



MS4 Permit and Stormwater Utility  
November 7, 2016

# Storm Water Definitions

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- Storm water: rain, snow melt, and surface drainage.
- Industrial storm water: storm water runoff from manufacturing, processing or storage by an industry.
- Construction storm water: storm water runoff from construction sites.
- Municipal Separate Storm Sewer System (MS4): a storm water system, such as ditches, curb and gutter, culverts, & storm sewer pipes and ponds owned or operated by a governmental organization.



# Why Are We Required To Apply?

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- 1987 Federal Clean Water Act CFR 40 Parts 122, 123 & 124
- EPA Delegated MS4 Authority to the States
- MN Statute 115.03 – Gives MPCA authority over MS4 Storm Water Program
- MN Rule 7001.1010 MS4 Permit Requirements
- MN Rule 7002.0310 Annual Storm Water Permit Fees

# MN Statute 7090.1010 – MS4 Requirements

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- Population of 10,000 or more
- Or, Population of at least 5,000, and:
  - discharges to an outstanding resource value water; or
  - discharges to a trout lake or trout stream; or
  - discharges to a water listed as impaired
- Or, Contributes to the pollutant loading of an existing MS4, or

# MN Statute 7090.1010 – MS4 Requirements

- Contributor of pollutants to waters of the state based on:
  - high growth or growth potential;
  - high population density;
  - high seasonal population;
  - impervious land cover;
  - contiguity to an urbanized area
  - ineffective protection of water quality by other programs;
  - approved or established TMDL; or
  - proximity to a high quality water

# Why is the City Applying for an MS4 Permit from the MPCA?

- St. Francis is Mandated by Law to Apply:
  - Population from the US Census Website: 7,218
  - Rum River is classified as an outstanding resource value water (Scenic and/or Recreational Water)
- MN Statute 7090.1010 requires the City to apply within 18 months of being classified as a MS4 by the MPCA.
- The City has completed Part I and Part II of the Permit Application.

# Is this a New Requirement for Cities?

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- First MPCA MS4 General Permit issued June 2002.
- First Round of MS4 Applications Made In March 2003
  - Over 200 owners and operators required to apply
- Permit Renewed in 2006 and 2013
- These federal rules require that MS4 programs are strengthened with each five year permit cycle. This current 2013 permit reissuance effort shifts from the initial focus on permit program development to measuring program implementation.

# Who Else is Required to Apply?

- MS4 is a Nationally Required Permit Under the Federal Clean Water Act
- 260 Cities/Agencies in Minnesota
  - Approximately 200 Permit Applications in 2003
    - Cambridge, East Bethel, Elk River, Ham Lake, Nowthen, and Oak Grove
  - 27 New MS4s Added under the 2013 Permit
    - Isanti, Wyoming

# How Much Does It Cost to Implement MS4 Requirements?

- \$400 Permit Fee Each Permit Application/Renewal
- Administration of MS4 Typically Requires 0.5-1.0 Full Time Employee
- Things That Impact Cost:
  - Size of the MS4
  - Number of Storm Water Structures
  - Number of Ponds
  - TMDL Requirements
  - Number of Building Permits Issued
  - Number of Enforcement Actions

# What Is Required to Comply with the Permit?

## A. Permit Requirements

1. Part II.D.2 - Illicit Discharges – develop/adopt regulations
2. Part III.D.4 – Construction Site Stormwater Run-off Control – update ordinances
3. Part III.D.5 – Post Construction Stormwater Management – update ordinances
4. Part II.D.3 – Enforcement Response Procedures – develop/adopt procedures
5. Part II.D.4 – Storm Sewer Map and Inventory – complete storm sewer, BMP, pond, and wetland inventory
6. Part II.D.5 – Public Education and Outreach – develop and implement program
7. Part III.D.3 – Illicit Discharge Detection and Elimination – develop, implement, and enforce
8. Part III.D.4 – Construction Site Stormwater Management – develop, implement, and enforce
9. Part III.D.5 – Post-Construction Stormwater Management – develop, implement, and enforce
10. Part III.D.6 – Pollution Prevention/Good Housekeeping – develop and implement program, facilities inventory, procedures, training, documentation

# What Is Required to Comply with the Permit?

## B. Annual Permit Requirements

1. Communication/Coordination/Ordinance Updates – Part II.D.2, III.D.4, III.D.5, II.D.5 – Estimated hours: 184
2. Training – Part III.D.6 – Estimated hours: 108
3. Annual Reporting and Record Keeping – Part III.D.6, II.D.5, III.D.3, III.D.4, III.D.5 – Estimated hours: 110
4. Stormwater System Inspection – Part II.D.4 – Estimated hours: 303
5. Construction and Permitting – Part III.D.4, III.D.5 – Estimated hours: 240

# What is the New Storm Water Utility Fee Being Used For?

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- Permit Requirements
- Stormwater Maintenance (ditches, culverts, piping, curb and gutter, ponds, catch basins, etc.)
- Stormwater Improvements – construction