



Municipal Separate Storm
Sewer System (MS4) Permit
and Program
Ordinance Update

City of Fairmont

March, 2018

What is a MS4 Program?

A program developed by the EPA to help manage stormwater within cities that is enforced by the Minnesota Pollution Control Agency (MPCA) and is operated by the local city.

The goals of this program are outlined in 6 minimum control measures (MCMs).

1. Public Education and Outreach
2. Public Participation/Involvement
3. Illicit Discharge Detection and Elimination
4. Construction Site Stormwater Runoff Control
5. Post-Construction Stormwater Management
6. Pollution Prevention/Good Housekeeping for Municipal Operations

Why does the City's Stormwater Ordinance need to be updated?

- Every 5 years the MPCA issues a new MS4 permit to the City of Fairmont. The permit sets the requirements for the City's MS4 Program.
- The MPCA updates their permit requirements and passes those requirements to the City through its new permit.
- The changes in the last permit issued to the City were quite significant and several items within the ordinance needed to be addressed.
- The updated ordinance has a new structure to accommodate changes in the permit, and incorporates parts of the previous ordinance that still apply in the updated version.

Current Requirements for Construction Stormwater Management

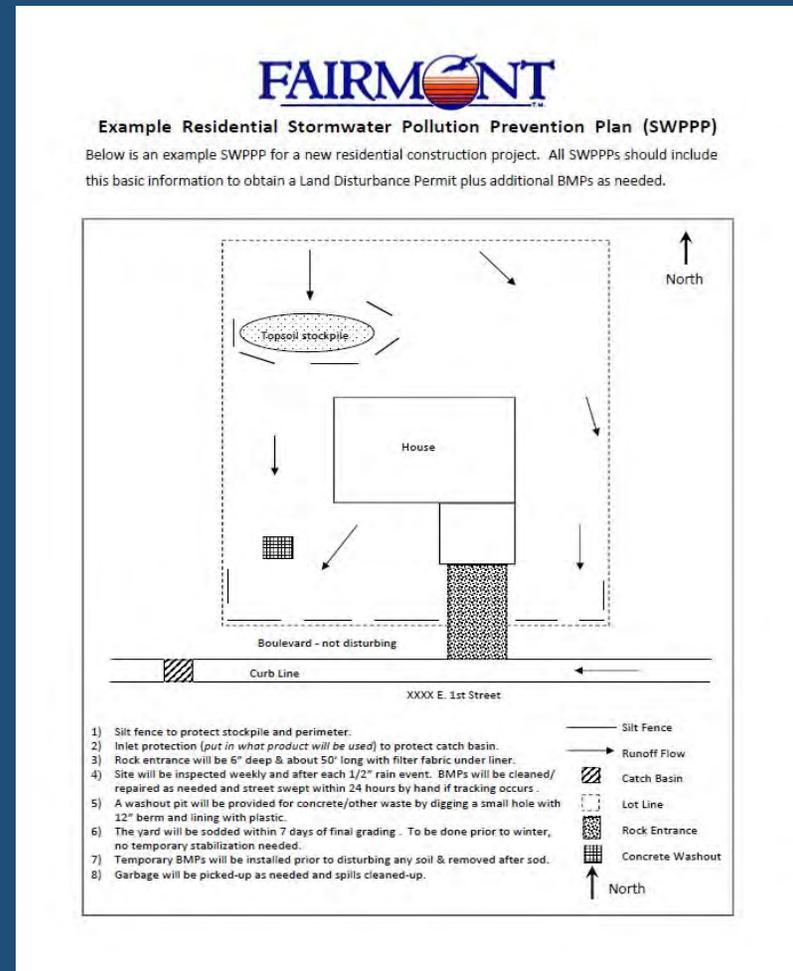
- Sites $\frac{1}{2}$ acre or greater
 - Plan set review
 - SWPPP
 - Site inspections (self and city)
 - Maintenance of sediment and erosion control at the project site
 - MPCA NPDES construction stormwater permit (1 acre or greater)

What's changing in the Stormwater Management Ordinance?

- Addition of a Land Disturbance Permit (LDP)
 - The City's MS4 Permit requires the City to develop Standard Operating Procedures (SOPs) and Enforcement Response Procedures (ERPs) for construction activity, and post-construction stormwater management of developed sites.

What will the City use the LDP for?

- Tracking construction activity.
- Reviewing plans for grading, utilities, sediment and erosion control, pollution prevention and post-construction stormwater management.
- Inspecting sites for compliance.
- Enforcement of rules and regulations.
- Helping the property owner with pollution, sediment and erosion control questions and guidance.
- Protecting the lakes, creeks, and wetlands within the city limits.



Who will be required to obtain a LDP Permit?

- All single family home lots.
- Land disturbing activities that disturb land of greater than or equal to 5,000 square feet.
- Any disturbance located in Tier A of the City Shoreland District.



Will there be a fee for a LDP Permit?

- Yes, the fee will be based on the area of disturbance.
- 5,000 S.F. – 0.49 Acres (\$25)
- 0.5 Acres – 0.99 Acres (\$75)
- 1 Acre or greater (\$200)

Current Requirements for Post-Construction Stormwater Management

- Rate control is required for sites $\frac{1}{2}$ acre or greater in disturbance.
- Rate control is a method of controlling the peak flow rate off the project site. The goal of rate control is to prevent downstream flooding and stream or lake bank erosion from elevated water levels.
- The current ordinance requires the developer to maintain the pre-project peak runoff rate for the following storm events.
 - 2 year, 24 hour storm, 10 year, 24 hour storm and 100 year, 24 hour storm

What's changing in the Stormwater Management Ordinance?

- New water quality and volume requirements for sites 1 acre or greater.
 - Volume Control for New Development
 - 1" from the proposed increase of impervious surface
 - Volume Control for Redevelopment
 - ¼" for all redevelopment and 1" for all expansion of impervious surface
- Water Quality for New Development
 - No net increase (on an annual average basis) for Total Suspended Solids (TSS) and Total Phosphorous (TP) stormwater discharges.
- Water Quality for Redevelopment
 - Net reduction (on an annual average basis) for TSS and TP stormwater discharges.

What's changing in the Stormwater Management Ordinance?

- To comply with MS4 permit, the updated ordinance provides a number of enforcement response procedures (ERPs) under Sec. 25-1005 Violations and Enforcement and Sec. 25-1006 Penalties.
- These can be used for Illicit Discharges (Sec. 25-1002), as well as for LDP permit violations.

What is an Illicit Discharge?

- Any discharge to a municipal separate storm sewer that is not composed entirely of stormwater except discharges pursuant to a NPDES permit.





Questions?