Presenters

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Topics

- The MS4 Permit
- The MS4 Permit – municipalities and planners
- When does the MS4 Permit come into play?
- Incorporating MS4 policy into a planning program
- Reporting and mapping requirements
- Effective implementation and compliance strategies
- Policy and legislation
- Non-compliance and enforcement
- Lessons learned
The MS4 Permit

- Federal Law – Clean Water Act
  - Authorizes point-source discharges

- Stormwater Discharges
  - 1987: Phase 1-Large Municipalities >100,000
  - 1999: Phase 2-Urbanized Areas

- Improve Water Quality
The MS4 Permit

- Individual Permits
  - High Quality / Exceptional Value streams / TMDL
- General Permits

- 5-year Permit Terms
  - 2003/2008/2013/2018
The MS4 Permit and Municipalities

- EPA and DEP Audits
- Minimum Control Measures
- Pollution Reduction Plans
  - Sediment/Phosphorus/Nitrogen
- Pollutant Control Measures
  - Metals/PH/Pathogens/PCBs
- Agriculture Community
- Business Community
The MS4 Permit and Planners

What is MS4 to Planners?

▶ It is not:
  - A Foreign Spy Agency
  - MS4 8GB Spy Watch Video Camcorders – Black Rubber Band

▶ It is:
  - An inclusive and required SWM Program that Planners must engage in
The MS4 Permit and Planners-Planner to Planner

- Understand the MS4 Permit and your role in implementation
- Take it seriously! The permit cannot be ignored
  - EPA audits result in large fines
- Review growth patterns
  - Will your municipality be an MS4 permittee after the 2020 census?
  - Plan for mapping, ordinance amendments, documentation
- Advocate importance of compliance to manager/official
- Do not become the “poster child” for non-compliance
The MS4 Permit and Planners—What can we do?

- Be the MS4 Coordinator and implement MCMs
  - Public Education and Outreach: *newsletters, brochures, webpages*
  - Public Participation: *clean-ups, tree plantings, inlet stenciling, pollution watch*
  - Pollution Prevention/Good Housekeeping: *work with public works staff*

- Resources
  - EPA: [https://www.epa.gov/water-research/storm-water-management-model-swmm](https://www.epa.gov/water-research/storm-water-management-model-swmm)
  - DEP: [http://www.elibrary.dep.state.pa.us/dsweb/View/Collection-8305](http://www.elibrary.dep.state.pa.us/dsweb/View/Collection-8305)
    - [http://www.dep.pa.gov/Business/Water/PointNonPointMgmt/StormwaterMgmt/Stormwater/Pages/default.aspx](http://www.dep.pa.gov/Business/Water/PointNonPointMgmt/StormwaterMgmt/Stormwater/Pages/default.aspx)
  - Berks County: [http://www.co.berks.pa.us/Dept/Planning/Pages/MS4%20Links.aspx](http://www.co.berks.pa.us/Dept/Planning/Pages/MS4%20Links.aspx)
The MS4 Permit and Planners- What can we do?

- Comprehensive Plan
  - Include an MS4 strategy
  - Stormwater fees
  - Smart growth and LID
  - Work with partners on a regional approach

- Zoning Ordinance
  - Riparian buffers, environmental protection overlays, open space

- Subdivision and Land Development/ SWM Ordinances
  - Incorporate stormwater BMPs and green infrastructure
  - Limit curb-gutter sections
  - Limit storm sewer pipes
  - Reduce street widths
When does the MS4 Permit come into play?

- **Pre-Land Development/Subdivision Discussions**
  - Discuss MS4 requirements with applicants

- **Zoning Permits**
  - Inform residents of SWM requirements
  - Track impervious coverage
  - Coordinate SWM Plan review, O&M agreements, BMP inspections

- **Municipal Projects**
  - Washing vehicles
  - Street sweeping and inlet cleaning
  - Material storage: salt, topsoil, stone
Incorporating MS4 Policy into the Planning Program

- Comprehensive plan
- Official map
- Pollution reduction plans
Reporting and Mapping Requirements

- Annual reports
- Stormwater system maps
  - Inlets
  - Pipes
  - Swales
  - BMPs
  - Watersheds
  - Streams
  - Land Use
Effective Implementation and Compliance Strategies

- Partnering organizations
- Regional partnerships
Policy and Legislation

▶ Comprehensive planning
  ▪ Establish water quality standards
  ▪ Forest, steep slopes, stream protection zones
  ▪ Farmland preservation

▶ Ordinance amendments
  ▪ Overlay zoning districts
  ▪ Streambank stabilization
  ▪ Stormwater management for small projects
Non-Compliance and Enforcement
Lessons Learned

- LCATS garage audits
- BMPs are not equal
- Fines = costs to comply
- Rely on partnering organizations
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