



City of Pflugerville, Texas

DATE: September 12, 2011

TO: City Council

FROM: Jeremy Frazzell, Senior Planner

RE: City of Pflugerville Municipal Separate Storm Sewer System (MS4) Overview

BACKGROUND

As part of the Clean Water Act, the Environmental Protection Agency (EPA) established the National Pollution Discharge Elimination System (NPDES) program. The program requires all facilities that discharge pollutants from any point source (i.e. verifiable "end of pipe" system) into "Waters of the United States" to obtain a permit, which in Texas is administered by the Texas Commission on Environmental Quality (TCEQ).

In order to further reduce pollutants, EPA expanded its NPDES permit program into a two phased approach to address non-point source pollution associated with storm water discharges from Municipal Separate Storm Sewer Systems (MS4), construction activities and industrial activities. A Municipal Separate Storm Sewer System is any system of conveyances that discharges into a US water body, including storm sewers, drainage ditches, curb and gutter. Phase II of the program is applicable to MS4s located in urbanized areas that serve populations of less than 100,000, and includes the City of Pflugerville. As part of the NPDES Phase II permit, all MS4 operators are required to develop a Storm Water Management Program (SWMP) that:

1. Reduces the discharge of pollutants to the *maximum extent practicable (MEP)*;
2. Protects water quality; and
3. Satisfies the appropriate water quality requirements of the Clean Water Act.

The Storm Water Management Program (SWMP) is also required to establish Best Management Practices (BMP) that addresses the following six minimum control measures:

1. Public education and outreach;
2. Public participation / involvement;
3. Illicit discharge connection and elimination;
4. Construction site runoff control;
5. Post-construction runoff control; and
6. Pollution prevention / good housekeeping.

THE CITY OF PFLUGERVILLE MS4

In 2007, the City received its MS4 general permit and in 2008 adopted a SWMP that includes 24 different BMPs. Although all important, a summary of the more significant BMPs is listed below:

- Adopt and enforce a storm water pollution control ordinance;
- Develop and adopt interlocal agreements with other governmental agencies to coordinate storm water control and regulation;
- Create a public education program for the City's storm water permit requirements and activities;
- Promote water conservation programs to reduce storm water pollution;
- Adopt and follow the requirements of the Implementation Plan for the Total Maximum Daily Load project to reduce bacteria loading in Gilleland Creek;
- Detect and eliminate illegal disposal of wastes to the city's storm drain system;
- Inspect and repair wastewater lines near the creeks;
- Adopt and enforce storm water management control requirements for construction sites;
- Adopt appropriate structural and non-structural practices to address storm water runoff quality from new development projects.

Among the other BMPs, the City has been actively working on BMP 002 which requires the creation of a Storm Water Pollution Control Ordinance to prohibit and focus on eliminating illicit discharges to the MS4, require construction site best management practices for erosion and sediment controls within the MS4, require development requirements to regulate discharges from new development and redevelopment projects within the MS4, and require any other aspects of storm water management determined to be necessary by the City to implement the Storm Water Management Program.

The establishment of the Storm Water Pollution Control Ordinance will provide Staff with the necessary framework to amend applicable codes, design standards and establish programs as necessary to ensure compliance with the SWMP. Amendments to the Unified Development Code and Engineering Design Guidelines will be needed to effectively implement the proposed ordinance and can be expected in 2012.

A copy of the draft ordinance is enclosed for the Planning and Zoning Commission's review and discussion on September 19, 2011. Public hearings will be scheduled for the Planning and Zoning Commission and City Council meetings in November with final adoption anticipated in December.

Additional information pertaining to EPA and the NPDES Phase II requirements can be found at: <http://www.epa.gov/npdes/regulations/phase2.pdf>