM NO. 10.2: Ordinance No. 2018-13. An Ordinance amending Eagle Point Municipal Code Title 8: Health and Safety to include a new Chapter 8.14 Storm Drainage Protection.

SUBMITTED BY: Robert Miller, PE, Public Works Director/City Engineer (541) 826-4212 ext. 105

SUMMARY EXPLANATION: The Department of Environmental Quality (DEQ) Municipal Separate Storm Sewer System (MS4) Phase II, National Pollutant Discharge Elimination System (NPDES) requires Eagle Point to adopt guidelines for storm drain protection as part of the upcoming permit through them. As part of the Environmental Protection Agency (EPA) six minimum criteria (control measures) for Stormwater Phase II, all agencies are required through an ordinance or other regulatory mechanism to prohibit non-stormwater discharges into the storm system, with enforcement procedures and actions (see Attachment No. 1 - EPA Fact Sheet for Illicit Discharge).

DEQ, as part of the Rogue River Basin Total Maximum Daily Load (TMDL), has mandated agencies adopt guidelines for erosion and sediment control. Little Butte Creek is a major tributary to the Rogue River and on the "303(d) list" as an impaired water body. Adoption of this Ordinance helps to protect the creek and its habitat.

The proposed storm drain protection ordinance includes guidelines for residential construction, including grading, and requires an Erosion Control Permit from the City for all construction. A handout will be provided (attached) as an example of erosion control measures for an individual lot construction. Stormwater enforcement will be initiated through the Public Works Department. Any complaint will be tracked as part of a Citizen Action Request, with follow up on significant issues within 24 hours. Many of the City's property owners and almost all contractors are familiar with the storm drain protection guidelines from other local agencies. Education will be provided as part of the ordinance, with a strategy to provide improvements in construction practices through education. Enforcement actions will be the last step, or if immediate action is required (example, paint or oil dumped into a storm drain system).

APPROVED FOR SUBMITTAL: 10/15/18
Henry Lawrence, City Administrator

STAFF RECOMMENDATION: Staff recommends adoption.

United States Environmental Protection Agency | Office of Water (4203) | EPA 833-F-00-007 January 2000 (revised December 2005) Fact Sheet 2.5

Stormwater Phase II Final Rule

Illicit Discharge Detection and Elimination Minimum Control Measure

Stormwater Phase II Final Rule Fact Sheet Series

Overview

1.0 – Stormwater Phase II Final Rule: An Overview

Small MS4 Program

2.0 – Small MS4 Stormwater Program Overview

2.1 – Who's Covered? Designation and Waivers of Regulated Small MS4s

2.2 – Urbanized Areas: Definition and Description

Minimum Control Measures

2.3 – Public Education and Outreach

2.4 – Public Participation/ Involvement

2.5 – Illicit Discharge Detection and Elimination

2.6 – Construction Site Runoff Control

2.7 – Post-Construction Runoff Control

2.8 – Pollution Prevention/Good Housekeeping

2.9 – Permitting and Reporting: The Process and Requirements

2.10 – Federal and State-Operated MS4s: Program Implementation

Construction Program

3.0 – Construction Program Overview

3.1 – Construction Rainfall Erosivity Waiver

Industrial "No Exposure"

4.0 – Conditional No Exposure Exclusion for Industrial Activity

This fact sheet profiles the Illicit Discharge Detection and Elimination minimum control measure, one of six measures the operator of a Phase II regulated small municipal separate storm sewer system (MS4) is required to include in its stormwater management program to meet the conditions of its National Pollutant Discharge Elimination System (NPDES) permit. This fact sheet outlines the Phase II Final Rule requirements and offers some general guidance on how to satisfy them. It is important to keep in mind that the small MS4 operator has a great deal of flexibility in choosing exactly how to satisfy the minimum control measure requirements.

What Is An "Illicit Discharge"?

Federal regulations define an illicit discharge as "...any discharge to an MS4 that is not composed entirely of stormwater..." with some exceptions. These exceptions include discharges from NPDES-permitted industrial sources and discharges from fire-fighting activities. Illicit discharges (see Table 1) are considered "illicit" because MS4s are not designed to accept, process, or discharge such non-stormwater wastes.

Table 1

Sources of Illicit Discharges
Sanitary wastewater
Effluent from septic tanks
Car wash wastewaters
Improper oil disposal
Radiator flushing disposal
Laundry wastewaters
Spills from roadway accidents
Improper disposal of auto and household toxics

Why Are Illicit Discharge Detection and Elimination Efforts Necessary?

Discharges from MS4s often include wastes and wastewater from non-stormwater sources. A study conducted in 1987 in Sacramento, California, found that almost one-half of the water discharged from a local MS4 was not directly attributable to precipitation runoff. A significant portion of these dry weather flows were from illicit and/or inappropriate discharges and connections to the MS4.

Illicit discharges enter the system through either direct connections (e.g., wastewater piping either mistakenly or deliberately connected to the storm drains) or indirect connections (e.g., infiltration into the MS4 from cracked sanitary systems, spills collected by drain outlets, or paint or used oil dumped directly into a drain). The result is untreated discharges that contribute high levels of pollutants, including heavy metals, toxics, oil and grease, solvents, nutrients, viruses, and bacteria to receiving waterbodies. Pollutant levels from these illicit discharges have been shown in EPA studies to be high enough to significantly degrade receiving water quality and threaten aquatic, wildlife, and human health.

What Is Required?

Recognizing the adverse effects illicit discharges can have on receiving waters, the Phase II Final Rule requires an operator of a regulated small MS4 to develop, implement and enforce an illicit discharge detection and elimination program. This program must include the following:

- ❑ A storm sewer system map, showing the location of all outfalls and the names and location of all waters of the United States that receive discharges from those outfalls;
- ❑ Through an ordinance, or other regulatory mechanism, a prohibition (to the extent allowable under State, Tribal, or local law) on non-stormwater discharges into the MS4, and appropriate enforcement procedures and actions;
- ❑ A plan to detect and address non-stormwater discharges, including illegal dumping, into the MS4;
- ❑ The education of public employees, businesses, and the general public about the hazards associated with illegal discharges and improper disposal of waste; and
- ❑ The determination of appropriate best management practices (BMPs) and measurable goals for this minimum control measure. Some program implementation approaches, BMPs (i.e., the program actions/activities), and measurable goals are suggested below.

Does This Measure Need to Address All Illicit Discharges?

No. The illicit discharge detection and elimination program does not need to address the following categories of non-stormwater discharges or flows unless the operator of the regulated small MS4 identifies them as significant contributors of pollutants to its MS4:

- ❑ Water line flushing;
- ❑ Landscape irrigation;
- ❑ Diverted stream flows;
- ❑ Rising ground waters;
- ❑ Uncontaminated ground water infiltration;
- ❑ Uncontaminated pumped ground water;
- ❑ Discharges from potable water sources;
- ❑ Foundation drains;
- ❑ Air conditioning condensation;
- ❑ Irrigation water;
- ❑ Springs;
- ❑ Water from crawl space pumps;
- ❑ Footing drains;
- ❑ Lawn watering;
- ❑ Individual residential car washing;
- ❑ Flows from riparian habitats and wetlands;
- ❑ Dechlorinated swimming pool discharges; and
- ❑ Street wash water.

What Are Some Guidelines for Developing and Implementing This Measure?

The objective of the illicit discharge detection and elimination minimum control measure is to have regulated small MS4 operators gain a thorough awareness of their systems. This awareness allows them to determine the types and sources of illicit discharges entering their system; and establish the legal, technical, and educational means needed to eliminate these discharges. Permittees could meet these objectives in a variety of ways depending on their individual needs and abilities, but some general guidance for each requirement is provided below.

The Map

The storm sewer system map is meant to demonstrate a basic awareness of the intake and discharge areas of the system. It is needed to help determine the extent of discharged dry weather flows, the possible sources of the dry weather flows, and the particular waterbodies these flows may be affecting. An existing map, such as a topographical map, on which the location of major pipes and outfalls can be clearly presented demonstrates such awareness.

EPA recommends collecting all existing information on outfall locations (e.g., review city records, drainage maps, storm drain maps), and then conducting field surveys to verify locations. It probably will be necessary to walk (i.e., wade through small receiving waters or use a boat for larger waters) the streambanks and shorelines for visual observation. More than one trip may be needed to locate all outfalls.

Legal Prohibition and Enforcement

EPA recognizes that some permittees may have limited authority under State, Tribal or local law to establish and enforce an ordinance or other regulatory mechanism prohibiting illicit discharges. In such a case, the permittee is encouraged to obtain the necessary authority, if possible.

The Plan

The plan to detect and address illicit discharges is the central component of this minimum control measure. The plan is dependant upon several factors, including the permittee's available resources, size of staff, and degree and character of its illicit discharges. As guidance only, the four steps of a recommended plan are outlined below:

❶ Locate Problem Areas

EPA recommends that priority areas be identified for detailed screening of the system based on the likelihood of illicit connections (e.g., areas with older sanitary sewer lines). Methods that can locate problem areas include: visual screening; water sampling from manholes and outfalls during dry weather; the use of infrared and thermal photography, cross-training field staff to detect illicit discharges, and public complaints.

❷ Find the Source

Once a problem area or discharge is found, additional efforts usually are necessary to determine the source of the problem. Methods that can find the source of the illicit discharge include: dye-testing buildings in problem areas; dye- or smoke-testing buildings at the time of sale; tracing the discharge upstream in the storm sewer; employing a certification program that shows that buildings have been checked for illicit connections; implementing an inspection program of existing septic systems; and using video to inspect the storm sewers.

❸ Remove/Correct Illicit Connections

Once the source is identified, the offending discharger should be notified and directed to correct the problem. Education efforts and working with the discharger can be effective in resolving the problem before taking legal action.

❹ Document Actions Taken

As a final step, all actions taken under the plan should be documented. This illustrates that progress is being made to eliminate illicit connections and discharges. Documented actions should be included in annual reports and include information such as: the number of outfalls screened; any complaints received and corrected; the number of discharges and quantities of flow eliminated; and the number of dye or smoke tests conducted.

Educational Outreach

The Center for Watershed Protection and Robert Pitt (2004) researched the most cost-effective and efficient techniques that can be employed to identify and correct inappropriate discharges. Data from Montgomery County, Maryland, was analyzed and it was determined that staff identify and correct about six inappropriate discharges per year as a result of regular screening. By contrast, over 185 inappropriate discharges are corrected each year in Montgomery County as a direct result of citizen complaints and calls to a storm water compliant hotline. Public education and labeling of outfalls and other storm drain infrastructure is an important element of establishing a successful citizen hotline. Outreach to public employees, businesses, property owners, the general public, and elected officials regarding ways to detect and eliminate illicit discharges is an integral part of this minimum measure.

Suggested educational outreach efforts include:

- Developing ***informative brochures, and guidances*** for specific audiences (e.g., carpet cleaning businesses) and school curricula;
- Designing a program to ***publicize and facilitate public reporting*** of illicit discharges;
- ***Coordinating volunteers*** for locating, and visually inspecting, outfalls or to stencil storm drains; and
- Initiating ***recycling programs*** for commonly dumped wastes, such as motor oil, antifreeze, and pesticides.

What Are Appropriate Measurable Goals?

Measurable goals, which are required for each minimum control measure, are intended to gauge permit compliance and program effectiveness. The measurable goals, as well as the BMPs, should reflect the needs and characteristics of the operator and the area served by its small MS4. Furthermore, they should be chosen using an integrated approach that fully addresses the requirements and intent of the minimum control measure.

EPA has developed a Measurable Goals Guidance for Phase II MS4s that is designed to help program managers comply with the requirement to develop measurable goals. The guidance presents an approach for MS4 operators to develop measurable goals as part of their stormwater management plan. For example, an MS4 could establish a measurable goal of responding to all complaints received by the citizen complaint hotline within 24 hours to minimize water quality impacts or recurrent dumping. A complaint tracking system could be used to log response and enforcement activity.

The educational outreach measurable goals for this minimum control measure could be combined with the measurable goals for the Public Education and Outreach minimum control measure (see Fact Sheet 2.3).

Sources

Center for Watershed Protection and R. Pitt. 2004. Illicit Discharge Detection and Elimination: A Guidance Manual for Program Development and Technical Assessments. Center for Watershed Protection, Ellicott City, MD, and University of Alabama, Birmingham, AL.

Maryland Department of the Environment, Water Management Administration. 1997. *Dry Weather Flow and Illicit Discharges in Maryland Storm Drain Systems*. Baltimore, Maryland.

U.S. EPA Office of Water. 1993. *Investigation of Inappropriate Pollutant Entries into Storm Drainage Systems: A User's Guide*. EPA/600/R-92/238. Washington, D.C.

Wayne County Rouge River National Wet Weather Demonstration Project. 1997. *Guidance for Preparing a Program for the Elimination of Illicit Discharges*. Wayne County, Michigan.

For Additional Information

Contacts

☞ U.S. EPA Office of Wastewater Management
http://www.epa.gov/npdes/stormwater
Phone: 202-564-9545

☞ Your NPDES Permitting Authority. Most States and Territories are authorized to administer the NPDES Program, except the following, for which EPA is the permitting authority:

Alaska	Guam
District of Columbia	Johnston Atoll
Idaho	Midway and Wake Islands
Massachusetts	Northern Mariana Islands
New Hampshire	Puerto Rico
New Mexico	Trust Territories
American Samoa	

☞ A list of names and telephone numbers for each EPA Region and State is located at http://www.epa.gov/npdes/stormwater (click on "Contacts").

Reference Documents

☞ EPA's Stormwater Web Site
http://www.epa.gov/npdes/stormwater
- Stormwater Phase II Final Rule Fact Sheet Series
- Stormwater Phase II Final Rule (64 *FR* 68722)
- National Menu of Best Management Practices for Stormwater Phase II
- Measurable Goals Guidance for Phase II Small MS4s
- Stormwater Case Studies
- And many others

☞ Illicit Discharge Detection and Elimination: A Guidance Manual for Program Development and Technical Assessments
http://www.cwp.org/idde_verify.htm