# City of Stillwater

# Phase II MS4
# Stormwater Management Plan

Effective Date: July 1, 2021
Revised: March 2025

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## PART 1: INTRODUCTION

In 1990 the U.S. Environmental Protection Agency (EPA) promulgated regulations for establishing water quality based municipal stormwater programs to address stormwater runoff from certain industrial and construction activities and from medium and large municipal separate storm sewer systems (MS4s) serving populations of 100,000 or greater. These "Phase I" regulations were incorporated into the existing National Pollutant Discharge Elimination System (NPDES) permit rules that address point source dischargers. As a result, urban non-point source runoff became regulated as a point source. On December 8, 1999, the EPA published final regulations that address urban stormwater runoff from cities under 100,000 population and counties that lie within the Urbanized Area as defined by the latest US Bureau of Census designation or otherwise designated by the Oklahoma Department of Environmental Quality (ODEQ) as being required to obtain coverage under the State's Phase II Stormwater program.

These "Phase II" cities and counties must develop a comprehensive Stormwater Management Program (SWMP) that addresses six "Minimum Control Measures" (MCMs). These are:

1. Public Education and Outreach
2. Public Participation and Involvement
3. Illicit Discharge Detection and Elimination
4. Construction Site Stormwater Runoff Control
5. Post Construction Management in New Development and Re-Development
6. Pollution Prevention and Good Housekeeping

The ODEQ has primary jurisdiction over permitting and enforcement of the Phase II Stormwater Program for Oklahoma. On June 1, 2021, the ODEQ finalized their updated General Permit (OKR04) for Phase II Small Municipal Separate Storm Sewer System Discharges within the State of Oklahoma.

The ODEQ's OKR04 General Permit is a reissuance with an effective date of June 1, 2021. The general permit and the authorization to discharge shall expire at midnight May 31, 2026. As provided in the permit, operators of small MS4s who submit a Notice of Intent and a Stormwater Management Program (SWMP) in accordance with PART V of the general permit are authorized to discharge to waters of the State in accordance with the conditions and requirements set forth in the permit.

The OKR04 permit authorizes discharges of stormwater and certain non-stormwater discharges from small MS4s, as defined in OAC 252:606-1-3(b)(3) incorporating by reference 40 CFR §122.26(b)(16). This includes MS4s designated under 40 CFR §122.32(a)(1) and 40 CFR §122.32(a)(2) that describe the referenced area with a population of at least 10,000 but not exceeding 100,000, and small MS4s located in urbanized areas (UA). A number of other operators of small MS4s located outside of a UA have also been designated as a regulated MS4.

The Phase II regulations require that the regulated community submit a Notice of Intent (NOI) to apply for coverage under the Oklahoma Stormwater General Permit (OKR04) along with a Stormwater Management Program document (SWMP) that specifies, for each MCM, what activities will be performed (Best Management Practices – BMPs), along with schedules and measurable goals for each BMP.

This SWMP document fulfills the OKR04 General Permit requirement to prepare a detailed plan of how the City of Stillwater will comply with Part V. of the OKR04 Phase II General Permit within its city limits and urbanized area. This SWMP document specifies all of the actions that the City of Stillwater will take to comply with the stormwater regulations and address the six "Minimum Control Measures" required by EPA for a successful stormwater program. All information contained in this SWMP represents a good faith effort on the part of the City of Stillwater to comply with all requirements of the ODEQ's Phase II General Permit for Small MS4s (OKR04). This SWMP will be reviewed annually by local administrative staff and amended, as needed, to provide greater efficiency or meet additional requirements that may be forthcoming under OKR04 or other regulatory changes.

**PART 2: CERTIFICATION**

The following certification is hereby made in order to comply with signatory requirements of Part VII. H. of the ODEQ General Permit OKR04 for Phase II Small Municipal Separate Storm Sewer Systems.

*I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.*

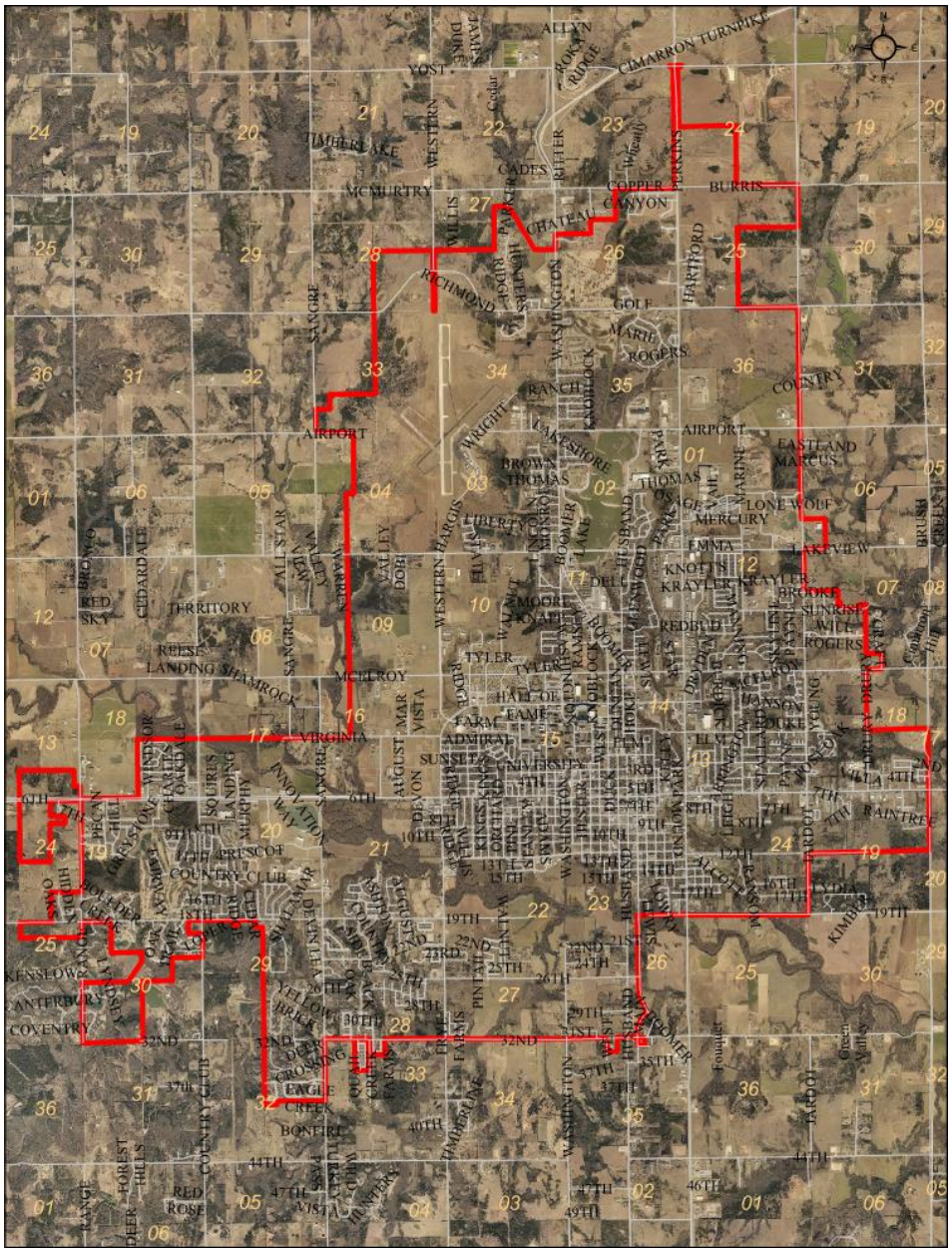
City Manager

4.30.2025
Date

## PART 3: MS4 INFORMATION

### 3.1 Permitted MS4 Area

This SWMP applies throughout the corporate limits of the City of Stillwater, including all regulated activities associated with the discharge of stormwater from the MS4. The map below shows the corporate limits of the City of Stillwater as of the date of this document. No new areas have been annexed during this permit cycle.



### 3.2 Existing MS4 Mapping

The current MS4 map includes open creek/stream channels as well as all open flumes, natural swales, trickle channels, roadside borrow ditches. The map also indicates the locations of closed, or underground pipes, manholes, inlets, junction boxes, outfalls, and detention/retention basins.

The MS4 map is updated as needed when "As-Built" documents are submitted for new development. The map is also updated as errors in infrastructure location are identified and field verified. The map is reviewed once per year in an effort to maintain up to date and accurate data. The MS4 map can be found in Appendix A.

### 3.3 Receiving Waters

The City of Stillwater is located within the Stillwater Creek Watershed and discharges directly into receiving waters as listed in Table 1 below. Applicable impairments listed below are compiled from the ODEQ 2022 Integrated Report.

Table 1: Summary of MS4 Receiving Waters

| Name of Receiving Waterbody | Is this waterbody impaired? If so, what are its impairments? | Is there a TMDL for that Impairment? |
|---|---|---|
| Boomer Creek<br>WBID: OK620900040140_00 | ☒ - Yes ☐ - No<br>Benthic Macroinvertebrates | ☐ - Yes ☒ - No |
| Boomer Creek<br>WBID: OK620900040180_00 | ☒ - Yes ☐ - No<br>Benthic Macroinvertebrates | ☐ - Yes ☒ - No |
| Boomer Lake<br>WBID: OK620900040190_00 | ☒ - Yes ☐ - No<br>Dissolved Oxygen, Mercury, & Chlorophyll-a | ☐ - Yes ☒ - No |
| Cow Creek<br>WBID: OK620900040200_00 | ☒ - Yes ☐ - No<br>Benthic Macroinvertebrates | ☐ - Yes ☒ - No |
| Duck Creek<br>WBID: OK620900040195_00 | ☐ - Yes ☒ - No | ☐ - Yes ☒ - No |
| Hazen Lake<br>WBID: OK620900040160_00 | ☐ - Yes ☒ - No | ☐ - Yes ☒ - No |
| Sanborn Lake<br>WBID: OK620900040170_00 | ☐ - Yes ☒ - No | ☐ - Yes ☒ - No |
| Sanborn-Hazen lake Creek<br>WBID: OK620900040150_00 | ☒ - Yes ☐ - No<br>Benthic Macroinvertebrates | ☐ - Yes ☒ - No |
| Stillwater Creek<br>WBID: OK620900040070_10 | ☒ - Yes ☐ - No<br>Dissolved Oxygen, Turbidity, Benthic Macroinvertebrates | ☐ - Yes ☒ - No |
| West Brush Creek<br>WBID: OK620900040130_00 | ☐ - Yes ☒ - No | ☐ - Yes ☒ - No |

### 3.4 Total Maximum Daily Loads (TMDLs)

No TMDLs have been implemented for any of the receiving waters above at this time.

### 3.5 Endangered and Threatened Species and Critical Habitat

Significant populations of threatened or endangered species and/or critical habitat are not identified within the regulated MS4 urbanized area, as determined by a review of the Environmental Conservation Online System as provided by the U.S. Fish and Wildlife Service.

### 3.6 Industrial Facility Discharges

The City of Stillwater MS4 jurisdictional area includes the following industrial facilities which hold OKR05 Industrial Stormwater Permits, as determined from the ODEQ Active OKR05 Permit Map CSV File.

Table 2: OKR05 Permitted Industrial Facilities

| Permit Number | Facility Name |
|---|---|
| OKR052250 | City of Stillwater Waste Water Treatment Facility |
| OKR053458 | City of Stillwater Energy Center |
| OKR050915 | UPS Stillwater |
| OKR051577 | DW-National Standard-Stillwater LLC |
| OKR051598 | Allied Waste Services of Stillwater |
| OKR051003 | Stillwater Milling Company |
| OKR054091 | Envoy Air Inc-Stillwater |
| OKR053406 | Stillwater Regional Airport |
| OKR052550 | ASCO Aerospace USA LLC |
| OKR052430 | Recycling of Stillwater |

### 3.7 Authorized Discharges

A list of authorized non-stormwater discharges is provided in Part II.B. of the OKR04 Permit. These non-stormwater discharges are authorized under the condition that they are determined to be insignificant sources of pollutants to the MS4. Should any authorized non-stormwater discharged be determined to contribute significant pollutants to the MS4, the discharge will be subject to enforcement measures as provided by Chapter 35 of the City of Stillwater Code of Ordinances.

The following non-stormwater discharges are authorized:

- diverted stream flows;
- uncontaminated discharges from riparian areas and wetlands;
- uncontaminated ground water or spring water;
- residential building wash water that does not use detergents, solvents, and/or soaps;
- uncontaminated pumped ground water;
- uncontaminated ground water infiltration;

- uncontaminated discharges from potable water sources, including water line flushing and fire hydrant flushing;
- foundation drains;
- air conditioning condensate;
- water from crawl space pumps;
- footing drains;
- residential, non-commercial, and charity car washing;
- landscape irrigation and lawn watering, provided all pesticides, herbicides, and fertilizers have been applied in accordance with the approved manufacturers' instructions and/or labeling;
- uncontaminated and dechlorinated swimming pool discharges;
- street wash water, including wash water generated from the washing of other impervious surfaces such as sidewalks and parking lots, that does not use detergents, solvents, and/or soaps;
- discharges in compliance with a separate Oklahoma Pollutant Discharge Elimination System (OPDES) or National Pollutant Discharge Elimination System (NPDES) permit;
- discharges of gray water from municipal splash pads (aka, spray parks or spray grounds), as defined in 27A O.S. § 2-6-107, unless otherwise permitted or regulated by DEQ, provided the discharges comply with all applicable municipal or county ordinances enacted pursuant to law (discharges from recirculating systems shall be dechlorinated); and
- discharges or flows from emergency firefighting activities or training activities that are not taking place at a permanent facility, provided procedures are in place for the Incident Commander, Fire Chief, or other on scene firefighting official in charge to make an evaluation regarding potential releases of pollutants from the scene.

The local incident commander of the fire-fighting scene will report to City of Stillwater Watershed Quality Manager any observed releases of chemicals into the MS4 and/or water bodies. Local remediation will be implemented and consist of deploying absorbents, chemical neutralizers and/or booms and water skimmers to contain, neutralize and/or remove the chemicals. If the release is beyond the capability of local resources to safely and effectively remediate, the City of Stillwater will contract with a qualified company for large-scale hazardous waste remediation.

### 3.8 Target Pollutants and Sources

As identified above in Table 1, the primary causes for impairments for Stillwater's receiving waters include turbidity, dissolved oxygen, benthic macroinvertebrates, Chlorophyll-A, and Mercury. While the *Unconfirmed Potential Sources* identified in the ODEQ Integrated Report primarily consist of "source unknown" it is believed that the majority of water quality impairments in the City of Stillwater are a result of sediment and nutrient loads in both urban and rural runoff. The primary BMPs employed to target these sources include public education and construction site runoff management for residential, commercial and industrial sources.

Specific topics for residential and commercial education include proper fertilizer use, illicit discharges, good housekeeping, and pet waste management. Specific topics for commercial and industrial education include material management, spill response, and sediment/erosion management during construction. Additional information can be found in the Minimum Control Measure sections of this document.

Table 3: BMPs Targeting 303(d) Waters

| 303(d) Listed Water | Target Pollutants | BMPs |
|---|---|---|
| Boomer Creek<br>WBID: OK620900040140_00 | Sediment | Monthly quality monitoring, illicit discharge inspections, construction site inspections, visual monitoring, public outreach, trash removal events |
| Boomer Creek<br>WBID: OK620900040180_00 | Sediment | Monthly quality monitoring, illicit discharge inspections, construction site inspections, visual monitoring, public outreach, trash removal events |
| Boomer Lake<br>WBID: OK620900040190_00 | Sediment, fertilizers, organic matter | Monthly quality monitoring, illicit discharge inspections, construction site inspections, visual monitoring, public outreach, trash removal events, |
| Cow Creek<br>WBID: OK620900040200_00 | Sediment | Monthly quality monitoring, illicit discharge inspections, construction site inspections, visual monitoring, public outreach, trash removal events |
| Sanborn-Hazen lake Creek<br>WBID: OK620900040150_00 | Sediment | Monthly quality monitoring, illicit discharge inspections, construction site inspections, visual monitoring, public outreach, trash removal events |
| Stillwater Creek<br>WBID: OK620900040070_10 | Sediment, fertilizers, organic matter | Monthly quality monitoring, illicit discharge inspections, construction site inspections, visual monitoring, public outreach, trash removal events |

## PART 4: STORMWATER MANAGEMENT PROGRAM ADMINISTRATION

### 4.1 Organizational Structure

Management and Administration of the MS4 program and ensuring compliance with the OKR04 General Permit is the responsibility of the Watershed Quality Division (WQD) within the Department of Engineering. The WQD is responsible for the MS4 Program, Floodplain Management Program, and the Environmental Program. The Watershed Quality Manager and designated staff are responsible for implementing all BMPs for each Minimum Control Measure. The WQD staff coordinates with all applicable City Departments for BMP implementation.

### 4.2 Program Funding and Budget

The MS4 Program is currently funded through a variety of sources. The primary source of funding is a Drainage Fee established in 1997. The current fee collects $2.46 for each active residential utility account while commercial accounts are collected using a tiered rate based on an Equivalent Residential Unit (ERU). The revenue collected through the drainage fee is utilized by three departments: City Engineering, Community Development, and Public Works.

The City Engineering Department contains the WQD, which is utilizes the funds for staffing, program implementation, BMP implementation, plan reviews, and continuing education/professional development

The Community Development Department utilizes a portion of the funds for plan review, permit application processing and issuance, and project tracking.

The Public Works Department utilizes a portion of the funds for staffing and equipment as well as channel and infrastructure maintenance and repairs.

The Drainage Fee does not currently adequately fund all aspects of the MS4 program and additional funding sources are used to supplement activities. Smaller projects may be funded through the General Fund with the approval of the City Manager, while other projects that exceed a monetary threshold must have funds approved by the City Council. The City also regularly seeks applicable grants to aid in program funding. The Drainage Fee was increased January 1, 2024 and staff is anticipating a second increase to the Drainage Fee during the current permit cycle in an effort to improve the MS4 program and related activities.

### 4.3 Shared Responsibility

The City of Stillwater does not share the responsibility of program implementation with another entity. While the City utilizes the water quality data obtained by the Blue Thumb organization, no formal agreement is in place for their services.

### 4.4 Co-Permittees

There are no other entities applying for co-permittee status under the OPDES MS4 permit number OKR040031 for the City of Stillwater.

## PART 5: MCM 1: PUBLIC EDUCATION AND INVOLVMENT

The City of Stillwater will implement a Public Education and Outreach Program to distribute educational materials to the community and staff as well as conduct outreach activities about the impacts of storm water discharges on water bodies and steps the public can take to reduce pollutants in storm water runoff.

The Best Management Practices (BMPs), target audiences, measurable goals, implementation schedule, and coordinating MCMs addressed by the Public Education and Involvement Program, are outlined in Table 3 below.

Table 3: BMPs for Public Education and Involvement

| ID # | Public Education Activities | Target Audience | Measurable Goal | Implementation Schedule | Coordinating MCM |
|---|---|---|---|---|---|
| 1 | Public Service Announcements | General Public | 3 social media announcements per year for various program activities | Complete Annually by December 31st | |
| 2 | Public Radio/Local TV Access | General Public | 2 spots per year promoting program activities | One by March 31st, one by September 30th. | |
| 3 | Press Releases | General Public | 2 press releases per year for various program activities | One by March 31st, one by September 30th. | |
| 4 | Notice of Violation Door Hangers/Informational Pamphlets (FOG) | General Public where specific pollutant concerns exist | Provide Informational door hangers to 100% of properties where specific pollutant sources are identified and documented. | At the time sources are identified. | 2,3,4,5 |
| 5 | City Website | General Public | Review and update website information once per year | Annual review and update by December 31st, and throughout the year as needed. | 2,3,4,5 |
| 6 | Staff Training: Topics to include industrial runoff, illicit discharges, construction runoff, post construction runoff, and facilities good housekeeping. | City Staff | Provide training for one City department per year. | Complete Annually by December 31st | 2,3,4,5,6 |
| 7 | Development Training: Topics to include industrial runoff, illicit discharges, construction runoff, post construction runoff. | Development Community & Contractors | Provide training once per year. | Complete Annually by December 31st | 2,3,4,5 |

| | | | | | |
|---|---|---|---|---|---|
| 8 | Education Events: Topics to include illicit discharges, construction runoff, post construction runoff. | Public Organizations/ Professional Organizations/ HOAs/Public School groups/ Industrial & Commercial Groups | Provide educational materials once per year. | Complete Annually by December 31st | 2,3,4,5 |
| 9 | Annual Report, NOI, and SWMP Publication | General Public | Make the Annual Report Available to the public on the website each year. | Completed Annually by May 15th | 2,3,4,5,6 |
| 10 | Watershed Clean-up/ Trash Removal Event | General Public | Once per year | Completed Annually by April 30th | |
| 11 | Household Hazardous Waste Collection Event | General Public | Once per year | Completed Annually by April 30th | |
| 12 | Council Meetings | General Public | Once per year | Complete Annually by December 31st | 2,3,4,5,6 |
| 13 | Volunteer Water Quality Monitoring | Blue Thumb Volunteers | 6 monitoring events per year at each monitoring location | Completed by the end of each month | |
| 14 | Public Comments & Complaints | General Public | Review and respond to 100% of public comments and complaints | Completed within 48 hours of receipt. | 2,3,4,5,6 |

## PART 6: MCM 2: INDUSTRIAL STORMWATER RUNOFF CONTROL

This SWMP identifies the minimum elements and implementation of an Industrial Stormwater Runoff Program that complies with applicable permit requirements. The City of Stillwater will manage, implement and report the following Industrial Stormwater Runoff BMPs.

Table 4: BMPs for Industrial Runoff and Control

| ID # | Industrial Stormwater Runoff Control | Target Audience | Measurable Goal | Implementation Schedule | Coordinating MCM |
|---|---|---|---|---|---|
| 15 | OKR05 Permittee List | City Staff | Review and update once per year | Completed annually by January 31st. | |
| 16 | Ordinance Review | City Staff | Review and update once per year | Completed annually by January 31st. | |
| 17 | OKR05 Facility Inspection | OKR05 Permittees | Inspect 20% of permitted facilities each year | Complete Annually by December 31st | |
| 18 | Development Plan Review | City Staff | Review plans for 100% of new industrial developments for water quality impacts | Completed within 14 days of receipt of applications. | |
| | Coordinating Activities From Table 3 | See Table 3 | See Table 3 | See table 3 | See Table 3 |

## PART 7: MCM 3: ILLICIT DISCHARGE DETECTION AND ELIMINATION

The City of Stillwater will implement a comprehensive program to detect and eliminate illicit discharges in accordance with the OKR04 General Permit. The program will rely upon a number of methods of discharge detection and enforcement actions as allowed by Chapter 35 of the City's code of ordinances. Two categories of pollutants will be addressed: 1) episodic incident with no determinable source, and 2) chronic or frequent incident with a potentially determinable source.
The first category consists of pollutants introduced into the MS4 from individuals in a one-time episode at a discrete point of entry, in which case the responsible party or source is not traceable. Examples of these are dumping of yard waste, motor oil, antifreeze or trash into a creek or storm drain. These types of pollutants, when discovered in the MS4 or local streams, cannot be effectively investigated as to the source (i.e. the individual causing the pollution). Discovery of this type of pollutant will be from incident reports from citizens, city crews, police and fire workers, businesses, and State and Federal agency field crews. Prevention of future episodic pollution incidents will rely upon implementation of the Public Education and Involvement program presented above.

The second category consists of pollutants from sources that are frequently occurring or otherwise traceable through stream channels and the MS4 system using one or more methods of visual inspections, use of simple chemical field test kits and/or formal chemical sampling via laboratory analysis. Pollutants from these sources will be dispersed downstream as a detectable odor, visual color, increased turbidity, excessive algae growth, or changes in water chemistry (e.g. pH or conductivity) when compared to uncontaminated water in the stream or MS4. These potentially traceable pollutants are amenable to "source tracking" inspections, and the sources are more likely to be found and remediated.

Additional information regarding the IDDE program and priority can be found in the City's, *Illicit Discharge Detection and Elimination Program*, available in Appendix C. BMPs for the IDDE program are listed in table 5 below.

Table 5: BMPs for Illicit Discharge Detection and Elimination

| ID # | Illicit Discharge Detection & Elimination | Target Audience | Measurable Goal | Implementation Schedule | Coordinating MCM |
|---|---|---|---|---|---|
| 19 | Ordinance Review | City Staff | Review and update once per year | Completed annually by January 31st. | |
| 20 | MS4 GIS discharge mapping | City staff and crews | Review and update once per year as needed | Completed annually by January 31st. | |
| 21 | Dry Weather Field Screening | City Staff | Inspect 40% of identified outfalls each year/100% of identified high priority areas | Completed annually by October 31st | |
| 22 | Enforcement for erosion control | Construction/ Development | Respond to 100% of identified discharges | Respond within 24 hours of identification | |
| 23 | Enforcement for yard waste | General public | Respond to 100% of identified discharges | Respond within 24 hours of identification | |

| | | | | | |
|---|---|---|---|---|---|
| 24 | Enforcement for Trash, Fats, Oils & Grease Discharges | Commercial/ General Public | Respond to 100% of identified discharges | Respond within 24 hours of identification | |
| | Coordinating Activities From Table 3 | See Table 3 | See Table 3 | See table 3 | See Table 3 |

The following list of incidental non-stormwater discharges will not be addressed as illicit discharges:

- Emergency water line leaks and corresponding repair activities;
- City facility wash water that does not use detergents, solvents, and/or soaps;
- discharges from potable water sources, including water line flushing and fire hydrant flushing;
- landscape irrigation provided all pesticides, herbicides, and fertilizers have been applied in accordance with the approved manufacturers' instructions and/or labeling;
- street wash water, including wash water generated from the washing of other impervious surfaces such as sidewalks and parking lots, that does not use detergents, solvents, and/or soaps;
- discharges of gray water from municipal splash pads (aka, spray parks or spray grounds), as defined in 27A O.S. § 2-6-107, unless otherwise permitted or regulated by DEQ, provided the discharges comply with all applicable municipal or county ordinances enacted pursuant to law (discharges from recirculating systems shall be dechlorinated); and
- discharges or flows from emergency firefighting activities or training activities that are not taking place at a permanent facility, provided procedures are in place for the Incident Commander, Fire Chief, or other on scene firefighting official in charge to make an evaluation regarding potential releases of pollutants from the scene.

## PART 8: MCM 4: CONSTRUCTION SITE RUNOFF CONTROL PROGRAM

The City of Stillwater will manage, implement, document, report and enforce a Construction Site Runoff Control Program which shall, at a minimum, include the BMPs in table 6 below.

Table 6: BMPs for Construction Site Runoff Control

| ID # | Construction Site Stormwater Runoff Control | Target Audience | Measurable Goal | Implementation Schedule | Coordinating MCM |
|---|---|---|---|---|---|
| 25 | Standard Erosion Control Plan Sheet | Contractors, developers, city crews, utility companies, etc. | Review and update once per year as needed | Completed annually by January 31st. | |
| 26 | Standard Erosion Control Notes | Contractors, developers, utility companies, and city crews | Review and update once per year as needed | Completed annually by January 31st. | |
| 27 | Construction Site Stormwater Control Ordinances and Policies | Contractors, developers, utility companies, and city crews | Review and update once per year as needed | Completed annually by January 31st. | |

| | | | | | |
|---|---|---|---|---|---|
| 28 | Earth Change Permit Issuance for sites exceeding one acre | Site owner and operators | Issue permits for 100% of sites that meet criteria | Completed within 14 days of receipt of applications. | |
| 29 | Enforcement for Permit Violations | Contractors, developers, utility companies, and city crews | Respond to 100% of identified discharges | Respond within 48 hours of identification | |
| 30 | Construction Site Stormwater Inspections | Contractors, developers, utility companies, and city crews | Inspect 100% of permitted sites once per month | Complete by the end of each month | |
| | Coordinating Activities From Table 3 | See Table 3 | See Table 3 | See table 3 | See Table 3 |

### 8.1 Inspection Procedures

The City of Stillwater is designated as a Phase II, Category II permittee and will conduct stormwater compliance inspections for all construction sites. Sites exceeding one acre of disturbance and permitted under the ODEQ OKR10 Construction General Permit will be inspected at a minimum frequency of once per month by City staff that has been trained and certified in stormwater inspection procedures. When feasible, City staff will inspect each permitted site every two weeks. Sites that do not exceed one acre of disturbance will be inspected after rain events that produce precipitation of 0.5" or more, and on an as-needed basis.

Structural and non-structural controls will be checked for effectiveness, proper implementation and installation, as well as identifying maintenance needs and compliance status with applicable site permits. Sites with noted deficiencies will be provided with an inspection report, identifying the location and nature of each deficiency with the necessary corrective or recommended action. Photos of the deficiency will be provided if possible. Inspection reports will include a deadline for corrective actions of 14 calendars days. The deadline may be adjusted by City staff depending on the severity of the deficiency and the potential of the deficiency to cause damage or harm to life or property, or if the deficiency is resulting in an active discharge of pollutants to the MS4.

### 8.2 Enforcement Procedures

If corrective actions have not been initiated by the deadline provided on an inspection report, the City may order compliance by written Notice of Violation (NOV) to the person(s) responsible. The NOV shall contain:

- The name and address of the property owner, manager, and occupant;
- The address or a description of the building, structure or land upon which the violation is occurring, or has occurred;
- A statement specifying the nature of the violation;
- A demand for a plan of action to remedy the violation, to be submitted to the stormwater program manager for approval within three business days from receipt of the notice of violation. In the

event that a violation causes or has the potential to cause an immediate threat to public or environmental health and safety, the violation may be deemed an emergency and shall require a plan of action within 12 hours of notification;

- In the event of an emergency, a statement specifying that the work may be completed by a designated governmental agency or a contractor and all expenses shall be charged to the violator;
- A statement specifying that, should the violator fail to restore compliance within the established time schedule, additional legal actions may be taken by the city, including but not limited to:
    - Termination of a facility's water supply, sewer connection, or other municipal utility. Utilities may be restored after compliance is verified by inspection;
    - Revocation or suspension of applicable permits;
    - A stop work order;
    - Issuance of a citation for a Class C offense, a Class D offense, or both; and
    - The city's or its designated contractor's abatement at the expense of the violator

## PART 9: MCM 5: POST-CONSTRUCTION MANAGEMENT IN NEW DEVELOPMENT & REDEVELOPMENT

This SWMP identifies the minimum elements to develop, implement and enforce a program to address stormwater runoff from new development and redevelopment projects that disturb greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale, that are located within the City of Stillwater and discharge into the MS4. These elements are designed to minimize water quality impacts utilizing a combination of structural facilities and non-structural BMPs appropriate for the community, and ensure adequate long-term operation and maintenance of drainage facilities.

The post-construction program will require contractors to implement best management practices to prevent erosion and non-storm water runoff from sites after active construction has ceased. The City will employ and require all contractors to employ a combination of structural and non-structural BMPs. The City's existing floodplain management strategy requires that post-runoff flow rates not exceed pre-development runoff flow rates. All public comments concerning water quality issues will be considered during amending of zoning codes and floodplain management codes. As part of the administrative review of plans, the City will encourage protection of sensitive water quality areas (e.g. wetlands, riparian areas, etc.) and encourage use of buffers along sensitive water bodies, low impact development, and green infrastructure.

Table 7: BMPs for Post-Construction Management in New Development and Redevelopment

| ID # | Post-Construction Management in New Development and Redevelopment | Target Audience | Measurable Goal | Implementation Schedule | Coordinating MCM |
|---|---|---|---|---|---|
| 31 | Maintain Permanent Post-Construction Policies | City Staff | Review and update once per year as needed | Completed annually by January 31st. | |
| 32 | Drainage Facility Maintenance Ordinances | General Public | Review and update once per year as needed | Completed annually by January 31st. | |
| 33 | Drainage Facility Inspection & Enforcement | General Public | Inspect 20% of permanent structures per year | Complete Annually by December 31st | |
| 34 | Assess Street Design & Parking Lot requirements | City Staff | Review and update once per year by January 31st | Completed annually by January 31st. | |
| | Coordinating Activities From Table 3 | See Table 3 | See Table 3 | See table 3 | See Table 3 |

## PART 10: MCM 6: POLLUTION PREVENTION/GOOD HOUSEKEEPING FOR MS4 OPERATIONS

This SWMP provides a comprehensive pollution prevention and good housekeeping strategy for the City of Stillwater municipal facilities and operations. Pollution prevention and good housekeeping is accomplished through the implementation of several measures, which collectively address the ultimate goal of preventing or reducing pollutant runoff from municipal operations such as parks and open space maintenance, fleet and building maintenance, new construction and land disturbances, and municipal storm sewer system maintenance.

The following operations and facilities are owned by the City of Stillwater and are subject to the requirements of this MCM:

City Hall - 723 S. Lewis
Stillwater Airport - 2020-1 W Airport Rd.
Animal Control - 1710 S. Main 74074
Fleet Maintenance - 505 E. 3rd
Public Works Service Center - 707 E. 8th
Fire Department - 1506 S. Main
Parks, Events, and Recreation - 315 E. 9th
Parks Maintenance - 701 E 12th
Municipal Swimming Pool - 800 E. 12th
Stillwater Power Administration - 411 E. 3rd
Water and Wastewater Distribution/Services - 3015 N. Airport Industrial Access Rd.
Water Treatment Plant - 1022 W Yost Rd
Wastewater Treatment Plant - 2424 S Bruch Creek Rd

Additionally, the following City facilities are subject to the OKR05 Multi-Sector General Permit:

City of Stillwater Wastewater Treatment Facility - OKR052250
City of Stillwater Energy Center - OKR053458
Stillwater Regional Airport - OKR053406

The City of Stillwater will manage, implement and report the pollution prevention and good housekeeping BMPs as specified in Table 8 below.

Table 8: BMPs for Pollution Prevention/Good Housekeeping for MS4 Operations

| ID # | Pollution Prevention/Good Housekeeping Activities | Target Audience | Measurable Goal | Implementation Schedule | Coordinating MCM |
|---|---|---|---|---|---|
| 35 | Maintenance of Facility Spill Kits | City Staff | Inspect and replenish once per year | Complete annually by October 31st | |
| 36 | Municipal Facility Inspections subject to | City staff | Inspect each permitted facility once per quarter | Complete annually by the end of each quarter | |

| | | | | | |
|---|---|---|---|---|---|
| | the OKR05, OPDES, or NPDES permit | | | | |
| 37 | Municipal Facility Inspections not subject to the OKR05, OPDES, or NPDES permit | City Staff | Inspect each facility once per year | Completed annually by October 31st | |
| 38 | O&M policies for maintaining MS4 facilities | City Staff | Review and update once per year as needed | Completed annually by January 31st. | |
| 39 | Street sweeping program | City-wide, city crews | Streets are swept 4 times per year | Complete Annually by December 31st | |
| | Coordinating Activities From Table 3 | See Table 3 | See Table 3 | See table 3 | See Table 3 |

### 10.1 MS4 Operational Activities

MS4 operational activities that result in the potential discharge of pollutants will be analyzed on a case-by-case basis to determine appropriate sediment and erosion control needs. These activities may include but are not limited to emergency water line repairs, sewer repairs, excavations, concrete placement, dewatering, etc. Once the appropriate sediment or erosion control is identified, the on-site supervisor will be responsible for ensuring proper placement and monitoring the effectiveness of the control.

If an operational activity requires the use of contracted services, the contractor will be required to comply with all City of Stillwater ordinances and standards regarding stormwater management through the use of contract documents or the Acknowledgement of Stormwater Requirements form provided by the Development Services Department.

### 10.2 Municipal Facilities

All municipal facilities will be inspected once per year at a minimum. Municipal facilities covered by an OKR05 Multi-Sector General Permit will be inspected once per quarter. A qualified inspector will conduct the site inspection using the checklist included in the Municipal Facility Inspection Form. All noted deficiencies will be recorded with a location, photograph, and recommended action to be provided to the facility Manager. Upon completion of the recommended actions, a site follow-up may be scheduled to ensure compliance with all applicable permit requirements. For liquid products, all manufacturers' directions for proper use, storage and disposal must be followed. Each facility Manager will be responsible for maintaining a site-specific Spill Response Plan and spill kits if necessary.

### 10.3 Maintenance of City-owned Drainage Facilities

Drainage facilities located on City-owned property will be maintained by the Public Works Department. Maintenance schedules will be managed by the Public Works Director, Managers, and Supervising Crew Chiefs based on specific site needs and resident requests. Drainage basins will be cleaned on a rotation and the collected material will be properly disposed of. All streets with gutters are swept four times per year on a rotating schedule. Additional sweeping requests can be made to the Waste Management Department.

## PART 11: OPTIONAL PERMIT REQUIREMENTS FOR MUNICIPAL CONSTRUCTION ACTIVITIES

The City of Stillwater elects to comply with the alternative provided in Part VIII of OKR04 relating to construction activities on land owned by the City and to activities that are directly controlled by the City. By selecting this option, all municipal construction discharges are herein authorized so long as the City meets all terms and requirements under OKR04. The City of Stillwater will develop, for each City construction project of one acre or greater in size, a Stormwater Pollution Prevention Plan (SWP3) that meets all requirements of OKR04 and applies to all municipal construction activities within City of Stillwater city limits. This option applies to all City construction activities where the City meets the definition of "construction site operator" as defined in OKR04.

The City of Stillwater will have several types of construction activities in the future: 1) new buildings 2) cleared and/or paved areas such as parking lots or park ball fields, and 3) utility line entrenchment. The City of Stillwater will either hire a contractor to perform the work or use city crews and equipment. Standard construction practices will be used on all projects. Local conditions include construction in accessible areas with sufficient easement and/or city ownership of property.

The City of Stillwater's Project Manager will ensure that the project-specific SWP3 is developed and a copy kept at the construction site for review. When the City hires a contractor to perform the work, the City may require the contractor to prepare and maintain access to the SWP3, and this will be verified by the City construction inspector or other City official. The City's SWP3 contents will meet all requirements of OKR04. Site specific BMPs will be selected, implemented, and maintained throughout the duration of the project. A certified stormwater inspector will be assigned to each project and will follow all procedures associated with MCM 4 of the OKR04 permit. Sites will be inspected at the same frequency as those permitted under the OKR10 permit. All inspection and enforcement procedures identified in Chapter 35 of the Code of Ordinances apply. In the event that the City is unable to obtain compliance from contractors, the City may request aid from the Oklahoma Department of Environmental Quality local office.

**PART 12: BMP NARRATIVES**

| BMP ID #: 1,2 & 3 | Public Service Announcements, Public Radio/Local TV Access, Press Releases | | | | | |
|---|---|---|---|---|---|---|
| Minimum Control Measure Application: | MCM 1 | MCM 2 | MCM 3 | MCM 4 | MCM 5 | MCM 6 |
| | X | | | | | |
| BMP Description: | Social media posts, radio interviews on local stations, local TV access interviews, and press releases to the public. These media activities will cover a variety of MS4 program topics including residential good housekeeping, public participation events, program needs, floodplain information, and general water quality topics (i.e. proper fertilizer usage, collection of pet waste, etc.). These BMPs have been effective in reaching the general public with short, concise messaging. | | | | | |
| Suitable For: | General public | | | | | |
| Measurable Goals: | 3 social media posts/year<br>2 spots on local radio/local TV access/year<br>2 press releases/year<br>All City departments are allocated a range of available "spots" using these media outlets. The number of "spots" per year have been chosen to ensure that the WQD is able to meet the goals set. Typically the WQD is able to request additional spots when need, allowing the City to exceed the measurable goals for these BMPs each year. | | | | | |
| Implementation Schedule | These BMPs were implemented prior to the 2021 permit cycle and are continued annually. | | | | | |

| BMP ID #: 4 | Notice of Violation Door Hangers / Informational Pamphlets | | | | | |
|---|---|---|---|---|---|---|
| Minimum Control Measure Application: | MCM 1 | MCM 2 | MCM 3 | MCM 4 | MCM 5 | MCM 6 |
| | X | X | X | X | X | |
| BMP Description: | Notice of Violation door hangers were developed to be placed at specific locations where potential pollutant sources have been identified. These hangers are effective at allowing staff to inform residents and commercial facilities of pollutant sources and potential ordinance violations that exist on their property. Each hanger has a detachable note section, allowing staff to easily keep record of the address, pollutant, and date of the notification. This allows staff to follow up to ensure pollutant sources are either mitigated. If pollutant sources are not mitigated, enforcement escalation procedures may be used. | | | | | |

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| | Other pamphlets include information regarding the F.O.G. program, sanitary vs. storm sewer systems, flood risks, etc. These pamphlets are handed out with a targeted approach when specific issues ae identified. |
| Suitable For: | General public |
| Measurable Goals: | Provide informational door hangers/pamphlets to 100% of properties where specific pollutant sources are identified and documented. This measurable goal was selected in an effort to reduce the amount of pamphlets that are ignored and discarded or littered. It was determined that providing these hangers/pamphlets in mass resulted in wasted resources and increased cost of printing. Since changing the goal to targeting specific properties where issues are identified, the amount of materials found littered has dramatically reduced. |
| Implementation Schedule | This BMP was implemented prior to the 2021 permit cycle. The measurable goal was changed to provide a targeted approach when the door hangers were added in 2022. This BMP is continued on an annual basis. |

| BMP ID #: 5 & 9 | City Website, Annual Report, NOI, and SWMP Publication | | | | | |
|---|---|---|---|---|---|---|
| Minimum Control Measure Application: | MCM 1 | MCM 2 | MCM 3 | MCM 4 | MCM 5 | MCM 6 |
| | X | X | X | X | X | |
| BMP Description: | Provide basic MS4 program information on the City's website. This allows citizens to view information regarding Industrial Runoff, Construction Site Runoff, IDDE, Post Construction, and City Facility activities. It will also citizens to view current Annual Reports, NOI, and SWMP information to stay better informed with the City goals, local water quality issues, use of funds, and provide an avenue for citizen feedback. | | | | | |
| Suitable For: | General public | | | | | |
| Measurable Goals: | Review and update the information provided on the website once per year. This annual review/update was determined to be sufficient as the website is designed to provide an overview of the City's MS4 program, and not a day to day log of activities. | | | | | |

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| Implementation Schedule | The BMP for the City website was implemented prior to the 2021 permit cycle. Publication of the Annual Report, NOI, and SWMP is planned to be implemented in 2023 during a website re-design. Once the entire website moves to the updated design, these elements will be added to the WQD page. |

| BMP ID #: 6 | Staff Training | | | | | |
|---|---|---|---|---|---|---|
| Minimum Control Measure Application: | MCM 1 | MCM 2 | MCM 3 | MCM 4 | MCM 5 | MCM 6 |
| | X | X | X | X | X | X |
| BMP Description: | Provide information to staff to be able to identify pollutant sources associated with industrial, construction, and post construction runoff, illicit discharges, and good housekeeping strategies for City facilities. Staff training is currently performed for one department each year, however a training module is currently being developed to be added to the City's Annual training requirements for all employees. Once this module is complete and entered into the training rotation, all City employees will be able to access the required half day training to be able to identify and mitigate/report pollutant sources and discharges. | | | | | |
| Suitable For: | City staff | | | | | |
| Measurable Goals: | Provide training to one City department per year.<br><br>This measurable goal has been effective at reaching various department staff on a rotation, however, due to increasing staff turnover and difficulties in reaching all employees within a department at the same time, the City is creating a new training module to be included in annual employee training. Once complete, all City staff will be able to attend an annual half day module. | | | | | |
| Implementation Schedule | This BMP was implemented prior to the 2021 permit cycle and will continue to be updated as needed and implemented on an annual basis. | | | | | |

| BMP ID #: 7 | Staff Training | | | | | |
|---|---|---|---|---|---|---|
| Minimum Control Measure Application: | MCM 1 | MCM 2 | MCM 3 | MCM 4 | MCM 5 | MCM 6 |
| | X | X | X | X | X | X |

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| BMP Description: | Provide information to the development community and contractors to be able to identify pollutant sources associated with industrial, construction, and post construction runoff, illicit discharges, and good housekeeping strategies for construction/development sites. |
| Suitable For: | Development community and contractors |
| Measurable Goals: | Provide training once per year.<br><br>This measurable goal of one training per year was established due to the difficulties in organizing multiple trainings with lower turnout. Currently, training alternates between Builder's Relations Committee meetings and the Home Builder's Association meetings and has been met with success. |
| Implementation Schedule | This BMP was implemented prior to the 2021 permit cycle and will continue to be updated as needed and implemented on an annual basis. |

| BMP ID #: 8 | General Education Events | | | | | |
|---|---|---|---|---|---|---|
| Minimum Control Measure Application: | MCM 1 | MCM 2 | MCM 3 | MCM 4 | MCM 5 | MCM 6 |
| | X | X | X | X | X | |
| BMP Description: | Provide general information to various groups regarding industrial, construction, post-construction runoff, IDDE, illegal dumping, local water quality issues, flood risks, volunteer opportunities, public involvement activities, etc. | | | | | |
| Suitable For: | Public Organizations, professional organizations, HOAs, Public School groups, industrial and commercial groups | | | | | |
| Measurable Goals: | Provide educational material at one event per year.<br><br>This measurable goal of one training per year was established to ensure the goal would be met during each year. Realistically, WQD staff attends multiple events each year providing age and group appropriate educational materials, ranging from HOAs to individual owners, elementary age children to graduate level university students, and from Girl Scouts to the Oklahoma Floodplain Managers Association. | | | | | |

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| Implementation Schedule | This BMP was implemented prior to the 2021 permit cycle and will continue to be updated as needed and implemented on an annual basis. |

| BMP ID #: 10 | Watershed Clean-up/Trash Removal Event | | | | | |
|---|---|---|---|---|---|---|
| Watershed Clean-up/Trash Removal Event | MCM 1 | MCM 2 | MCM 3 | MCM 4 | MCM 5 | MCM 6 |
| | X | | | | | |
| BMP Description: | The watershed clean-up/trash removal event is an opportunity for community members to be involved with maintaining and removing debris from riparian areas while providing information regarding the natural beneficial uses of floodplain areas. The City records the number of volunteers and full bags of waste collected and removed from waterways and adjacent areas. Community service hours are provided to volunteers upon request. | | | | | |
| Suitable For: | General public | | | | | |
| Measurable Goals: | One event per year. This measurable goal was established based on the public's level of interest. Once a consistent volunteer turnout is established and the budget allows, additional events will be planned. | | | | | |
| Implementation Schedule | This BMP was implemented prior to the 2021 permit cycle and is continued annually. | | | | | |

| BMP ID #: 11 | Household Hazardous Waste Collection Events | | | | | |
|---|---|---|---|---|---|---|
| Minimum Control Measure Application: | MCM 1 | MCM 2 | MCM 3 | MCM 4 | MCM 5 | MCM 6 |
| | X | | X | | | |

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| BMP Description: | The HHW Collection Event is provided to allow an avenue for the community to properly dispose of potentially hazardous waste and prevent these materials from being placed in the local landfill. The events also provide volunteer opportunity for citizens. The City records how many residents drop off waste to be disposed, as well as the total amount of waste collected. |
| Suitable For: | General public |
| Measurable Goals: | One event per year. The measurable goal was set to ensure that residents has at least one opportunity per year to properly dispose of waste. The City will typically host two events per year, one in the spring and one in the fall, to coincide with typical spring and fall cleaning habits. |
| Implementation Schedule | This BMP was implemented prior to the 2021 permit cycle and is continued annually. |

| BMP ID #: 12 | Council Meeting Presentations/Mentions | | | | | |
|---|---|---|---|---|---|---|
| Minimum Control Measure Application: | MCM 1 | MCM 2 | MCM 3 | MCM 4 | MCM 5 | MCM 6 |
| | X | | | | | |
| BMP Description: | This BMP includes a variety of information to bring to City Council and can include program presentations, program activity announcements, proclamations, project proposals, or study sessions. City Council meetings are a great opportunity to get information to the City decision makers as well as the public. Citizens may attends meetings in person, watch live on local access TV, or watch recorded meetings online through social media and the City's website. | | | | | |
| Suitable For: | General public, City Management | | | | | |
| Measurable Goals: | One activity per year. Due to the amount of items brought to City Council during meetings, one activity per year is set as the goal for this BMP. Realistically, multiple activities are brought to council throughout the year, including program updates, proclamations, and project information. | | | | | |

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| Implementation Schedule | This BMP was implemented prior to the 2021 permit cycle and is continued annually. |

| BMP ID #: 13 | Volunteer Water Quality Monitoring | | | | | |
|---|---|---|---|---|---|---|
| Minimum Control Measure Application: | MCM 1 | MCM 2 | MCM 3 | MCM 4 | MCM 5 | MCM 6 |
| | X | | | | | |
| BMP Description: | The City utilizes this BMP to promote the Blue Thumb program for volunteer sampling. While the City of Stillwater does not legally partner with Blue Thumb, the City does rely on the data collected. For this reason, the City of Stillwater helps to encourage residents to volunteer and participate in Blue Thumb training, as well as utilize Blue thumb resources for educational purposes (i.e. borrowing the enviroscape interactive tool for educational events). The City uses social media and press releases to promote the Blue Thumb Training course each year. | | | | | |
| Suitable For: | General public | | | | | |
| Measurable Goals: | Promote participation once per year. This measurable goal was set to coincide with Blue Thumb's annual training course that takes place in the beginning of each calendar year. The City primarily utilizes social media to promote citizens to volunteer for the program. | | | | | |
| Implementation Schedule | This BMP was implemented prior to the 2021 permit cycle and is continued annually. | | | | | |

| BMP ID #: 14 | Receive & Address Public Comments and Complaints | | | | | |
|---|---|---|---|---|---|---|
| Minimum Control Measure Application: | MCM 1 | MCM 2 | MCM 3 | MCM 4 | MCM 5 | MCM 6 |
| | X | | | | | |

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|---|---|
| BMP Description: | Review and respond to 100% of public comments and complaints. The public may submit comments directly to WQD staff, utilize the online SNAP tool available on the City's website, utilize social media platforms to interact with staff, or contact the City Hall main line to be directed to the WQD. Each comment, concern, or complaint is logged and tracked to ensure that each contact is addressed. |
| Suitable For: | General Public |
| Measurable Goals: | Review and respond to 100% of public comments, concerns, or complaints. This measurable goal is essential to provide the best service possible and maintain accountability to the general public. |
| Implementation Schedule | While this has always been a policy for the City of Stillwater, this was first included as a BMP in 2023 and will be continued annually. |

| BMP ID #: 15 & 16 | Maintain OKR05 Permittee List, Ordinance Review | | | | | |
|---|---|---|---|---|---|---|
| Minimum Control Measure Application: | MCM 1 | MCM 2 | MCM 3 | MCM 4 | MCM 5 | MCM 6 |
| | X | X | X | | | |
| BMP Description: | An OKR05 permittee list, as well as the City's ordinance pertaining to industrial facilities will be reviewed and updated as needed each year. This BMP allows the City of Stillwater to perform targeted educational materials, as well as targeted Illicit Discharge Detection and Elimination for Industrial Facilities. The City of Stillwater's list will be updated using the information provided on the ODEQ's website. The City's ordinances will be compared to cities of similar size and composition, as well as the industry standards to ensure that the ordinances are up to date and appropriately address industrial facilities. | | | | | |
| Suitable For: | City Staff, Industrial Permittees | | | | | |
| Measurable Goals: | -Review and update the OKR05 Permittee List once per year.<br>-Review and update the City's ordinances that apply to industrial facilities once per year.<br>These measurable goals will ensure that the City of Stillwater maintains current information and regulations relevant to industrial facilities. The ordinances/permittee list may be updated more than once per year as needed. | | | | | |

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| Implementation Schedule | These BMPs were implemented in 2022 and will be continued annually. |

| BMP ID #: 17 | OKR05 Facility Inspection | | | | | |
|---|---|---|---|---|---|---|
| Minimum Control Measure Application: | MCM 1 | MCM 2 | MCM 3 | MCM 4 | MCM 5 | MCM 6 |
| | | X | X | | | |
| BMP Description: | This BMP consists of performing stormwater inspections at industrial facilities to identify potential pollutant sources and to ensure that the facilities are maintaining compliance with their individual permits. Inspections will also consist of identifying any potential illicit discharges from the facilities. | | | | | |
| Suitable For: | Industrial Permittees | | | | | |
| Measurable Goals: | Inspect 20% of permitted facilities each year. This measurable goal is based on the recommendation included in the OKR04 permit. | | | | | |
| Implementation Schedule | This BMP was implemented in 2022 and will be continued annually. | | | | | |

| BMP ID #: 18 | Development Plan Review | | | | | |
|---|---|---|---|---|---|---|
| Minimum Control Measure Application: | MCM 1 | MCM 2 | MCM 3 | MCM 4 | MCM 5 | MCM 6 |
| | | X | X | X | X | |

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| BMP Description: | This BMP consists of reviewing plans for new development or redevelopment of industrial facilities to ensure that the design comply with the City's current design standards and ordinances. Plan reviews provide an opportunity to encourage LID/GI design components and identify potential water quality impacts due to new development during and after construction. |
| Suitable For: | City Staff |
| Measurable Goals: | Review plans for 100% of new industrial development or redevelopment. This BMP is easily implanted using the City's plan and permit tracking system. WQD staff are required to review and approve/deny all plans/permits prior to beginning construction. |
| Implementation Schedule | This BMP was implemented prior to the 2021 permit cycle and will be continued annually. |

| BMP ID #: 19 & 20 | Ordinance Review & MS4 GIS Discharge Mapping | | | | | |
|---|---|---|---|---|---|---|
| Minimum Control Measure Application: | MCM 1 | MCM 2 | MCM 3 | MCM 4 | MCM 5 | MCM 6 |
| | | | X | | | |
| BMP Description: | This BMP consists of reviewing the existing City ordinances and the City's MS4 map on an annual basis and making any updates as needed. This BMP allows the City to maintain compliance with the OKR04 permit as well as stay current with the industry standards for IDDE programs. Additionally, the City will periodically review the programs of other municipalities in an attempt to look for practices that may also benefit the City of Stillwater's program. | | | | | |
| Suitable For: | City Staff and City crews that utilize the City's GIS maps. | | | | | |
| Measurable Goals: | -Review the ordinances once per year and update as needed.<br>-Review the map once per year and update as needed.<br>These measurable goals are consistent with City policies for reviewing all ordinances and design standards annually and making updates as needed. Updating the ordinance and map ensure that staff have the most up to date information and are able to easily identify problematic areas that may need focused attention. | | | | | |

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| Implementation Schedule | These BMPs were implemented prior to the 2021 permit cycle and will be continued annually. |

| BMP ID #: 21 | Dry Weather Field Screening | | | | | |
|---|---|---|---|---|---|---|
| Minimum Control Measure Application: | MCM 1 | MCM 2 | MCM 3 | MCM 4 | MCM 5 | MCM 6 |
| | | | X | | | |
| BMP Description: | This BMP consists conducting inspections of identified MS4 outfalls throughout the City during dry conditions. These inspections allow staff to observe potential illicit discharges and allow staff to identify and eliminate any sources of pollutant discharges. This BMP is very effective at identifying active discharges or illegal dumping sites that may otherwise go unnoticed. | | | | | |
| Suitable For: | City Staff | | | | | |
| Measurable Goals: | Inspect 40% of all identified outfalls each year. Inspect 100% of identified outfalls in high priority areas. This measurable goal allows the city to maintain compliance with the OKR04 permit, however, city staff typically exceeds the goal and inspects 100% of all identified outfalls within City Limits. | | | | | |
| Implementation Schedule | This BMP was implemented prior to the 2021 permit cycle and will be continued annually. | | | | | |

| BMP ID #: 22, 23, 24 | Enforcement for Erosion Control, Yard Waste, & Trash, Fats, Oils, and Grease Discharges | | | | | |
|---|---|---|---|---|---|---|
| Minimum Control Measure Application: | MCM 1 | MCM 2 | MCM 3 | MCM 4 | MCM 5 | MCM 6 |
| | | X | X | X | X | |

| | |
|---|---|
| BMP Description: | This BMP consists of escalating enforcement procedures for violations of the illicit discharge ordinance. This BMP can apply to active construction sites for industrial, commercial, residential and post-construction sites, as well as general discharges that are not authorized under the OKR04 permit. Escalating enforcement is accomplished through working with the Code Enforcement division of the Police Department and may include actions such as issuing citations, Stop Work Orders, utility cutoffs, nuisance mitigation, and site clean-up. |
| Suitable For: | Construction & Development, General Public, and Commercial/Industrial Facilities. |
| Measurable Goals: | Respond to 100% of identified discharges. This BMP allows City staff to address ordinance violations and eliminate pollutant sources that may impact local water systems while maintaining compliance with the OKR04 permit requirements. |
| Implementation Schedule | These BMPs were implemented prior to the 2021 permit cycle and will be continued annually. |

| BMP ID #: 25, 26, 27 | Standards EC Plan Sheets, Standard EC Notes, Constr. Site Stormwater Ordinances and Policies | | | | | |
|---|---|---|---|---|---|---|
| Minimum Control Measure Application: | MCM 1 | MCM 2 | MCM 3 | MCM 4 | MCM 5 | MCM 6 |
| | | X | X | X | X | |
| BMP Description: | These BMPs consists of reviewing all of the City's Standard Erosion Control Plan Sheets, Standard Erosion Control Plan Notes, and Stormwater Construction Site Stormwater Ordinances and Policies. These items will be reviewed and updated as needed to ensure compliance with applicable permits and maintain consistency with industry standards. | | | | | |
| Suitable For: | City Staff | | | | | |
| Measurable Goals: | Review and update documents once per year. This measurable goal is consistent with City policies for reviewing all ordinances and design standards annually and making updates as needed. | | | | | |

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| Implementation Schedule | These BMP were implemented prior to the 2021 permit cycle and will be continued annually. |

| BMP ID #: 28 | Earth Change Permit Issuance for sites Exceeding 1 Acre | | | | | |
|---|---|---|---|---|---|---|
| Minimum Control Measure Application: | MCM 1 | MCM 2 | MCM 3 | MCM 4 | MCM 5 | MCM 6 |
| | | X | X | X | X | |
| BMP Description: | This BMP consists of reviewing plans and issuing an Earth Change Permit for all earth disturbing activities that exceed 1 acre. This permit allows WQD staff to ensure that all sites maintain compliance with the City's design standards and stormwater runoff control. These permits apply to all forms of development, excluding bona-fide agricultural operations. This permit allows staff to easily identify sources of pollutants and illicit discharges that have the potential to impact water quality. | | | | | |
| Suitable For: | Contractors, developers, site owners and operators | | | | | |
| Measurable Goals: | Issue permits for 100% of projects that meet the 1 Acre threshold. This BMP is easily implanted using the City's plan and permit tracking system. WQD staff are required to review and approve/deny all plans/permits prior to beginning construction. | | | | | |
| Implementation Schedule | This BMP was implemented prior to the 2021 permit cycle and will be continued annually. | | | | | |

| BMP ID #: 29 | Enforcement for Permit Violations | | | | | |
|---|---|---|---|---|---|---|
| Minimum Control Measure Application: | MCM 1 | MCM 2 | MCM 3 | MCM 4 | MCM 5 | MCM 6 |
| | | X | X | X | X | |

| | |
|---|---|
| BMP Description: | This BMP consists of enforcing city ordinances and standards using escalating actions including issuing but not limited to a formal Notice of Violation, Citations, Stop Work Order, utility cutoffs, and nuisance mitigation. The City's Code Enforcement division within the Police Department as well as the City Attorney's Office, aids in implementing enforcement action. Once all corrective actions have been performed, the developer/operator may resume development. This construction BMP applies to all forms of construction that is required to be covered by the City's Earth Change Permit and any other applicable permits. Enforcement for illicit discharges are handled in the same manner. |
| Suitable For: | Contractors, developers, utility companies, City crews |
| Measurable Goals: | Respond to 100% of identified permit violations and discharges. This BMP is easily implemented and multiple City Departments are trained to be able to identify major violations. Violations are also reported by citizens who are able to identify issues with construction activity. |
| Implementation Schedule | This BMP was implemented prior to the 2021 permit cycle and will be continued annually. |

| BMP ID #: 30 | Construction Site Inspections | | | | | |
|---|---|---|---|---|---|---|
| Minimum Control Measure Application: | MCM 1 | MCM 2 | MCM 3 | MCM 4 | MCM 5 | MCM 6 |
| | | X | X | X | X | |
| BMP Description: | This BMP consists of performing stormwater inspections for any construction site exceeding 1 acre, identifying potential pollutant sources and ensuring that the sites are maintaining compliance with their individual permits. Inspections will also consist of identifying any potential illicit discharges created from the sites. Inspections are documented using specific inspection forms and reports are developed with photos and required corrective actions. The reports are then delivered to the site's responsible party with a timeline for making the corrective actions. This BMP applies to all types of construction, including industrial, commercial, residential, and redevelopment sites. | | | | | |
| Suitable For: | Contractors, developers, site owners and operators | | | | | |
| Measurable Goals: | Inspect 100% of the permitted sites once per month. This measurable goal was established to ensure compliance with the OKR04 permit, as well as to ensure that all sites are monitored on a frequent basis. Sites that are located closer to impaired waters or sensitive areas, such as wetlands, are typically inspected on more frequent basis. Problematic sites or sites that are known to have repeat violations may be inspected at a higher frequency as needed. | | | | | |

| | |
|---|---|
| Implementation Schedule | This BMP was implemented prior to the 2021 permit cycle and will be continued annually. |

| BMP ID #: 31 & 32 | Maintain Permanent Post-Construction Policies & Drainage Facility Maintenance Ordinances | | | | | |
|---|---|---|---|---|---|---|
| Minimum Control Measure Application: | MCM 1 | MCM 2 | MCM 3 | MCM 4 | MCM 5 | MCM 6 |
| | | | | | X | |
| BMP Description: | These BMPs consists of reviewing the City's Post-Construction Policies and Drainage Facility Maintenance Ordinances and Policies. These items will be reviewed and updated as needed to ensure compliance with applicable permits and maintain consistency with industry standards. | | | | | |
| Suitable For: | City Staff and General Public | | | | | |
| Measurable Goals: | Review and update documents once per year. This measurable goal is consistent with City policies for reviewing all ordinances and design standards annually and making updates as needed. | | | | | |
| Implementation Schedule | These BMPs were implemented prior to the 2021 permit cycle and will be continued annually. | | | | | |

| BMP ID #: 33 | Drainage Facility Inspection & Enforcement | | | | | |
|---|---|---|---|---|---|---|
| Minimum Control Measure Application: | MCM 1 | MCM 2 | MCM 3 | MCM 4 | MCM 5 | MCM 6 |
| | | X | X | X | X | |

| | |
|---|---|
| BMP Description: | This BMP consists of inspecting mapped drainage facilities and enforcing city ordinances and standards using escalating actions including issuing but not limited to a formal Notice of Violation, Citations, Stop Work Order, utility cutoffs, and nuisance mitigation. The City's Code Enforcement division within the Police Department as well as the City Attorney's Office, aids in implementing enforcement action. This BMP applies to all types of drainage facilities and enforcement will be directed to the applicable responsible party. Inspections will include observing for any form of illicit discharges. |
| Suitable For: | General Public & City crews |
| Measurable Goals: | Inspect 20% of mapped permanent structures each year. This BMP is easily implemented and multiple City Departments are trained to be able to identify major violations. |
| Implementation Schedule | This BMP was implemented prior to the 2021 permit cycle and will be continued annually. |

| BMP ID #: 34 | Maintenance of Facility Spill Kits | | | | | |
|---|---|---|---|---|---|---|
| Minimum Control Measure Application: | MCM 1 | MCM 2 | MCM 3 | MCM 4 | MCM 5 | MCM 6 |
| | | | X | | | X |
| BMP Description: | This BMP consists of inspecting Spill Kits at each of the City's primary facilities. If spill kit materials have been used, the kits will be replenished to ensure City staff have the materials needed in the event of a spill. | | | | | |
| Suitable For: | City Staff | | | | | |
| Measurable Goals: | Inspect and replenish 100% of facility spill kits each year. This measurable goal is effective at ensuring that city crews have the materials needed to help prevent the release of pollutants from City facilities which may result in an illicit discharge. Typically, facilities will replenish their own spill kits after each event that results in materials being used, however, this BMP helps to serve as a back-up. | | | | | |

| | |
|---|---|
| Implementation Schedule | This BMP was implemented prior to the 2021 permit cycle and will be continued annually. |

| BMP ID #: 35 & 36 | Municipal Facility Inspections | | | | | |
|---|---|---|---|---|---|---|
| Minimum Control Measure Application: | MCM 1 | MCM 2 | MCM 3 | MCM 4 | MCM 5 | MCM 6 |
| | | | X | | | X |
| BMP Description: | This BMP applies to facilities that are subject to the OKR05 permit as well as the facilities that are not subject to the OKR05 permit. Facility inspections are conducted to ensure that all pollutant sources on City properties are properly managed to prevent illicit discharges and impacts to local water systems. Reports are generated, similar to the Construction Site inspection reports, and provided to the facility supervisor. Corrective actions are made to ensure compliance with the OKR04 permit, ands well as the OKR05 permit where applicable. | | | | | |
| Suitable For: | City Staff | | | | | |
| Measurable Goals: | Inspect each facility once per year. This measurable goal was created to ensure that City facilities remains in full compliance with applicable permit requirements, as well as set a good example for other facilities within the City of Stillwater. Follow up inspections take place to ensure that any identified issues are corrected. | | | | | |
| Implementation Schedule | These BMPs were implemented prior to the 2021 permit cycle and will be continued annually. | | | | | |

| BMP ID #: 37 | O&M Policies for Maintaining MS4 Facilities | | | | | |
|---|---|---|---|---|---|---|
| Minimum Control Measure Application: | MCM 1 | MCM 2 | MCM 3 | MCM 4 | MCM 5 | MCM 6 |
| | | | | | | X |

| | |
|---|---|
| BMP Description: | This BMP consists of reviewing O&M policies for City facilities and making any updates as needed. Each facility maintains their own set of policies in addition to City-wide policies. This BMP helps to ensure that all facilities are properly maintained and potential pollutants are properly managed. |
| Suitable For: | City Staff |
| Measurable Goals: | Review once per year and update as needed. This measurable goal is useful to ensure that City facilities maintain industry standards and is consistent with requirements to review policies on an annual basis. |
| Implementation Schedule | This BMP was implemented prior to the 2021 permit cycle and will be continued annually. |

| BMP ID #: 38 | Street Sweeping | | | | | |
|---|---|---|---|---|---|---|
| Minimum Control Measure Application: | MCM 1 | MCM 2 | MCM 3 | MCM 4 | MCM 5 | MCM 6 |
| | | | X | | | X |
| BMP Description: | This BMP consists of performing street sweeping operations for all curbed streets and priority non-curbed streets within City Limits. This BMP is very effective at removing sediment and associated pollutants on a regular basis. The City is divided into sections with each section receiving sweeping up to six times per year on a set schedule. The City tracks the lane miles swept each year along with the amount of materials removed. | | | | | |
| Suitable For: | City staff, General Public | | | | | |
| Measurable Goals: | Sweep all curbed streets and priority non-curbed street four times per year. This measurable goal was set to ensure that all streets receive at least one sweeping in the Winter, spring, summer and fall. City crews typically exceed this goal with most streets being swept up to six times per year, with many individual streets being swept more upon request. | | | | | |
| Implementation Schedule | This BMP was implemented prior to the 2021 permit cycle and will be continued annually. | | | | | |

**APPENDIX A – City of Stillwater MS4 Authorization**

## Oklahoma Department of Environmental Quality
### Authorization to Discharge Stormwater under the OPDES General Permit OKR04 from Phase II Small Municipal Separate Storm Sewer System

**Authorization No. OKR040031**

In compliance with the Oklahoma Pollution Discharge Elimination System (OPDES) Act, 27A O.S. §2-6-201, the rules of the Department of Environmental Quality (DEQ), and in reliance on the certified statements and representations heretofore made in its application,

**Stillwater MS4**
**P.O. Box 1449**
**Stillwater, OK 74076**

is authorized to discharge stormwater from a small municipal separate storm sewer system (MS4) located in Payne County at the approximate geographical location: Latitude 36° 7′ 36.0″, Longitude -97° 4′ 4.0″.

The receiving bodies of water are Boomer Creek, Boomer Lake, Cow Creek, Duck Creek, Hazen Lake, Sanborn-Hazen Lake Creek, Sanborn Lake, Stillwater Creek, and West Brush Creek. This facility discharges into 303(d) listed streams.

The OPDES permit requires permittee to have a Stormwater Management Program (SWMP) which must include appropriate Best Management Practices (BMPs) addressing six minimum control measures to reduce discharge of pollutants in stormwater to the maximum extent practicable to protect water quality, with implementing BMPs, monitoring, and possible reporting requirements. All applicable requirements of the Permit are subjected to DEQ's inspections and audits. The SWMP must be available and implemented at your small MS4.

The authorization shall become effective September 8, 2021 and will expire at midnight May 31, 2026. All terms and conditions of the OPDES Stormwater General Permit OKR04, which become effective on June 1, 2021, shall apply to the recipient of this authorization.

Michael B Moe, P.E., Engineering Manager
Municipal Discharge and Stormwater Permits Section
Water Quality Division

## APPENDIX B – Integrated Report 303(D) Impaired Waters

| Waterbody ID | Waterbody Name | New WB | Waterbody Size | Units | WB Category | Cause Category | Impaired Use | Cause of Impairment | New Cause | TMDL Priority | TMDL ID | Unconfirmed Potential Sources |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| OK620900030010_00 | Cimarron River | | 42.09 | MILES | 5a | 4a | PBCR | Enterococcus | | | 42492 | 46, 59, 85, 92, 108, 111, 133, 136, 140 |
| | | | | | | 4a | WWAC | Turbidity | | | 42492 | 46, 85, 87, 108, 140 |
| | | | | | | 5a | WWAC | Selenium | | 3 | | 140 |
| OK620900030080_00 | Dugout Creek | | 13.58 | MILES | 4a | 4a | PBCR | Enterococcus | | | 42513 | 46, 92, 100, 108, 111, 133, 136, 140 |
| OK620900030230_00 | Beaver Creek | | 12.65 | MILES | 4a | 4a | WWAC | Turbidity | | | 42502 | 140 |
| OK620900030260_00 | Beaver Creek, West | | 13.21 | MILES | 5a | 4a | WWAC | Turbidity | | | 42505 | 140, 156 |
| | | | | | | 5a | PBCR | Enterococcus | | 4 | | 92, 140, 156 |
| | | | | | | 5a | PBCR | Escherichia coli | | 4 | | 92, 140, 156 |
| OK620900040040_00 | Stillwater Creek | | 3.53 | MILES | 4a | 4a | PBCR | Enterococcus | | | 42510 | 46, 69, 85, 92, 100, 108, 111, 128, 133, 136, 140 |
| | | | | | | 4a | WWAC | Turbidity | | | 42510 | 46, 49, 87, 102, 108, 140 |
| OK620900040050_00 | Little Stillwater Creek | | 13.91 | MILES | 5a | 5a | PPWS | Nitrate | | 2 | | 85, 92 |
| OK620900040070_10 | Stillwater Creek | | 16.43 | MILES | 5a | 5c | HLAC | Macroinvertebrate Bio | | 2 | | 140 |
| | | | | | | 5a | HLAC | Oxygen, Dissolved | | 2 | | 46, 59, 87, 92, 100, 108, 111, 133, 136, 140 |
| | | | | | | 5a | HLAC | Turbidity | | 2 | | 140 |
| OK620900040140_00 | Boomer Creek | | 2.28 | MILES | 5c | 5c | WWAC | Macroinvertebrate Bio | | 2 | | 39, 140 |
| OK620900040150_00 | Sanborn-Hazen Lake Creek | | 3.59 | MILES | 5c | 5c | WWAC | Macroinvertebrate Bio | | 2 | | 39, 140 |
| OK620900040180_00 | Boomer Creek | X | 6.49 | MILES | 5c | 5c | WWAC | **Macroinvertebrate Bio** | X | 2 | | 140 |
| OK620900040190_00 | Boomer Lake | | 260 | ACRES | 5a | 5a | PPWS | Chlorophyll-A | | 2 | | 140 |
| | | | | | | 5a | WWAC | Oxygen, Dissolved | | 2 | | 140 |
| | | | | | | 5c | FC | Mercury | | 2 | | 140 |
| OK620900040200_00 | Cow Creek | | 8.26 | MILES | 5c | 5c | WWAC | Macroinvertebrate Bio | | 2 | | 140 |
| OK620900040240_00 | McMurtry Lake | | 1155 | ACRES | 5a | 5c | FC | Mercury | | 2 | | 140 |
| | | | | | | 5a | WWAC | Turbidity | | 2 | | 140 |
| OK620900040270_10 | Stillwater Creek | | 6.42 | MILES | 5a | 5a | WWAC | Oxygen, Dissolved | | 2 | | 140 |
| | | | | | | 5a | PBCR | Escherichia coli | | 2 | | 46, 92, 108, 111, 133, 136, 140 |

New Waterbody for 2022 New Cause for 2022

Appendix C - Page 56 of 69

**APPENDIX C – Illicit Discharge Detection and Elimination Program**

# City of Stillwater

# Illicit Discharge Detection & Elimination Program


**Phase II Small Municipal Separate Storm Sewer System (MS4) General Permit (OKR04)**

**Authorization No. OKR040031**

**Revised March 12, 2025**

Stillwater OKLAHOMA

stillwaterok.gov

# City of Stillwater
# Illicit Discharge Detection & Elimination Program

**Phase II Small Municipal Separate Storm Sewer System (MS4)**
**General Permit (OKR04)**

**Authorization No. OKR040031**

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## Definitions

**Illicit Connection** is defined as either of the following:

(1) Any drain or conveyance, whether on the surface or subsurface that allows an illegal discharge to enter the storm drain system, including but not limited to any conveyances that allow any non-storm water discharge including sewage, process wastewater, and wash water to enter the storm drain system and any connections to the storm drain system from indoor drains and sinks, regardless of whether the drain or connection had been previously allowed, permitted, or approved by an authorized enforcement agency or,

(2) Any drain or conveyance connected from a commercial or industrial land use to the storm drain system that has not been documented in plans, maps, or equivalent records approved by the city.

**Illicit Discharge** means any discharge to a municipal separate storm sewer system that contains pollutants, except discharges allowed by the OPDES MS4 permit and discharges resulting from fire-fighting activities.

**Municipal Separate Storm Sewer System (MS4)** means the system of conveyances (including sidewalks, roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) owned and operated by the city and designed or used for collecting or conveying stormwater, and that is not used for collecting or conveying sewage. This definition includes any system operating under an OPDES Permit issued to the City by ODEQ, including but not limited to systems conveying discharges from facilities and lands of Oklahoma State University.

**National Pollutant Discharge Elimination System (NPDES)** is a federal program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements regulating pollutant discharges into water of the United States, pursuant to Sections 307, 402, 318, and 405 of the Clean Water Act, 33 U.S.C. 1251 et seq. (CWA).

**Non Storm Water Discharge** means any discharge to the storm drain system that is not composed entirely of storm water.

**ODEQ** means the Oklahoma Department of Environmental Quality, as created by title 27A Oklahoma Statutes, Section 2 3 101.

**Oklahoma Pollutant Discharge Elimination System (OPDES)** means a state program administered by the Oklahoma Department of Environmental Quality under federal authority delegated pursuant to title 33 United States Code Section 1342(b), to regulate pollutant discharges into waters of the United States.

**OKR04 General Permit (OKR04)** means the most recent version of the permit issued by the Oklahoma Department of Environmental Quality governing Phase II Small Municipal Separate Storm Sewer System discharges within the State of Oklahoma.

**Pollutant** means anything which causes or contributes to pollution. Pollutants may include, but are not limited to: soil, sediment or sand; paints, varnishes, and solvents; oil and other automotive fluids; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ordinances, and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; and noxious or offensive matter of any kind.

**Stormwater Management Plan (SWMP)** means a plan developed and adopted by the city which includes, but is not limited to, the establishment of drainage basins within the city's jurisdictional area, a listing of needed drainage improvements, and operational considerations to be implemented during flooding conditions. The term "stormwater management plan" also includes, by reference, the city creek watershed plan as developed and administered by the soil conservation service. This includes the Stormwater Management Plan adopted as part of the City’s MS4 OPDES Permit.

**Stormwater Program Manager** means the person, or their designee, appointed by the City Manager to monitor and facilitate maintenance of the City’s stormwater infrastructure, administer the City’s Stormwater Management Plan, and ensure compliance with the City’s MS4 OPDES permit requirements.

# 1.0 Introduction

## 1.1 Purpose

This document serves to identify the methods utilized by the City of Stillwater to reduce and eliminate pollutant discharges that negatively impact the water quality of our local water bodies. The Illicit Discharge Detection and Elimination (IDDE) program is a requirement of the General Permit OKR04, Phase II Small Municipal Separate Storm Sewer System Discharges within the State of Oklahoma, administered by the Oklahoma Department of Environmental Quality.

## 1.2 Regulatory Information

In 1990 the U.S. Environmental Protection Agency (EPA) enacted regulations for establishing water quality based municipal stormwater programs to address stormwater runoff from certain industrial and construction activities and from medium and large municipal separate storm sewer systems (MS4s) serving populations of 100,000 or greater. These "Phase I" regulations were incorporated into the existing National Pollutant Discharge Elimination System (NPDES) permit rules that address point source dischargers. As a result, urban non-point source runoff became regulated as a point source. On December 8, 1999, the EPA published final regulations (Phase II) that address urban stormwater runoff from cities under 100,000 population and counties that lie within the Urbanized Area as defined by the latest US Bureau of Census designation or otherwise designated by the Oklahoma Department of Environmental Quality (ODEQ) as being required to obtain coverage under the State's Phase II Stormwater program.

These "Phase II" cities and counties must develop a comprehensive Stormwater Management Program (SWMP) that addresses six "Minimum Control Measures" (MCMs). These are:

1. Public Education and Outreach
2. Public Participation and Involvement
3. Illicit Discharge Detection and Elimination
4. Construction Site Stormwater Runoff Control
5. Post Construction Management in New Development and Re-Development
6. Pollution Prevention and Good Housekeeping

The ODEQ has primary jurisdiction over permitting and enforcement of the Phase II Stormwater Program for Oklahoma. On February 8, 2005, the ODEQ finalized the first General Permit (OKR04) for Phase II Small Municipal Separate Storm Sewer System Discharges within the State of Oklahoma.

The City of Stillwater was reissued OKR04 permit authorization on September 8, 2021, under Authorization No. OKR040031.

### 1.3 Responsibility and Authority

As outlined in the City of Stillwater Code of Ordinances, Section 35-53 – Stormwater Management Plan Administration, the Stormwater Program Manager shall be responsible for administering the Illicit Discharge Detection and Elimination Program. Section 35-54 – Illicit Discharge Inspections and Monitoring, grants the Stormwater Program Manager or designee the authority to enter properties at reasonable times for the purposes of inspection and source tracking when illicit discharges are present or suspected. Enforcement action for violations of Chapter 35 found in section 35-55, includes but is not limited to a Class C offense, Class D offense, revocation or suspension of applicable permits, stop work orders, utility suspension, and City abatement.

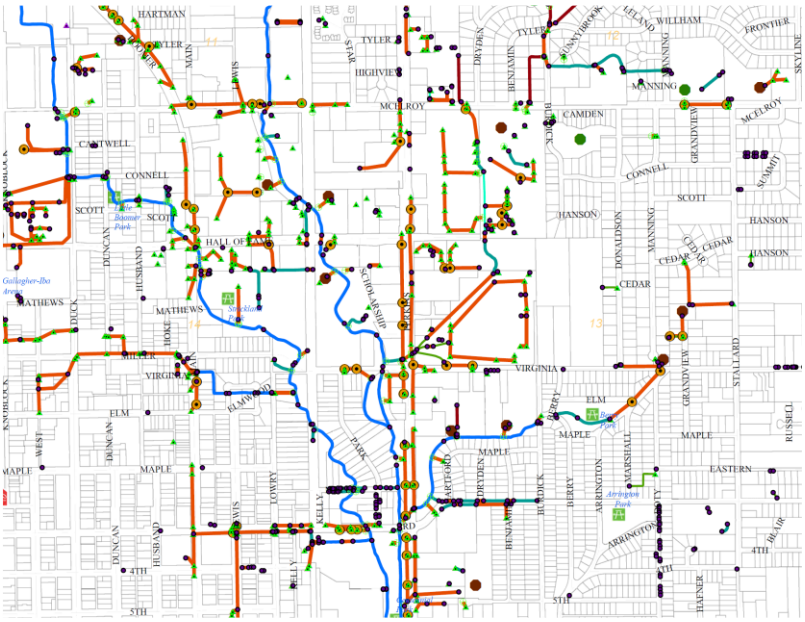
## 2.0 Program Components

### 2.1 Illicit Discharge Ordinance

The OKR04 MS4 permit requires that City staff annually review and modify, if necessary, ordinances that regulate illicit discharges. The City of Stillwater approved revisions to Chapter 35 of the Code of Ordinances in 2018. The revisions to this chapter included the addition of sections 35-26 through 35-29, 35-54, and 35-55. These sections allow for the administration of the Stormwater management Plan, including Illicit Discharge Detection and Elimination. The revisions effectively prohibit the discharge of pollutants to the MS4 and provide the mechanism with which to enforce the ordinance. Chapter 35 of the Code of Ordinances can be found in Appendix A.

### 2.2 MS4 Mapping

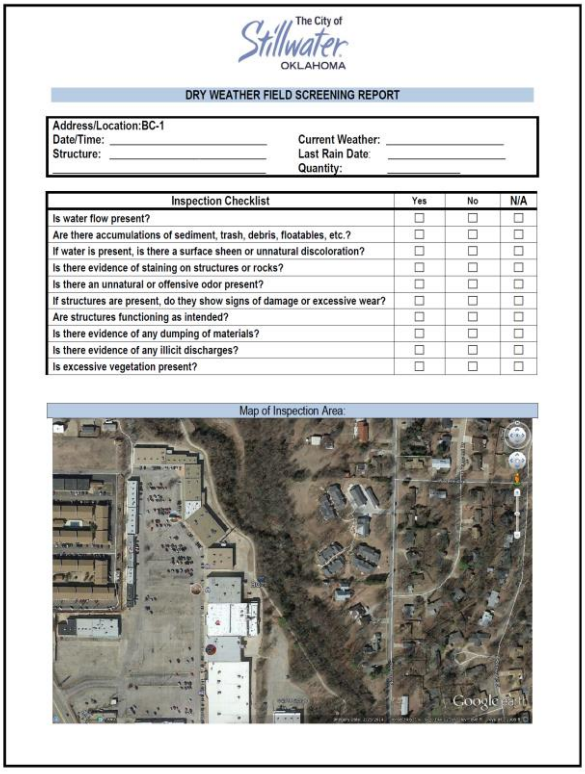
The City of Stillwater currently maintains a map of stormwater conveyances and outfalls within City Limits. This map is a GIS layer consisting of data from previous drainage plans, as-builts, and field surveys. Field verification and new as-builts are used to update the map as needed. Data collected for map updates shall include, if possible, pipe diameter, direction of flow, inlet locations, manhole locations, drainage facility type, outfall locations, name of receiving water, and impairment status of the receiving water.




When performing field verification mapping, priority will be given to older areas of the City first. New development specifications and inspection requirements typically result in a lower frequency of illicit discharges and illicit connections in recently developed or redeveloped areas. Priority will also be given to areas of industrial and commercial land uses. Manufacturing processes as well as material use, storage, and handling may result in a higher likelihood of material discharges.

## 2.3 Dry Weather Field Screening

The Dry Weather Field Screening program consists of periodic inspections of select outfall locations. The outfall locations are determined by multiple factors including but not limited to land use, accessibility, known water quality issues, and known dischargers. Examples of land uses and associated discharges can be found in Appendix B. Inspections take place during dry conditions when typical stormwater runoff is not present. The presence of liquid during dry conditions indicates that an illicit discharge may have occurred and allows an inspector to trace the material to the source of the discharge. Several physical, biological, and chemical indicators are used to determine if an illicit discharge has occurred. Typical water quality indicators can be found in Appendix C. Inspection forms will be filled out for each outfall inspection and data will be entered into a spreadsheet (figure 1) to monitor progress. Once the discharged material and source has been identified, the City will take appropriate actions to ensure that the material is removed if possible, and prevent additional discharges.



The City of Stillwater OKLAHOMA

DRY WEATHER FIELD SCREENING REPORT

Address/Location:BC-1
Date/Time: _____ Current Weather: _____
Structure: _____ Last Rain Date: _____
Quantity: _____

| Inspection Checklist | Yes | No | N/A |
|---|---|---|---|
| Is water flow present? | ☐ | ☐ | ☐ |
| Are there accumulations of sediment, trash, debris, floatables, etc.? | ☐ | ☐ | ☐ |
| If water is present, is there a surface sheen or unnatural discoloration? | ☐ | ☐ | ☐ |
| Is there evidence of staining on structures or rocks? | ☐ | ☐ | ☐ |
| Is there an unnatural or offensive odor present? | ☐ | ☐ | ☐ |
| If structures are present, do they show signs of damage or excessive wear? | ☐ | ☐ | ☐ |
| Are structures functioning as intended? | ☐ | ☐ | ☐ |
| Is there evidence of any dumping of materials? | ☐ | ☐ | ☐ |
| Is there evidence of any illicit discharges? | ☐ | ☐ | ☐ |
| Is excessive vegetation present? | ☐ | ☐ | ☐ |

Map of Inspection Area:

Figure 1 - Dry Weather Field Screening data collection spreadsheet.

| Site ID | Location Description | Site Type | Inspection Date | Wet/Dry | Source Identified | Maintenance Required? |
|---|---|---|---|---|---|---|
| | Boomer Lake | | | | | |
| BL-1 | SE corner of N. Washington and Airport Rd | Culvert outfall | | | | |
| BL-2 | Approximately 2,370ft N of Airport Rd along the Kameoka Trail (NW side of 100 W Airport Rd) | Open Channel culvert | | | | |
| BL-3 | Approximately 1,360 ft N of Airport Rd along the Kameoka Trail (NW side of 100 W Airport Rd) | Culvert outfall | | | | |
| BL-4 | Access culvert approximately 275 ft east of the Airport Rd bridge (old recycling center) | Culvert outfall | | | | |
| BL-5 | Approximately 300 ft south of the intersection of N. Husband and W. Airport Rd. | Culvert outfall | | | | |
| BL-6 | Approximately 1,540 ft south of the intersection of N. Husband and W Airport Rd. | Culvert outfall | | | | |
| BL-7 | Opposite 3100 N Husband St. (Kicker), approximately 80 ft north of the trail parking lot. | Culvert outfall | | | | |
| | | | | | | |
| | Sanborn-Hazen Lake Creek | | | | | |
| SHLC-1 | Approximately 600 ft south of the intersection on N Washington St and Boomer Rd | Box Culvert | | | | |
| SHLC-2 | Approximately 170 ft west of the intersection of W Eskridge Ave and N Knoblock St. | Box Culvert | | | | |
| SHLC-3 | Approximately 135 fit west of the intersection of McElroy and N. Duck | Box Culvert | | | | |
| SHLC-4 | East side of the Allie P. Reynolds Baseball Stadium. Outfall comes from the SW | Box/round culvert | | | | |
| SHLC-5 | Approximately 375 ft south of the intersection of E Miller and S Lowry, then 200 ft east on easment | Culvert outfall | | | | |
| SHLC-6 | NW corner of the 6th and Perkins bridge | Culvert outfall | | | | |
| | | | | | | |
| | Boomer Creek | | | | | |
| BC-1 | East (back) side of Marquis Furniture (Cimarron Plaza) | Culvert/flume | | | | |
| BC-2 | Bridge approxiamtely 140 ft south of the intersection of Franklin and Husband | Bridge | | | | |
| BC-3 | SW corner of Cimarron Townhomes | 2 Flumes | | | | |
| BC-4 | Detention pond immediately north of 306 E Hall of Fame | Culvert outlet | | | | |
| BC-5 | NW corner of E Virginia and S Perkins Rd | Box culvert | | | | |
| BC-6 | Parking lot N of Access Urgent Care (3rd Ave) | Culvert/drainage ditch | | | | |
| BC-7 | Hoyt Grove Park, NE side of bridge | Culvert | | | | |
| BC-8 | Drainage, eastside of operations, outlet | Open channel | | | | |
| BC-9 | North Couch Park, S end of Hall and Leigh | Open Channel | | | | |
| | | | | | | |
| | West Brush Creek | | | | | |
| WBC-1 | Approximately 130 ft south of the intersection of Mockingbird Ln and E 4th Ave | Flume | | | | |
| | | | | | | |
| | Stillwater Creek | | | | | |
| SWC-1 | Approximately 200 ft east of the east entrance to the Walmart on Hwy 51 | Culvert outlet | | | | |
| SWC-2 | South side of 12th Ave at the intersection with S Jefferson. | Culvert to flume | | | | |
| SWC-3 | SW corner of Ramsey and 7th | Closed to open channel | | | | |
| SWC-4 | South side of 12th between Washington and Hester. (S of dog park) | Open Channel | | | | |
| SWC-5 | Approximately 100 ft south of the south entrance to the Humane Society. | Culvert outlet | | | | |
| SWC-6 | SW corner of 19th and S Perkins rd | Culvert outlet | | | | |
| | | | | | | |
| | Duck Creek | | | | | |
| DC-1 | East side of the intersection of Hall of Fame and Western, culvert from the NE | Culvert outlet | | | | |
| DC-2 | SW corner of the intersection of W Sunset Ave and S Ridge Dr. | Culvert and open channel | | | | |
| DC-3 | Approximately 150 ft from the intersection of 6th Ave and S Orchard Street. | Culvert to flume | | | | |
| | | | | | | |
| | Stream B | | | | | |
| SB-1 | SE corner of Meridian Tech. (Visible from Sangre) | Flume | | | | |

## 2.4 Priority Outfalls

Outfalls considered to be at a higher risk of receiving stormwater discharges containing pollutants are designated as priority outfalls. These locations are designated as priority outfalls due to their proximity to potential pollutant sources, such as industrial and commercial areas, or discharge to waters listed on the 303(d) list of impaired waters. The following outfalls are currently designated as priority outfalls.

| Outfall ID | Location Description | Receiving Water |
|---|---|---|
| BL-2 | Approximately 2,370ft N of Airport Rd along the Kameoka Trail (NW side of 100 W Airport Rd) | Boomer Lake |
| BL-3 | Approximately 1,360 ft N of Airport Rd along the Kameoka Trail (NW side of 100 W Airport Rd) | Boomer Lake |
| BL-4 | Access culvert approximately 275 ft east of the Airport Rd bridge (old recycling center) | Boomer Lake |
| BL-5 | Approximately 300 ft south of the intersection of N. Husband and W. Airport Rd. | Boomer Lake |
| BL-6 | Approximately 1,540 ft south of the intersection of N. Husband and W Airport Rd. | Boomer Lake |
| BL-7 | Opposite 3100 N Husband St. (Kicker), approximately 80 ft north of the trail parking lot. | Boomer Lake |
| SHLC-4 | East side of the Allie P. Reynolds Baseball Stadium. Outfall comes from the SW | Sanborn-Hazen Lake Creek |
| SHLC-6 | NW corner of the 6th and Perkins bridge | Sanborn-Hazen Lake Creek |
| BC-1 | East side of the new SPS High School, N of the communication tower. | Boomer Creek |
| BC-4 | Detention pond immediately north of 306 E Hall of Fame | Boomer Creek |
| BC-5 | NW corner of E Virginia and S Perkins Rd | Boomer Creek |
| BC-8 | Drainage, east side of operations, outlet | Boomer Creek |
| SWC-1 | Approximately 200 ft east of the east entrance to the Walmart on Hwy 51 | Stillwater Creek |
| SWC-3 | SW corner of Ramsey and 7th | Stillwater Creek |
| SWC-4 | South side of 12th between Washington and Hester. (S of dog park) | Stillwater Creek |

## 2.5 Water Quality Testing

The City of Stillwater possesses several field kits that allow for the testing of certain pollutants. The table below lists the equipment and parameters for which they test.

| Field Kit | Model | Parameters | Range | Method |
|---|---|---|---|---|
| Hach Stormwater Test Kit | 24813-00 | pH | 0 - 14 | Ion selective electrode |
| | | Chlorine, total | 0 - 3.4 mg/L | DPD |
| | | Copper, free & total | 0 - 4 mg/L | Bicinchoninate |
| | | Phenols | 0 - 5 mg/L | 4-Aminoantipyrine |
| | | Detergents | 0 - 1.2 mg/L | Toluidine Blue-O |
| Hach Chlorine Test Kit | 58700-00 | Chlorine, free and total | High: 0.1 - 8.0 mg/L<br>Low: 0.02 - 2.00 mg/L | Colorimeter / DPD |
| Hach Alkalinity Test Kit | 20637-00 AL-DT | Total Alkalinity | 10 - 4,000 mg/L | Titration / Standard Additions Method |
| | | Phenolphthalein | 10 - 4,000 mg/L | |
| Hach 2100P Turbidimeter | 46500-00 | Turbidity | 0-1000 NTU | Ratio Nephelometric signal scatter light to transmitted light |

In addition to the parameters listed above, the City utilizes a local laboratory to test for other pollutants such as oil and grease, total suspended solids, biological oxygen demand, metals, coliform, and other organic and inorganic materials known to cause water impairments.

### 2.6 Source Tracking

Once an illicit discharge has been discovered, the source must be identified within 72 hours. The primary method for source tracking is to utilize the MS4 map to follow the discharge upstream. Once the discharge area is narrowed to a specific storm sewer or conveyance segment, the surrounding residences or businesses can be inspected for possible sources. The nature of the discharge will also be used to determine the most likely source. For example, if the discharge is chlorinated water, it is likely that the discharge originated from a nearby swimming pool and residences should be checked for draining pools; if the discharge is appears to be oil, the local area should be checked for commercial car washes or automotive shops.

Intermittent discharges which may not be flowing at the time of the inspection may require alternative methods of source tracking. These methods can include observing deposits and stains left after the discharge, dye or smoke testing to aid in illicit connection detections, and automatic samplers to test at varying frequencies.

### 2.7 Source Removal

Once the source of an illicit discharge has been verified, the responsible party will be notified and the discharge must be ceased and cleaned if possible. Chapter 35 of the Code of Ordinances contains enforcement mechanisms to ensure that discharges are mitigated in a timely manner and that action is taken to prevent future discharges. In the event that the responsible party is unable to mitigate the discharge, the City may opt to provide abatement at the cost of the responsible party. The nature and location of the discharged material will dictate the urgency with which action is required. Instances in which the discharged material causes or has the potential to cause an immediate threat to human health or environment, an emergency situation may be declared and appropriate actions will be taken. Likewise, if the discharge is located near water bodies identified as impaired on the Federal 303(d) List of Impaired Waters, immediate action must be taken.

### 2.8 Public Education and Involvement

The City of Stillwater will utilize available resources to make information available to public regarding the how to identify illicit discharges or potential discharges. Information will be periodically released via social media, the City of Stillwater website, local access television, and

print media. Annual events such as the Household Hazardous Waste Collection allow residents to properly dispose of unwanted chemicals and materials rather than disposing of them down the drain or through the City's Waste Management program where they may inadvertently enter the MS4 system.

Residents are encouraged to be involved in the program by reporting any suspected pollutant discharge by contacting City staff at 533-8436, or e-mail stormwater@stillwater.org. Additional staff contact information, as well as emergency and spill reporting contact information can be found in Appendix D.

# 3.0 Program Evaluation

## 3.1 Program Goal Summary

The primary goal for the Illicit Discharge Detection and Elimination program is to reduce the overall amount of pollutants entering the MS4 system, polluting our local creeks and lake. Four primary strategies are employed to achieve this goal:

1. Maintaining the comprehensive MS4 map, enhancing staff's ability to adequately locate, isolate, track, and mitigate illicit discharges before they reach MS4 outfalls and enter local creeks.
2. Increasing public education and involvement, lowering the likelihood of improper material disposal and increasing the number of individuals capable of identifying and reporting discharges.
3. Increased inspection frequency which allows for greater frequency of discharge detection, identification, source tracking, and mitigation.
4. Enhanced enforcement program to hold repeat code violators responsible for the clean-up and prevention of discharges.

## 3.2 Program Modification

The IDDE program will be reviewed annually and modified if necessary to ensure that the City of Stillwater accomplishes a reduction in pollution and meets all regulatory requirements. Residents are encouraged to provide feedback by e-mailing stormwater@stillwater.org.

## Appendix A: Applicable City Ordinances

**ORDINANCE NO. 3399**

AN ORDINANCE RELATED TO STORMWATER MANAGEMENT IN THE CITY OF STILLWATER; AMENDING STILLWATER CITY CODE, CHAPTER 35, CURRENTLY TITLED "STORMWATER MANAGEMENT AND EARTH CHANGES"; AMENDING CHAPTER 35 BY RE-TITLING IT AS "STORMWATER QUALITY AND MANAGEMENT"; AMENDING ARTICLE I, TITLED "IN GENERAL", SECTION 35-1, BY AMENDING CERTAIN DEFINITIONS AND ADDING NEW DEFINITIONS; AMENDING ARTICLE II, TITLED "DRAINAGE AND SEDIMENTATION", TO PROVIDE FOR THE MORE EFFECTIVE PROHIBITION OF ILLICIT DISCHARGES INTO THE CITY'S MUNICIPAL SEPARATE STORMWATER SEWER SYSTEM (MS4); AMENDING ARTICLE II, AND ARTICLE III, TITLED "EARTH CHANGES", TO REASSIGN RESPONSIBILITIES FROM THE CITY ENGINEER TO THE DEVELOPMENT SERVICES DIRECTOR OR THE DIRECTOR'S DESIGNEE AND TO THE STORMWATER PROGRAM MANAGER; AND PROVIDING FOR SEVERABILITY.

**Sec. 35-25. - Impairment of drainage facilities.**

(a) Dumping or placing any material, whether temporary or permanent, within a drainage facility in a drainage easement or within the stormwater flow line of a drainage facility that is not in an easement shall be prohibited and a violation of this article. The owner of the property shall be responsible for any material that has been willfully dumped or placed in a drainage facility.

(b) A property owner's failure to repair and maintain a drainage facility that was specifically designed and installed to control stormwater runoff from that property or other properties designated in an approved drainage plan to a standard allowing it to perform its designed and intended purpose shall be prohibited and a violation of this article.

*Section 6. That Stillwater City Code, Chapter 35, Article II, titled "Drainage and Sedimentation", Division 1, titled "Generally", be and the same is now amended by adding new Sections 35-26 through 35-29, to read as follows:*

***"*Sec. 35-26. - Prohibition of Illicit Discharges.**

(a) No person shall conduct, allow or permit the discharge of stormwater in any manner in violation of this article or of any condition of a permit issued pursuant to this article or a stormwater discharge permit issued by the State. Such discharge shall be a public nuisance and corrected or abated by any owner and any operator.

(b) No person shall conduct, allow or permit the direct or indirect discharge into the MS4, the Community Waters or Waters of the State, any pollutants or waters containing any pollutants.

(c) No person shall allow on a property for which they are responsible, conditions which cause or have the potential to cause the discharge of any pollutant to the MS4.

(d) Authorized non-stormwater discharges listed in Part 1.B. of the ODEQ OKR04 permit (Authorization Number: OKR040031) shall be allowed unless determined by the city to be

substantial contributors of pollutants to the MS4. If an authorized non-stormwater discharge listed in Part 1.B of the ODEQ OKR04 permit is determined to be a substantial contributor of

pollutants to the MS4, written notification requesting that the actions resulting in the discharge be terminated, shall be provided to the responsible person.

**Sec. 35-27. - Prohibition of Illicit Connections.**

(a) The construction, use, maintenance or continued existence of illicit connections to the storm drain system shall be prohibited and a violation of this article.

(b) Prohibited illicit connections expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.

(c) Any person shall have committed a violation this section if the person connects a line conveying sewage to the MS4 or allows such a connection to continue.

(d) Illicit connections in violation of this section shall be disconnected and redirected, if necessary, to an approved onsite wastewater management system or the sanitary sewer system upon approval of the city.

**Sec. 35-28. – Discharges Associated with Construction Activity.**

(a) All development, redevelopment, and earth changing activities resulting in the disturbance of area equal to or greater than one (1) acre, shall remain in full compliance with all applicable federal, state and local permits including but not limited to a City of Stillwater Earth Change Permit and the ODEQ OKR10 Construction General Permit. A violation of an applicable federal, state, or local permit shall constitute a violation of this section.

(b) During all construction activity developers, property owners, and contractors shall be required to keep streets, gutters, inlets, drainage pipes, swales, ditches, drainage channels, and all drainage devices and structures clean and free from debris, sedimentation, soil, and any other material incidental to construction activities.

(c) Prior to commencing any permitted earth disturbing activity, temporary erosion and sediment control measures shall be installed. Best Management Practices (BMPs) shall be installed and maintained in accordance with the City's BMP Designs and Standards and BMP manufacturer specifications.

(d) BMPs shall be selected such that erosion, stormwater run-off, stormwater run-on, and off-site transport of sediment and other pollutants are eliminated or reduced to the maximum extent practicable.

(e) Every developer/property owner and contractor designated by the developer/property owner shall be responsible for the development and implementation of the Erosion and Sediment Control Plan and Stormwater Pollution Prevention Plan (SWP3).

(f) Commercial or residential construction sites less than one (1) acre, but which are part of a common plan of development disturbing more than one (1) acre, such as individual residential lots in a subdivision, shall be required to maintain erosion and storm water pollution

prevention measures in accordance with BMPs implemented during development. If BMPs are absent or ineffective, the property owner or designated contractor shall, at a minimum, install BMPs to keep streets, drainage ways, and storm drains free from sediment or other construction material or debris.

**Sec. 35-29. – Discharges Associated with Existing and Post-Construction Development.**

All post-construction structural and non-structural BMPs shall be maintained by the property owner. BMPs shall remain in good, functional condition at all times and be kept free from sediment accumulations, obstructions, litter, debris, and all other objects or actions interfering with the functionality of the BMP. In the event that the responsible party is unable to maintain a post-construction BMP, the City may request a temporary easement to allow City personnel or designated contractors to perform the maintenance. All maintenance performed by the City or its designated contractor shall be performed at the expense of the responsible party. Examples of post-construction BMPs include but shall not be limited to: detention/retention ponds, bio-swales, sand filters, filter strips, bioretention cells, drain pipes, and any other devices that discharge to the City's MS4."

*Section 7. That Stillwater City Code, Chapter 35, Article II, titled "Drainage and Sedimentation", Division 2, titled "Administrative Procedure", be and the same is now amended by adding new Sections 35-53 through 35-55, to read as follows:*

"**Sec. 35-53. – Stormwater Management Plan Administration.**

(a) The Stormwater Program Manager shall be responsible for administering the City of Stillwater Stormwater Management Plan and ensuring compliance with the ODEQ OKR04 General Permit.

(b) The Stormwater Program Manager shall be responsible for illicit discharge detection and elimination in accordance with the City of Stillwater Stormwater Management Plan. This shall include but not be limited to developing and implementing programs that utilize dry weather field screening, source tracking, outfall monitoring, and water quality monitoring, inspections and enforcement.

(c) The Stormwater Program Manager shall be responsible for developing and implementing programs identified by the City's SWMP, including but not limited to public education and outreach, public involvement, and industry education and outreach.

**Sec. 35-54. – Illicit Discharge Inspections and Monitoring.**

(a) The Stormwater Program Manager shall conduct periodic inspections, investigations, monitoring, observation, measurement, enforcement, sampling, and testing, to effectuate the provisions of this article and the Stormwater Management Program. The Stormwater Program Manager shall notify the owner of any subject property or the owner's representative on-site that inspections shall be conducted at reasonable times.

(b) In the event the Stormwater Program Manager believes that discharges from a property into the City's stormwater system may cause an imminent and substantial threat to human health or the environment, an inspection may occur at any time and without notice to the owner of the property or the owner's representative on-site.

(c) Upon refusal by any property owner to permit an inspector to enter or continue an inspection, the inspector shall terminate the inspection or confine the inspection to areas concerning which no objection is raised. The inspector shall immediately report the refusal and the grounds to the Stormwater Program Manager, who may then seek appropriate compulsory processes.

**Sec. 35-55. - Notice of Violation.**

Whenever the city has determined that a person has violated or failed to meet a requirement of this chapter, the city may order compliance by written notice of violation to the responsible person. The Notice of Violation shall contain:

(a) The name and address of the property owner, manager, and occupant;

(b) The address or a description of the building, structure or land upon which the violation is occurring, or has occurred;

(c) A statement specifying the nature of the violation;

(d) A demand for a plan of action to remedy the violation, to be submitted to the Stormwater Program Manager for approval within three (3) business days from receipt of the Notice of Violation. In the event that a violation causes or has the potential to cause an immediate threat to public or environmental health and safety, the violation may be deemed an emergency and shall require a plan of action within twelve (12) hours of notification;

(e) In the event of an emergency, a statement specifying that the work may be completed by a designated governmental agency or a contractor and all expenses shall be charged to the violator;

(f) A statement specifying that, should the violator fail to restore compliance within the established time schedule, additional legal actions may be taken by the City, including but not limited to:

(1) Termination of a facility's water supply, sewer connection, or other municipal utility. Utilities may be restored after compliance is verified by inspection;

(2) Revocation or suspension of applicable permits;

(3) A stop work order;

(4) Issuance of a citation for a Class C offense, a Class D offense, or both; and

(5) The City's or its designated contractor's abatement at the expense of the violator."

## Appendix B: Common Discharge Examples by Local Land Use

| | | |
|---|---|---|
| Residential | Apartment complexes<br>Multi-family housing<br>Single family housing | Car washing<br>Chlorinated swimming pool draining<br>Interior/exterior chemical cleaning<br>Dumping/spills<br>Landscape watering<br>Fertilizing<br>Pet waste<br>Septic system maintenance<br>Waste disposal |
| Municipal | Airport<br>Animal shelter<br>Convenience Collection Center<br>Fire stations<br>Fleet maintenance<br>Operations yards<br>Recreation areas<br>Streets<br>Utilities | Animal waste<br>De-icing chemicals<br>Dumping/spills<br>Equipment washing<br>Facility/parking lot washing<br>Fertilizing<br>Outdoor material storage<br>Road maintenance<br>Trash/litter<br>Vehicle maintenance |
| Commercial | Auto dealers<br>Auto repair shops<br>Car washes<br>Construction<br>Gas stations<br>Retail<br>Restaurants | Dumping/spills<br>Facility/parking lot washing<br>Grease trap/equipment maintenance<br>Interior/exterior chemical cleaning<br>Landscaping/watering<br>Fertilizing<br>Outdoor material storage<br>Vehicle fueling/washing<br>Vehicle maintenance/repair |
| Industrial | Grain mill<br>Parts manufacturers<br>Printing | All commercial activities<br>Dumping/spills<br>Facility/parking lot washing<br>Industrial process water<br>Material loading/unloading<br>Outdoor material storage |
| Institutional | Cemeteries<br>Churches<br>Hospital/medical centers<br>Technical school/university | Interior/exterior chemical cleaning<br>Dumping/spills<br>Landscape watering<br>Fertilizing<br>Waste disposal |

## Appendix C: Water Quality Indicators

| Indicator | Water Properties | Possible Causes |
|---|---|---|
| Flow | Presence & amount | Changes from normal flows |
| Color | Tan to light brown | Suspended sediments, runoff from construction and roads, and erosion. |
| | Green/brown/yellow/blue-green | Algae bloom, sewage, fertilizer runoff |
| | Tea/coffee | Decaying organic matter |
| | Milky | Paint, lime, grease, concrete wash water, wastewater, sewage |
| | Clear black | Natural turnover or sulfuric acid |
| | Red, blue, green, yellow | Dyes or chemicals |
| | White crust | Salt deposits during drought periods, may be associated with oil production |
| Odor | Rotten eggs/hydrogen sulfide | Raw sewage, decomposing organic matter, low oxygen levels |
| | Chlorine | Water treatment plant discharges, swimming pools, industrial wastewater |
| | Sharp or pungent | Chemicals, pesticides |
| | Musty | Raw sewage, animal waste |
| | Fuel/oil | Illegal dumping, industrial wastewater |
| | Sweet or fruity | Commercial wash water |
| Turbidity | Cloudiness | Changes from normal flows |
| Surface Layer | Sheen | Oil, or grease, natural bacteria |
| | Foam | Detergents, soaps, natural decomposition |

## Appendix D: Important Contacts

General Spills/Discharges and Pollution

| | |
|---|---|
| City of Stillwater – Stormwater Staff | 405-533-8436<br>stormwater@stillwater.com |
| City of Stillwater – Main Line | 405-372-0025 |
| City of Stillwater – Emergency Management | 405-372-7484 |
| Oklahoma Department of Environmental Quality – Environmental Complaints | 800-522-0206 |
| Oklahoma Department of Environmental Quality – Main Line | 405-702-8100 |
| EPA Region 6 Compliance Assurance and Enforcement | 214-665-8060 |
| EPA National Reporting Center | 800-424-8802 |

Spills/discharges related to petroleum exploration or production must also be reported to:

| | |
|---|---|
| Oklahoma Corporation Commission<br>District I Office | 918-367-3396 |

Spills/discharges resulting in the death of fish or wildlife must also be reported to:

| | |
|---|---|
| Oklahoma Department of Wildlife Conservation – Natural Resources Section | 405-521-4616<br>405-990-5048 (after hours) |

**APPENDIX D – Code of Ordinances, Chapter 35 – Stormwater Quality & Management**

# Chapter 35 - STORMWATER QUALITY AND MANAGEMENT

*Footnotes:*

*--- (**1**) ---*

***Editor's note—*** *Ord. No. 3399 , § 1, adopted July 9, 2018, amended the title of Ch. 35 to read as herein set out. Formerly, said chapter was entitled "Stormwater Management and Earth Changes."*

## ARTICLE I. - IN GENERAL

### Sec. 35-1. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Accepted drainage study* means an accepted drainage study, plan, or as-built drawing for which all comments or issues raised by the city during review have been resolved.

*Adverse effects* means effects that cause stormwater to exceed the capacity of the drainage facilities and/or drainage easements as provided in the city drainage standards, or that cause damage, or an increase in damage, to property or facilities.

*Approval* means the city council and/or planning commission may approve a final plat, final replat, minor subdivision, site plan, use permit, or development, and such final plat, final replat, minor subdivision, site plan, use permit or development shall be deemed accepted.

*Best management practices (BMPs)* means schedules of activities, prohibitions of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to stormwater, receiving waters, or stormwater conveyance systems, consistent with 40 CFR Section 122.2. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.

*City drainage standards* means the criteria, standards and specifications for stormwater management, sediment and erosion control, and earth changes adopted by the city. The city drainage standards shall include all standards currently administered under the flood hazard regulations, those standards contained in the Urban Drainage Criteria Manual, and any standards adopted as best management practices.

*Clean Water Act (CWA)* means the federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.), and any subsequent amendments thereto.

*Community waters (community water system) pursuant to 42 U.S.C. § 300f(15),* means a public water system that: (1) serves at least 15 service connections used by year-round residents of the area served by the system or (2) regularly serves at least 25 year-round residents.

*Detention* means the temporary storage and controlled release of stormwater runoff.

*Detention facility* means a facility that provides temporary storage of stormwater runoff and controlled release of such runoff.

*Development* means any manmade change to improved or unimproved real estate, including but not limited to site preparation, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

*Development services director* means the person, or their designee, appointed by the city manager to monitor and review the infrastructure associated with new development within the city limits and to verify conformance with the city's codes and standards. This director shares the duties of the stormwater program manager as it relates to new development and redevelopment within the city.

*Drainage facilities* means all elements necessary to store, control, and/or convey stormwater runoff. Drainage facilities shall consist of both public and private storm sewers (closed conduits), channels, watercourses, sedimentation facilities, areas covered by restricted drainage easements for the purpose of providing overland flow and all appurtenances to the foregoing, including inlets, manholes, junction boxes, headwalls, dissipaters, culverts, detention facilities and the like.

*Drainage plan* means final construction details with sufficient information related to the proposed stormwater facilities for a site to allow determination that the facilities will function as designed in the final drainage study for the proposed site. These include, but are not limited to such information as pipe sizing, detention routing, staging, and storage, finished ground contours and elevations, and construction details and elevations for construction of proposed structures.

*Drainage study* means initial calculations used to determine the predevelopment and post-development stormwater runoff rates for a development. The study must show the drainage basins, slopes, and runoff variables pertinent to the site. In the case of required detention, the proposed method of detaining increased flows shall be discussed. The stormwater contributions from off-site areas must also be included in the study.

*Earth change* means excavating, grading, regrading, landfilling, berming or diking of land within the jurisdictional area of the city.

*Final drainage study* means an additional stormwater runoff analysis of a development with the purpose of reducing stormwater runoff rates from the site after development.

*Flood* means a temporary rise in the level of water which results in inundation of areas not ordinarily covered by water.

*Flood hazard regulations* means the flood hazard regulations, as adopted and amended from time to time by the city and codified in article XVIII of chapter 23.

*Floodplain administrator* means the individual designated by the city manager to monitor development and changes in the special flood hazard areas in the city and to administer the city's floodplain ordinance and program.

*Floodplain area* means the area subject to flooding as designated on floodplain area maps or other more current information that delineates the 100-year floodplain as adopted by the city.

*Illicit connection* is defined as either of the following:

(1) Any drain or conveyance, whether on the surface or subsurface that allows an illegal discharge to enter the storm drain system, including but not limited to any conveyances that allow any non-storm water discharge including sewage, process wastewater, and wash water to enter the storm drain system and any connections to the storm drain system from indoor drains and sinks, regardless of whether the drain or connection had been previously allowed, permitted, or approved by an authorized enforcement agency or,

(2) Any drain or conveyance connected from a commercial or industrial land use to the storm drain system that has not been documented in plans, maps, or equivalent records approved by the city.

*Jurisdictional area* of the city means and includes all areas within city limits, all areas regulated by the city subdivision regulations, and those areas directly served by the city utility authority.

*Municipal Separate Storm Sewer System (MS4)* means the system of conveyances (including sidewalks, roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) owned and operated by the city and designed or used for collecting or conveying stormwater, and that is not used for collecting or conveying sewage. This definition includes any system operating under an OPDES permit issued to the city by ODEQ, including but not limited to systems conveying discharges from facilities and lands of Oklahoma State University.

*National Pollutant Discharge Elimination System (NPDES)* is a federal program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements regulating pollutant discharges into water of the United States, pursuant to Sections 307, 402, 318, and 405 of the Clean Water Act, 33 U.S.C. 1251 et seq. (CWA).

*Natural* means the cover and topography of land before any manmade change, or, in areas where there have already been manmade modifications, the state of the area and topography of land as of the date of the adoption of the ordinance from which this chapter is derived.

*Non-storm water discharge* means any discharge to the storm drain system that is not composed entirely of storm water.

*ODEQ* means the Oklahoma Department of Environmental Quality, as created by title 27A Oklahoma Statutes, Section 2-3-101.

*Oklahoma Pollutant Discharge Elimination System (OPDES)* means a state program administered by the Oklahoma Department of Environmental Quality under federal authority delegated pursuant to title 33 United States Code Section 1342(b), to regulate pollutant discharges into waters of the United States.

*OKR04 general permit (OKR04)* means the most recent version of the permit issued by the Oklahoma Department of Environmental Quality governing Phase II Small Municipal Separate Storm Sewer System discharges within the State of Oklahoma.

*OKR10 general permit (OKR10)* means the most recent version of the general construction permit issued by the Oklahoma Department of Environmental Quality governing stormwater discharges from construction sites within the State of Oklahoma.

*Pollutant* means anything which causes or contributes to pollution. Pollutants may include, but are not limited to: soil, sediment or sand; paints, varnishes, and solvents; oil and other automotive fluids; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ordinances, and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; and noxious or offensive matter of any kind.

*Regional detention* means detention to control the various drainage basins defined in the stormwater management plan.

*Regulatory* flood means a flood having a one percent chance of being equaled or exceeded in any given year based upon the full potential urbanization of the contributing watershed, considering the comprehensive plan, adopted floodplain management policies, and the watershed master drainage plan where adopted.

*Sedimentation facilities* means debris basins, sedimentation traps, berms, interceptor ditches, land terraces, vegetation ground covers, and other means designed to control erosion and sedimentation.

*Stormwater Management Plan (SWMP)* means a plan developed and adopted by the city which includes, but is not limited to, the establishment of drainage basins within the city's jurisdictional area, a listing of needed drainage improvements, and operational considerations to be implemented during flooding conditions. The term "stormwater management plan" also includes, by reference, the city creek watershed plan as developed and administered by the soil conservation service. This includes the Stormwater Management Plan adopted as part of the city's MS4-OPDES permit.

*Stormwater program manager* means the person, or their designee, appointed by the city manager to monitor and facilitate maintenance of the city's stormwater infrastructure, administer the city's Stormwater Management Plan, and ensure compliance with the city's MS4-OPDES permit requirements.

*Substantial improvement.*

(1) The term "substantial improvement" means any repair, reconstruction, or improvement of a structure, the area of which equals or exceeds the greater of 500 square feet or 35 percent of the floor area of the structure either:

a. Before the improvement or repair is started; or

b. If the structure has been damaged and is being restored, before the damage occurred.

For the purposes of this definition, substantial improvement is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

(2) The term "substantial improvement" does not, however, include either:

a. Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to ensure safe living conditions; or

b. Any alteration of a structure listed on the National Register of Historic Places or a state inventory of historic places. The external alteration of an existing structure shall be considered to be an improvement to said structure and shall not be considered as new construction.

*Urban drainage* criteria manual means the Urban Drainage Criteria Manual adopted by Resolution No. 21-1979 of the city, and any amendment, modification, or revision thereof.

*Waters of the United States* means all waters identified pursuant to 40 CFR 230.3(o), as promulgated by the United States Environmental Protection Agency (EPA) and implemented consistent with guidance documents, final administrative orders and judicial interpretations."

*Watercourse* means any depression covered by stormwater and which gives direction to a current of stormwater where the drainage area above the same is five acres or more in extent.

(Code 1982, § 9-2; Ord. No. 2541, § 2, 7-22-1996; Ord. No. 2574, § 1, 6-30-1997; Ord. No. 3399 , § 2, 7-9-2018)

Secs. 35-2—35-20. - Reserved.

ARTICLE II. - DRAINAGE AND SEDIMENTATION

*Footnotes:*
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***State Law reference—*** *Environmental Quality Act, 27A O.S. § 1-1-101 et seq.; environmental quality code, 27A O.S. § 2-1-101 et seq.*

DIVISION 1. - GENERALLY

Sec. 35-21. - Purpose.

This article is enacted for the purpose of protecting property and the general health, safety, and welfare of the residents of the city from the hazards and danger of flooding, the alteration of natural stormwater flow patterns, and associated erosion and sedimentation and inadequate or improper drainage by:

(1) Preventing the following:
   a. Increases in peak rates of stormwater runoff;
   b. Increases in flood levels;
   c. Blockage or impairment of capacity of existing drainage facilities;
   d. Damage as a result of changing sheet flow into concentrated channel flows;
   e. Degradation and/or sedimentation in watercourses and on property;
   f. Authorized work from being conducted in a manner hazardous to life or property or in a manner otherwise likely to create a public nuisance;
   g. Illicit discharge of spills and the dumping or disposal of materials other than stormwater into the MS4;
   h. Any other action, direct or indirect, resulting in or causing a violation of the federal Clean Water Act, or applicable NPDES and OPDES permits;

(2) Securing review and approval of the method of handling and disposing of stormwater runoff in the jurisdictional area of the city, and securing review, analysis, and approval by the appropriate authority of the design, construction and maintenance of drainage facilities;

(3) Imposing standards and conditions upon the excavating, grading, regrading, landfilling, berming, and diking of land within the jurisdictional area of the city; and

(4) Creating a stormwater management fund, with the amounts deposited into that fund used for:
   a. The design, construction, maintenance and inspection of drainage facilities;
   b. The planning and study of methods to carry out the purposes of this chapter; and
   c. The review and approval of plans for handling stormwater runoff in the areas covered by this chapter.

(Code 1982, § 9-3; Ord. No. 2541, § 2, 7-22-1996; Ord. No. 3399 , § 3, 7-9-2018)

Sec. 35-22. - Scope.

The provision of this chapter shall apply to and be binding upon every person and every city, county, state, or federal governmental entity who seeks to develop, redevelop, grade, regrade, excavate, landfill, berm or dike land within the jurisdictional area of the city.

(Code 1982, § 9-4; Ord. No. 2541, § 2, 7-22-1996)

Sec. 35-23. - Violations.

(a) Any person, who violates any requirement of this chapter or the city drainage standards or any condition made pursuant thereto, other than discharge of stormwater and pollutants, shall, upon conviction, be guilty of a Class C offense.

(b) The discharge of stormwater in violation of the provisions of this article or of any other ordinance of the city shall be a Class D offense.

(c) Each day that a violation or failure to comply exists shall constitute a separate and distinct offense.

(Code 1982, § 9-5; Ord. No. 2541, § 2, 7-22-1996; Ord. No. 2721, § 4, 8-13-2001; Ord. No. 3399 , § 4, 7-9-2018)

Sec. 35-24. - Fine not exclusive penalty.

In addition to a fine, the city may institute appropriate actions or proceedings at law or equity for the enforcement of the provisions of this chapter or the city drainage standards or to correct violations thereof, and, if applicable and appropriate, the city may institute appropriate actions or proceedings at law or in equity against any surety company, escrow holder, or any third party who has affirmatively acted as surety or guarantor for the faithful performance of the permit holder's work.

(Code 1982, § 9-6; Ord. No. 2541, § 2, 7-22-1996)

Sec. 35-25. - Impairment of drainage facilities.

(a) Dumping or placing any material, whether temporary or permanent, within a drainage facility in a drainage easement or within the stormwater flow line of a drainage facility that is not in an easement shall be prohibited and a violation of this article. The owner of the property shall be responsible for any material that has been willfully dumped or placed in a drainage facility.

(b) A property owner's failure to repair and maintain a drainage facility that was specifically designed and installed to control stormwater runoff from that property or other properties designated in an approved drainage plan to a standard allowing it to perform its designed and intended

purpose shall be prohibited and a violation of this article.

(Code 1982, § 9-7; Ord. No. 2541, § 2, 7-22-1996; Ord. No. 3399 , § 5, 7-9-2018)

Sec. 35-26. - Prohibition of illicit discharges.

(a) No person shall conduct, allow or permit the discharge of stormwater in any manner in violation of this article or of any condition of a permit issued pursuant to this article or a stormwater discharge permit issued by the state. Such discharge shall be a public nuisance and corrected or abated by any owner and any operator.

(b) No person shall conduct, allow or permit the direct or indirect discharge into the MS4, the community waters or waters of the state, any pollutants or waters containing any pollutants.

(c) No person shall allow on a property for which they are responsible, conditions which cause or have the potential to cause the discharge of any pollutant to the MS4.

(d) Authorized non-stormwater discharges listed in Part 1.B. of the ODEQ OKR04 permit (Authorization Number: OKR040031) shall be allowed unless determined by the city to be substantial contributors of pollutants to the MS4. If an authorized non-stormwater discharge listed in Part 1.B of the ODEQ OKR04 permit is determined to be a substantial contributor of pollutants to the MS4, written notification requesting that the actions resulting in the discharge be terminated, shall be provided to the responsible person.

( Ord. No. 3399 , § 6, 7-9-2018)

Sec. 35-27. - Prohibition of illicit connections.

(a) The construction, use, maintenance or continued existence of illicit connections to the storm drain system shall be prohibited and a violation of this article.

(b) Prohibited illicit connections expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.

(c) Any person shall have committed a violation this section if the person connects a line conveying sewage to the MS4 or allows such a connection to continue.

(d) Illicit connections in violation of this section shall be disconnected and redirected, if necessary, to an approved onsite wastewater management system or the sanitary sewer system upon approval of the city.

( Ord. No. 3399 , § 6, 7-9-2018)

Sec. 35-28. - Discharges associated with construction activity.

(a) All development, redevelopment, and earth changing activities resulting in the disturbance of area equal to or greater than one acre, shall remain in full compliance with all applicable federal, state and local permits including but not limited to a City of Stillwater Earth Change Permit and the ODEQ OKR10 Construction General Permit. A violation of an applicable federal, state, or local permit shall constitute a violation of this section.

(b) During all construction activity developers, property owners, and contractors shall be required to keep streets, gutters, inlets, drainage pipes, swales, ditches, drainage channels, and all drainage devices and structures clean and free from debris, sedimentation, soil, and any other material incidental to construction activities.

(c) Prior to commencing any permitted earth disturbing activity, temporary erosion and sediment control measures shall be installed. Best Management Practices (BMPs) shall be installed and maintained in accordance with the city's BMP Designs and Standards and BMP manufacturer specifications.

(d) BMPs shall be selected such that erosion, stormwater run-off, stormwater run-on, and off-site transport of sediment and other pollutants are eliminated or reduced to the maximum extent practicable.

(e) Every developer/property owner and contractor designated by the developer/property owner shall be responsible for the development and implementation of the Erosion and Sediment Control Plan and Stormwater Pollution Prevention Plan (SWP3).

(f) Commercial or residential construction sites less than one acre, but which are part of a common plan of development disturbing more than one acre, such as individual residential lots in a subdivision, shall be required to maintain erosion and storm water pollution prevention measures in accordance with BMPs implemented during development. If BMPs are absent or ineffective, the property owner or designated contractor shall, at a minimum, install BMPs to keep streets, drainage ways, and storm drains free from sediment or other construction material or debris.

( Ord. No. 3399 , § 6, 7-9-2018)

Sec. 35-29. - Discharges associated with existing and post-construction development.

All post-construction structural and non-structural BMPs shall be maintained by the property owner. BMPs shall remain in good, functional condition at all times and be kept free from sediment accumulations, obstructions, litter, debris, and all other objects or actions interfering with the functionality of the BMP. In the event that the responsible party is unable to maintain a post-construction BMP, the city may request a temporary easement to allow city personnel or designated contractors to perform the maintenance. All maintenance performed by the city or its designated contractor shall be performed at the expense of the

responsible party. Examples of post-construction BMPs include but shall not be limited to: detention/retention ponds, bio-swales, sand filters, filter strips, bioretention cells, drain pipes, and any other devices that discharge to the city's MS4.

( Ord. No. 3399 , § 6, 7-9-2018)

Secs. 35-30—35-52. - Reserved.

DIVISION 2. - ADMINISTRATIVE PROCEDURE

Sec. 35-53. - Stormwater management plan administration.

(a) The stormwater program manager shall be responsible for administering the City of Stillwater Stormwater Management Plan and ensuring compliance with the ODEQ OKR04 General Permit.

(b) The stormwater program manager shall be responsible for illicit discharge detection and elimination in accordance with the City of Stillwater Stormwater Management Plan. This shall include but not be limited to developing and implementing programs that utilize dry weather field screening, source tracking, outfall monitoring, and water quality monitoring, inspections and enforcement.

(c) The stormwater program manager shall be responsible for developing and implementing programs identified by the city's SWMP, including but not limited to public education and outreach, public involvement, and industry education and outreach.

( Ord. No. 3399 , § 7, 7-9-2018)

Sec. 35-54. - Illicit discharge inspections and monitoring.

(a) The stormwater program manager shall conduct periodic inspections, investigations, monitoring, observation, measurement, enforcement, sampling, and testing, to effectuate the provisions of this article and the stormwater management program. The stormwater program manager shall notify the owner of any subject property or the owner's representative on-site that inspections shall be conducted at reasonable times.

(b) In the event the stormwater program manager believes that discharges from a property into the city's stormwater system may cause an imminent and substantial threat to human health or the environment, an inspection may occur at any time and without notice to the owner of the property or the owner's representative on-site.

(c) Upon refusal by any property owner to permit an inspector to enter or continue an inspection, the inspector shall terminate the inspection or confine the inspection to areas concerning which no objection is raised. The inspector shall immediately report the refusal and the grounds to the

stormwater program manager, who may then seek appropriate compulsory processes.

( Ord. No. 3399 , § 7, 7-9-2018)

Sec. 35-55. - Notice of violation.

Whenever the city has determined that a person has violated or failed to meet a requirement of this chapter, the city may order compliance by written notice of violation to the responsible person. The notice of violation shall contain:

(a) The name and address of the property owner, manager, and occupant;

(b) The address or a description of the building, structure or land upon which the violation is occurring, or has occurred;

(c) A statement specifying the nature of the violation;

(d) A demand for a plan of action to remedy the violation, to be submitted to the stormwater program manager for approval within three business days from receipt of the notice of violation. In the event that a violation causes or has the potential to cause an immediate threat to public or environmental health and safety, the violation may be deemed an emergency and shall require a plan of action within 12 hours of notification;

(e) In the event of an emergency, a statement specifying that the work may be completed by a designated governmental agency or a contractor and all expenses shall be charged to the violator;

(f) A statement specifying that, should the violator fail to restore compliance within the established time schedule, additional legal actions may be taken by the city, including but not limited to:

(1) Termination of a facility's water supply, sewer connection, or other municipal utility. Utilities may be restored after compliance is verified by inspection;

(2) Revocation or suspension of applicable permits;

(3) A stop work order;

(4) Issuance of a citation for a Class C offense, a Class D offense, or both; and

(5) The city's or its designated contractor's abatement at the expense of the violator.

( Ord. No. 3399 , § 7, 7-9-2018)

Sec. 35-56. - Development plan review and processing.

(a) Within 20 working days after receipt of a properly completed final drainage study or drainage plan, or within ten working days after receipt of a properly completed earth change permit application, the development services director shall review and then either accept, accept with conditions, or disapprove the submitted plan or permit application. Acceptance of a submitted

final drainage study, drainage plan, or earth change permit by the development services director shall not relieve the submitting engineer, the applicant, or the property owner of any responsibility for the design and such acceptance shall not waive any requirements of this chapter which are not specifically considered in the accepted plan. Drainage studies and plans which meet the requirements of this chapter and which conform to all requirements of the city drainage standards shall be accepted. Earth change permit applications which meet the standards established by this chapter shall be accepted. If a submitted drainage study, plan, or permit application is disapproved, the certifying engineer and applicant shall be advised in writing of the reasons for the disapproval.

(b) If the required findings cannot be made based upon the information contained in the submitted study, plan, or permit application, the general nature of such additional information required by the development services director to make such determination shall be identified in writing. In the event that the information deficiency is of a technical nature, the development services director may additionally request an engineering conference with the submitting engineer. Within ten working days after receipt of such additional information as may be required by the development services director, or as may be determined to be necessary during an engineering conference, a final decision shall be made by the development services director to either accept, accept with conditions, or disapprove the submitted study, plan, or permit application. If the required information is not received within 20 working days of the request for additional information by the development services director, the application shall be treated as a new one. If disapproved, the submitting engineer and permit applicant shall be advised in writing and an additional conference scheduled as appropriate.

(c) Major revisions (i.e., relocation of drainage basins, facilities, discharge points, etc.) to an accepted drainage plan or earth change permit shall require a new application. The development services director may accept minor changes to a drainage plan or earth change permit. A decision regarding acceptance of minor changes shall be rendered in writing within ten working days of receipt of such request.

(Code 1982, § 9-15; Ord. No. 2541, § 2, 7-22-1996; Ord. No. 2574, § 1, 6-30-1997; Ord. No. 3399 , § 8, 7-9-2018)

Sec. 35-57. - Board of drainage appeals created; appeal authorized; proceedings; variance.

(a) There is, by this section, created a board of drainage appeals, consisting of five members who are residents of the jurisdictional area of the city as defined in section 35-1, who have knowledge of hydrology, engineering, stormwater management or related fields and who have no economic interest in the development or construction industries within the corporate limits of the city. The presence of three members shall constitute a quorum. Decisions of the board shall require a majority vote of those present. The members shall be appointed by the mayor and city councilors

and shall serve three-year terms, with each term beginning July 1 and ending June 30. Of the first five appointees, one shall serve for one year, two for two years and two for three years, with the terms to be determined by the drawing of lots. There shall be no limits on the number of terms a member can serve. The board shall meet on call, as needed. It shall organize itself as it deems necessary, shall adopt administrative policies as necessary for its operation, subject to the approval of the mayor and city councilors. The office of the development services director shall serve as the clerk of the board and provide whatever clerical assistance is needed.

(1) The administrative policies of the board shall provide for notice of hearing to those property owners within 500 feet of the applicant's project and who will be affected by the change in flow. The board may expand the distance for notice where it determines more notice is necessary.

(2) All hearings of the board of drainage appeals shall be public and comply with the Oklahoma Open Meetings Act.

(3) Notices of hearing shall be published in a newspaper of general circulation in the community and mailed to appropriate parties at least ten days prior to hearing.

(4) Whenever the development services director or the applicant believes that an emergency situation exists, documentation supporting the grounds for the emergency shall be attached to the application submitted to the board. If at least two board members agree there is an emergency, a special meeting may be held in accordance with the Open Meetings Act. Every effort shall be made to get personal notice to those entitled to notice. An emergency shall be defined as a situation where delay would cause significant financial loss to the applicant, or which endangers the health, safety and welfare of the citizens of the jurisdictional area.

(b) All rulings, requirements, decisions, or interpretations of the development services director shall be provided to the applicant in writing and shall be final and binding upon all parties until it is altered by the board of drainage appeals or overruled by an order of the county district court.

(c) Any person aggrieved by an order of the development services director may perfect an appeal to the board of drainage appeals by filing a written of notice of variance or appeal with the clerk of the board, accompanied by a fee set by a resolution of the city council, within ten working days of the date of the written notice from the development services director. The appeal shall specify the grounds for the variance or appeal and contain a brief summary of all facts which the aggrieved party deems material to appeal. A hearing on the variance or appeal shall be set by the board of drainage appeals in compliance with the administrative policies of the board and subsection (a) of this section.

(d) The board of drainage appeals may grant in a particular instance such an appeal from a ruling of the development services director or a variance from the terms of this chapter or the city drainage standards as will not cause detriment to the public good, safety, or welfare, or be

contrary to the spirit, purpose and intent of this chapter where, by reason of any unique and exceptional physical circumstance or condition of a particular property, the literal enforcement of the city drainage standards or the requirements of this chapter will result in an unreasonable hardship. The board may prescribe additional conditions and safeguards in conformity with this chapter. Violation of such conditions and safeguards, when made a part of the terms under which the variance or appeal is granted, shall be deemed a violation of this chapter and punishable as provided in section 35-23.

(e) Any party aggrieved by a decision of the board of drainage appeals may appeal to the district court of the county by filing a notice of appeal with the clerk of the board within ten days of the notice of the ruling of the board, and by filing an action in court within 30 days of the ruling. The ruling of the board of appeals shall remain in effect unless otherwise ordered by the court.

(Code 1982, § 9-16; Ord. No. 2541, § 2, 7-22-1996; Ord. No. 2574, § 1, 6-30-1997; Ord. No. 2894, § 1, 6-27-2005; Ord. No. 3399 , § 8, 7-9-2018)

Sec. 35-58. - Citizen complaint.

Within five working days of receipt of a complaint signed by a citizen in the jurisdictional area of the city that the provisions of this chapter are being violated, the stormwater program manager shall make an investigation of the complaint and within ten working days shall render a determination as to the validity of the complaint, take necessary action to ensure the provisions of this chapter are being followed, and notify, in writing, the individual who filed the complaint of the action taken.

(Code 1982, § 9-17; Ord. No. 2541, § 2, 7-22-1996; Ord. No. 3399 , § 8, 7-9-2018)

Sec. 35-59. - Stormwater management fund.

A stormwater management fund is hereby created. Any fees collected under this chapter, whether for review or in lieu of improvements, shall go into the fund. The city council may appropriate other money into the fund as it deems desirable. The money in the fund shall be expended only for items that are in furtherance of the purposes of this chapter.

(Code 1982, § 9-18; Ord. No. 2541, § 2, 7-22-1996)

Secs. 35-60—35-76. - Reserved.

DIVISION 3. - DRAINAGE AND SEDIMENTATION POLICIES AND STANDARDS

Sec. 35-77. - Adopted by reference.

The stormwater program manager shall prepare standards, where applicable, for drainage facilities and best management practices which shall be known and cited as the "city drainage standards" following their approval and adoption by the city council. The city drainage standards or other standards approved and adopted by the city council shall be followed by every person or governmental entity involved in development and/or in the construction, installation and maintenance of drainage facilities. The city drainage standards as adopted may be amended from time to time in accordance with the procedure provided herein for their original adoption.

(Code 1982, § 9-20; Ord. No. 2541, § 2, 7-22-1996; Ord. No. 3399 , § 9, 7-9-2018)

Sec. 35-78. - Design policies and standards.

(a) *Drainage policies.*

(1) The stormwater drainage system shall be designed to pass the peak stormwater run-off received from upstream and from the subject property for storms with durations up to 24 hours and return periods of up to 100 years.

(2) All development, redevelopment, and earth changes shall be constructed so that it will not increase the frequency of flooding or the depth of flood flows for any storm, up to and including the 24-hour 100-year storm.

(3) Peak flows shall not be increased at any location for any storm, up to and including the 24-hour 100-year storm.

(4) Regulation of peak flows to allowable levels, as determined by subsections (a)(2) and (3) of this section, shall be achieved by on-site or off-site storage and/or other water management facilities as provided in the city drainage standards.

(5) Subject to requirements for a drainage plan or earth change permit and of the city drainage standards, downstream conveyance may be improved or easements obtained for inundated areas to compensate for increased flow depths if such improvements comply with the policies of this chapter.

(6) All development, redevelopment, and earth changes shall be constructed so that it will not cause harm to other properties as a result of concentrating flows.

(7) On-site stormwater control may not be required for sites less than one acre in size if it is determined by the development services director that stormwater runoff from the site will not cause adverse effects as described in this chapter. The development services director may request that the applicant provide such information as required to make this determination. In such cases, a cash payment in lieu of on-site stormwater control will be made to the stormwater management fund in an amount equal to the estimated cost of providing on-site stormwater control.

(b) *Erosion and sediment control policies.*

(1) All development, redevelopment, and earth changes shall be designed, constructed and completed in a manner which minimizes the exposure of bare earth to precipitation.

(2) All development, redevelopment, and earth changes shall be constructed only if appropriate sedimentation facilities are installed and maintained throughout the construction period.

(3) All development, redevelopment, and earth changes shall be accompanied by best management practices for controlling sediment and erosion so as to minimize the amount of sediment leaving the site.

(c) *Standards.*

(1) Requirements and design standards for all components of drainage facilities shall be established by the city drainage standards.

(2) The city drainage standards shall govern all earth changes, drainage plans, excavating, grading, regrading, revegetation, landfilling, berming and diking of land within the jurisdictional area of the city and shall specifically regulate the following considerations:

a. The city drainage standards shall regulate the design, installation, utilization and removal of all temporary and permanent drainage facilities and best management practices; and

b. The city drainage standards shall regulate the placement and compaction of fill material.

(Code 1982, § 9-21; Ord. No. 2541, § 2, 7-22-1996; Ord. No. 2574, § 1, 6-30-1997; Ord. No. 3399 , § 9, 7-9-2018)

Sec. 35-79. - Regional detention systems.

(a) Regional detention systems may be permitted and are recognized as one of the preferred methods of providing stormwater control. These systems may be designed to control the fully urbanized flows so as to permit the maximum use by developments in lieu of constructing small, on-site detention.

(b) The city council may accept cash payments for such detention systems in lieu of requiring on-site detention. Cash payments shall be in an amount equal to the estimated cost of providing on-site stormwater control and made prior to the start of any construction or earth changing operations. Any moneys received under this provision shall be placed in the stormwater management fund.

(c) The option of accepting cash payments for regional detention may be made available to sites of any size. However, the option is available only when a regional detention facility is in place or scheduled for construction in the immediate future that will support the detention requirements of the proposed site.

(d) If it is determined by the development services director that stormwater runoff from the site will cause adverse effects as described in this chapter, the site shall not be eligible for the cash payment option. The development services director may request that the applicant provide such

information as required to make this determination.

(Code 1982, § 9-22; Ord. No. 2541, § 2, 7-22-1996; Ord. No. 3399 , § 9, 7-9-2018)

Sec. 35-80. - Title, ownership and maintenance of detention and drainage facilities.

Public or private title, ownership and maintenance of detention and drainage facilities required herein shall be determined by criteria established by and contained in the city drainage standards. Regional detention systems shall be owned, maintained and operated by the city.

(Code 1982, § 9-23; Ord. No. 2541, § 2, 7-22-1996)

Secs. 35-81—35-105. - Reserved.

DIVISION 4. - DRAINAGE PLANS AND STUDIES

Sec. 35-106. - Drainage plan required.

(a) A drainage plan prepared in accordance with the provisions of this chapter may be submitted to and accepted by the development services director prior to the approval of any final plat, final replat of any subdivision of land, prior to the approval by the city planning commission of any minor subdivision, prior to the issuance of any building permit, or prior to the approval of any development.

(b) At application for review of any item that may require a drainage plan, a drainage study shall be submitted to the development services director. If the drainage study shows that no increase in peak stormwater flows will result from the development, the development services director may waive the requirement for a final drainage study and a drainage plan. Drainage studies shall contain adequate information and calculations to demonstrate the validity of the conclusions being made and that they are in compliance with the city drainage standards. A drainage study shall be formulated under the direct supervision and sealed by a registered professional engineer licensed by the state.

(c) One week prior to review at a public meeting by the planning commission, a final drainage study must have been submitted to the development services director.

(d) A final drainage study prepared in accordance with the provisions of this chapter shall be reviewed and accepted by the development services director prior to approval by the planning commission of any preliminary plat of any subdivision of land, and prior to the approval by the city council of any final plat or final replat of any subdivision of land, development, site plan, or use permit.

(e)

Upon approval by the city council and/or the planning commission of any item that requires a drainage plan, a revised final drainage study that reflects any special conditions of the city council and/or the planning commission approval shall be submitted and accepted.

(f) A drainage plan accepted by the development services director is a prerequisite to the issuance of a building permit.

(Code 1982, § 9-30; Ord. No. 2541, § 2, 7-22-1996; Ord. No. 2574, § 1, 6-30-1997; Ord. No. 3399 , § 10, 7-9-2018)

Sec. 35-107. - Previously approved residential plats.

(a) Under the following circumstances, the development of a final residential plat shall not have to be redesigned for drainage:
  (1) Any subdivision for which a final plat was approved prior to February 13, 1985;
  (2) Which has not been designed in accordance with the provisions of this chapter;
  (3) In which improvements were installed prior to February 13, 1988;
  (4) The sale of lots in said subdivision began prior to February 13, 1988;
  (5) The development of said subdivision is being accomplished with the same general use as originally intended when approval was granted for the final plat; and
  (6) Structures have been built on more than 50 percent of the lots by July 22, 1996.

(b) Nothing in this section shall be construed to relieve a developer of property from obligations under any other stormwater laws or regulations.

(Code 1982, § 9-31; Ord. No. 2541, § 2, 7-22-1996; Ord. No. 2574, § 1, 6-30-1997)

Sec. 35-108. - Construction and approval of drainage facilities.

(a) *Part of first-phase of construction.* All drainage facilities shown as part of an accepted drainage plan for any portion of a development shall be installed as a part of the first phase of construction or earth moving activity on that portion of the development. If only a portion of the drainage facilities are installed on any development due to phased construction of the development, these facilities shall be constructed to function in such a manner as to be consistent with the purpose of this chapter. The use of temporary drainage facilities may be permitted so long as they function in such a manner as to be consistent with the purpose of this chapter and that they are replaced with permanent drainage facilities prior to occupancy or use of the development. Minor deviations from the requirement for installing the drainage facilities as a part of the first phase of construction or earth moving activity may be granted by the development services director if deemed necessary for technical reasons related to the construction as long as the purpose of this chapter is met.

(b) *As-built drawings.* As-built drawings shall be prepared and sealed by a professional engineer registered in the state and shall be submitted to the development services director upon completion of the construction of the final drainage plan. As-built drawings shall clearly show any changes from the accepted final drainage plan. The as-built drawings shall be reviewed by the development services director. If the submitted as-built drawings cannot be accepted, the certifying engineer and applicant shall be advised in writing of the reasons for their disapproval. As-built drawings must be accepted prior to the issuance of a certificate of occupancy and the use or occupancy of a site, development, or other improvement.

(c) *Maintenance bond.* Before acceptance by the city council of any public improvement for city maintenance, a maintenance bond for the total cost of the improvement and for a period of one year shall be filed with the city clerk to ensure the correction of any defect in materials or workmanship that may be found in the improvement.

(Code 1982, § 9-32; Ord. No. 2541, § 2, 7-22-1996; Ord. No. 2574, § 1, 6-30-1997; Ord. No. 3399 , § 11, 7-9-2018)

Sec. 35-109. - Contents.

(a) *General requirements.* All final drainage studies shall be formulated under the direct supervision of a registered professional engineer licensed by the state. Studies submitted for final acceptance shall be accompanied by payment of a fee in accordance with the schedule approved by the city council and contained in the city drainage standards, and bear the signature and seal of the submitting engineer and, additionally, the following statement shall immediately precede the signature and seal of the submitting engineer:

"I hereby certify that I am familiar with the adopted ordinances and regulations of the City of Stillwater governing drainage facilities; that this final drainage study has been prepared under my direct engineering supervision; and that the above and foregoing final drainage study complies with all governing ordinances and the adopted drainage standards of the city pertaining to drainage facilities to the best of my knowledge, information and belief."

(b) All final drainage plans shall be formulated under the direct supervision of a registered professional engineer licensed by the state.

(1) Plans submitted for final acceptance shall bear the signature and seal of the submitting engineer and, additionally, the following statement shall immediately precede the signature and seal of the submitting engineer:

"I hereby certify that I am familiar with the adopted ordinances and regulations of the City of Stillwater governing drainage facilities; that the final drainage plan has been prepared under my direct engineering supervision; and that the above and foregoing final drainage plan complies with all

governing ordinances and the adopted drainage standards of the City of Stillwater pertaining to drainage facilities to the best of my knowledge, information and belief."

(2) Following the signature and seal of the submitting engineer, the drainage plan shall bear the name, address, phone number, and signature of the owner which shall be subscribed below the following statement:

"I (We) hereby certify that the accepted drainage plan will be implemented as designed and as-built drawings prepared of the completed drainage facilities under the general supervision of a professional engineer licensed by the State of Oklahoma. I (We) further certify that I am (we are) aware of my (our) responsibilities as the owner(s) of record for this piece of property, and that I (we) may be held personally (corporately) liable for any violations on this property resulting from the failure to comply with the provisions of the adopted ordinances and regulations of the City of Stillwater governing drainage facilities. Said provisions include, but are not limited to, responsibilities for proper construction, construction procedures and maintenance of the drainage facilities upon completion."

In the case of property owned by a corporation, the statement shall use the parenthetical language and the owner's information shall also include the title of the authorized person signing the owner's certification and a notarized corporate seal.

(c) *Final drainage study elements.* A drainage study shall consist of text statements, engineering drawings, contour maps, and all supporting engineering drawings, supporting contour maps, and supporting engineering calculations applicable to the land area covered by the study and which are required to demonstrate full compliance with the requirements of this chapter and the city drainage standards. A study shall include all pertinent information required by the development services director and may include, but shall not be limited to, any or all of the following elements:

(1) An engineering report showing compliance with the applicable provisions of this chapter and the city drainage standards, clearly detailing the scope of the engineering problem and the proposed solutions;

(2) An engineering hydrologic analysis of stormwater runoff under existing site conditions and under proposed developed site conditions;

(3) A detailed evaluation of the projected effects on property adjoining the site and on existing drainage facilities and systems both on and off the site;

(4) The location of all existing and planned temporary and permanent drainage facilities;

(5) The on-site regulatory flood elevations and the boundaries of any floodplain area. In every instance, the plan shall include a determination of the area required to carry the regulatory flood;

(6)

The proposed method of handling all runoff from the development and demonstrated capability to handle the pass-through of upstream runoff;

(7) Proposed fill or other structure-elevating techniques, levees, channel modifications, and detention facilities;

(8) The location and size of all existing and proposed drainage easements and areas; and

(9) The location, size, character, and estimated effectiveness of all temporary and permanent erosion and sedimentation control facilities with specifications detailing all on-site erosion control measures which will be established and maintained during all periods of development and construction. An outline of the sequence of construction activities shall be provided that notes when the various aspects of the drainage study will be implemented.

(Code 1982, § 9-33; Ord. No. 2541, § 2, 7-22-1996; Ord. No. 2574, § 1, 6-30-1997; Ord. No. 3399 , § 11, 7-9-2018)

Secs. 35-110—35-133. - Reserved.

ARTICLE III. - EARTH CHANGES

Sec. 35-134. - Permit required; nontransferable.

Unless specifically exempted, an earth change permit granted to the provisions of this chapter shall be obtained from development services director prior to the commencement of any excavating, grading, regrading, landfilling, berming, or diking of any property resulting in an area of disturbance measuring one acre or greater, within the jurisdictional area of the city. A separate permit shall be required for each separate, noncontiguous site or lot. No permit shall be transferable without the prior written consent of the development services director.

(Code 1982, § 9-40; Ord. No. 2541, § 2, 7-22-1996; Ord. No. 3399 , § 12, 7-9-2018)

Sec. 35-135. - Conditions.

Prior to granting any earth change permit, the development services director shall attach such conditions as the director deems reasonable and necessary in order to comply with the purpose, policies, and standards of this chapter. Such conditions may include, but shall not be limited to:

(1) Submission of a drainage plan;

(2) Specified finished grade, or land contours;

(3) Mandatory installation of drainage facilities;

(4) Specified erosion and sediment control measures;

(5) Furnishing any necessary public easements; and

(6) A specified method and sequence for performing the work thereby authorized.

(7) Submission of the project Stormwater Pollution Prevention Plan (SWP3) and a copy of the ODEQ Notice of Intent (NOI) for projects disturbing an area of one acre or more.

(Code 1982, § 9-41; Ord. No. 2541, § 2, 7-22-1996; Ord. No. 3399 , § 12, 7-9-2018)

Sec. 35-136. - Application; contents; duplication of information.

(a) *Procedure.* Unless exempted by the provisions of section 35-140, any person desiring to effect an earth change shall file a written application for an earth change permit with the development services director. Any area affected by the earth change and within the jurisdictional area of the city must be included in the permit application. Applications shall be in such form and content as the development services director shall establish and shall be accompanied by the payment of a permit fee in accordance with the fee schedule contained in the city drainage standards. The site plan and design standards established by the applicant and approved by the development services director or imposed by the development services director, shall become conditions upon which the earth change permit is issued. No change in an accepted plan or design standard shall be made without prior written approval of the development services director.

(b) *Contents.* Each earth change permit application shall contain the following information:

(1) The name and address of the legal owner of the property for which the permit is requested;

(2) A vicinity sketch and boundary line survey of the site for which the permit is requested, including a legal description of such property;

(3) Site drawings indicating each separate land area to be excavated, filled, graded, or leveled, the finished depth of each separate land cut or fill, the present and future (as completed) points of entry and discharge for surface water on the subject property, and identification of all temporary or permanent structures or other devices to be erected or established for the purpose of controlling or regulating surface water, erosion and sedimentation on such property;

(4) The applicant's plans for controlling on-site erosion and off-site sedimentation for the purpose of preventing the deposit of sediment from the lot or tract under application upon any other off-site public or private property or watercourse during all phases of project construction; and

(5) The applicant's plans for receipt of surface water on the property under consideration and discharge of surface water from this property during periods of construction, and a statement specifying the anticipated time period for the completion of all drainage improvements.

(6) The applicant's Stormwater Pollution Prevention Plan (SWP3) and a copy of the ODEQ authorization letter or submitted Notice of Intent (NOI).

If the development services director is unable to determine from the application submitted that it meets the policies and standards governing the issuance of the requested permit, the development services director shall request the applicant in writing to furnish such additional information which may be essential to such determination.

(c) *Duplication of information.* No applicant for an earth change permit shall be required to resubmit any documents, drawings or other information which was previously submitted by such applicant in conjunction with the processing of any drainage plan previously accepted by the development services director. Information utilized from previous drainage studies must be verified as currently valid by a licensed professional engineer.

(Code 1982, § 9-42; Ord. No. 2541, § 2, 7-22-1996; Ord. No. 2574, § 1, 6-30-1997; Ord. No. 3399 , § 12, 7-9-2018)

Sec. 35-137. - Expiration; extension for additional year.

An earth change permit shall expire one year after the date it is issued. Earth change permits may be extended for an additional year following review by the development services director.

(Code 1982, § 9-43; Ord. No. 2541, § 2, 7-22-1996; Ord. No. 3399 , § 12, 7-9-2018)

Sec. 35-138. - As-built drawings.

(a) As-built drawings, clearly showing any changes from the approved earth change permit, shall be submitted to the development services director upon completion of construction of the earth change. The as-built drawings shall be reviewed by the development services director. If the submitted as-built drawings cannot be accepted, the applicant and certifying engineer if one was used to obtain the permit, shall be advised in writing of the reasons for their disapproval. As-built drawings must be accepted prior to the issuance of a certificate of occupancy and the use or occupancy of a site, development or other improvement.

(b) The development services director may waive the requirement for as-built drawings on minor, residential projects. However, such a waiver shall not relieve the applicant from the responsibility of completing the earth change in accordance with the accepted earth change permit.

(Code 1982, § 9-44; Ord. No. 2541, § 2, 7-22-1996; Ord. No. 2574, § 1, 6-30-1997; Ord. No. 3399 , § 12, 7-9-2018)

Sec. 35-139. - Policies.

The issuance of earth change permits shall be governed by the following policies of the city:

(1)

No earth change shall be permitted which creates a public hazard upon any property within the city through the obstruction, impairment, sedimentation, blockage or alteration of any drainage facility.

(2) No earth change shall be permitted which will channelize, obstruct, or impede any watercourse in a manner which is inconsistent with the provisions of this chapter, accepted best management practices and/or the city drainage standards.

(3) No earth change shall be permitted which will impede the authorized use of a utility easement.

(4) All earth changes shall be designed, constructed and completed in a manner which minimizes erosion and loss of sediment from the site.

(5) Earth moving activity on individual tracts or lots shall be conducted only if appropriate sedimentation facilities are installed as the first step in the earth moving process and continually maintained throughout the construction period in accordance with the city drainage standards.

(6) As may be applicable to any lot, parcel or tract of land for which an accepted drainage plan exists, the requirements and conditions of the drainage plan shall be incorporated as a condition to the issuance of any earth change permit.

(7) No earth change permit for land located within a floodplain shall issue unless the requirements of section 23-373(b) and (c) are met.

(Code 1982, § 9-45; Ord. No. 2541, § 2, 7-22-1996; Ord. No. 2574, § 1, 6-30-1997)

Sec. 35-140. - Exemptions.

An earth change permit shall not be required for the following activities:

(1) Bona fide agricultural and farming operations which constitute the principal use of any lot or tract of ground in the jurisdictional area of the city and which meet the requirements of the zoning code of the city.

(2) Customary and incidental routine grounds maintenance, landscaping, and home gardening which do not require a zoning use exception, a zoning variance, or a building permit, and which do not affect stormwater drainage entering or leaving any private property or public right-of-way, utility easement, or drainage easement.

(3) Excavating and/or grading, and/or leveling, and/or landfilling of any lot or tract of record whose size does not exceed one acre and does not contain any floodplain area, natural or manmade watercourse, or drainage easements.

(4) Emergency repairs of a temporary nature made on public or private property which are necessary for the preservation of life, health or property, and which are made under such circumstances where it would be impossible or impracticable to obtain an earth change

permit.

(5) Earth moving for the purpose of installing, maintaining, or repairing any drainage facility, public street, public utility facility, or any related service lines provided that the activities are located outside of any special flood hazard area; however, such operations must be accompanied by sufficient use of best management practices that will ensure minimal loss of sediment from the affected area.

(Code 1982, § 9-46; Ord. No. 2541, § 2, 7-22-1996; Ord. No. 3399 , § 13, 7-9-2018)

Sec. 35-141. - Notice of noncompliance.

If at any time an earth change is performed which is not in accordance with this chapter or an earth change permit, including all conditions and accepted modifications thereof, a written notice of noncompliance shall be given by the development services director stating the nature and location of the alleged noncompliance, and specifying what remedial steps are necessary to bring the project into compliance. The responsible parties shall have such time as may be allowed in writing by the development services director to correct all noted deficiencies. The time allowed shall be reasonable and shall be determined by the nature of the deficiency and whether or not it creates a nuisance or hazard. If the deficiency is not corrected to the satisfaction of the development services director at the expiration of the time allowance, then all, or portions of, the construction activity on the site may be stopped in accordance with section 35-142.

(Code 1982, § 9-47; Ord. No. 2541, § 2, 7-22-1996; Ord. No. 2574, § 1, 6-30-1997; Ord. No. 3399 , § 13, 7-9-2018)

Sec. 35-142. - Revocation or suspension; stop work order; notices.

(a) An earth change permit may be revoked or suspended by the development services director upon the occurrence of any one of the following events:

(1) Violation of any condition of the permit;

(2) Violation of any provision of this chapter or any other applicable law, ordinance, rule or regulation pertaining to the earth change permit;

(3) Existence of any condition or the doing of any act constituting or creating a nuisance, hazard or endangering human life or property of others; or

(4) Failure to bring the permitted area into compliance within the time allowed on a notice of noncompliance previously issued.

(b) Upon the revocation of an earth change permit, the development services director shall issue a stop-work order on all or part of the construction activity on the permit holder's property which may be directly or indirectly related to site drainage and which is being performed pursuant to any permits, licenses, franchises or contracts issued or approved by the city. Such order may

require a work stoppage on all construction activity on buildings or structures and all appurtenances thereto, including building, electrical, plumbing, mechanical, street work, storm sewers, sanitary sewers, gas lines and all utilities including gas, electric, telephone and cable television.

(c) Notices and orders required by this section shall be served upon the parties concerned, either personally or by certified mail, addressed to the individual contracting party or parties and permit holder at the address given on the contract document or permit application filed with the city.

(d) The development services director may reinstate the earth change permit upon determination that the permitted area is in compliance with all applicable stormwater management and earth change requirements.

(e) Rulings of the development services director may be appealed in writing to the board of drainage appeals. The board of drainage appeals must hold a public hearing within ten days of receipt of an appeal. After the public hearing, the board of drainage appeals may reinstate the permit stating under what conditions the reinstatement is valid.

(Code 1982, § 9-48; Ord. No. 2541, § 2, 7-22-1996; Ord. No. 3399 , § 13, 7-9-2018)

Secs. 35-143—35-167. - Reserved.

ARTICLE IV. - STORMWATER UTILITY

Sec. 35-168. - Created.

A stormwater utility is hereby created to provide funds for drainage facilities and stormwater related projects

(Code 1982, § 9-56; Ord. No. 2575, § 1, 6-30-1997)

Sec. 35-169. - Membership.

The members of the city council shall serve as the board of the stormwater utility with the mayor serving as chair of the board and the vice-mayor serving as the vice-chair of the board.

(Code 1982, § 9-57; Ord. No. 2575, § 1, 6-30-1997)

Sec. 35-170. - Funding.

Funding for the utility will be based upon the equivalent residential unit (ERU) concept wherein the ERU is an average area of impervious material on a residential or commercial site.

(Code 1982, § 9-58; Ord. No. 2575, § 1, 6-30-1997)

Sec. 35-171. - Fees.

The monthly fee schedule shall be determined and established by resolution of the stormwater utility board.

(Code 1982, § 9-59; Ord. No. 2575, § 1, 6-30-1997)