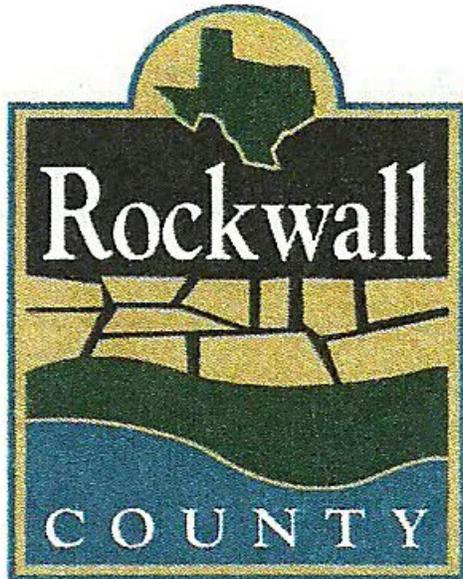


ROCKWALL COUNTY, TEXAS

Unincorporated Urbanized Areas

TPDES General Permit - Number TXR040000

Effective Permit 2019-2023
Revised February 2020, April 2020



Storm Water Management Program (SWMP)

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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 Rockwall County Environmental Health Coordinator and Road and Bridge Department offices.

Section I - Overview , Definitions, and Acronyms

Section 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. These five (5) MCM's include: public education and outreach and public involvement / participation; illicit discharge detection and elimination; construction site storm water runoff control; post-construction storm water management in new development and redevelopment; and pollution prevention / good housekeeping for local government 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 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 August 13, 2007, TCEQ Commissioners approved the TPDES General permit to authorize the discharge of storm water from regulated Phase 2 MS4's. Permittees' application submittal deadline to the TCEQ for coverage under this statewide permit was 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 statewide permit term covers a five (5) year period from 2018-2023.

Section I.2. - Definitions

Best Management Practices (BMP's) – Schedules of activities including, but not limited to: 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, and prohibited practices. 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); and within legal authority of a jurisdiction to enforce. 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 discrete areas, such as individual buildings. For the purpose of this permit, a very discrete 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 United States. This 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.

Exclusions: 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.

Section I.3. - Acronyms

BMP's - Best Management Practices

CSN – Construction Site Notice

CWA - Clean Water Act

RBD – Road and Bridge Department

EHC – Environmental Health Coordinator

EPA – Environmental Protection Agency

ETJ – Extra Territorial Jurisdiction

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

NOI – Notice Of Intent

OSSF – On Site Sewage Facilities

POTW – Publicly Owned Treatment Works

RDI – Regionally Developed Initiative

SWMP – Storm Water Management Program

SW3P or SWPPP – Storm Water Pollution Prevention Plan

TCEQ – Texas Commission on Environmental Quality

TPDES – Texas Pollutant Discharge Elimination System

TRC CDC – Trinity River Corridor Corridor Development Certificate

UUA – Unincorporated Urbanized Area

USACE – U.S. Army Corps of Engineers

Section II – Permit Applicability and Coverage

Section II.1. - Urbanized Area

The TPDES permit requirements apply only to the portions of the Unincorporated Rockwall County that are identified as Urbanized Areas (UUA's for Unincorporated Urbanized Areas) in the latest Census. There are two (2) non-contiguous UUA's identified within Rockwall County based upon data in the 2000 U.S. Census Map.

The Rockwall County Storm Water Management Program (SWMP) addresses permit required Best Management Practices (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).

Section II.2. Regulatory Restrictions on Texas Counties

The State of Texas is somewhat unique of these United States 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. Given these restrictions and direction, Rockwall 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)

Storm Water Management Programs establish the guidelines of the implementation of the various practices selected to support the permit and when those practices will be initiated. There are some practical and legal limits in implementing a program in unincorporated county areas compared to the abilities of incorporated municipalities.

Section III.1. - Overview of Rockwall County's SWMP

This Storm Water Management Program was developed to support Rockwall County's efforts in preventing or reducing pollution in storm water drainage systems to the Maximum Extent Practicable. This SWMP was developed and will be implemented, to the extent allowable under state and local law (see II.2 above), according to requirements of Part III of the TPDES General permit TX040000, for discharges of storm water to Surface Water in the State.

The SWMP addresses the five (5) Minimum Control Measures (MCM's) required by TCEQ. These MCM's will be implemented in the Unincorporated Urbanized Areas (UUA's) of Rockwall County and may be voluntarily implemented in other Unincorporated Areas if warranted by special conditions such as participation in Regionally Developed Initiatives (RDI's). All MCM's will be periodically evaluated based upon accomplishment of each MCM's BMP activities. These five MCMs are:

1. Public Education and Outreach/Involvement on Storm Water Impacts;
2. Illicit Discharge Detection and Elimination;
3. Construction Site Runoff Control;
4. Post-Construction Runoff Control; and
5. Pollution Prevention and Good Housekeeping.

Rockwall County's SWMP was developed by County staff with coordination provided by outside contractor. Responsibilities for implementing the SWMP are primarily divided between the Environmental Health Coordinator (EHC) and the Road and Bridge Department (RBD). Each MCM contains the respective County Department primarily responsible for that specific MCM. The County staff is considerably leaner than most municipalities with the same population because of the lack of demand on the County for concentrated services.

During the development of County's SWMP, County staff considered BMP's that would protect water quality, comply with General Permit TX040000, meet the Maximum Extent Practicable (MEP) test, 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 Rockwall County Unincorporated Urbanized 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. (reference: <http://cfpub.epa.gov/npdes/stormwater/menuofbmps/>)

Rockwall County has access to and will develop a more active and 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.

The Rockwall County staff having primary responsibility for certain MCM's will be identified in subsequent subsections; however, the following two departments have general oversight responsibility for the SWMP:

Environmental Health Coordinator (EHD) contact:

Ron Merritt, R.S., Administrator
108 South Fannin Street
Rockwall, TX 75087
Ph: (972) 204-7600
Fax: (972) 204-7609
Email: rmerritt@rockwallcountytexas.com

Road and Bridge Department (RBD) contact:

Patrick NeSmith, Road & Bridge Administrator
1350 East Washington Street
Rockwall, TX 75087
Ph: (972) 204-7890
Fx: (972) 204-7669
Email: pnesmith@rockwallcountytexas.com

Section III.2. - Contrasting Municipal Programs with County Programs

a. Legal Authority

Unlike Texas Cities, Counties are not authorized by the State of Texas Constitution or State Statutes to enact ordinances necessary implement and enforce all of the TPDES Phase 2 (small MS4) regulatory requirements. Rockwall County will implement selected BMP's "to the extent allowable under state and local law" as outlined in the appropriate MCM sections.

b. Ditch Drainage System

Rockwall County land area remains largely rural in nature and primarily agricultural in use. Unlike Cities, the 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, Rockwall County's storm drainage system is mostly comprised of unlined (pervious) road-side ditches. Benefits and challenges associated with this type of system will be addressed in the appropriate MCM sections.

c. Proportional Area and Distances between Non-Contiguous Urbanized Areas

Unlike Cities, Rockwall County has approximately two (2) small non-contiguous Unincorporated Urbanized Areas (UUA's). They constitute approximately less than one (1) square mile of the total 81 square miles of the County Unincorporated Area (about 1% of the total area). Therefore, the regulated Rockwall County "system" is more a collection of several systems interrupted by municipal jurisdictional boundaries and physical barriers. Additionally, travel distances, often exceeding those found even in some Phase 1, MS4 permitted Cities, will be required by County staff to implement regular activities associated with this program.

d. Annexation and De-annexation

Unlike Cities, Counties typically lose land area over time as City annexation and growth occurs. Counties will not be adding new land areas of responsibilities, nor have to provide services to such annexed land. As one of the fastest growing counties in the nation, Rockwall County will likely lose unincorporated areas rapidly as the economy rebounds from the 2008 tumble. The County will only add Unincorporated Urbanized Areas if population densities increase such that the regional UA boundary is expanded, 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.

Section III.3. – Enforcement

The County currently has a Subdivision Ordinance that outlines the enforcement of several of the MS4 BMPs. The Section is as follows:

ARTICLE 2.

Section 2.01

ENFORCEMENT AND PENALTIES

Enforcement

- 2.01.01 The Commissioners Court of Rockwall County shall have the authority to refuse to approve or authorize any map or plat of any Subdivision, unless such map or plat meets the requirements as set forth in these land development Rules and Regulations and there is submitted at the time of approval of such map or plat financial security as may be required by these rules.
- 2.01.02 These land development Rules and Regulations shall be enforced by the Commissioners Court of Rockwall County over any area that is not currently in the incorporate limits of a city within Rockwall County, unless there exists a legally enforceable agreement between the County and the city assigning the authority to enforce these Rules and Regulations to the city. When such an agreement exists, the city shall ensure that these Rules and Regulations are enforced within its ETJ and shall assume the role of the Commissioners Court according to the provisions of the agreement.

- 2.01.03 At the request of the Commissioners Court of Rockwall County, the Criminal District Attorney, or his designee, may file an action in a court of competent jurisdiction to:
- A) Enjoin the violation or threatened violation of a requirement established or adopted by the Commissioners Court of Rockwall County under chapter 232 of the Texas Local Government Code; or,
 - B) Recover damages in an amount adequate for the County to undertake any construction or other activity necessary to bring about compliance with a requirement established or adopted by the Commissioners Court under Chapter 232 of the Texas Local Government Code.
- 2.01.04 A person commits an offense if the person knowingly or intentionally violates a requirement established or adopted by the Commissioners Court under these Regulations. An offense under the subsection is a Class B Misdemeanor punishable by confinement for a term not to exceed 180 days in county jail, and/or a fine not to exceed \$2,000.
- 2.01.05 A requirement that was established or adopted under chapter 436, Acts of the 55th Legislature, Regular Session 1957, as amended (Article 6626a, Vernon's Texas Civil Statutes), or Chapter 151, Acts of the 52nd Legislature, Regular Session 1951 (Article 2372k Vernon's Texas Civil Statutes), before September 1, 1983, and that, after that date, continues to apply for subdivision of land is enforceable under Subsection (B). A knowing or intentional violation of the requirement is an offense under Subsection C of this Section."

Section III.4. – Endangered Species

During the Water Quality Standards Review of Rockwall County's application and SWMP, the following endangered species was identified in the receiving waterbodies of the MS4: *Spiranthes parksii* in the Trinity River Basin. The County acknowledges the presence of the above-listed species in the MS4's receiving waterbodies. The County will not recommend any specific BMPs for this endangered species.

Section III.5. – Minimum Control Measure #1: Public Education, Outreach and Involvement

Rockwall 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 MCM will be accomplished by providing informational materials in multiple formats and media from various sources including Rockwall County, the Rockwall County branch of the Texas AgriLife Extension, the North Central Texas Council Of Governments (NCTCOG), and other resources that may be used to further develop and distribute public education and outreach material. If practical, Rockwall County will work with NCTCOG and other local governments to develop suitable community materials for website posting and/or distribution at Rockwall County facilities. This information dissemination will be across a broad spectrum of recipients (all are high priority) including residents, County employees, businesses, commercial/industrial facilities, and construction site personnel in the Unincorporated Urbanized Areas of Rockwall County. Due to the lack of a centralized location to attract visitors within the non-contiguous County Unincorporated Urbanized Areas, visitors will not be a targeted group. Best Management Practices to support this MCM are programmed below.

a. BMP, Measurable Goal, and Schedule – Educational Materials and Distribution

Rockwall County will distribute storm water related material at two or more County buildings and at household hazardous waste collection events. Examples may include such items as information sheets, brochures, and bookmarks. Whenever possible, these materials will be made available in digital format on the County website. These materials may be developed by 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, Rockwall County may elect to use materials that are intended for TV or radio broadcasts, if such materials are affordable. Rockwall County may also participate in regional storm water education projects to supplement this BMP and will report such activities in the annual report.

Responsible Department: Library

Goal and Schedule Two hundred (200) articles will be distributed or made available by December of every year (2018-2023). 100% of the brochures will be counted and reported each year.

Status: Will continue to distribute each year over the next 5 years

b. BMP, Measurable Goal, and Schedule – Rockwall County Website

The Rockwall County website <http://www.rockwallcountytexas.com> will be used to post information on all implemented Best Management Practices, development requirements, chemical use regulations and general storm water pollution tips.

Rockwall County will also provide links to the TCEQ, EPA, NCTCOG and other storm water management resource websites as appropriate.

Responsible Department: Environmental Health Coordinator

Goal and Schedule: The County will update and review the website by December of every year and then once a year for the next four years (2018-2023) by December of that year. 100% of the website will be reviewed to ensure the website and associated links are correct and functional. The 2019 updated/approved report will be posted to the website.

Status: Will continue to distribute each year over the next 5 years

c. BMP, Measurable Goal, and Schedule – Rockwall County News

Rockwall County News is published within the Metro section of the Dallas Morning News newspaper on an annual basis. Annually, staff will prepare an article for the Metro News section that targets the TCEQ public education and outreach groups. The Environmental Health Coordinator will determine whether the article is relevant and suitable for publication. 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. Participation in NCTCOG programs will aid in meeting this goal through regional efforts. If this BMP does not occur, the County will post the articles on the website.

Responsible Department: Library

Goal and Schedule: Publish one annual Rockwall County storm water related news story prepared by County staff, or two stories created by others, in the Dallas Morning News each year OR post this information to the website. 100% of the goal will be reached by December of every year (for years 2019-2023).

Status: On-Going

d. BMP, Measurable Goal, and Schedule – March is *Texas SmartScape* Month or other brochures

Texas SmartScape Month 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. Additionally, this NCTCOG RDI promotes water conservation which produces less runoff and thereby reduces pollution of our waterways. Rockwall County will participate in this annual event via the Rockwall County website by providing a link to the Texas SmartScape website, www.txsmartscape.com that is currently maintained by the NCTCOG.

Responsible Department: AgriLife Extension Agent

Goal and Schedule: Published one (1) website posting or newspaper article to support “March is *Texas SmartScape* Month” by December of every year for the years 2019-2023. 100% of this goal and MCM will be reported as part of the annual report to TCEQ. Rockwall County continues to implement this program.

Status: On-Going

e. BMP, Measurable Goal, and Schedule – NCTCOG Participation

Participate in the NCTCOG’s Storm Water Education Task Force and the Regional Storm Water Management Coordinating Council (as budget constraints will allow), 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 Rockwall County staff and may be selected for use during appropriate times during the permit term. Also see (a) Educational Materials and Distribution.

Responsible Department: Road and Bridge Department

Goal and Schedule: Obtain and place 200 brochures and place on one (1) type of brochure in a public building by December of every year for the years 2019-2023. Measure the effectiveness by counting the materials left after the end of the year. Obtain one poster from NCTCOG and place in a public setting by December of every year for the years 2019-2023.

Status: On-Going

f. BMP, Measurable Goal, and Schedule – Public Notice for Meetings

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

Responsible Department: County Secretary

Goal and Schedule: Staff will verify that Commissioner’s Court and NCTCOG meetings comply with public notice requirements by December of every year for the years 2019-2023 and include that information in annual reports to TCEQ. The County will report 100% of the BMPs and related goals in the annual report every year (2019-2023) by March.

Status: On-Going

g. BMP, Measurable Goal, and Schedule – Posting Draft SWMP on Website

After internal review by Rockwall County Officials and prior to submittal to TCEQ, staff will post the draft SWMP on the County’s website and provide an area for feedback to be provided.

Responsible Department: County Secretary

Goal and Schedule: Post the Draft SWMP on the County Website after TCEQ approval (actual time frame depends upon TCEQ approval). Goal is to post the SWMP prior to December of the approved year. The SWMP will be left on the website every year (2019-2023).

Status: After approved

h. BMP, Measurable Goal, and Schedule – Public Notice in Newspaper

After reviewing Rockwall County's NOI and SWMP, TCEQ will issue "the Executive Director's Preliminary Determination". This is a public notice that must be published by Rockwall 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;
- 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.

Responsible Department: County Secretary

Goal and Schedule: 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. The actual day/month/year will depend upon TCEQ.

Status: After Approval

Section III.6. - Minimum Control Measure #2: Illicit Discharge Detection and Elimination (IDDE)

The Environmental Health Coordinator (EHC) will develop surveillance and enforcement processes to implement an illicit discharge program, in accordance to State law, in the Unincorporated Urbanized Areas of Rockwall County. Illicit discharges that Rockwall 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. The County shall report any illicit discharges to TCEQ per the permit immediately after being aware occurrence of any illicit flows believed to be an immediate threat to human health or the environment.

a. BMP, Measurable Goal, and Schedule – Detection: Develop a list of procedures for monitoring illicit discharges

Outfalls and/or other locations within drainage ditch systems in the Unincorporated Urbanized Areas of Rockwall County are visually monitored for indications of illicit discharges or water pollution. To confirm the presence of an illicit discharge, the County will use visual observation. The County will develop a list of procedures for detecting, removing and monitoring the system.

Responsible Department: Environmental Health Coordinator

Goal and Schedule: Visually monitor 100% of the roads for illicit discharges by December of every year for the years (2019-2023) in the Unincorporated Urbanized Areas of the County. The County will report on 100% of the activities on the annual reports which will be submitted by March every reporting year. The County will develop one list of procedures for monitoring, correcting and removing pollutants by December of every year for the years 2019-2023.

Status: On Going

b. BMP, Measurable Goal, and Schedule – Source Investigation and Elimination BMP

Upon becoming aware of an illicit discharge, the County shall conduct an investigation to identify and locate the source of such discharge as soon as practicable. The County will prioritize the investigation of discharge based upon a relative risk of pollution. The County will investigate and document the source of the illicit discharge to complete the investigation. If the source of the illicit discharge extends outside the County's boundary, the County will notify the adjacent MS4 operator or appropriate TCEQ regional office. This BMP will be performed in combination with 2.c below

Goal and Schedule: 100% of the complaints or visual observations that show an illicit discharge will be further investigated within 48 hours of the complaint or visual observation. If an illicit discharge is found, 100% of the discharge will be identified and removed by the County or the appropriate agency. The County will report 100% of the investigations on the annual report which will be submitted by March of the previous permit year.

c. BMP, Measurable Goal, and Schedule – Detection & Correction: Citizen and Staff Reported Discharges

Citizen reporting, of suspected illicit discharges in the Unincorporated Urbanized Areas of Rockwall County, is a reasonable means of detection. Illicit discharges are also identified by County staff performing various duties, such as County Road & Bridge Department maintenance crews, Sheriff's Department, and Environmental Health Coordinator staff. In the Unincorporated Urbanized Areas of Rockwall County, County staff will investigate citizen or staff reported illicit discharges within two (2) weeks, excluding any repeated, unsubstantiated illicit discharge reports at a specific site. Voluntary compliance will be encouraged, however, civil and criminal enforcement will be enacted as necessary. TCEQ's Regional Field Office shall be notified if Rockwall County is unable to compel compliance under State law.

Responsible Department: Environmental Health Coordinator

Goal and Schedule: 100% of the county storm water staff contact phone numbers will be placed on the County website. Investigate 90% of citizen and County staff reported illicit discharges in Unincorporated Urbanized areas within two (2) weeks of the report. This will occur by December of every year for the years (2019-2023). The County will report 100% of the investigations on the annual report which will be submitted by March of the previous permit year.

Status: On Going

d. BMP, Measurable Goal, and Schedule – Detection and Correction: On Site Sewage Facilities (OSSF)

The Environmental Health Coordinator will maintain records, for storm water program benefit, of actions taken regarding malfunctioning On-Site Sewage Facilities in the Unincorporated Areas of Rockwall County as an Authorized Agent of the State (TCEQ) to enforce rules regarding the installation and operation of On Site Sewage Facilities (OSSF).

Responsible Department: Environmental Health Coordinator

Goal and Schedule: The County will record 100% of the inspections and corrective actions taken regarding OSSF's every year for the years 2019-2023. The County will report 100% of the inspections and corrective actions on the annual report which will be submitted by March of the previous permit year.

Status: On Going

e. BMP, Measurable Goal, and Schedule – Detection & Correction: Illegal Dumping Team

The Rockwall County Environmental Health Coordinator will investigate illegal dumping in the Unincorporated Urbanized Areas of the County. As a member of the storm water staff, this position reports annual activities (number of illegal dumping sites reported, cases investigated, violations, remediation, and enforcement actions, etc.) that affect the County storm water drainage system. Citizens can provide feedback via the website. County staff will be trained were appropriate on how to handle and inspect illegal dumping.

Responsible Department: Environmental Health Coordinator

Goal and Schedule: Investigate and document 100% of the illegal dumping activities, including periodic reports. The County will report 100% of the inspections and corrective actions on the annual report which will be submitted by March of every year for the years 2019-2023.

Status: On Going

f. BMP, Measurable Goal, and Schedule – Detection and Correction: NCTCOG Illegal Dumping Hotline

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

Responsible Department: Environmental Health Coordinator

Goal and Schedule: Participate as a member in one (1) regional storm water management groups (NCTCOG sponsored and others) by December of every year for the years (2019-2023). The County will report 100% of the participation activities in the annual report which will be submitted by March of the previous permit year.

Status: On Going

g. BMP, Measurable Goal, and Schedule – Detection: Storm Drainage System Map

Rockwall County will prepare a storm drainage system 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. Rockwall County will update this map as land development occurs and/or as conditions warrant.

Responsible Department: Road and Bridge Department

Goal and Schedule: Prepare one (1) storm drainage system map and update by December every year for the years 2019-2023. The County will report 100% of completion of this task in the annual report each year prior to March of the previous permit year.

Status: On Going

h. BMP, Measurable Goal, and Schedule – Training (Illicit Discharges)

As part of this BMP, NCTCOG provides training to government entities. The County will attend one (1) training once a year before December of every year for the years 2019-2023.

Responsible Department: Environmental Health Coordinator

Goal and Schedule: Send one employee to training by December of every year for the years 2019-2023.

Status: Not Started

i. BMP, Measurable Goal, and Schedule – Develop Procedures for removing Illicit Discharges

The County will develop a list or procedures that outline how to remove illicit discharges and how to coordinate and report the illicit discharge to the appropriate agency.

Goal and Schedule: Develop one list/procedures for removing the illicit discharges by December of 2023.

Section III.7. – Minimum Control Measure #3: Construction Site Storm Water Runoff Control

Rockwall County's standards, consisting of adopted Commissioners Court Orders, state regulations, County policy, and engineering / construction plan requirements, will be revised and amended to provide Phase 2 MS4 compliance in the County's Unincorporated Urbanized Areas (UUA's). Construction BMP's will be utilized in the UUA's when at least one (1) acre or more of land is disturbed during construction. Those standards shall 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.

Per the subdivision ordinance in Chapter 4.04: A site's Storm Water Pollution Prevention Plan shall govern the control measures necessary to prevent and control soil erosion, sedimentation, and water pollution which may degrade receiving waters including rivers, streams, lakes, reservoirs, groundwater and wetlands. The control measures contained herein shall be installed and maintained throughout the construction contract, and coordinated with any permanent or temporary pollution control features specified elsewhere on the plans, and in the specifications to assure effective and continuous water pollution control throughout the construction and post- construction periods. These control measures shall not be used as a substitute for the permanent pollution control measures, unless otherwise directed by the Owner's representative in writing. The controls may include silt fences, straw bale dikes, rock berms, diversion dikes, interceptor swales, sediment traps and basins, pipe slope drains, inlet protection, stabilized construction entrances, seeding, sodding, mulching, soil retention blankets, or other structural or non-structural storm water pollution controls. Additional information regarding these controls can be found in NCTCOG's latest edition of the guidance manual entitled Storm Water Quality Best Management Practices for Construction Activities - North Central Texas. The Contractor is responsible for obtaining all permits required for Storm Water Pollution Prevention.

In addition, the County will ensure the illicit discharges mentioned in the General Permit will not be allowed. These may include, but not limited to,

a. BMP, Measurable Goal, and Schedule – Training (construction site training)

As part of this BMP, NCTCOG provides training to government entities. The County will attend one (1) training once a year before December of every year for the years 2019-2023.

Responsible Department: Environmental Health Coordinator

Goal and Schedule: Send one employee to training by December of every year for the years 2019-2023.

Status: Not Started

b. BMP, Measurable Goal, and Schedule - Tracking: Notice of Intent (NOI)/Construction Site Notice (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, Rockwall County will establish a NOI / CSN File for compliance reference prior to commencing construction MCM activities. 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. The County will provide training on NOI and SWPPPs.

Responsible Department: Environmental Health Coordinator

Goal and Schedule: Establish an NOI/CSN File for Construction and update by December of every year for the years 2019-2023. Report 100% of the NOIs on the annual report by March of the years 2019-2023. NOIs are required to be submitted to the County per Section 4.04.02 of the Subdivision Ordinance.

Status: On Going

d. BMP, Measurable Goal, and Schedule – Review Construction Plans and Construction Sites

Rockwall County will review 100% of the construction plans that are submitted through the County's normal development review process. The review will include making sure the plans and proposed development implement water quality controls such as temporary and permanent erosion control measures. The requirements to include an erosion control plan are included in the County's Subdivision Ordinance Section 4.04.

The County will also inspect construction sites within the County to ensure potential pollutants are being managed on the site. The County will report any violations in accordance with adopted and enforceable procedures allowed by the County's authority. The procedures used to monitor, review and enforce the construction plans and construction sites for water quality are outlined in the County's subdivision ordinance. Per Section 8.03 of the Subdivision Ordinance, The Developer, upon completion of drainage, roads, streets and other facilities intended for the use of the public, or purchasers or owners of lots fronting or adjacent thereto, shall request from the County a final inspection. The County Engineer, or his designee, will inspect the completed work for compliance with the specifications accepted by the Rockwall County Commissioners Court. The Developer will be notified in writing of any work not found in compliance with the Subdivision Regulations.

Responsible Department: Environmental Health Coordinator

Goal and Schedule: Review 100% of the construction plans and construction sites within the County ETJ by December of every year for the years 2019-2023. 100% of the actions for this BMP will be documented in the annual report. Any enforcements that occurred as a result of a violation of this BMP will be report in the annual report by March of every year for the years 2019-2023.

Status: On Going

e. BMP, Measurable Goal, and Schedule – Rockwall County Website

The Rockwall County website <http://www.rockwallcountytexas.com> will be used to post information on all implemented Best Management Practices, development requirements, chemical use regulations and general storm water pollution tips.

Rockwall County will also provide links to the TCEQ, EPA, NCTCOG and other storm water management resource websites as appropriate.

In addition for this BMP and MCM, the website will be used as a tool to solicit feedback from the residents and citizens of Rockwall County.

Responsible Department: Environmental Health Coordinator

Goal and Schedule: Post an email address on the County's website that allows for the public to provide comments on this MCM. 100% of the feedback from the public will be counted and included in the annual reported every year for the years 2019-2023.

f. BMP, Measurable Goal, and Schedule – Add a list of illicit discharges to the construction plan review and construction permits

The County will create a list of illicit discharges (wash out wastewater, fuels, oils, soaps, solvents, and dewatering activities) that will be prohibited on the job site. This list will be enforced as part of the inspection and will be subject to the enforcement outlined in the County's subdivision ordinance.

Responsible Department: Environmental Health Coordinator

Goal and Schedule: Create one list that will be published on the website and will be required to be submitted with 100% of the construction plans and 100% of the construction permits. The measurable goal will be to inspect the construction sites and report 100% of all violations. The goal is to have no violations which means the BMP is effective.

Status: On Going

Section III.8. - Minimum Control Measure #4: Post-Construction Storm Water Management on New or Redeveloped Sites

The County will continue to train staff and look for additional opportunities to implement additional BMPs for this MCM. The County is unable to require detention ponds or other typical structural controls.

Any enforcement or feedback from the citizens on this MCM will be recorded and reported annually.

a. BMP, Measurable Goal, and Schedule – Monitor and Maintain County owned open channels/ditches

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, Rockwall County allow developers, home builders, and residents in the Unincorporated Areas to use at grade open / unlined grassy drainage ditches adjacent to the privately or County owned and maintained roads. This BMP includes the County performing inspections of the ditches and channels to ensure pollutants of concern are managed.

Per Section 6.03.09 of the Subdivision Ordinance, “drainage ditches shall be seeded or sodded within 14 days of final grading. All erosion control measures will be maintained in good working order. Disposal areas and stockpiles shall not be located in any wetland, water body or streambed. The Contractor shall clean paved surfaces as necessary to remove sediment which has accumulated on the roadway. The County reserves the right to inspect any construction site and require changes to a SWP3 if the site is causing pollution to the environment.”

Responsible Department: Environmental Health Coordinator

Goal and Schedule: Rockwall 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. The county will monitor and clean 50% of the open channels and ditches owned by the County by December of every year. The amount of trash will be documented in the annual report. 100% of the activities will be documented in the annual report for the permit year (2019-2023). This existing standard will remain in effect for the duration of the permit period.

Status: On Going

b. BMP, Measurable Goal, and Schedule – Tracking: Additional Pervious Drainage Systems

Rockwall County Road and Bridge Department 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.

Responsible Department: Road and Bridge Department

Goal and Schedule: Document and map 100% of County owned ditches and channels by December of every year for the years 2019-2023. Updates will be provided in the annual report every permit year (2019-2023).

Status: On Going

*Maintain-a list of how maintenance will occur will be provided in the annual report every year.

c. BMP, Measurable Goal, and Schedule – Managing Redevelopment/Development Erosion

Rockwall County will develop, implement and enforce stormwater runoff from new development/redevelopment activities of one acre or greater (including projects disturbing less than one acre that are part of a larger common plan of development). This also includes the County developing a program to establish, implement and enforce a requirement that owners or operators of new development and redevelopment and redeveloped site designs, install implement and maintain a combination of structural and non-structural BMPs appropriate for the community and that protects water quality. The County will refer to the latest TCEQ requirements regarding SWPPPs.

Responsible Department: Road and Bridge Department

Goal and Schedule: The County will update their subdivision ordinance by December 2023 to include language that is specific requiring all types of development as described above to implement temporary and permanent erosion control devices. The inspection and enforcement of this new BMP will follow the current subdivision requirements and enforcement.

Status: On Going

Section III.9. - Minimum Control Measure # 5: Pollution Prevention / Good Housekeeping

Rockwall County roads and bridges in the Unincorporated Urbanized Areas (UUA's) are the ownership and maintenance responsibility of the Rockwall County Road & Bridge Department's forces. The 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 Unincorporated Urbanized Areas are typically rural in section with asphalt pavement (various width with or, most typically, without shoulders) overlaid on a flexible crushed stone or 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 flow crossings consist of multiple paralleled culverts, or as a reinforced concrete or steel bridge.

a. BMP, Measurable Goal, and Schedule –Maintenance of Pervious Drainage Systems

Rockwall County Road and Bridge Department forces inspect County roads and bridges during and after significant rainfall events, and periodically during dry weather periods. This BMP also includes ensuring waste is properly disposed of in appropriate locations. System inspections may result in work orders with tasks of:

- Barricading traffic from entering high water overtopping roadways;
- Removal of debris blocking the roadway's travel lanes;
- Pavement section condition and safety status due to wash out or scouring;
- Shoulder and ditch slope stability;
- Excavation to re-establish grade or direction of flow, and;
- 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 United States.

Responsible Department: Road and Bridge Department

Goal and Schedule: Continue maintenance of 100% of the County road open grassy drainage ditches, channels and culverts. The County will collect and record the amount of trash removed to measure the effectiveness of this BMP. Provide training to one staff on maintenance of the facilities by December of every year for each year (2019-2023). The County will also provide oversight to any third party contractor for 100% of the construction activities (which will be required to follow the MS4 requirements and report this every year by March in the annual report.

Status: On Going

b. BMP, Measurable Goal, and Schedule –Good Housekeeping

Rockwall County's building facilities, construction equipment and fuel storage, and maintenance yards are all located within the Incorporated Areas of various Cities in Rockwall County. Being physically located within those Cities jurisdictions, and their respective MS4 permits, these facilities must comply with the regulatory requirements of those Cities. The County will require any contractor hired by the county to follow the MS4 rules and regulations. The County will continue to hire a contractor (waste disposal) company to manage the trash for the MS4.

- The County will develop one list of 100% facilities and keep inventory of facilities that need to be managed by December of every year.
- The County will inspect and review 100% of the facilities to see if they have a waste management plan in place and report 100% of the waste management activities every year on the annual report by March of every year.
- The County will prepare one list of potential pollutants and procedures for reducing the potential pollutants by December of 2021.
- The County will develop procedures for inspecting and evaluating ways to reduce pollutants by December of 2021. The county will develop a schedule for inspecting the facilities by December of 2021.

Goal and Schedule: Each of the above items will be completed by December of every year for the years 2019-2023, or as indicated above. These activities will be reported in the annual report by March of every year for the years 2019-2023.

Status: On Going

c. BMP, Measurable Goal, and Schedule –Pollutants of Concern

This BMP consists of identifying all potential pollutants of concern and develop ways to reduce them.

Goal and Schedule: Develop one list of pollutants of concern by December of 2021 and annually inspect and review 100% of the list to determine if the pollutants can be reduced. 100% of the activities will be documented in the annual report by March of every year for the years 2019-2023.

Status: On Going

d. BMP, Measurable Goal, and Schedule – Training-Good House Keeping

The County will attend one (1) training once a year before December of every year for the years 2019-2023.

Responsible Department: Environmental Health Coordinator

Goal and Schedule: Send one employee to training by December of every year for the years 2019-2023.

Status: Not Started

Section IV – Recordkeeping and Reporting**Section IV.1. - Recordkeeping**

Rockwall 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 copy of the SWMP, NOI, and a copy of the permit language / requirements shall be maintained in offices of both the Environmental Health Coordinator and the Road and Bridge Administrator.

Rockwall 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 through the County website, or in the offices listed above within two (2) working days following the request from the public. Other records shall be provided in accordance with the Texas state law regarding the Public Information Act.

Section IV.2. - Annual Report

Rockwall 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 offices of both the Environmental Health Coordinator and the Road and Bridge Administrator. See the aforementioned SWMP for the respective department's office and location. A copy will be posted to the website.

Section V – Adoption by Rockwall County Commissioners Court

The Storm Water Management Program will be considered and adopted upon approval of the Commissioner's Court.