STORMWATER MANAGEMENT PROGRAM ANNUAL REPORT

City of Auburn

PERMIT YEAR SEVEN

March 10, 2009 – March 10, 2010

SUBMITTED IN ACCORDANCE WITH THE REQUIREMENTS OF
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)

PERMIT NUMBER ALR040003

CITY OF AUBURN

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEMS (NPDES)
PERMIT NUMBER ALR040003
MUNICIPAL STORMWATER PROGRAM ANNUAL REPORT

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 fathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for fathering 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.

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TABLE OF CONTENTS

TABLE OF CONTENTS

LIST OF APPENDICES

STORMWATER MANAGEMENT PROGRAM
ANNUAL REPORT

City of Auburn

PERMIT YEAR SEVEN

March 2009 - March 2010

I. INTRODUCTION

In response to the National Pollutant Discharge Elimination System (NPDES) Phase II Stormwater Regulations, the City of Auburn (City) applied for and received an NPDES permit for stormwater discharges on May 14, 2003.

This report is being submitted to the Alabama Department of Environmental Management (ADEM) pursuant to Part V; paragraph C of NPDES Permit ALR040003 that expired in March 2008.

This annual report is the seventh report and covers the reporting period from March 2009 through March 2010. The program outlined in this report is patterned after the program submitted to and approved by ADEM in March 2003 in the City of Auburn's Notice of Intent (NOI) (Appendix A). The five year permit expired in March 2008. At ADEM's direction, the City has continued to operate under the original permit until the renewed Phase II NPDES permits are issued. The City reapplied for its NPDES permit in August 2007. On September 10, 2009, ADEM released the proposed NPDES Phase II Stormwater Permit to Municipal Separate Storm Sewer System (MS4) permittees in draft form for review and comment. ADEM, realizing that significant changes were going to occur with the new Phase II Permit, elected to host a series of public involvement workshops for the Phase II permittees in October 2009. These workshops provided an opportunity for ADEM to go through the changes in the new Permit with the permittees and provided an opportunity for permittees to ask questions of ADEM regarding the Permit. Formal comments provided by the permittees were reviewed and addressed in the draft Phase II Stormwater General Permit for MS4s released for public comment on January 14, 2010.

II. SITE DESCRIPTION

The City of Auburn is located in East Central Alabama. A map of the City is provided in Appendix B. The city limits encompass an area of approximately 49 square miles (31,405 acres) as of January 2010. This area calculation does not include Auburn University property or the City of Opelika. This acreage is less than in 2008-2009 (approximately 33,550 acres). This decrease in area is primarily a result of a city limit data source change in 2009 for determining city limit area. The population of Auburn is approximately 55,000. There are approximately 72 miles of creeks and streams flowing through Auburn. This is an increase from the 56 miles reported in the 2005-2006 report. This stream mileage was determined using the newly available FEMA Flood Map Modernization Project data. From the most recent storm drainage system inventory, the storm drainage system contains approximately 86 miles of storm pipe with 4,500 inlets and 3,000 stormwater manholes/junction boxes. The City approved seven (7) residential/commercial plats in 2009 as compared to sixteen (16) plats in 2008.

III. KNOWN OR SUSPECTED WATER QUALITY PROBLEMS

The City of Auburn's storm sewer system discharges into streams located in four primary watersheds, including Moore's Mill Creek (Southeast), Saugahatchee Creek (North), Chewacla Creek (South) and Parkerson's Mill Creek (Southwest).

Moore's Mill Creek was placed on the draft 303(d) list in 1998 and was listed on the final 2002, 2004, 2006 and 2008 303(d) listing. Known water quality concerns within the jurisdictional area were identified as stream siltation resulting from sedimentation deriving from development.

The Saugahatchee Embayment, where Saugahatchee Creek discharges into Yates Lake, was placed on the final 303(d) list in 1996, 1998, 2000, 2002, 2004, 2006 and 2008. The Embayment was listed on the 303(d) list primarily for nutrient enrichment. ADEM and the USEPA issued the final Total Maximum Daily Load (TMDL) for nutrients and organic enrichment/dissolved oxygen for Pepperell Branch and the Saugahatchee Embayment in April 2008. It is anticipated that implementation of the stormwater TMDL will be outlined in the new Phase II Permit.

Parkerson's Mill Creek, from its source to Chewacla Creek, was placed on the final 2008 303(d) listing. Known water quality concerns within the jurisdictional area were identified as pathogens resulting from urban runoff and storm sewers.

IV. RESPONSIBLE PARTY

The City's Stormwater Management Program (SWMP) is composed of several programs operating under various departments within the City's organization. Components of the SWMP are as follows:

- Environmental Services Department – Operates recycling and composting program;
- Public Works Department – Performs maintenance of stormwater infrastructure and assists with inspections of residential and commercial construction; Performs annual detention pond inspections;
- Public Safety Department – Monitors residential and commercial construction;
- Water Resource Management Department – Monitors residential and commercial construction and conducts erosion and sediment control inspections, manages water quality sampling program, manages public education and outreach program, assists Public Works with annual detention pond inspections and manages overall compliance with Phase II Stormwater Permit.

When the City of Auburn began its Phase II program, coordination and implementation of the individual SWMP was the responsibility of the Public Works Department. In October 2005, management of the stormwater program was transferred from the Public Works Department to the Water Resource Management Department, under a newly created Watershed Division. The intent of the move was to manage water supply operations, wastewater operations, and stormwater operations from a watershed perspective for all components that impact water quality.

The person responsible for the coordination and implementation of the individual SWMP is as follows:

Matt R. Dunn, P.E., Watershed Division Manager
Water Resource Management Department
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Auburn, AL 36832
(334) 501-3077
mdunn@auburnalabama.org

V. STORMWATER MANAGEMENT PROGRAM COMPONENTS

The Phase II stormwater regulations require operators of small Municipal Separate Storm Sewer Systems (MS4s) in urbanized areas to develop and implement stormwater management programs employing best management practices (BMPs) to adequately address the six minimum control measures. The control measures include:

- Public Education and Outreach
- Public Involvement/Participation
- Illicit Discharge Detection and Elimination
- Construction Site Stormwater Runoff Control
- Post-Construction Stormwater Management
- Pollution Prevention/Good Housekeeping for Municipal Operations

In March 2003, the City submitted to ADEM a Notice of Intent (NOI) to implement a stormwater management program under the Phase II stormwater regulations. The goals of the individual components of the program and implementation dates were outlined in this document. At the end of permit year seven, all program components outlined in the NOI have been implemented.

VI. PUBLIC EDUCATION AND OUTREACH ON STORMWATER IMPACTS

A. Articles in the City Newsletter "Open Line"

Open Line is a monthly newsletter mailed to Auburn citizens through their utility bill. Articles and messages contained in the newsletter reach a large and diverse group of citizens. The goal for articles in *Open Line* is to produce two (2) articles per year. During the seventh permit year, a total of nine (9) articles were published in which stormwater issues were highlighted or affected:


Open Line
A Monthly Newsletter for City of Auburn Citizens
November 2009
City Council
Only Rain Goes Down the Drain...
City of Auburn's storm drain marker program educates citizens on the importance of protecting our storm drains
Document Shredding and Electronics Recycling Event
Friday, November 13
RECYCLE AUBURN
Open Line
City of Auburn

- *FEMA Floodplain Maps and Flood Insurance Study Update - Monthly*
- *Auburn CityFest 2009 – April 2009*
- *Garbage, Trash and Recycling Collection Safety Tips and Reminders – April 2009*
- *Keep Auburn Beautiful – April 2009*
- *7th Annual Household Hazardous Waste Collection Day – April 2009*
- *City Launches Fats, Oils and Grease Recycling Program – June 2009*
- *Lending a Voice to Auburn's Future – October 2009*
- *Only Rain Goes Down the Drain – November 2009*
- *Frying a Turkey for the Holidays? – December 2009*

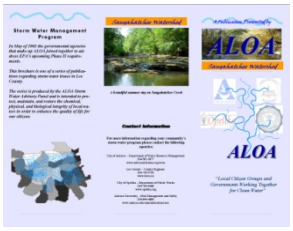
Copies of these articles can be downloaded from the City's website at http://www.auburnalabama.org/openline/.

B. Brochure Publications

Pamphlets and brochures are an effective way to present and explain stormwater issues. Unlike other communication vehicles, pamphlets and brochures can be distributed in many locations without requiring staffing and the location of distribution can specifically target the audience you are trying to reach. The goal for brochure publications is to produce two (2) brochures per year. During the seventh permit year, two (2) brochures were published with a total of eight (8) brochures available for distribution by the City. Brochures provided by the City over the past year include:

Brochures Published by the **A**uburn, **L**ee County, **O**pelika and **A**uburn University (ALOA) Citizen Advisory Group:

- Saugahatchee Watershed
- Rain Barrels

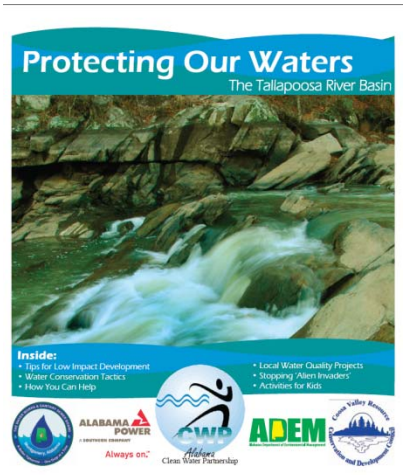


Copies of these brochures can be downloaded from the City's website at http://www.auburnalabama.org/wrm-watershed/aloa.asp.

Additional Brochures Distributed:

- Washing Car (ALCWP)
- Changing Oil (ALCWP)
- Pets (ALCWP)
- Fertilizing (ALCWP)
- Saugahatchee Creek Watershed: Past, Present and Future (SWaMP)
- Fats, Oils and Grease Recycling Program (City of Auburn)

C. Protecting Our Waters: The Tallapoosa River Basin



In November 2008, the Alabama Clean Water Partnership produced a newspaper insert titled *Protecting Our Waters: The Tallapoosa River Basin.* This insert was placed in major newspapers in circulation within the Tallapoosa Watershed. The City of Auburn contributed funding, articles and technical review for the publication. The 16-page insert contains articles on a variety of stormwater topics within the Tallapoosa Watershed including facts on the Tallapoosa watershed and articles on stormwater runoff, low impact development, water use in the basin, and on-the-ground projects within the watershed. The City obtained approximately 500 additional copies of the publication to distribute to local leaders, City Council members and to make available in brochure stands at various city facilities. Copies of this publication were made available in 2009.

D. Website

Citizens often go to the City's website to obtain information on items of local interest. The web page is accessible 24 hours per day and can serve citizens that do not have the time or the ability to physically meet with staff during normal working hours.

The goal for the website was to develop a Phase II Stormwater section on the existing website in 2003 and post that website in 2004. This goal was met a year early when the Phase II Stormwater website was posted in March 2003. City stormwater policies, ordinances, design manuals and links to related sites (ADEM and EPA) have been posted and are available to the public.

The City's Stormwater website was moved from the Public Works Department home page to the Water Resource Management Department home page in 2005. The Stormwater website was updated in 2009 to include water quality sampling data reports, as well as additional links, resources, and new photographs.

For more information on the website please visit:

http://www.auburnalabama.org/wrm-watershed

E. Video Presentations/Webcasts

Periodically, the City obtains relevant stormwater information in video/internet format. The videos are presented to local interest groups and also made available for loan upon request. Videos are typically provided by ADEM, LEGACY, and other non-profit organizations. Webcasts based on stormwater related topics are often hosted by the City. Video/internet media provided by the City over the past year include:

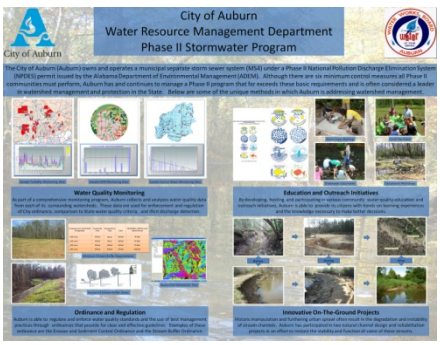
- *Managing Stormwater in the Age of Budget Cuts (Clean Water Partnership, Watershed and Stormwater Management Webcast Series, 2009)*

F. Public Presentations

The City provides staff and/or resources to develop presentation materials for public meetings. Typically presentations are offered in PowerPoint format and the topics are chosen by the organization requesting the information.

Six presentations were made during the seventh permit year. Presentations were given at various workshops and to various groups, including Alabama's Water Environment Association, Save Our Saugahatchee, the Greenspace Advisory Board, local elementary schools and Auburn University.

Presentations prepared and provided by City staff over the past year include:



- City of Auburn Water Quality Monitoring Programs: An Emphasis on Spatially Referenced Data in a GIS Format; Alabama's Water Environment Association, Orange Beach, AL (April 2009)
- City of Auburn Stream Buffer Program; City of Auburn Greenspace Advisory Board, Auburn, AL (April 2009)
- Poster and Panel Discussion – City of Auburn Water Resource Management Department Phase II Stormwater Program, Tallapoosa State of Our Watershed Conference; Alexander City, AL (April 2009)
- Saugahatchee Creek Water Quality Monitoring Review; Save Our Saugahatchee, Auburn, AL (October 2009)
- Basics of Site Due Diligence; Auburn University Biosystems Engineering Class, Auburn University, AL (October 2009)
- What is a Separate Storm Sewer System?; Dean Road Elementary School, Auburn, AL (November 2009)

G. Workshops Hosted

In an effort to educate contractors, developers, engineers, and staff, the City has initiated a series of workshops. The content of the workshops focuses on local stormwater issues of concern. Workshops hosted by the City over the past year include:

- **Erosion and Sediment Control Workshop (December 2009)** – The City hosted its eighth annual Erosion and Sediment Control Workshop on December 10, 2009. The purpose of the Workshop is to educate and interact with local engineers, developers and contractors who are governed by the City's Erosion and Sediment Control Ordinance, the ADEM stormwater regulations, and the United States Army Corps of Engineers (COE) regulations. Representatives from the ADEM gave a presentation on the current reorganization at ADEM as well as information on several new programs available from ADEM, including the E-Permitting system for filing construction NPDES permits and the new construction best management practices plan (CBMPP) template. Erosion Pros, LLC gave a presentation on the new sediment basin design guidelines in the Alabama Handbook. A field demonstration of the latest technologies in erosion and sediment control was provided by a local erosion and sediment control contractor. Approximately 65 developers, contractors, and engineers attended the workshop.

- **Materials Handling/Spill Prevention Workshop (March 2009)** – The Water Resource Management Department sponsored its second annual Materials Handling and Spill Prevention workshop in March 2009. This workshop targets City employees who deal with fuels and chemicals on a daily basis and provides basic information on the proper management, handling and disposal of potentially hazardous chemicals. Approximately fifteen (15) City employees attended this workshop.

H. Composting & Recycling Center/Household Grease Recycling Program

The City of Auburn has been operating a curbside recycling program since 1987. In addition to curbside recycling, the City maintains a drop-off center for recyclables. The *Recycle Auburn* drop-off center is located across from the Fleet Services Complex at 365-A North Donahue Drive. These operations allow citizens of Auburn to recycle their waste instead of disposing of it in the landfill. The Water Resource Management Department initiated

a Household Grease Recycling Program in 2009, with containers and bins located at the recycling center. This program provides citizens with a mechanism to properly dispose of household grease and is targeted at reducing potential sanitary sewer overflows. Approximately 260 gallons of used cooking oil/grease have been collected since implementation of the program. For more information on our household grease recycling program, please visit http://www.auburnalabama.org/wrm-sewer/FOG.asp.

In addition, the City maintains a Compost Demonstration Site that serves as an example of how homeowners can easily incorporate a home composting operation into a normal backyard setting. The site features six backyard compost units. The units range from a simple pile to a concrete bin.

The exhibits take the public through the process of how to compost and recycle materials for garden use and encourage these practices. For more information on recycling of waste, please visit: http://www.auburnalabama.org/es/.

I. Streamside Class Room Initiative

In an effort to educate and raise awareness in our community about the need to protect local streams, the City, *ALOA* (citizen storm water advisory committee), Save Our Saugahatchee (S.O.S.), and Auburn City Schools have joined together to provide streamside classroom activities.

Students from local middle schools combine classroom instruction with hands on field activities to conduct water chemistry and a biological assessment of a local stream. The program, geared to sixth graders, focuses on providing the students with a background in the type of habitat expected to sustain a healthy stream. The students conduct a chemical analysis of the stream and compare the results with that of a biological assessment of the same stream.

J. Storm Drain Marking Project

In cooperation with the Auburn University Sustainability Initiative, the City initiated a storm drain marking project in 2007. School children within the City of Auburn were asked to submit designs for the markers that were to be placed in the Saugahatchee Creek, Town Creek and Moore's Mill Creek watersheds. A number of the students' designs were selected for use. To maximize the educational opportunity presented when asking students to design the markers, classroom activities were conducted by the Sustainability Initiative. The lessons taught focused on the importance of not dumping waste into storm drains and how materials dumped into storm drains eventually end up in our rivers and streams. The initial storm drain marking day resulted in nearly 200 markers and door hangers being installed in Auburn by approximately 30 volunteers. In 2009, the City hosted an additional marking event for the Junior Civitan Club at Auburn High School. An additional event with the Auburn University Student Government Association was planned, but canceled due to rain. In 2009, the City also developed a storm drain marking kit program that allows citizens to pick up a bag of materials containing all of the items they need to mark storm drains in their neighborhood. Once the drains are marked, the citizen returns any unused materials to the Water Resource Management Department as well as a map showing the storm drains that they marked. In 2009, approximately 100 markers were installed.

K. Lee County Business Partners for Clean Water

The Lee County Business Partners for Clean Water program is designed to give businesses the information they need to comply with local, state and federal water quality regulations and to recognize businesses that take voluntary steps to protect local streams and lakes. The Lee County Business Partners for Clean Water held two workshops in 2009 to educate landscapers, lawn maintenance professionals and golf course officials on activities that can be implemented to help protect and

conserve local waterbodies. The first workshop was held on February 10, 2009 at Moore's Mill Golf Club for local landscapers and lawn maintenance professionals. Approximately thirty (30) participants attended this workshop. The second workshop for golf course workers was held on July 21, 2009 in Auburn, Alabama. Eight (8) people participated in this informative workshop. Both workshops were free to attend. The City of Auburn, as a stakeholder in this group, has pledged to be an active participating member of this group and to participate in its proceedings and facilitate its promotion wherever and whenever possible.

L. Rain Barrel Project

The City, along with stakeholders from ADEM, the Clean Water Partnership, Auburn University, Saugahatchee Watershed Management Plan (SWaMP), Save Our Saugahatchee, and the Alabama Cooperative Extension Service have come together to form a group known as the "Rain Catchers". This organization was formed with the intent of promoting the use of rain barrels and rain gardens to area citizens and to provide training on proper installation. In 2009, one hundred sixty-seven (167) participants attended eight (8) workshops hosted by the Rain Catchers. During these workshops, approximately one hundred ninety-six (196) rain barrels were constructed. The Rain Catchers are placing a concentrated effort of promotion within the Saugahatchee Watershed in hopes of reducing non-point source pollution through rooftop disconnect. With a project goal of promoting the installation of 10,000+ rain barrels, the "Rain Catchers" are a wonderful example of how a grass roots effort can make a big difference. Through partnership with the World Wildlife Fund, the Clean Water Partnership and the Rain Catchers, Coca-Cola has donated the majority of the barrels for the project.

VII. PUBLIC INVOLVEMENT/PARTICIPATION

A. Citizens Advisory Committee

Both the EPA and ADEM recommend that the public be included in developing, implementing, and reviewing stormwater management programs through the establishment of a citizens advisory committee. Communities that allow citizens representing diverse backgrounds and interests to participate in such a committee are far more likely to gain community support through implementation.

ALOA* CITIZENS STORMWATER ADVISORY COMMITTEE** (2001-present) - ***ALOA is a Citizens' Advisory Committee that serves ***A***uburn, ***L***ee County, ***O***pelika, and ***A***uburn University. It meets on a quarterly basis to review and provide public input on current policies, brochure content, educational material, and proposed ordinances.

In 2009, the ALOA citizens' advisory committee produced two brochures. The two brochures produced were titled *Saugahatchee Watershed* and *Rain Barrels*. These brochures are available to the citizens of Auburn and can be obtained at City Hall, the Bailey-Alexander Water and Sewer Complex or by contacting the Watershed Division of the Water Resource Management Department at (334) 501-3077. The brochures can also be downloaded from the City's website at http://www.auburnalabama.org/wrm-watershed/aloa.asp.

B. Watershed Organizations

Regional watershed organizations bring together representatives from utilities, private industry, environmental awareness groups, farmers and branches of government to coordinate individual efforts, share information and plan for water resource and aquatic life protection. The regional approach allows participating entities to coordinate individual efforts in order to maximize limited resources.

LOWER TALLAPOOSA RIVER BASIN/CLEAN WATER PARTNERSHIP (2001-present) - The City of Auburn actively participates in the Lower Tallapoosa Clean Water Partnership and on technical sub-committees to assist and guide the development and implementation of a watershed management plan. The organization meets on a quarterly basis. In 2009, as a member of the Clean Water Partnership, the City of Auburn participated in the formation of the Lee County Business Partners for Clean Water program as well as the development of the Moore's Mill Stream Restoration Project.

SAUGAHATCHEE WATERSHED MANAGEMENT PLAN GROUP (SWAMP) - (February 2004 – present) Over the course of the past year, the City of Auburn has actively participated in the SWaMP group along with other stakeholders in the Saugahatchee Creek watershed to continue implementation of a watershed management plan for the watershed that encompasses parts of Lee, Macon and Tallapoosa Counties. The stakeholder group is made up of representatives from the Cities of Auburn and Opelika, WestPoint Stevens, Inc., MeadWestvaco, Inc., Save Our Saugahatchee (S.O.S.), the Natural Resources Conservation Service (NRCS), the Alabama Cooperative Extension Service (ACES), the Lower Tallapoosa Clean Water Partnership (LTCWP) and Auburn University. The plan was finalized and submitted to the ADEM in March 2005. The SWaMP group received implementation funding from the ADEM in 2007. SWaMP provided funding for several projects in 2009 including: a project at Cary Woods Elementary School in Auburn involving the installation of a rain garden and rainwater harvesting system, a forestry best management practices workshop, the Boykin Center Rain Garden project in Auburn and an Unpaved Road Seminar. Funding for Phase I of the implementation plan will expire in 2010 and SWaMP intends to apply for a Phase II implementation program grant.

C. City of Auburn Earth Week 2009

Earth Day is a week-long event in the City of Auburn. Over the last several years, City departments have worked to create and implement a week of environmental activities and events aimed at educating citizens of all ages of the importance of protecting our environment. The City also hosted its 7th Annual Household Hazardous Waste Collection Day in 2009. This annual event is a favorite among Auburn residents. Each year, the City allows its customers to drop off hazardous household chemicals at a collection site, free of charge. The items are then disposed of in a safe manner, eliminating the possibility of these items being improperly dumped in local creeks and streams. Additional Earth Week 2009 activities included:

- Educational Activities for 2nd Graders (NRCS – Enviroscape model, Auburn Water Board flocculation experiment, Recycling Demonstration, Auburn Tree Commission – Tree Demonstration, Weston Inc. – Flower planting activity, Student creation of a homemade journal to write down information about the Town Creek Stream Restoration project);

- Auburn Jr. High Jazz Band Concert;
- Various public library activities centered around Earth Week.

D. Website Hotline

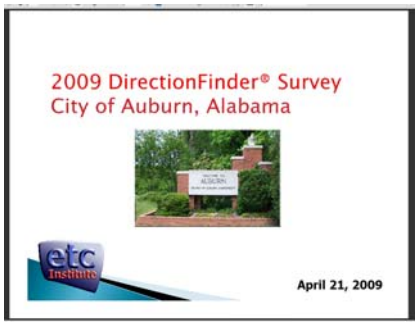
In an effort to provide the general public with an additional means of reporting potential erosion control violations, the City launched the "On-Line Hotline" in March 2003. Citizens now have the ability to log on to the website 24 hours a day and provide information on suspected violations. The information is forwarded to the Water Resource Management Department and an investigation is initiated. The website hotline has proven to be a valuable tool over the course of the past seven years by assisting City personnel in responding to citizens concerns. For more information concerning the hotline, please visit http://www.auburnalabama.org/wrm-watershed/Discharge.asp.

E. Arbor Day Tree Give Away

The planting of trees improves water quality by reducing stormwater runoff and erosion, while facilitating nutrient removal from the stormwater runoff. In celebration of Alabama's Arbor Day and to encourage the reforestation of the City's urban landscape, the City's Tree Commission sponsors a tree giveaway. The Commission gave away 1,000 Shumard Oaks and 1,000 Dogwoods at the annual 2009 Arbor Day Tree Giveaway. The City also gave away 1,000 Dogwoods and 1,000 Magnolia seedlings at this past year's Christmas parade.

F. City of Auburn Citizen Survey

The citizen survey is an annual survey of a statistical cross section of randomly selected members of the community. The survey asks questions on issues of governmental performance and community priorities and is a means of encouraging citizens to participate in local government. In 2009, the survey contained several questions that directly impacted stormwater quality issues. The questions covered issues such as storm drainage system efficiencies, stormwater quality, trash collection, yard waste disposal, recycling, natural resource protection, green space initiatives and future growth planning. As it relates to stormwater management, approximately 66 percent of those



surveyed were either satisfied or very satisfied with the City's quality of performance in this area. This is an increase over 2008, when approximately 62 percent of those surveyed were either satisfied or very satisfied with the City's stormwater management program.

To view the Citizen survey, please visit: http://www.auburnalabama.org/survey.

G. Newspaper Articles

Newspaper articles covering local stormwater/environmental issues are a means for disseminating information to a large and diverse group of residents most directly impacted by these issues. Informative articles provide the reader with an independent point of view. The reader is not forced to rely on information generated by a single source (i.e. City through the newsletter *Open Line* or brochures).

The City of Auburn is fortunate to have a local daily publication. The *Opelika-Auburn News* is a regional daily newspaper that covers local events and is widely read by residents of Lee County. A weekly newspaper publication, the *Auburn Villager*, began circulation in 2007. Approximately sixteen (16) articles and editorials were published in the last year that directly dealt with stormwater/environmental issues. A listing of articles and publication dates is included in Appendix C of this report.

H. Greenspace/Greenway Master Plan

The Auburn Greenspace Advisory Board (GAB) was created by a City Council resolution in 2002. Its objective was to identify potential areas for future property acquisitions for parks, recreation facility projects, and greenways. Once identified, these properties could be purchased and/or protected from development.

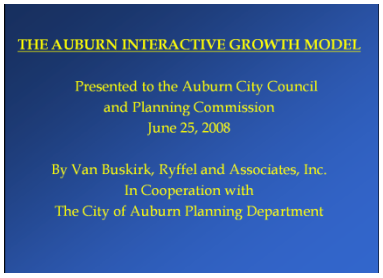
In 2003, the GAB recommended a Greenspace/Greenway Master Plan for the City of Auburn. It was adopted in December 2003 by the City Council and has been utilized by the Planning Commission in connection with approval of projects. The GAB recently revised the initial Plan to include a vast expansion of the proposed greenspace/greenway areas. This first addition to the Greenspace/Greenway Master Plan was adopted by the City Council in October 2004.

This plan has resulted in the acquisition of several hundred acres of property located in environmentally sensitive areas. The City is currently working on obtaining easements along Saugahatchee Creek for a proposed greenway project. The

greenspace/greenway areas include proposed bikeways and trails along existing and new roads and along waterways in the City of Auburn's growth boundary. Areas along waterways may be improved with natural trails and will be preserved by the dedication of conservation easements in developments or the acquisition of property by the City of Auburn. The properties have been set aside for future uses by the City, as recommended by the GAB. A copy of the current Greenspace/Greenway Master Plan is included in Appendix D of this report.

I. Future Land Use Plan

Due to the pace of development and increase in population within the City of Auburn, City personnel and Auburn citizens have developed a Land Use Plan for future development and growth within the City. This Plan focuses on the concept that natural resource conservation is critical to our quality of life as a part of community planning and development. The plan emphasizes open greenspace that will be linked and tied in to the system of trails and greenspace areas created by the City's Greenspace/Greenway Master Plan.



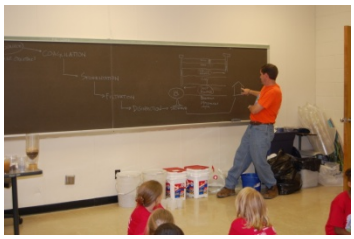
The Plan places a strong emphasis on maintaining and enhancing natural resources within the City of Auburn such as streams, greenspaces, and parks. The Plan establishes the idea that development should be strategically placed away from our most critical resources. The City began developing new ordinances based on the Land Use Plan in 2005. In addition, the City, through its Planning Department, contracted with a firm to develop a Growth Model in 2007-2008 that the City can utilize in making planning decisions within Auburn. This model was constructed so that it can be updated annually. Detailed inventories were conducted for current development such as housing unit by type, population by age groups, retail space by gross area, etc. A demographic forecasting model was developed as well as models for other uses that will provide guidance for future land use allocations. Finally, the Auburn Interactive Growth Model (AIGM) was developed that forecasts the spatial distribution of the population over time and the apportionment of land uses necessary to meet the needs of the population. In 2009, the City's Planning Department completed an update to the AIGM baseline data to bring it current through the end of fiscal year 2009.

J. CompPlan 2030

In 2009, the City's Planning Department began development of CompPlan 2030, a comprehensive plan to guide future development in Auburn. CompPlan 2030 will focus on the following key areas: current and future land use; how land use and the built environment affects our natural resources; schools, parks and other civic facilities; and transportation. The Plan will provide guidance for future planning based on public input, analysis of current and future conditions, and best practices. The first in a series of public meetings was held in 2009 to allow citizens to share their ideas for Auburn's future, giving citizens a voice in the development of the comprehensive plan. Existing condition assessments for most subject areas, including stormwater, have been completed and the public input phase of the Plan will be completed in February – March 2010. The Plan is on schedule for consideration by the Auburn City Council in January 2011.

COMPPLAN 2030
THE COMPREHENSIVE PLAN FOR THE CITY OF AUBURN

K. Lee County Water Festival



On May 12 and 13, 2009, the sixth annual Lee County Water Festival was held on the campus of Auburn University. Over 2,000 fourth graders from schools in the Lee County area attended the two-day event. The primary purpose of the event is to educate young people on the importance of our water resources and the role each of us plays in conserving our water. During the event, students learned about water filtration, aquifers, and the water cycle through hands-on activities such as building an edible aquifer, making a water cycle bracelet, and building a mini-filtration unit. Volunteers from the City of Auburn, the Auburn Water Works Board, the City of Opelika, and other local groups helped make last year's event a huge success. Planning is currently underway for the 2010 Water Festival to be held at Auburn University on May 13 and 14, 2010.

VIII. ILLICIT DISCHARGE DETECTION AND ELIMINATION

A. Storm Sewer Map

The City of Auburn completed the initial mapping of its storm sewer system in 2003. The mapping is maintained in a Geographical Information Systems Database (GIS). The drainage area is divided into quarter section maps with a scale of 1"=100'. Detailed information on pipe size, pipe material, direction of flow, inlets, manholes, bridges, box culverts, detention ponds, and headwalls are provided on the maps. The City is currently evaluating options for a system-wide comprehensive update of the stormwater system asset data.

Note: GIS files are updated on a regular basis as new work is added or as old work is modified to current standards. The latest revisions to maps can be obtained through the Public Works Department located at 171 North Ross Street.

B. Illicit Discharge Ordinance

The Environmental Protection Agency (EPA) recommends municipalities implement an ordinance that provides the means to identify and enforce correction of illicit discharges. In the City's NOI, submitted to ADEM in March 2003, the stated goal was to develop and implement an Illicit Discharge Ordinance by December 2005. This goal was met two years ahead of schedule.

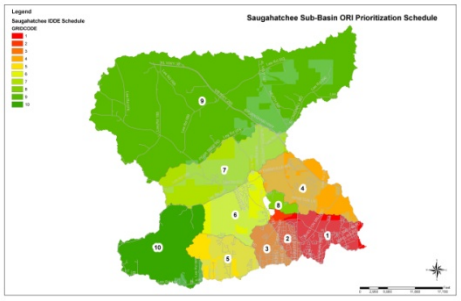
A draft copy of the Illicit Discharge Ordinance was reviewed by the ***ALOA*** Citizens Advisory Committee in November of 2003. A revised draft was forwarded to the City Attorney and Municipal Judge for review in December 2003. The Auburn City Council adopted the Illicit Discharge Ordinance on January 20, 2004.

The City of Auburn has responded to several cases of illicit discharges over the past year. These cases involved illicit discharges of carpet cleaning washwater, residential graywater, and sanitary sewer overflows. In each instance, the illicit discharge was traced back to its source and the violator was given

a warning and notified of the City's Illicit Discharge Ordinance. The proper officials were notified of the issue and proper clean-up was conducted.

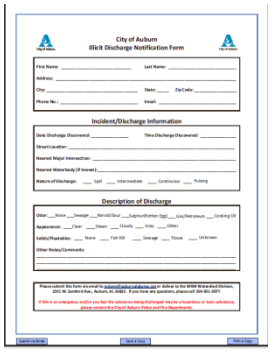
C. Stormwater Outfall Reconnaissance Inventory

In 2009, the Water Resource Management Department began a stormwater outfall reconnaissance inventory (ORI) program. The purpose of this ORI program is to walk each watershed (six total), conduct an inspection of each stormwater outfall and prepare detailed documentation of each stormwater outfall in that basin. City staff will be able to document any current illicit discharges and provide more detailed location information concerning existing outfalls. The City's ORI program is being patterned on recommendations outlined in the *Illicit Discharge Detection and Elimination: A Guidance Manual for Program Development and Technical Assessments* (Center for Watershed Protection & Dr. Robert Pitt, October 2004). The City's goal is to inspect each watershed on a 5 - 6 year rotation.



D. Illicit Discharge Hotline & Reporting Form

In 2008, the Water Resource Management Department developed an illicit discharge reporting form that residents can download, complete and email back to the Department upon discovering a potential illicit discharge. This document was placed on a newly-created Illicit Discharge Website, giving residents instant and 24-hour access to the form. This form assists the Department in tracking and responding to illicit discharges. This form can be downloaded from the City's website at http://www.auburnalabama.org/wrm-watershed/Discharge.asp. No forms were submitted in 2009.



E. Public Education on Illicit Discharges & Improper Disposal

The Alabama Clean Water Partnership, in association with ADEM and other environmental groups, has produced a series of public service announcements featuring the "Nerdy Man". The City of Auburn has obtained materials for distribution from the Clean Water Partnership and provides them free to the public through its information centers located at City Hall, the Bailey-Alexander Water and Sewer Complex and the Development Services Building. These materials can also be obtained by contacting the City's Watershed Division at (334) 501-3074. The City also routinely places articles in the City newsletter, *Open Line*, to educate citizens on illicit discharges.

F. Inspection of Drainage System

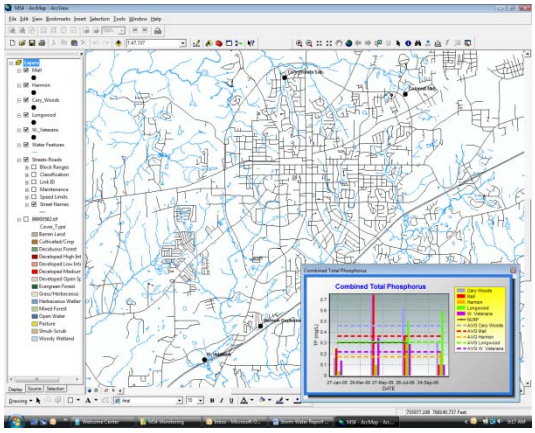
The Public Works Department conducts an annual inspection of its drainage system in order to maintain free flowing conditions. During this process, key stream sections, bridges, and culverts are inspected and routine maintenance is conducted. As areas are identified for maintenance, the work is listed on the maintenance schedule and a crew is assigned to perform the task.

G. Hazardous Waste Emergency Response Team

The City of Auburn has entered into an agreement with the City of Opelika to share some of the cost of operating an emergency response vehicle equipped to handle hazardous waste spills. The agreement provides the City of Auburn with the ability to properly identify and address hazardous or potentially hazardous spills (see NOI submittal Appendix A).

H. Water Sampling Program

In 2004, the City of Auburn began a water-sampling program in an effort to analyze the effectiveness of stormwater BMPs on active construction sites within the City. This program has been significantly expanded over the past 5 years to include more in-depth water quality monitoring.



The City conducts weekly, monthly, and quarterly sampling for a wide variety of parameters that includes turbidity, dissolved oxygen, temperature, specific conductivity, total dissolved solids, pH, fecal coliform and salinity. Routine physical, physiochemical and bacteriological monitoring is conducted to document critical water quality trends within surrounding watersheds and also to locate potential sources of unauthorized pollution and contamination. Excessive pollutant loading can lead to loss of fish and wildlife habitat, loss of recreational use, human health hazards and higher water treatment costs. Both grab samples and real-time monitoring via two Hach Hydrolab multi-parameter probes have been incorporated into the sampling program.

In 2007, the City began a MS4 sampling program to analyze various pollutant parameters for varying land use categories in the City. Five sampling locations representing low-density residential, medium-density residential, high-density residential, commercial and industrial land uses are monitored on a quarterly basis.

In 2009, the City purchased five (5) Global Water composite samplers. These samplers were launched beginning in the fall of 2009 in sub-basins within the Saugahatchee Creek watershed to evaluate total phosphorus concentration from stormwater runoff. These composite samplers will be used in the future as part of the City's stormwater Total Maximum Daily Load Implementation Plan to target "hot spot" areas for implementing stormwater best management practices to address total phosphorus.

The City has developed a water quality website where residents and other interested parties can view reports of recent water quality data. The website address to view these reports is http://www.auburnalabama.org/wrm-watershed/waterqual.aspx. In 2008, the City created a GIS database to track and trend all water quality data collected in-house and through outside sources.

In 2009, the City collected approximately 2,040 turbidity samples (40 routine sampling sites), approximately 16 samples for TMDL background monitoring, conducted 22 Hydrolab launches, and collected approximately 85 bacteriological samples.

IX. CONSTRUCTION SITE STORMWATER RUNOFF CONTROL

A. Erosion and Sediment Control Ordinance

The City of Auburn, in conjunction with the City of Opelika and Auburn University, adopted the Erosion and Sediment Control Policy recommended by the Citizens Advisory Committee (ALOA) in 2003. The policy provides for a regional set of rules that can be applied to contractors, developers and engineers in the area.

The Auburn City Council approved additions to the City's Erosion and Sediment Control Ordinance in 2005 to establish protocol for enforcement of the Ordinance and to enable City personnel to issue citations to developers/contractors in violation of the Ordinance. The enforcement mechanisms have proven to be a valuable tool in ensuring compliance with the Ordinance.

B. Erosion Control Inspections

The City of Auburn, in an effort to patrol the management of erosion and sediment control measures on active construction sites, initiated a construction site inspection program in 2003. The inspection program is designed to identify deficiencies in erosion control and initiate corrective action. Approximately 600 site inspections were performed from March 2009 through March 2010. This is an increase from the 500 inspections that were conducted the previous year. Despite the "slow down" in development in the City, inspections increased due to the record rainfall received in 2009. Rainfall will be discussed in Section IX, Paragraph F of this report. The City of Auburn revised its Erosion Control Checklist form in December 2004. The City's Water Resource Management Department maintains copies of the inspection reports in an electronic format.

C. Erosion Control Residential

The City of Auburn Public Safety Department Codes Enforcement Division conducts an initial site inspection for all building construction in Auburn. Lots requesting the initial inspection must have a construction entrance and other necessary best management practices (BMPs) in place prior to authorized foundation construction. Deficiencies noted during the initial inspection are relayed to the building permit applicant for correction.

The City of Auburn Public Safety Department Codes Enforcement Division maintains a database of complaints received in association with erosion resulting from residential construction. The complaints are routed to enforcement officers or to Water Resource Management Department staff who investigate the complaint and pursue corrective actions with the responsible parties.

D. Added Elements to Erosion and Sediment Control

In an effort to utilize the latest in erosion and sediment control technology, the City of Auburn has begun recommending that engineers consider the use of polyacrylamide (PAM) and other flocculants on certain developments within the City. PAM is essentially a soil stabilization BMP. Flocculants work to settle solids from turbid water and aid in stabilizing soils to support grass seed so that a suitable vegetative cover may be established. Flocculants can be applied through a hydraseeding application or in storm drains via “floc blocks”.

E. Sediment Basin Design

In an effort to create a uniform set of design criteria for sediment basins, the City of Auburn created a Sediment Basin Design Worksheet in 2007. This worksheet is based on requirements in the Alabama Handbook and can be utilized by engineers for the design of developments within the City of Auburn. Engineers must submit a copy of the completed worksheet to the City of Auburn for review during the plan submittal and review process.

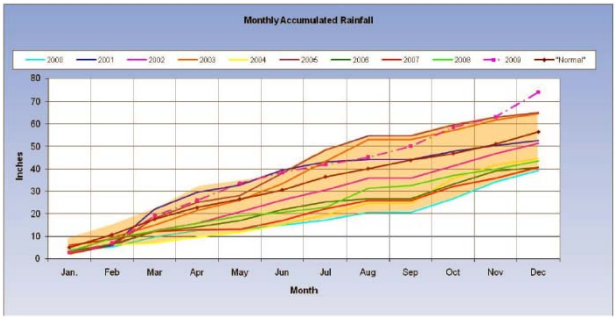
The City of Auburn revised its standard erosion and sediment control details in 2007 to include a more detailed sediment basin design, as well as additional details for erosion control blanket installations, wattle installation and alternative inlet protection measures. Erosion control blankets are required by the City of Auburn on any slope steeper than 3:1. Wattles are coir-filled socks utilized in check dam applications as an alternative to rip rap. The Alabama

Courtesy: AL Handbook, 2009

Handbook was revised in 2009 to include significant changes in design guidelines for sediment basins. The primary changes revolve around the use of baffles during construction and Faircloth skimmers for basin dewatering. The City will evaluate these guidelines in 2010 and make any necessary adjustments to its standard erosion and sediment control details and design requirements.

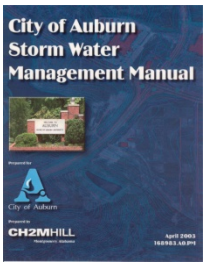
F. Rainfall Data Collection

In 2005, the City began maintaining historical rainfall data records. The data is obtained through a subscription to the Agricultural Weather Information System (AWIS) website. AWIS records daily weather data from the NOAA weather station at the Auburn-Opelika airport. The City collects the data on a routine basis and enters it into an Excel spreadsheet, enabling the City to analyze rainfall patterns and trends. The City has AWIS data dating back to 1976. The City records daily rainfall data at its two water pollution control facilities. In addition, the Auburn Water Works Board also has rain gauges located at Lake Ogletree and the James Estes Water Treatment Plant that provide daily rainfall records. In 2008, the City contracted with a local consultant to provide real-time rainfall data utilizing Doppler radar imagery at five predetermined locations selected by the City. This data provides additional rainfall data and provides staff with the ability to plan erosion and sediment control inspections more efficiently and analyze rainfall patterns across the City. In 2008, working in cooperation with the City's Information Technology Department, staff created a GIS rainfall distribution analysis tool that allows staff to map rainfall patterns across the City. This, in turn, allows staff to perform erosion and sediment control inspections more efficiently. The City received record rainfall in 2009 with values from 20 to 30 inches above normal, depending on the gauge. The rainfall received in 2009 was the highest recorded rainfall for Auburn since recordkeeping began in 1976.

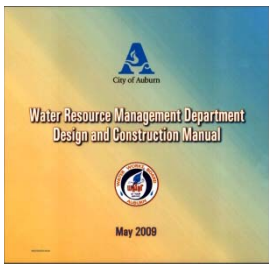


X. POST-CONSTRUCTION STORMWATER MANAGEMENT IN NEW DEVELOPMENT AND REDEVELOPMENT

A. Stormwater Management Manual and Engineering Design Manuals

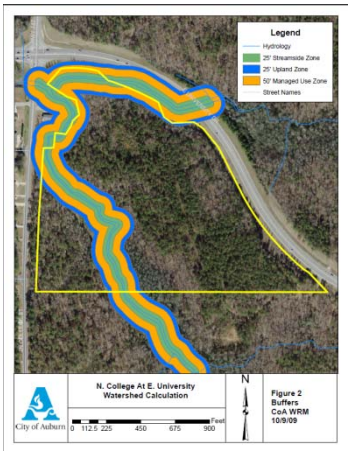


In April 2003, the City of Auburn published a Stormwater Design Manual that effectively addresses stormwater runoff controls required for sites greater than one acre. The manual identifies project requirements and specifications for new infrastructure and also addresses the requirement for stormwater system sizing and stormwater runoff control/detention. During the first seven years of implementation, the manual has proven to be a very successful tool for the City and developers. The Water Resource Management Department contracted to develop an Engineering Design Manual in 2008 that will include engineering design criteria for sewer and water infrastructure, as well as stormwater best management practices for water quality protection such as rain gardens and stormwater wetlands. The Public Works Department is also developing a comprehensive Engineering Design Manual. The Stormwater Manual will be updated and included as an appendix in the Public Works Manual. Both manuals are anticipated to be completed during 2010.



B. Stream Buffer Regulations

As part of the Erosion and Sediment Control Ordinance adopted by the City Council in July 2002, a minimum 25-foot non-disturbed vegetative buffer zone was required for new developments on "blue line" streams and creeks identified on USGS 7.5 minute topographic maps. In May 2006, the City Council adopted new Stream Buffer regulations. The 2006 buffer regulations are based on a managed-use type buffer rather than a strict non-disturbed buffer approach. The 2006 regulations implement a 3-zoned buffer (streamside zone, managed use zone and upland zone) with the width of the buffer being based on the drainage area of the stream. A copy of the 2006 regulations can be found under Article IV in the City's Zoning Ordinance on the City's website. Approximately 500 - 550 acres of riparian corridors were set aside in the first three years following the adoption of the new regulations. In 2009, the City evaluated 2 linear miles of stream associated with new development, resulting in approximately 12 acres of riparian buffer protection.



Stream Buffer Requirements				
Drainage Area (Watershed) Designation	**Streamside Zone**	**Managed Use Zone**	**Upland Zone**	**Total Buffer Width on each side of Stream**
< 100 acres	25 feet	None	10 feet	35 feet
≥ 100 acres and ≤ 300 acres	25 feet	None	20 feet	45 feet
≥ 300 acres and ≤ 640 acres	25 feet	20 feet	10 feet	55 feet
≥ 640 acres	25 feet	50 feet	25 feet	100 feet

C. Detention Pond Inspections

Existing detention ponds need periodic inspections to evaluate the maintenance and operation of these vital components of the City's drainage system. Because vast quantities of stormwater are collected and passed through these detention ponds every year, inspections of these facilities can identify potential problems and illicit discharges.

The Public Works Department and the Water Resource Management Department conduct annual inspections of all detention ponds (public and private) listed in the stormwater inventory. Upon inspection, the owner of the pond is notified of any corrective action needed. Enforcement measures are taken if the owner does not address the items listed in the report. Approximately two hundred thirty (230) detention ponds were inspected by the City in 2009.

D. Conservation Subdivision Regulations

In 2006, staff members from the Planning Department, Water Resource Management Department, Public Works Department and Parks and Recreation Department began developing conservation subdivision regulations to aid in the protection of local water resources. These regulations were approved by the Auburn City Council in 2007. The regulations promote water resource protection through the setting aside of open

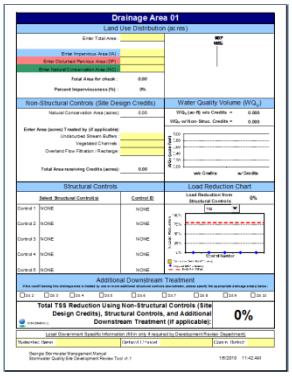
space and concentrating development away from water resources. The ordinance and subdivision regulations promote the use of low impact design concepts to protect natural resources in the Auburn area. These regulations can be downloaded from the City's website at http://www.auburnalabama.org/pl/subregs.asp.

E. Moore's Mill Creek Stream Restoration Project

Moore's Mill Creek, which is listed on the State's 303(d) list of impaired waterbodies for sedimentation, is a perennial tributary of Chewacla Creek. Beginning in January 2007, a collaborative restoration effort began between ADEM, the Alabama Clean Water Partnership, Cleveland Brothers Construction, Inc., Wildlands, Inc., and the City of Auburn. In June 2009, Cleveland Brothers Construction, Inc. began construction of approximately 10,000 linear feet of stream restoration work on Moore's Mill Creek. The project design, provided by Wildlands, Inc. utilized "natural channel design" practices and techniques to restore, to the maximum extent practical, the natural hydrologic and sediment transport functions of the stream. With a primary objective of delisting Moore's Mill Creek by reducing in-stream sediment loading from excessive stream bank erosion, various structures and live vegetation are being used to increase aquatic habitat and floodplain/riparian functions while establishing a more stable plan and profile. With progress slowed by frequent and heavy rainfall during the latter half of 2009, construction is expected to be complete in 2010. Approximately 70 percent of the project was completed in 2009.

F. Site Development Review Tool

In 2006, the Water Resource Management Department contracted with CH2M Hill to develop a Site Development Review Tool (Tool) that could be utilized by local engineers when designing stormwater best management practices (BMPs) on developments within the City of Auburn. This Tool was modeled on a similar tool created by CH2M Hill for Gwinnett County, Georgia.



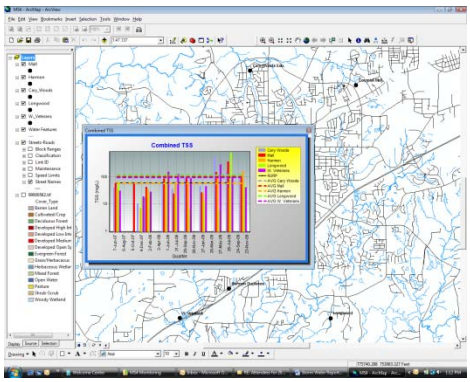
The Tool was developed using a Microsoft Excel platform and can be used by engineers and developers to design and incorporate structural stormwater BMPs for developments within Auburn's planning jurisdiction boundaries and to maximize the efficiency of runoff pollutant management following construction of developments. This Tool can also be used to meet the target pollutant removal efficiencies outlined in the City's Conservation Subdivision Regulations.

The Tool provides pollutant removal estimates for site

specific conditions based on removal efficiencies for a variety of stormwater BMPs including detention ponds, bioretention areas (i.e. rain gardens) and stormwater wetlands. This Tool analyzes a variety of stormwater pollutants including nutrients (phosphorus and nitrogen) and total suspended solids. City staff utilize the Tool during the plan review process to analyze development impacts on water quality within its water supply protection area (Lake Ogletree watershed). This Tool is also used by engineers when submitting water quality plans for developments located in the Saugahatchee Creek Watershed. As part of its compliance with the total phosphorus TMDL for the Saugahatchee Creek watershed, the City is requiring water quality plans for developments located in this watershed.

G. MS4 Outfall Water Quality Monitoring

In 2007, the Water Resource Management Department initiated a program to evaluate and compare post-construction runoff water quality from various types of development. The types of development analyzed include low, medium and high density residential, commercial and industrial. Samples are collected each quarter during rainfall events and then delivered to a local lab to be analyzed for a variety of pollutants such as fecal coliform, suspended solids, nutrients and oils and grease. Staff attempt to collect "first flush" samples in an effort to obtain the most representative runoff samples. This data is used by Water Resource Management staff to develop trends, document illicit discharges and to make future decisions regarding post-construction stormwater BMPs. Although enough data to begin analyzing trends has not been obtained, staff have seen some interesting results thus far, such as higher total phosphorus concentrations in runoff from a local golf course (suspected fertilizer application).



H. Composite Stormwater Sampling Program

In 2009, the Water Resource Management Department began a program to analyze total phosphorus (TP) concentration in stormwater runoff from sub-basins in the Saugahatchee Creek watershed. This program was initiated in an effort to begin collecting background TP concentration data in anticipation of monitoring requirements associated with the Saugahatchee Creek TP TMDL. Five (5) composite samplers were launched in 2009 in five (5) sub-basins in the Saugahatchee Creek watershed. Each sub-basin is

characterized by a certain primary land use category. The samplers are triggered by rainfall and/or flow. The samplers are currently set to pull samples at a rate of 400 ml every 5 minutes, for a total of 1-gallon mixed composite in 45 minutes. The sampler is activated only after both rain (a minimum ¾" rain event) and flow (wet) sensors are triggered and the samples are only collected if the qualifying event has been at least 72-hours after a previous rain event. Long-term data collection will allow the City to target "hot spots" for best management practices for treatment of total phosphorus.

I. North Donahue Low Impact Development Project

Utilizing an Alabama Department of Environmental Management (ADEM) 319 Non-Point Source Grant, Hayley-Redd Development, Inc., a local land development company, is planning to construct the first Low Impact Development (LID) subdivision adjacent to and within the planning jurisdiction of the City of Auburn. Additional stakeholders involved in the project are Auburn University College of Architecture, Design and Construction (AU CADC), Alabama Cooperative Extension System, Barrett-Simpson Engineering, Inc., and McKnally-Ross Land Design, Inc. By utilizing alternative stormwater treatment best management practices, rainwater reuse/harvesting techniques, alternative energy measures, and low impact planning and design, this development proposes to reduce post-construction pollutant loading into Saugahatchee Creek and offer a more sustainable alternative to conventional housing development. Construction of this project is expected to begin Spring 2010.

J. Boykin Community Center Rain Garden Project

Boykin Community Center is a multiuse facility offering numerous functions and programs for children, adults, and seniors, including housing child daycare and the local Boys and Girls Club. It is located in Auburn within the Saugahatchee Watershed, a watershed in which the Alabama Department of Environmental Management (ADEM) has established a watershed-based Total Maximum Daily Load for total phosphorus. In an effort to promote sustainability and to reduce stormwater pollution (primarily phosphorus) leaving the site, the Auburn University School of Architecture, Design and Construction (AU) helped to secure a grant from the Saugahatchee Watershed Management Plan (An ADEM 319 funded program) to implement a series of stormwater retrofits. Beginning in December 2009, with the help of the City of Auburn and numerous other stakeholder groups, AU began construction of several rain gardens, a vegetated swale, and two rainwater cisterns. These low impact best management practices will serve to promote infiltration, treat

stormwater runoff from the majority of the site, provide alternative irrigation, and serve as an educational tool for its everyday users.

XI. POLLUTION PREVENTION/GOOD HOUSEKEEPING FOR MUNICIPAL OPERATIONS

A. Stormwater Management Training

The City of Auburn continues to develop a training program that provides the Water Resource Management Department and other City departments with information on the proper methods for implementing site control measures on all municipal projects. City personnel also attend a variety of stormwater/water quality related workshops and seminars annually.

Training opportunities in 2009 included:

- **ADEM Nonpoint Source Conference (January 2009) –** This 1-day conference held in Montgomery, AL focused on nonpoint source stormwater management and associated best management practices. Two (2) City employees attended this conference.

- **Alabama's Water Environment Association Annual Conference (April 2009)** – This 4-day conference sponsored by Alabama's Water Environment Association, state membership association of the Water Environment Federation, focuses on stormwater, water quality, and wastewater treatment issues. Three (3) City personnel attended the 2009 conference, attending technical sessions related to stormwater and watershed management as well as vendor exhibits. City personnel also presented during two (2) technical sessions at the conference.

- **Annual State of Our Watershed Conference (April 2009)** – This 2-day workshop held at Central Alabama Community College in Alex City, AL focuses on the current state of the Tallapoosa River Basin watershed, of which the City of Auburn is a stakeholder. This past year's conference focused on moving toward a sustainable watershed management policy for the Tallapoosa River Basin. One (1) City employee attended this conference.

- **WEFTEC 2009 (October 2009)** – This 4-day conference, sponsored by the Water Environment Federation, is one of the premier water quality conferences in the world. This year's conference was held in Orlando, Florida. City personnel attended technical sessions related to watershed protection, water quality, stormwater BMPs and wastewater treatment. Three (3) City personnel attended this conference.

- **Erosion and Sediment Control Workshop (December 2009)** – The City of Auburn hosted a workshop for developers, contractors, and engineers to

educate attendees on the City's Erosion and Sediment Control Program, as well as federal and state regulations. Over eighty (80) developers, contractors, engineers, and City personnel attended the workshop.

B. Spill Response and Prevention Training

The City of Auburn has developed an in-house spill response training program. The Water Resource Management Department sponsored its second annual Materials Handling and Spill Prevention Workshop in March 2009. This workshop targets City employees who deal with fuels and chemicals on a daily basis and provides basic information on the proper management, handling and disposal of potentially hazardous chemicals. Approximately fifteen (15) City personnel attended this workshop. In addition, the ALOA group developed a brochure in 2007 focusing on materials handling and safety.

C. Risk Management Manual

The City of Auburn Human Resources Department has developed a manual outlining specific requirements/policies for dealing with hazardous chemicals. Topic 12 (titled *Hazard Communication Program*) of the City's Risk Management Manual specifically requires City personnel to receive training on hazardous chemicals used. Material Safety Data Sheets (MSDS) identifying personal protective equipment, permissible exposure limits (PEL) and Threshold Limit Values (TLV) are required for all hazardous chemicals used. The Hazard Communication Program was adopted as part of the Risk Management Manual.

D. Municipal Operations Recycling

It has been standard policy to encourage individual Departments to participate in the City's recycling program. Recyclable waste generated through City activities is collected and processed through the City's recycling center located on Donahue Drive.

E. Street Sweeping

Regular street sweeping has been proven as an effective means to reduce overall pollutant loading from roads and storm sewer systems. The Environmental Services Department of the City of Auburn currently performs street sweeping measures on a monthly basis throughout numerous roadways within the City. One (1) mechanical and two (2) regenerative-air/vacuum sweepers are used to perform this service. Regular street sweeping measures such as these have been shown to reduce total phosphorus loading from roadways by 1.4 to 20 percent and total suspended solids by

4 to 45 percent, with variability seen in frequency of sweeping and machine type (Breault et. al., 2003).

F. Alabama Certified Pesticides Applicator

The Parks and Recreation Department of the City of Auburn maintains trained and certified personnel in the application of pesticides, including restricted-use pesticides. Although qualified to do so, the Parks and Recreation Department has not used any restricted-use pesticides in the previous decade. In order to maintain certification with the State of Alabama, the staff must document and complete 30 continuing education units (CEUs) over a three-year period. CEUs are earned at various conferences and workshops such as the Alabama Turfgrass Conference, Alabama Department of Transportation workshop, the Sports Turf Short Course and the Alabama Urban Forestry Association's Annual Conference. The CEUs cover the application of pesticides, information on the proper use of fertilizers and other chemicals typically used to maintain athletic fields, and best management practices for trees/shrubs/turf that are intended to reduced the need for pesticides, fertilizers and water.

XII. STORMWATER INFRASTRUCTURE IMPROVEMENTS

In 2009, the Public Works Department continued to make considerable progress toward completing a priority listing of stormwater improvement projects outlined in the Stormwater Master Plan (completed in 2000) for the City of Auburn.

A. Stormwater Infrastructure Projects Completed

Projects completed in permit year seven include:

- Cox Road Improvements Project – This project consisted of lowering Cox Road to improve site distance. As part of the project, the following stormwater infrastructure improvements were made: installation of 430 linear feet (LF) of 15-inch reinforced concrete pipe storm drain (RCP), 56 LF of 24-inch RCP, 2 winged headwalls, 3 sloped-paved headwalls and 5 inlets.

- Samford Avenue Extension Project – This project consisted of extending Samford Avenue approximately 3,960 feet to Glenn Avenue. As part of the project, the following stormwater infrastructure was constructed: installation of approximately 94 LF of 48-inch RCP, 624 LF of 30-inch RCP, 616 LF of 24-inch RCP, 374 LF of 18-inch RCP, and 1,450 LF of 15-inch RCP. Also included in the project was the installation of 24 single wing inlets, 6 double wing inlets and 8 area inlets.

- Twin City Court Extension Project – This project consisted of extending Twin City Court approximately 1,200 feet. As a part of this project, the following stormwater infrastructure was constructed: installation of 190 LF of 6 ft x 5 ft box culvert, 1,170 LF of 18-inch RCP and 97 LF of 24-inch RCP. This project also included the installation of 12 single wing inlets and 4 double wing inlets.

- Albert-Judd Storm Drain Improvements – This project involved installation of 30 LF of 15-inch RCP, 55 LF of 24-inch RCP, 230 LF of 36-inch RCP, 2 single wing inlets, 1 area inlet and one headwall.

- Ross & Magnolia Intersection Improvements – This project included installation of 10 LF of 18-inch RCP, 54 LF of 30-inch RCP, 1 single wing inlet, 1 double wing inlet and 1 junction box.

- Stubb Avenue – This project consisted of replacing stormwater infrastructure with 2 double wing inlets, 2 headwalls, 5 LF of 24-inch RCP and 120 LF of 30-inch RCP.

- Highway 14 and Bragg Avenue Intersection Project – This project consisted of realigning Martin Luther King Drive with Bragg Avenue and widening North Donahue Drive from Glenn Avenue to just north of Bragg Avenue. The project involved the installation of 1,082 LF of 18-inch RCP, 1 headwall, 7 junction boxes, 1 single wing inlet, 5 double wing inlets and 3 bicycle safe grate inlets.

B. Stormwater Infrastructure Projects Under Construction

- Wire Road Bridge Replacement – This project consists of the installation of 1 area inlet, 1 junction box, 2 headwalls, 402 LF of 18-inch RCP and a new, wider bridge.

C. Stormwater Infrastructure Projects Under Design and/or Consideration

- 2010 Cured-In-Place Pipe (CIPP) Lining Project – This project will involve CIPP lining of several deteriorated storm drain lines in the City.

- Opelika Road at Guthries – This project will involve the installation of 170 LF of 30-inch RCP, 40 LF of 18-inch RCP, 15 LF of 24-inch RCP, 150 LF of 48-inch RCP, 7 single wing inlets and 1 headwall.

XIII. PROGRAM EVALUATION

Now in its seventh permit year, the Stormwater Management Program for the City of Auburn continues to have a positive impact on stormwater management in the City as evidenced by trends in stormwater quality data collected by the City and public awareness of the importance of stormwater management. The goals outlined in the City's Notice of Intent have been achieved at the end of this seventh permit year.

The City of Auburn continues to have a strong construction stormwater management program that empowers staff to issue notices of violation, citations and/or stop work orders in cases where Best Management Practices (BMPs) are not implemented or if BMPs are deemed deficient. The City continues to strengthen its water quality sampling program to evaluate stormwater impacts on local water resources and to analyze the effectiveness of stormwater BMPs for construction and post-construction stormwater management. In 2009, the City purchased five (5) composite stormwater samplers in an effort to collect background water quality data (primarily total phosphorus) associated with the Saugahatchee Watershed TMDL. The City continues to evaluate land use effects on post-construction stormwater quality through its MS4 stormwater sampling program. This comprehensive water quality sampling program has also led to a more efficient Illicit Discharge Detection and Elimination Program. The City continues to work toward improving post-construction stormwater runoff through the use of the Site Development Review Tool and new requirements for submitting stormwater quality plans for developments located in the Saugahatchee Creek Watershed. The City continues to invest in continuing public education and outreach and public involvement associated with the Stormwater Management Program through activities such as the storm drain marking program, Earth Day, Auburn CityFest, the Lee County Water Festival, the Rain Barrel program, SWaMP, and the Lee County Business Partners for Clean Water. In summary, the City has met or exceeded its goals for the 2009-2010 reporting year.

The overall evaluation of the seventh permit year has revealed several strengths and goals for the upcoming year.

A. Strengths

The strength of the City of Auburn's Stormwater Management Program is primarily a result of the commitment and support of the Auburn City Council in protecting local natural resources as demonstrated in the formation of the Watershed Division to manage the stormwater program, increased enforcement of erosion and sediment control requirements and increased efforts and funding to evaluate stormwater

quality. In addition, the City of Auburn has staff that are committed to managing an efficient and leading-edge stormwater management program that is a positive reflection on the City of Auburn. The City of Auburn also works to actively engage local environmental groups, concerned citizens and the local development community in its stormwater management program through its public education, outreach and involvement programs.

Other strengths include:

- The Water Resource Management Department coordinates all of the water quality programs (water treatment and distribution, wastewater collection and treatment and stormwater quality management) for the City;

- The teamwork of the Water Resource Management Department Watershed Division, Public Works Department Inspection Division and Public Safety Department Codes Enforcement Division in the construction stormwater management program allows for timely erosion and sediment control inspections and a more efficient response to noted concerns and/or citizen complaints;

- More efficient erosion and sediment control inspections through the use of the City's GIS Rainfall Interpolation Tool and rainfall data obtained through outside sources;

- A well established and expanding water quality sampling program to evaluate stream conditions, construction and post-construction stormwater runoff, stormwater outfalls and to detect and eliminate illicit discharges;

- The integration of water quality sampling data in to the City's GIS database allows staff to track and trend all water quality data in an efficient manner and to make educated and technically sound decisions regarding any needed improvements;

- Increased public awareness and involvement through activities and programs such as the storm drain marking program, the Lee County Water Festival, the Rain Barrel project, the FOG recycling program, SWaMP, and the Lee County Business Partners for Clean Water;

- Proactive evaluation and timely response to water quality-related issues and citizen concerns regarding stormwater quality;

- Increased public education and awareness through the publishing of monthly reports containing stormwater quality data on the City's website.

B. Goals for the Upcoming Year

The City of Auburn takes pride in its Stormwater Management Program and feels as though the efforts that have been made over the past seven years have created a strong, viable and long-lasting program for the City that will have positive impacts on the City's natural resources. As the City strives to make its program even better, several program goals have been identified for the upcoming year by City personnel.

These goals include:

- Updating the stormwater management program to comply with the new Phase II Stormwater Permit that should be issued in 2010;

- Increasing public education and awareness through additional storm drain marking activities;

- Continuing the Outfall Reconnaissance Inventory Program to identify and inspect stormwater outfalls in the City of Auburn;

- Developing a database to track and manage construction site ADEM permits;

- Continuing a baseline catchment water quality monitoring program associated with the Saugahatchee TMDL.

APPENDIX A

ALABAMA NOTICE OF INTENT (ALNOI)

City of Auburn

Alabama Notice of Intent (ALNOI)

General permit for Phase II Small Municipal Separate Storm Sewer Systems (MS4)

March 2008

TABLE OF CONTENTS

STATE OF ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

ALABAMA NOTICE OF INTENT (ALNOI)

General Permit for Phase II Small Municipal Separate Storm Sewer Systems (MS4)

I. General Information:

A. Ownership Status (Please check one):

_X_ Small Municipal Separate Storm Sewer System
____ Federal Facility
____ State Facility

B. Name of Small MS4: **The City of Auburn**

C. Name of Responsible Official: **Charles M. Duggan, Jr.**

Title: **City Manager**
Mailing Address: **144 Tichenor Avenue**
City: **Auburn** State: **AL** Zip Code: **36832**
Telephone Number: **(334) 501 - 7260**

D. Designated storm water management program contact:

Name: **Matt Dunn**
Title: **Watershed Division Manager**
Mailing Address: **1501 West Samford Avenue**
City: **Auburn** State: **AL** Zip Code: **36832**
Telephone Number: **(334) 501 - 3060**
Email Address: **mdunn@auburnalabama.org**

II. Location/Boundaries:

A. Location:

1. Name of Urbanized Area or municipality where your MS4 is located: **Auburn, AL**

2. Name of your Organization: **City of Auburn, Alabama**

3. The latitude and longitude of the approximate center of your MS4:
   Latitude **764440.25** Longitude **766458.96**

Note: *Approximate center of MS4 is the intersection of Magnolia Avenue and College Street. Latitude and Longitude are in State Plane Coordinate System.*

4. All entities except counties must include a location map showing city, town, or district boundaries, and urbanized area (UA) boundaries, if part(s) of the MS4 is within a UA.

   See Appendix G

5. Counties must include a map showing county boundaries, unincorporated area boundaries within the county, and urbanized (UA) boundaries.

III. Known or Suspected Water Quality Problems:

A. The names(s) of the receiving water to which your MS4 discharges (attach a separate list if necessary):

The City of Auburn has storm water discharges into the Saugahatchee Creek Watershed (North), the Moores Mill Creek Watershed (Southeast), the Chewacla Creek Watershed (South) and the Parkersons Mill Creek Watershed (Southwest).

B. Indicate any receiving water stream segments to which your MS4 discharges, which are included on the 303(d) list:

Moores Mill Creek was initially placed on the draft 303(d) list in 1998 and was listed on the final 2002 and 2004 303 (d) list and the draft 2006 303(d) list. The Saugahatchee Creek Embayment where Saugahatchee Creek discharges into Yates Lake was placed on the State's 303(d) list in 1996, 1998, 2000, 2002, and 2004 and is currently on the draft 2006 list.

C. Describe any known or suspected water quality concerns within your jurisdictional area (e.g. stream siltation, 303(d) listed streams, habitat degradation, elevated levels of pollutants, etc.), including location (attach additional page(s) if necessary):

Known water quality concerns within the jurisdictional area include stream siltation from sedimentation deriving from land disturbance (Moores Mill Creek and Saugahatchee Creek Embayment) and nutrient enrichment (Saugahatchee Creek Embayment).

IV. Sharing Responsibility

A. Has another entity agreed to implement a control measure on your behalf?

Yes **X** No (if no, Skip to Part III)

Control Measure #1: Hazardous Waste Emergency Response Team

1. Name of entity: **City of Opelika, Alabama and Lee County, Alabama**

2. Control measure or component of control measure to be implemented by entity on your behalf:

   The City of Auburn has entered into an agreement with the City of Opelika and Lee County to share some of the cost of operating an emergency response vehicle equipped to handle hazardous waste spills. The agreement provides the City of Auburn with the ability to properly identify and address hazardous or potentially hazardous spills (see 2003 NOI for copy of agreement).

B. Attach an additional page if necessary to list additional shared responsibilities.

It is mandatory that you submit a copy of a written agreement between your MS4 and the other entity demonstrating written acceptance of responsibility. (See copy of agreement in original NOI.)

V. Minimum Control Measures:

A. Public Education and Outreach – (complete Appendix A)

B. Public Involvement/Participation – (complete Appendix B)

C. Illicit Discharge Detection and Elimination – (complete Appendix C)

D. Construction Site Storm Water Runoff Control – (refer to Appendix D)

E. Post-construction Storm Water Management in New Development and Redevelopment – (complete Appendix E)

F. Pollution Prevention/Good Housekeeping – (complete Appendix F)

VI. Certification Statement

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 upon 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.

Printed Name:_____ Date _____

Signature: _____ Title _____

Appendix A

Public Education and Outreach on Storm Water Impacts

40 CFR Part 122.34(b)(1) Requirement: You must implement a public education program to distribute educational materials to the community or conduct equivalent outreach activities about the impacts of storm water discharges on water bodies and the steps that the public can take to reduce pollutants in storm water runoff.

A. **Best Management Practice (BMP) # 1**: ***Messages/Articles in the City of Auburn's monthly Newsletter, "Open Line", distributed to all residents who receive a water bill***

1. Known or suspected problem/existing pollutant source to be addressed by BMP: **Storm Water Runoff; Illicit Discharges**

2. Target audience: **Citizens/Residents**

3. Description of BMP: **Messages/Articles in the City Newsletter "Open Line"**

4. Measurable Goal(s): **Two Messages/Articles per year for duration of permit period**

5. Schedule:

   a. Interim Milestone Dates (if applicable)

   b. Implementation Date: **2008**

   c. Frequency of actions: **Bi-annual**

   d. Month/Year of each action (if applicable)

6. Person (position) responsible for overall management and implementation of the BMP: **Matt Dunn /Water Resource Management Department**

7. Rational for selecting this BMP:

   "Open Line" is the City's newsletter that is distributed in the monthly water, sewer and garbage collection bill. No other publication is as widely read within the City Limits and an article or message in this document will reach the most diverse group of citizens/residents.

B. <u>Best Management Practice (BMP) # 2</u>: *Pamphlets/Brochures*

1. Known or suspected problem/existing pollutant source to be addressed by BMP: ***Storm Water Runoff/Quality***

2. Target audience: ***Residents, Contractors, Developers, and Engineers***

3. Description of BMP: ***Pamphlets and Brochures***

4. Measurable Goal(s): ***Develop, Produce, and Distribute two Pamphlets/Brochures per year for duration of Permit Period***

5. Schedule:

   a. Interim Milestone Dates (if applicable)

   b. Implementation Date: ***2008***

   c. Frequency of actions: ***Bi-annual***

   d. Month/Year of each action (if applicable)

6. Person (position) responsible for overall management and implementation of the BMP: ***Matt Dunn /Water Resource Management Department***

7. Rational for selecting this BMP:

   Pamphlets and brochures are an effective way to present and explain a storm water message. Unlike other communication tools, pamphlets and brochures can be distributed in many places without requiring additional staffing with the choice of distribution location specifically targeting the audience you are trying to reach.

C. **Best Management Practice (BMP) # 3**: ***Internet Web Page***

1. Known or suspected problem/existing pollutant source to be addressed by BMP: ***Storm Water Construction Runoff/Storm Water Quality***

2. Target audience: ***Community***

3. Description of BMP: ***Municipal Web Page***

4. Measurable Goal(s): ***Develop and post web page containing storm water information and links.*** **(Completed in first permit cycle).** ***Continue to make improvements to the City's Storm Water Website such as posting of water quality data.***

5. Schedule:

   a. Interim Milestone Dates: ***Develop Web Page 2003***

   b. Implementation Date: ***Post Web Page 2004***

   c. Frequency of actions: (if applicable)

   d. Month/Year of each action (if applicable)

6. Person (position) responsible for overall management and implementation of the BMP: ***Matt Dunn/Water Resource Management Department***

7. Rational for selecting this BMP:

   The City's web page is a place where citizens often go to obtain information on local events. A section of the web page can be modified to target various audiences (contractors, engineers, local interest groups, etc.). It also allows the City to link to existing web sites (i.e. ADEM and EPA) for the latest educational information provided by these agencies for our use. Information that can be found on the City's Phase II Website includes:

   - ***A copy of the City's annual Phase II Storm Water Report***
   - ***A copy of the City's Storm Water Design Manual***
   - ***A link to the City's Site Development Review Tool***
   - ***Local Watershed Maps***
   - ***Links of Interest***

Appendix B

Public Involvement/Participation

40 CFR Part 122.34(b)(2) Requirement: You must, at a minimum, comply with State, Tribal, and local public notice requirements when implementing a public involvement/participation program.

A. Best Management Practice (BMP) # 1: ***Formation of a Citizens Advisory Committee***

1. Known or suspected problem/existing pollutant source to be addressed by BMP: ***Storm Water Runoff/Quality***

2. Target audience: ***Community***

3. Description of BMP: ***Formation of a Citizens Advisory Committee***

4. Measurable Goal(s): ***Organize a regional Citizens Advisory Committee representing various segments of the community to offer recommendations to facilitate implementation of the Storm Water Management Program. Regional representatives include the City of Auburn, Lee County, City of Opelika, and Auburn University (ALOA)***.

5. Schedule:

   a. Interim Milestone Dates (if applicable)

   b. Implementation Date: ***The ALOA Citizens Advisory Committee was organized in 2001. It is comprised of various segments of the community including local environmental interest groups.***

   c. Frequency of actions: ***The ALOA Citizens Advisory Committee meets on a quarterly basis***.

   d. Month/Year of each action: ***The ALOA Citizens Advisory Committee is scheduled to meet on a quarterly basis for the duration of the permit period (5 years)***.

6. Person (position) responsible for overall management and implementation of the BMP: ***All members of ALOA (City of Auburn, Lee County, City of Opelika, and Auburn University) are committed to fostering and maintaining the organization***.

7. Rational for selecting this BMP:

   EPA and ADEM recommend that the public be included in developing, implementing, and reviewing storm water management

programs. This committee allows individuals to participate in the discussions regarding program implementation. The committee also has direct input into policy implementation for regional storm water issues.

B. **<u>Best Management Practice (BMP) # 2</u>: *Watershed Organization "Lower Tallapoosa River Basin/Clean Water Partnership"***

1. Known or suspected problem/existing pollutant source to be addressed by BMP: ***Storm Water Runoff/ Quality***

2. Target audience***: Community***

3. Description of BMP: ***The partnership is part of a state-wide river basin management initiative to link local basin management efforts in order to maximize resources, to develop comprehensive management plans, and to involve citizens in watershed protection***.

4. Measurable Goal(s): ***Coordinate with the Clean Water Partnership to develop a watershed management plan. Work with the Clean Water Partnership's and ADEM's Education/Outreach initiative to improve awareness of water quality issues.***

5. Schedule:

   a. Interim Milestone Dates (if applicable)

   b. Implementation Date: ***The City of Auburn is currently a participant on the Lower Tallapoosa Clean Water Partnership and the Tallapoosa Steering Committee.***

   c. Frequency of actions: ***Meetings are held on a quarterly basis***.

   d. Month/Year of each action (if applicable)

6. Person (position) responsible for overall management and implementation of the BMP: ***Matt Dunn/Water Resource Management Department***

7. Rational for selecting this BMP:

   The Partnership brings together representatives from area utilities, private industries, environmental groups, farmers, and branches of government to coordinate their individual efforts, share information, and plan for water resource and aquatic life protection. This organization allows for the group to maximize resources available and to involve the public in protecting the environment.

Appendix C

Illicit Discharge Detection and Elimination

40 CFR Part 122.34(b)(3) Requirement: You must develop, implement and enforce a program to detect and eliminate illicit discharges into your small MS4. You must:

A). Develop, if not already completed, a storm sewer system map, showing the location of all outfalls and the names and location of all waters of the state that receive discharges from those outfalls;

B). Effectively prohibit, through ordinance, or other regulatory mechanism, non-storm water discharges into your storm sewer system and implement appropriate enforcement procedures and actions;

C). Develop and implement a plan to detect and address non-storm water discharges, including illegal dumping, to your system; and

D). Inform public employees, businesses, and the general public of hazards associated with illegal discharges and improper disposal of waste.

A. Storm Sewer Map

1. Does the MS4 have a completed storm sewer map showing the location of all outfalls and the names and locations of all waters of the State that receive discharges from those outfalls? Yes **X** No ___
2. If yes submit storm sewer system map as an addendum to this form **(Map Book submitted to ADEM in July 2006)**.
3. If the storm sewer system map must be developed, provide a schedule for completion (e.g. 30% of system to be mapped each year):

   Task Interim Date

   Final completion date/ date for submittal to ADEM (No later than December 9, 2006): **(Map Book submitted to ADEM July 19, 2006)**

B. Ordinance/Regulatory Mechanism Evaluation:

1. Does the MS4 have an ordinance or regulatory mechanism that effectively prohibits illicit discharges? Yes **X** No_____

If yes, submit a copy as an addendum to this form. ***See Appendix I***

2. If an evaluation of the ordinance/regulatory mechanism must be completed, or the MS4 is aware that the ordinance/regulatory mechanism will require revision, then a schedule for development of the document should be provided:

Task	Interim Date

Final completion date/ date for submittal to ADEM (No later than December 9, 2006): ***Illicit Discharge Ordinance approved by Auburn City Council on January 20, 2004***

C. Best Management Practice (BMP) # 1*: Public Education on Illicit Discharges & Improper Disposal*

1. Known or suspected problem/existing pollutant source to be addressed by BMP: ***Storm Water Discharges***

2. Target audience: Citizens

3. Description of BMP: ***The Clean Water Partnership in association with ADEM and other environmental groups have produced a series of public service announcements featuring the "Nerdy Man". These spots inform the public of the do's and don'ts of proper disposal of potential storm water pollutants.***

4. Measurable Goal(s): ***Coordinate with Clean Water Partnership to obtain public service announcements and videos (e.g. "The Nerdy Man" videos) for public use locally***.

5. Schedule:

   a. Interim Milestone Dates (if applicable)

   b. Implementation Date: ***Dec 2003***

   c. Frequency of actions: ***Provide public access to information and materials year round***

   d. Month/Year of each action (if applicable)

6. Person (position) responsible for overall management and implementation of the BMP: ***Matt Dunn/Water Resource Management Department***

7. Rational for selecting this BMP:

The Clean Water Partnership provides the videos and training materials in an effort to educate the public. Use of the videos and other materials allows the City to provide education that could prevent an illicit discharge (like proper public disposal of oil). The materials have been produced through the assistance of various environmental agencies and are geared toward the general public.

D. **Best Management Practice (BMP) # 2: *Inspection of Drainage System***

1. Known or suspected problem/existing pollutant source to be addressed by BMP: ***Storm Water Runoff/Quality***

2. Target audience: ***Public Works/Water Resource Management***

3. Description of BMP: ***Inspect drainage system and outfalls***

4. Measurable Goal(s): ***Inspect drainage system and outfalls prior to start of rainy season. Document illicit discharges uncovered during inspections and schedule for remediation***.

5. Schedule:

   a. Interim Milestone Dates (if applicable)

   b. Implementation Date: ***December 2001***

   c. Frequency of actions: ***Annually***

   d. Month/Year of each action: ***November - February***

6. Person (position) responsible for overall management and implementation of the BMP: ***Robert Smith/ Public Works Department; Matt Dunn/Water Resource Management Department***

7. Rational for selecting this BMP:

Annual inspections of the City's drainage system are conducted in order to maintain free flowing conditions. During this process, key stream sections, bridges, and culverts are inspected and routine maintenance is conducted. Routine maintenance includes repair of the structure and/or removing

litter and debris that has accumulated over the preceding year. The removal and inspection of debris from these catch points can provide the City with valuable information locating, premeditating, and eliminating illicit discharges.

Note: The MS4 is not limited to implementing only 2 BMPs for each minimum control measure. If additional BMPs are chosen, then you should attach additional sheets as needed.

Appendix D

Construction Site Storm Water Runoff Control

ADEM Admin. Code Ch. 335-6-12 implements a State-wide construction storm water regulatory program consistent with NPDES requirements for construction activities. As provided by 40 CFR Part 122.35(b), this NOI does not require a MS4 to implement a local construction storm water control program.

The City of Auburn in conjunction with the City of Opelika, Auburn University and Lee County has adopted the Erosion and Sediment Control Policy recommended to it by the Citizens Advisory Committee (ALOA). This regional policy was adopted as an Ordinance by the Auburn City Council in July 2002. In December 2004, the Auburn City Council approved additions to the Ordinance to establish protocol for the enforcement of the ordinance and to enable City personnel to issue citations to developers/contractors in violation of the ordinance. (See Appendix H).

Appendix E

Post-construction Storm Water Management in New Development and Redevelopment

40 CFR Part 122.34(b)(5) Requirement: You must develop, implement, and enforce a program to address storm water 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 discharge into your small MS4. You must:

A). Develop and implement strategies which include a combination of structural and/or non-structural BMPs appropriate for you community.

B). Use an ordinance or other regulatory mechanism to address post construction runoff from new development or redevelopment projects; and

C). Ensure adequate long-term operation and maintenance of BMPs.

A. Ordinance Evaluation

1. Does the MS4 have an ordinance that effectively controls runoff from new development or redevelopment construction site?

   Yes ***X*** No ___

   If yes, submit a copy as an addendum to this form.

   The City of Auburn has developed an Engineering Design Manual that effectively addresses storm water runoff controls required for sites greater than one acre. The manual specifically addresses the requirement for storm water system sizing and storm water runoff control/detention (see original 2003 NOI for copy of Manual)

2. If an evaluation of the ordinance must be completed, or the MS4 is aware that the ordinance will require revision, then a schedule for development of the document should be provided:

Task	Interim Date
_____	_____
_____	_____
_____	_____

Final completion date/ date for submittal to ADEM (No later than December 9, 2006): ***Design Manual published April 2003***

B. **<u>Best Management Practice (BMP) #</u>1:** ***Buffer Zone***

1. Known or suspected problem/existing pollutant source to be addressed by BMP: ***Storm Water Runoff/Quality***

2. Target audience: ***Citizens***

3. Description of BMP: ***Managed-use type stream buffer, consisting of 3 zones with the buffer width being based on the drainage area of the stream. Buffer widths range from 35 feet to 100 feet.***

4. Measurable Goal(s): ***Require new developments to provide buffer zones to protect perennial, intermittent and ephemeral streams and creeks identified on USGS 7.5 minute topographic maps, the City's GIS, or by site inspection.***

5. Schedule:

   a. Interim Milestone Dates (if applicable)

   b. Implementation Date: ***May 2006***

   c. Frequency of actions (if applicable)

   d. Month/Year of each action (if applicable)

6. Person (position) responsible for overall management and implementation of the BMP: ***City of Auburn Planning Commission; Water Resource Management Department***

7. Rational for selecting this BMP:

   Buffer zones provide for stream bank protection and water quality protection by restricting the type of land disturbance in and around streams. The purpose of stream side buffer zones is to provide vegetated zones where pollutants are removed from runoff and habitat is protected.

C. **Best Management Practice (BMP) # 2**: ***Detention Pond Inspection***

1. Known or suspected problem/existing pollutant source to be addressed by BMP: ***Storm Water Runoff/Quality***

2. Target audience: ***Private and Public Detention Pond Owners***

3. Description of BMP: ***Annual inspections of exiting detention ponds***

4. Measurable Goal(s): ***Inspect private and public storm water detention ponds annually***

5. Schedule:

   a. Interim Milestone Dates (if applicable)

   b. Implementation Date: ***1997***

   c. Frequency of actions: ***Annually***

   d. Month/Year of each action: (if applicable)

6. Person (position) responsible for overall management and implementation of the BMP***: David Ponder/Public Works Department and Matt Dunn/Water Resource Management Department***

7. Rational for selecting this BMP:

   Existing detention ponds need periodic inspections to maintain proper operation. Upon inspection, the owner of the pond is notified of corrective action needed. Because vast quantities of storm water are passed through these detention ponds every year, regular inspections identify potential problems to ensure the facilities operate efficiently to control storm water flow and maximize the removal of pollutants.

Appendix F

Pollution Prevention/Good Housekeeping for Municipal Operations

40 CFR Part 122.34(b)(6) Requirement: You must develop and implement an operation and maintenance program that includes training components and has the ultimate goal of preventing or reducing pollutant runoff from municipal operations.

A. **Best Management Practice (BMP) # 1*: Construction Site Management Training***

1. Known or suspected problem/existing pollutant source to be addressed by BMP: ***Storm Water Runoff/Quality***

2. Target audience: ***Water Resource Management and Public Works Employees***

3. Description of BMP: ***Construction Site Management Training***

4. Measurable Goal(s): ***Develop and implement training that provides the Water Resource Management Department and the Public Works Department guidance on how to implement site control measures on all municipal projects.***

5. Schedule:

    a. Interim Milestone Dates (if applicable)

    b. Implementation Date: ***2003***

    c. Frequency of actions: ***Annual***

    d. Month/Year of each action (if applicable)

6. Person (position) responsible for overall management and implementation of the BMP: ***Matt Dunn/Water Resource Management Department***

7. Rational for selecting this BMP:

    Providing training to employees will allow the City to better control runoff from municipal construction project sites. Training of construction design personnel will help to develop the skills necessary to choose and implement the most effective construction site Best Management Practices (BMPs).

B. **<u>Best Management Practice (BMP) # 2</u>: *Spill Response and Prevention Training***

1. Known or suspected problem/existing pollutant source to be addressed by BMP: ***Storm Water Runoff/Quality***

2. Target audience: ***City Employees***

3. Description of BMP: ***Provide training to City employees for spill response and prevention***

4. Measurable Goal(s): ***Develop and implement training program targeted at spill response and prevention***

5. Schedule:

   a. Interim Milestone Dates (if applicable)

   b. Implementation Date: ***2007***

   c. Frequency of actions: ***Annual training starting in 2008***

   d. Month/Year of each action:

6. Person (position) responsible for overall management and implementation of the BMP: ***Matt Dunn/Water Resource Management Department***

7. Rational for selecting this BMP:

   Spill prevention training is targeted at City employees involved in the day-to-day operations of field equipment. It will have the most impact when it comes to preventing and controlling spills of non–hazardous materials. Hazardous materials will be addressed through our agreement with the City of Opelika and Lee County.

Notes:

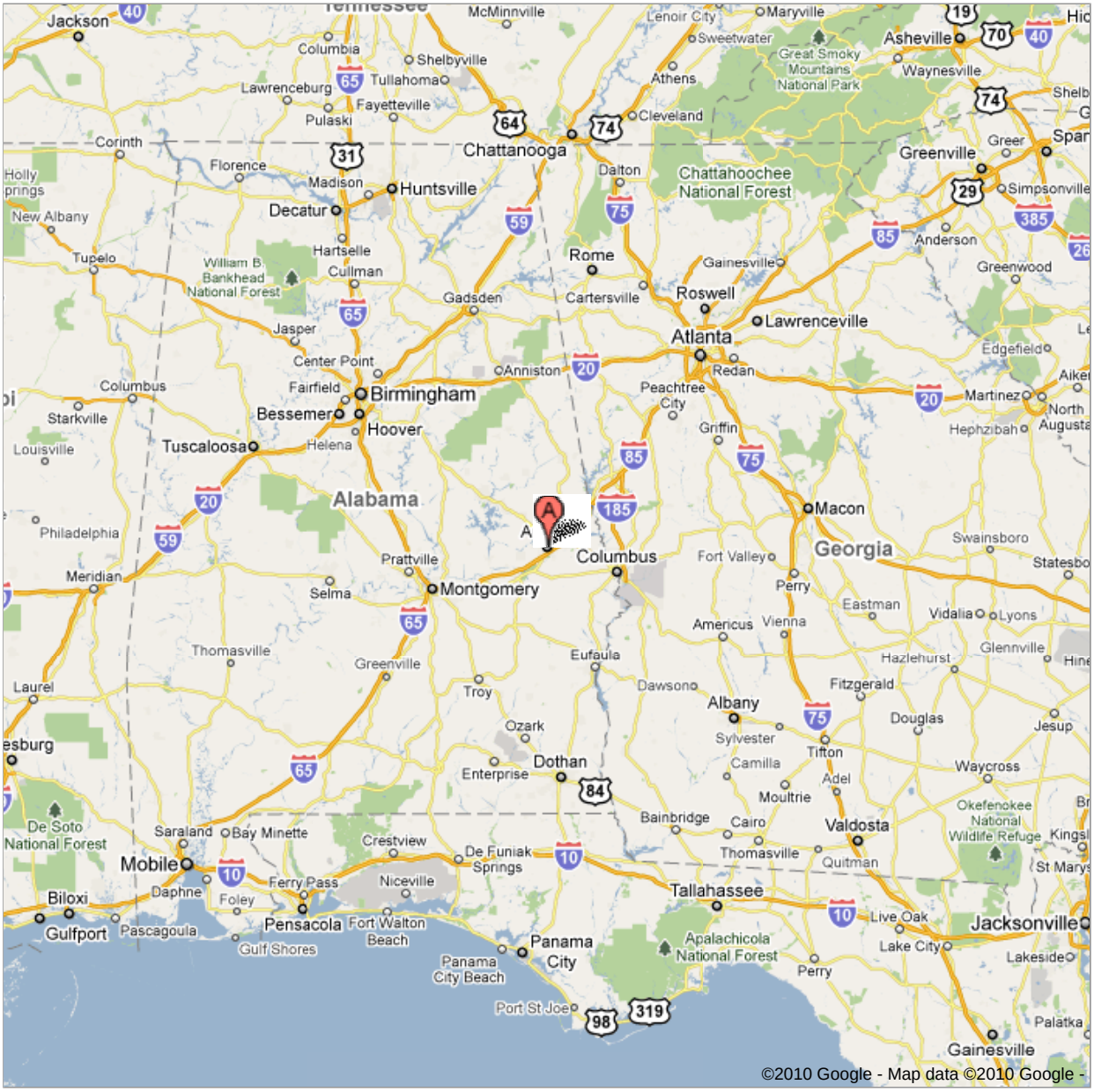
For the BMP used to describe the required training component of the O&M program, you should provide the name of the target audience(s). One targeted audience must be the MS4 employees.

The MS4 is not limited to implementing only 2 BMPs for each minimum control measure. If additional BMPs are chosen, then you should attach additional sheets as needed.

Appendix G

City of Auburn Location Map

Google maps Address **Auburn, AL**



Appendix H

Erosion and Sediment Control Ordinance and Standard Operating Procedures

fraud on or victimization of the public, or conflict with existing local laws or ordinances.

(2) The provisions of this article are minimum standards for flood loss reduction, therefore any deviation from the standards must be weighed carefully. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief; and, in the instance of an historic structure, a determination that the variance is the minimum necessary so as not to destroy the historic character and design of the building.

(3) Any applicant to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation of the proposed lowest floor and stating that the cost of flood insurance will be commensurate with the increased risk to life and property resulting from the reduced lowest floor elevation.

(4) The city engineer shall maintain the records of all appeal actions and report any variances to the federal and state emergency management agencies upon request.

(i) Upon consideration of the factors listed above and the purposes of this article, the BZA may attach such conditions to the granting of variances as it deems necessary to further the purpose of this article.
(Ord. No. 1911, Art 5, 4-18-2000)

Secs. 7-42--7-69. Reserved.

ARTICLE III.

EROSION AND SEDIMENTATION CONTROL*

* **Editors Note:** Ord. No. 2053, §§ 1, 2, adopted May 7, 2002, repealed the former article III, §§ 7-70--7-76, and enacted a new article III, as set out herein. The former article III pertained to similar subject matter and derived from Ord. No. 1812, § 1, adopted Feb. 16, 1999; and Ord. No. 2034, § 2, adopted Dec. 18, 2001.

Sec. 7-70. Introduction.

During the construction process, soil is highly vulnerable to erosion by wind and water. Eroded soil endangers water resources by reducing water quality and causing the siltation of aquatic habitat for fish and other desirable species. Eroded soil also necessitates repair of sewers and ditches and the dredging of lakes. In addition, clearing and grading during construction cause the loss of native vegetation necessary for terrestrial and aquatic habitat.

The purpose of this policy is to safeguard persons, protect property, and prevent damage to the environment in Lee County, Alabama. This policy will also promote the public welfare by guiding, regulating, and controlling the design, construction, use, and maintenance of any applicable activity that disturbs or breaks the topsoil or results in the movement of earth on land in Lee County. Additionally, this policy reinforces the need for those sites less than one acre in size to be classified as "Permit by Rule" construction sites required to implement and maintain best management practices until land disturbing activities have ceased and permanent stabilization has been achieved.
(Ord. No. 2053, § 2, 5-7-02)

Sec. 7-71. Definitions.

Accidental discharge: A discharge prohibited by this article into the Municipal Separate Storm Sewer System (MS4) or community water that occurs by chance and without planning or consideration prior to occurrence.

ADEM: The Alabama Department of Environmental Management. The State of Alabama's regulatory agency created under Code of Alabama 1975, § 22-22A-1, et seq., responsible for administering and enforcing the storm water laws of the United States of America and the State of Alabama.

Adverse impact: Any deleterious effect on waters or wetlands, including their quality, quantity, surface area, species composition, aesthetics or usefulness, for human or natural uses which are or may be potentially harmful or injurious to human health, welfare, safety or property or to biological productivity, diversity or stability, or which would unreasonably interfere with the enjoyment of life or property.

Agriculture: Activities undertaken on land for the production of plants, crops, and animals that are useful to man.

Applicant: Any person, firm, corporation or governmental agency, that executes the necessary forms to procure approval of an Erosion and Sediment Control (ESC) plan from the authority.

Authority: The definition of authority will be defined by each participating entity, i.e. the City of Auburn, the City of Opelika, Lee County and Auburn University.

Basin: (1) The surface of the area tributary to a stream or lake; and (2) space above or below ground capable of retaining or detaining water or debris.

Best Management Practices (BMP): Activities, prohibitions of practices, maintenance, procedures and management practices, designed to prevent or reduce the pollution of waters to the Municipal Separate Storm Sewer System (MS4). BMP also include treatment requirements, operating procedures, and practices, to control facility site runoff, spillage or leaks, sludge or waste disposal or drainage from raw material storage and construction sites.

Best Management Practices Plan (BMP plan): A set of drawings and/or other documents submitted by the applicant as a prerequisite to obtaining a permit. The site specific BMP plan contains all of the information and specifications pertaining to that site's BMP.

Buffer: A vegetated zone adjacent to a stream, wetland, or shoreline where development is restricted or controlled to minimize the effects of development.

Clean Water Act (CWA): The Federal Act (33 U.S.C. § 1251 through § 1387) which was formerly referred to as the Federal Water Pollution Control Act and Federal Water Quality Control Act Amendments of 1972, Public Law 92-500, as amended by Public Law 95-217, Public Law 95-576, Public Law 96-483 and Public Law 97-117, 33 U.S.C. § 1251-1387.

Clearing: The removal of trees and brush from the land, not including the ordinary mowing of grass or the maintenance of previously cleared land.

Community water: Any or all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wetlands, wells, and other bodies of natural or artificial surface or subsurface water into which the MS4 outfalls flow.

Contour: A line of equal elevation above a specified datum. The datum most commonly used is mean sea level.

Contour line: A line joining points having or representing equal elevations.

Detention pond: A permanent storm water structure whose primary purpose is to temporarily store storm water runoff and release the stored runoff at controlled rates.

Discharge: The passing of water or other liquid through an opening or along a pipe, conduit, or channel. The rate of flow of water, silt or other mobile substance emerging from the pipe, conduit or channel is usually expressed as cubic feet per second, gallons per minute or million gallons per day.

Drainage: The removal of surface water from a given area either by gravity or by pumping commonly applied to surface water and groundwater.

Drainage area: The area contributing runoff to a single point measured in a horizontal plane, which is enclosed by a ridgeline; the area of a drainage basin or watershed, expressed in acres, square miles or other units of area.

Engineer: A person currently licensed by the Alabama State Board of Registration for Professional Engineers and Land Surveyors.

Erosion: Process by which land surface is worn away by the action of wind, water, ice or gravity.

Erosion control: The application of measures to reduce erosion of land surfaces.

Erosion and Sediment Control Plan (ESC plan): A site specific drawing or set of drawings prepared by a Qualified Credentialed Professional (QCP) utilizing approved BMP to control erosion and sediment for a development.

Grading: Any act by which soil is cleared, stripped, stockpiled, excavated, scarified, or filled, or any combination thereof.

Illicit connection: Any man-made conveyance connecting an illicit discharge directly to the MS4.

Illicit discharge: Any discharge that is not composed entirely of storm water, except discharges pursuant to an NPDES permit and discharges that are specifically excepted from this policy.

Land disturbing activities: Activities that include any land change, which may result in soil erosion from

water or wind and the movement of sediment to the MS4, including but not limited to the clearing, dredging, grading, excavation, transporting, and filling of land.

Local approval: Written approval from the authority indicating the submitted ESC plan was in compliance with this policy.

Minor extension: An addition to an existing utility pipeline or other utility line in which the land disturbed consists of less than 1,000 linear feet.

Municipal Separate Storm Sewer System (MS4): A system of conveyances to include roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, and storm drains which are owned and operated by a city, town, county or other public body created by or pursuant to state law and having jurisdiction over storm water.

NPDES: An acronym for National Pollutant Discharge Elimination System. NPDES is the national program of issuing, modifying, revoking, etc., permits under Sections 307, 318, 402, and 405 of the Clean Water Act (CWA).

Outfall: A point source (meaning any discernable, confined and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged, but not including return flows from agriculture or agricultural water runoff) at the point of a discharge to waters of the United States of America.

Permit by rule: The approval of a regulated activity without a formal application and approval process, under the condition that the activity is performed in compliance with all applicable rules. Any failure to comply with applicable rules would subject that activity to penalties for violation and normal application and approval requirements.

Permittee: A person, party, government entity and all others who receive a permit to discharge under the NPDES.

Pollutant: Includes but is not limited to, the pollutants specified in Code of Alabama 1975, § 22-22-1(b)(3) and any other effluent characteristics specified in a permit.

Pollutant loading: The amount of pollutant entering the MS4.

Qualified Credentialed Inspection Professional (QCIP): Inspection professional hired by the contractor to monitor BMP and ensure compliance with this policy. The inspector certification program shall be as approved by ADEM.

Qualified Credentialed Professional (QCP): A Certified Professional in Erosion and Sediment Control (CPESC) as determined by the Soil and Water Conservation Society or the International Erosion Control Association (IECA). In addition, other registered or certified professionals such as a professional engineer, landscape architect, registered land surveyor, registered architect, registered geologist, registered forester, registered environmental manager as determined by the National Registry of Environmental Professionals

(NREP), Certified Professional Soil Scientist (CPSS), as determined by the American Registry of Certified Professionals in Agronomy, Crops and Soils (ARCPACS), who can document the necessary education, training and professional certification, registration, or credentials acceptable to the official and can demonstrate proven experience in the field of erosion and sediment control shall be considered a qualified credentialed professional. The QCP must be in good standing with the authority granting the registration. The QCP must be familiar and have expertise with current industry standards for erosion and sediment controls and must be able to inspect and assure that nonstructural BMP or other pollution control devices (silt fences, erosion control fabrics, rock check devices etc.) and erosion control efforts, such as grading, mulching, seeding and growth management, or management strategies have been properly implemented and regularly maintained according to standard practices and permit requirements. A Professional Engineer (PE) registered in the State of Alabama must certify the design and structural practices such as Spill Prevention Control and Counter-measures (SPCC) plan, containment structures, dam construction, etc.

Sediment: Solid material settled from suspension in a liquid that has been transported and deposited from its site of origin by air, water, ice or gravity as a product of erosion and has come to rest on the Earth's surface either above or below a water surface, usually inorganic or organic particles originating from weathering, chemical precipitation or biological activity.

Sedimentation: Process by which eroded material is transported and deposited by action of water, wind, ice and gravity.

Settling basin: A temporary sediment trap or ponding area formed by excavation or construction of embankments where runoff is detained and sediment can settle.

Silviculture: The care and cultivation of forest trees in rural zones, including site preparation, planting, pruning, thinning and harvesting.

Site: Any tract, lot, or parcel of land or combination of contiguous tracts, lots or parcels of land which are in one ownership, and any combination of tracts, lots or parcels of land which are contiguous and are owned by two or more parties and are to be developed as a unit, subdivision or project.

Stabilization: The prevention of soil movement by any of various vegetative and/or structural means.

Storm water: The excess water running off from the surface of a drainage area during and immediately after a period of rain. It is that portion of the rainfall and resulting surface flow that is in excess of that which can be absorbed through the infiltration capacity of the surface of the basin.

Storm water management: The incorporation of a variety of activities and equipment into a plan to address concerns associated with storm water for the purpose of preventing pollution, improving water quality, keeping pollutants out of the runoff, and the implementation of BMP.

Storm water management program: A program which covers the duration of the NPDES permit. The program shall include a comprehensive planning process which involves public participation and where necessary, intergovernmental coordination, to reduce the discharge of pollutants to the maximum extent practicable, using management practices, control techniques and system design and engineering methods and other provisions which are appropriate.

Stream: A course of running water usually flowing in a particular direction in a definite channel and discharging into some other course of running water or body of water.

Structural controls: Measures incorporated into existing storm water drainage systems or newly constructed systems to prevent or to minimize the discharge of pollutants for the purpose of maintaining and/or improving water quantity and quality management, quantitative control by a system of vegetative and structural measures that control the increased volume and rate of surface runoff caused by man-made changes to the land; qualitative control by a system of vegetative, structural and other measures that reduce or eliminate pollutants that might otherwise be carried by surface runoff.

Turbidity: A condition in water or wastewater caused by the presence of suspended matter, resulting in the scattering and absorption of light rays. A measure of fine suspended matter in liquids.

USEPA: United States Environmental Protection Agency.

Utility: A business or service which is engaged in regularly supplying the public with some commodity or service which is of public consequence and need such as electricity, gas, water, telephone service and telecommunications service.

Variance: The modification of the minimum storm water management requirements in situations in which exceptional circumstances, applicable to the site with respect to which the variance is requested, exist so that strict adherence to the provisions of this policy would result in unnecessary hardship and the granting of such modification would not result in a condition contrary to the intent of this policy.

Vegetative control measures: The establishment of vegetative ground cover that shields the soil surface from raindrop impact and the scouring effects of overland storm water flow.

Watercourse: A defined channel with bed and banks within which water flows, either continuously or in season. A watercourse is continuous in the direction of flow and may extend laterally beyond the definite banks to include overflow channels contiguous to the ordinary channel. The term does not include artificial channels such as canals and drains, except natural channels trained or restrained by the works of man. Neither does it include depressions or swales through which surface or errant waters pass.

2-Year rainfall event: The rainfall event having a fifty (50) per cent chance of being equaled or exceeded in any given year.

5-Year rainfall event: The rainfall event having a fifty (50) per cent chance of being equaled or exceeded in any given year.

10-Year rainfall event: The rainfall event having a ten (10) per cent chance of being equaled or exceeded in any given year (i.e. ten-year, one-hour rainfall event is approximately 2.75 inches).

25-Year rainfall event: The rainfall event having a four (4) per cent chance of being equaled or exceeded in any given year.

100-Year rainfall event: The rainfall event having a one per cent chance of being equaled or exceeded in any given year (i.e. 100-year, one-hour rainfall event is approximately 3.9 inches).

100-Year flood elevation: The boundary delineated by the crest elevations of the 100-year flood.
(Ord. No. 2053, § 2, 5-7-02; Ord. No. 2258, § 1, 12-7-04; Ord. No. 2296, § 1, 5-17-05)

Sec. 7-72. Administration.

The authority shall enforce the provisions of this policy. Whenever "authority" is used in this policy it shall include the authorized agent of the entity. For example, the City of Auburn may designate the public works department to act as the authority on behalf of the City of Auburn.
(Ord. No. 2053, § 2, 5-7-02)

Sec. 7-73. Permits.

(a) Prior to any construction, land disturbing activities, or local approvals, any person disturbing greater than or equal to one acre shall apply for an NPDES permit.

(b) Permit by rule status will be assigned to those non-excluded land disturbing activities less than one acre in size. These sites, although not required to obtain an NPDES permit or submit for approval an Erosion and Sediment Control (ESC) Plan, are still required to implement and maintain best management practices at the site and are subject to all provisions of this policy.

(c) The authority may require the applicant to post a bond in the form of a government security, cash, irrevocable letter of credit, or any combination thereof up to but not exceeding three thousand dollars ($3,000.00) per acre of the proposed land disturbing activity. If the applicant fails to comply with the conditions of his NPDES permit or the requirements as outlined in the approved ESC plan, the bond may be called by the authority and used to bring the site into compliance.

(d) The following land disturbing activities are excluded from the requirements of this policy:

(1) Any emergency activity that is immediately necessary for the protection of life, property, or natural resources. Immediately upon completion of emergency activity the contractor shall install all control measures and initiate restoration/cleanup activities as required by this policy.

(2) Any land change on property about which the owner of the property has submitted information and proved to the satisfaction of the authority that such property does not drain to the MS4.

(3) Agriculture.

(4) Silviculture.

(5) Such minor land disturbing activities as home gardens, landscaping on individual residential lots (excluding landscaping performed by, on behalf of, a developer or builder, who builds a house on any such lot), home repairs, home maintenance work, minor additions to houses, the construction, maintenance or repair of accessory structures and other related activities which

result in minor soil erosion.

(6) Minor land disturbing activities such as individual connections for utility services and sewer services for single or two-family residences, minor grading for driveways, yard areas and sidewalks, excluding grading done by, or on behalf of, a developer or builder in connection with the construction of a house.

(7) Minor maintenance, minor repair, and minor extension of an existing underground public utility, except sewer lines; provided, that the utility company which owns such lines has received approval from the authority for such maintenance, repair and extension; and provided further, that any utility company making a minor extension in connection with which the land disturbed consists of less than 1,000 linear feet must give written notice of such extension prior to the commencement of such minor extension.

(8) The construction, repair or rebuilding of railroad tracks.

(9) Minor subsurface exploratory excavations under the direction of soils engineers, engineering geologists, or soil scientists.

(10) The opening of individual burial sites in property which has been approved for such use by all necessary governmental authorities.

(11) The construction of water wells or environmental monitoring wells.

Although not required to submit an ESC plan for review and approval, persons engaged in activities (2) through (11) shall remain responsible for otherwise conducting such activities in accordance with the provisions of this policy and any other applicable regulation, including the proper control of sediment and runoff to the MS4.

If monitoring and/or complaints indicate a storm water pollution problem, the exclusion can be revoked and a stop-work order issued until an ESC plan is submitted to the authority for approval.
(Ord. No. 2053, § 2, 5-7-02)

Sec. 7-74. Review and approval.

(a) Before the commencement of any land disturbing activity that affects one acre or more, the owner of the land on which such activity shall be conducted, or their duly authorized agent, shall file with the authority copies of the ADEM permit and obtain approval of the site-specific ESC plan.

(b) The authority must either approve or disapprove the ESC plan within twenty-five (25) working days of the day it is filed with the authority. If the ESC plan is disapproved, the authority must inform the applicant, in writing, of the reason for its disapproval. If the applicant revises the ESC plan or submits to the authority additional documents or information in connection with the ESC plan, the authority shall respond, in writing, within ten (10) working days of the day such revised ESC plan or additional documents or information are submitted to the authority. The land disturbing activity may not be commenced prior to the issuance of the approval by the authority. The issuance of the approval shall not excuse the owner from the need to obtain other

required state and local permits or licenses.
(Ord. No. 2053, § 2, 5-7-02; Ord. No. 2258, § 2, 12-7-04)

Sec. 7-75. Erosion and sediment control plan.

(a) The erosion and sediment control plan filed with the authority shall include:

(1) A natural resources map identifying soils, forest cover, water bodies and other natural resources to be protected. This map should be at a scale no smaller than 1"=100'. Specific map requirements shall be stipulated by the authority.

(2) A sequence of construction of the development site, including stripping and clearing; rough grading; construction of utilities, infrastructure, and buildings; and final grading and landscaping. Sequencing shall identify the expected date on which clearing will begin, the estimated duration of exposure of cleared areas, areas of clearing, installation of temporary erosion and sediment control measures, and establishment of permanent vegetation.

(3) All erosion and sediment control measures necessary to meet the objectives of this policy are required throughout all phases of construction and after completion of development of the site. Depending upon the complexity of the project, the drafting of intermediate plans may be required at the close of each season.

(4) Seeding mixtures and rates, types of sod, method of seedbed preparation, expected seeding dates, type and rate of lime and fertilizer application, and kind and quantity of mulching for both temporary and permanent vegetative control measures.

(5) Provisions for the maintenance of ESC measures including easements.

(6) A site drainage plan along with calculations supporting the design shall be submitted for all permanent structural BMP (i.e. detention ponds, outlet structures, etc.). The plan and calculations shall be certified by a registered professional engineer licensed by the State of Alabama.

(7) Inspection schedule and reporting requirements as required by ADEM permit or the authority.

(8) Any other pertinent information the authority deems as necessary to complete its review.

(b) Any proposed modification to the erosion and sediment control plan shall be communicated within twenty-four (24) hours or next business day to the authority at which time the authority will determine if a full re-submittal is required or if the modification can be handled as a minor field change.
(Ord. No. 2053, § 2, 5-7-02)

Sec. 7-76. Erosion and sediment control criteria.

(a) Grading, erosion control practices, sediment control practices, and waterway crossings shall meet the design criteria set forth in the most recent version of the BMP manual(s) approved by ADEM, and shall be adequate to prevent transportation of sediment from the site to the satisfaction of the authority and in

accordance with the authority's standard details and specification. Cut and fill slopes shall be no steeper than 3:1, except as approved by the authority to meet other community or environmental objectives.

(b) Clearing and grading of natural resources, such as forests and wetlands, shall not be permitted, except when in compliance with all other federal, state, and local regulations. Clearing techniques that retain natural vegetation and drainage patterns, as described in the BMP manual(s), shall be used to the satisfaction of the authority.

(c) Buffers--Buffer zones shall be a minimum of twenty-five (25) feet perpendicular from each side of the stream bank, creek, or waterway under "bank-full conditions". Buffers are applicable to any perennial or intermittent stream as indicated on the United States Geological Survey 7.5 Minute Series topographic map (latest revision) and all water bodies including lakes, ponds, and wetlands. Any area within this buffer shall not be cleared or graded unless written authorization is obtained from the authority. Utilization or reinforcement of existing vegetation is preferred. However, where improvements are required; sodding, plugging, use of stockpiled vegetation or seeding is acceptable.

(d) Clearing, except that necessary to establish sediment control devices, shall not begin until all sediment control devices have been installed and have been stabilized. Phasing shall be required on all sites disturbing greater than ten (10) acres, with the size of each phase to be established at plan review and as approved by the authority. All areas that have been cleared of significant portions of its vegetative cover and will remain so for fifteen (15) days or longer without appreciable construction activity shall be seeded and mulched within five (5) days of being disturbed.

(e) Erosion control requirements shall include but are not limited to the following:

(1) Soil stabilization shall be completed within five (5) days of initiation of land disturbing activities.

(2) If seeding or another vegetative erosion control method is used, germination shall be evident within two (2) weeks or the authority may require the site to be reseeded or a nonvegetative option employed. Irrigation may be required to establish vegetative cover.

(3) Special techniques that meet the design criteria outlined in the BMP Manual(s) on steep slopes or in drainage ways shall be used to ensure stabilization.

(4) Soil stockpiles must be stabilized or covered at the end of each workday.

(5) Techniques to prevent the blowing of dust or sediment from the site.

(6) Techniques that divert upland runoff around disturbed slopes.

(f) Sediment control requirements shall include but are not limited to the following:

(1) Settling basins, sediment traps, or perimeter controls.

(2) Settling basins that are designed in a manner that allows adaptation to provide long-term storm

water management, if required by the authority.

(3) Protection for adjacent properties by the use of a vegetated buffer strip in combination with perimeter controls.

(g) Waterway and watercourse protection requirements shall include but are not limited to the following:

(1) The installation of a temporary watercourse crossing. If a watercourse will be crossed regularly during construction the authority may require a temporary crossing to be constructed in order to prevent streambed damage and or erosion. Watercourse crossings shall be constructed to allow movement of aquatic life.

(2) Stabilization of the watercourse channel before, during, and after any inchannel work.

(3) All on-site storm water conveyance channels designed according to the criteria outlined in the BMP manual(s).

(4) Stabilization adequate to prevent erosion located at the outlets of all pipes and paved channels.

(h) Construction site access requirements shall include but are not limited to the following:

(1) Temporary construction access, as defined by the authority, at all sites.

(2) Other measures required by the authority in order to ensure that sediment is not tracked onto public streets by construction vehicles or washed into storm drains.

(i) Post development runoff rate. Except as otherwise provided by other regulations the rate of storm water runoff from any development over one acre resulting from the two-year, five-year, ten-year or twenty-five-year rainfall occurring within the space of one hour shall not exceed the predevelopment storm water runoff rate for an equivalent event.

(j) Building floor elevations. All building floor elevations, garages and carports shall be one foot or higher above the expected 100-year flood elevation. Ground elevation ten (10) feet from a building shall be six (6) inches or more below floor elevation and slope away from the building. Impervious surfaces should have a slope of one-half of one (0.5) per cent or greater and pervious surfaces of two (2) per cent or greater.
(Ord. No. 2053, § 2, 5-7-02; Ord. No. 2258, § 3, 12-7-04)

Sec. 7-77. Inspection.

(a) Plans for grading, stripping, excavating, and filling work bearing the stamp of approval of the authority shall be maintained at the site during the progress of the work.

(b) The permittee shall notify the authority at least two (2) working days before the following:

(1) Start of construction;

(2) Installation of sediment and erosion measures;

(3) Completion of site clearing;

(4) Completion of rough grading;

(5) Completion of final grading;

(6) Close of the construction season; and

(7) Completion of final landscaping.

(c) The permittee or his/her agent shall make regular inspections of all control measures in accordance with the inspection schedule outlined on the approved ESC plan(s). The Qualified Credentialed Inspection Program will be recognized by the authority. The purpose of such inspections will be to determine the overall effectiveness of the ESC plan and the need for additional control measures. All inspections shall be documented in written form and submitted to the authority at the time interval specified in the approved ESC plan.

(d) The authority or its designated agent shall retain the right to enter the property of the applicant as deemed necessary to address any complaint and to ensure the validity of the reports filed under item (c).

(e) If the city engineer or his authorized representative has been refused access to any part of the premises, and he/she is able to demonstrate probable cause to believe that there may be a violation of this policy, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this policy or any order issued hereunder, or to protect the overall public health, safety, and welfare of the community, then the city engineer or his authorized representative may seek issuance of a search warrant from any court of competent jurisdiction.

(f) All detention ponds approved by the authority will have complete design data on file with the authority and will be subject to at least an annual inspection to ensure that they are functioning to their original design criteria. Specific items to be inspected and approved by the authority shall include, but are not limited to, the following: vegetative cover, sediment, debris, fencing (if applicable), outlet structure and inlets. Any defects discovered by the authority during such inspection shall be furnished to the owner in writing and the owner shall have fifteen (15) business days from the delivery of said notice to perform the maintenance and any corrective action specified by the authority. The authority may, at its discretion, allow the owner additional time as the authority deems appropriate for the corrective work.
(Ord. No. 2053, § 2, 5-7-02; Ord. No. 2191, § 1, 1-20-04)

Sec. 7-78. Enforcement.

(a) *Stop-work order; revocation of local approvals.* In the event that any person holding a permit or approval pursuant to this policy violates the terms of the permit or implements site development in such a manner as to materially adversely affect the health, welfare, environment, or safety of persons residing or working in the neighborhood or development site so as to be materially detrimental to the public welfare or

injurious to property or improvements in the neighborhood, the authority may suspend or revoke the said approval.

(b) *Violation and penalties.* No person shall construct, enlarge, alter, repair, or maintain any grading, excavation, or fill, or cause the same to be done, contrary to or in violation of any terms of this policy. Any person violating any of the provisions herein shall be deemed guilty of a misdemeanor and each day during which any violation of any of the provisions herein is committed, continued, or permitted, shall constitute a separate offense. Upon conviction of any such violation, such person, partnership, or corporation shall be punished by a fine of not more than five hundred dollars ($500.00) for each offense, or imprisonment in the city jail of not more than six (6) months, or both such fine and imprisonment, at the discretion of the municipal judge trying the case. In addition to any other penalty authorized by this section, any person, partnership, or corporation convicted of violating any of the provisions herein shall be required to bear the expense of such restoration.

(c) *Detection of illicit connections, improper disposal and/or discharges.* The authority shall take appropriate steps to detect and eliminate illicit connections and eliminate improper disposal and/or discharge from any property or site, including the required dry-weather and wet-weather programs to screen illicit connections and improper discharges and identify their source or sources from land disturbing activities.

(d) The city manager or his representative shall issue citation to appear before the municipal judge on charges of violation of these policies. A citation shall be issued to the owner of the property or development, the permittee, the person responsible for performing the work, or in cases of a utility, the owner of the utility. In most cases citation will be issued only after the responsible party has been given the opportunity to rectify the situation. In cases where health or safety is in peril, citation will be issued immediately.
(Ord. No. 2053, § 2, 5-7-02; Ord. No. 2258, § 5, 12-7-04)

Sec. 7-79. Variances and appeals.

The authority may grant a variance from the requirements of this policy if there exist exceptional circumstances applicable to a site such that strict adherence to the provisions of this policy will result in unintended consequences. The developer shall prepare a written request for a variance stating the specific variance sought and the reasons, with supporting data, for granting such variance. This request shall include descriptions, drawings, calculations, and any other information necessary to evaluate the proposed variance. The authority shall review the submitted material and make a determination within ten (10) working days. There shall be no appeal process for the variance request. The authority shall be the final arbiter of the variance request.
(Ord. No. 2053, § 2, 5-7-02)

Sec. 7-80. Liability.

Neither the approval of an ESC plan under the provisions of this policy nor the compliance with the provisions under this policy shall relieve any person of the responsibility for damage to any person or property otherwise imposed by law, nor shall it impose any liability upon the authority for damage to any person or property.
(Ord. No. 2053, § 2, 5-7-02)

Appendix I

City of Auburn Illicit Discharge Ordinance

Secs. 7-81--7-100. Reserved.

ARTICLE IV.

ILLICIT DISCHARGE

Sec. 7-101. Intent.

This article is enacted to preserve, protect and promote the health, safety and welfare of the citizens of Auburn, Alabama, through the reduction, control and prevention of the discharge of pollutants to the city municipal separate storm sewer system (MS4). It is the expressed intent of this document to provide for and promote compliance by the city with federal and state laws governing the discharge of pollutants from the MS4 and to provide for and promote compliance with an NPDES permit issued to the city for such discharge. The city does not intend for this article to conflict with any existing federal or state law.
(Ord. No. 2192, § I, 1-20-04)

Sec. 7-102. Definitions.

For purposes of this article, the following terms are defined as hereinafter set forth:

ADEM shall mean the Alabama Department of Environmental Management.

BMPs or *best management practices* shall mean schedules of activities, prohibitions of practices, maintenance procedures and other management practices to prevent or reduce the discharge of pollutants to the MS4. BMPs also include treatment requirements, operating procedures, and practices to control facility site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

City shall mean the City of Auburn, Alabama, a municipal corporation organized under the laws of the State of Alabama.

Clean Water Act shall mean the Federal Clean Water Act, 33 U.S.C. § 1251 et seq., and regulations promulgated thereunder.

Commercial area shall mean any facility associated with commercial activity which is not subject to its own NPDES permit or an ADEM general storm water permit.

Discharge or *discharge of a pollutant* shall mean any addition of any "pollutant" to the MS4 This term does not include an addition of pollutants by any "indirect discharger" or from any source specifically excluded from the definition of "point source."

Discharge monitoring report or *DMR* shall mean the EPA or ADEM uniform form for the reporting of self-monitoring results by NPDES permittees.

EPA shall mean the Federal Environmental Protection Agency.

Good housekeeping shall mean the use of practical, cost-effective methods to maintain a clean and

orderly facility and keep contaminants out of separate storm sewers. It includes activities such as sweeping/trash collection, establishing protocols to reduce the possibility of mishandling chemicals or equipment, and the proper training of employees.

High-risk facility shall mean municipal landfills; other treatment, storage, or disposal facilities for municipal waste (e.g., transfer stations, incinerators, etc.); and hazardous waste treatment, storage, disposal and recovery facilities.

Holder shall mean a person to whom a BMP plan approval has been issued.

Illicit discharge shall mean any discharge to the MS4 that is not composed entirely of storm water except discharges pursuant to a NPDES permit (other than the NPDES permit for discharges from the MS4) and discharges from fire fighting and emergency management activities.

Indirect discharger shall mean a nondomestic discharger introducing "pollutants" to a "publicly owned treatment works."

Industrial facility shall mean any facility associated with industrial activity.

Municipal separate storm sewer system (MS4) shall mean a conveyance or system of conveyances (including roads with drainage systems, streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains), which is owned or operated by the city, designed or used for collecting or conveying storm water, and is neither a POTW nor a combined sewer.

NPDES or *national pollutant discharge elimination system* shall mean the national permitting program implemented under the "Clean Water Act."

Person shall mean any individual, partnership, syndicate, group, firm, company, association, trust, corporation, business, or any entity recognized by law, or any combination of the foregoing.

Person responsible or *responsible person* shall mean a person who has or represents having: (1) an ownership interest in or financial or operational control of a source or potential source of a discharge or a discharge regulated by this article; (2) possession or control of a source or potential source of a discharge regulated by this article who directly or indirectly allowed, either by act or omission, a discharge regulated by this article; or (3) benefited from a source or potential source of a discharge or a discharge regulated by this article. There may be one or more "persons responsible" or "responsible persons."

Point source shall mean any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are discharged. This term does not include return flows from irrigated agriculture or agricultural storm water runoff.

Pollutant means dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical waste, biological materials, radioactive materials (except those regulated under the Atomic Energy Act of 1954, as amended), heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, domestic, and agricultural waste discharged into water.

Publicly owned treatment works or *POTW* shall mean any device or system used in the treatment of municipal sewage or industrial wastes of a liquid nature which is owned by the city. This definition includes sewers, pipes or other conveyances only if they convey wastewater to a POTW providing treatment.

Significant materials shall include, but not be limited to: raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under section 101(14) of CERCLA; any chemical the facility is required to report pursuant to section 313 of title III of SARA; fertilizers; pesticides; and waste products such as ashes, slag and sludge that have the potential to be released with storm water discharges.

Storm water shall mean storm water runoff, snowmelt runoff and surface runoff and drainage.

Storm water discharge associated with industrial activity shall have the same meaning as in the "Clean Water Act" and regulations promulgated there under.

Storm water discharge from sites of industrial activity shall mean storm water discharges from industrial facilities that are subject to section 313 of title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA) (42 U.S.C. § 11023(b)) or that have significant materials, raw materials, material handling equipment or activities, intermediate products or industrial machinery exposed to storm water, except for those industrial facilities which possess their own NPDES permit or are subject to an ADEM general storm water permit. In addition, this definition also shall include industrial facilities that the city engineer determines are contributing a substantial pollutant loading to the MS4.

To the extent practicable when used in reference to terms and conditions of NPDES permits (other than the NPDES permit issued to the city) and procedures and methods established by federal regulation, shall mean that the city engineer shall defer to these terms, conditions, procedures, and methods so long as the city's compliance with its own NPDES permit, or federal or state law is not jeopardized in any manner.

Water Pollution Control Act shall mean the Alabama Water Pollution Control Act of 1972, and regulations promulgated there under.
(Ord. No. 2192, § II, 1-20-04)

Sec. 7-103. Discharge prohibitions.

(a) The illicit discharge of pollutants to the MS4 is prohibited.

(b) The discharge of pollutants to the MS4 by discharging storm water associated with industrial activity is prohibited except as authorized by a NPDES permit. Compliance with all terms and conditions of a valid NPDES permit authorizing the discharge of storm water associated with industrial activity, to the extent practicable, shall be deemed compliance with the provisions of this article which relate to such discharge.

(c) The spilling, dumping, or disposal of materials other than storm water to the MS4 is prohibited.
(Ord. No. 2192, § III, 1-20-04)

Sec. 7-104. Exceptions to prohibition.

The following discharges are specifically excluded from the prohibitions included in section 7-103:

(a) Water line flushing (including fire hydrant testing).

(b) Landscape irrigation.

(c) Diverted stream flows.

(d) Rising ground waters.

(e) Uncontaminated ground water infiltration (infiltration is defined as water other than wastewater that enters a sewer system, including sewer service connection and foundation drains, from the ground through such means as defective pipes, sewer service connections, or manholes. Infiltration does not include, and is distinguished from, inflow.)

(f) Uncontaminated pumped ground water.

(g) Discharges from potable water sources.

(h) Foundation drains.

(i) Air conditioning condensation.

(j) Irrigation water.

(k) Springs.

(l) Water from crawl space pumps.

(m) Footing drains.

(n) Lawn watering.

(o) Individual residential car washing.

(p) Flows from riparian habitats and wetlands.

(q) Swimming pool discharges.

(r) Street wash water.

(s) Discharges or flows from fire fighting activities.

(Ord. No. 2192, § IV, 1-20-04)

Sec. 7-105. Inspection and monitoring.

(a) The city engineer or his authorized representative shall be permitted to enter and inspect facilities subject to regulation under this article as often as may be necessary to determine compliance with this article. If a discharger has security measures in force which require proper identification and clearance before entry into its premises, the discharger shall make the necessary arrangements to allow access.

(b) Facility operators shall allow the city engineer or his authorized representative ready access to all parts of the premises for the purposes of inspection, sampling, examination and copying of records that must be kept under the conditions of an NPDES permit to discharge storm water, and the performance of any additional duties as defined by state and federal law.

(c) The city engineer or his authorized representative shall have the right to set up on any permitted facility such devices as are necessary in the opinion of the city engineer to conduct monitoring and/or sampling of the facility's storm water discharge.

(d) The city engineer or his authorized representative has the right to require the discharger to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the discharger at its own expense. All devices used to measure storm water flow and quality shall be calibrated to ensure their accuracy.

(e) Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the operator at the written or oral request of the city engineer or his authorized representative and shall not be replaced. The costs of clearing such access shall be borne by the operator.

(f) Unreasonable delays in allowing the city engineer or his authorized representative access to a facility is a violation this article. A person who is the operator of a facility with a NPDES permit to discharge storm water associated with industrial activity commits an offense if the person denies reasonable access to the permitted facility for the purpose of conducting any activity authorized or required by this article.

(g) If the city engineer or his authorized representative has been refused access to any part of the premises from which storm water is discharged, and he/she is able to demonstrate probable cause to believe that there may be a violation of this article, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this article or any order issued hereunder, or to protect the overall public health, safety, and welfare of the community, then the city engineer or his authorized representative may seek issuance of a search warrant from any court of competent jurisdiction. (Ord. No. 2192, § V, 1-20-04)

Sec. 7-106. Best management practices (BMPs).

All industrial facilities and high risk facilities are required to implement, at their own expense, structural and nonstructural BMPs, as appropriate, to prevent the discharge of pollutants to the MS4. Further, the city engineer may require any person responsible for a property or premise, which is, or may be, the source of an illicit discharge, to implement, at said person's expense, additional structural and non-structural BMPs to prevent the discharge of pollutants to the MS4. To the extent practicable, the city engineer shall recognize that storage and handling of significant materials, material handling equipment or activities, intermediate products

or industrial machinery in such a manner that they are not exposed to storm water is an effective BMP. Compliance with all terms and conditions of a valid NPDES permit authorizing the discharge of storm water associated with industrial activity, to the extent practicable, shall be deemed in compliance with the provisions of this section.
(Ord. No. 2192, § VI, 1-20-04)

Sec. 7-107. Good housekeeping.

Commercial areas and industrial facilities shall employ good housekeeping practices to prevent debris such as paper, bottles, cans, plastic, etc. from entering the MS4 from areas such as parking lots, loading zones, sidewalks, trash cans and dumpster sites. It shall be unlawful for any person to discharge chemicals, waste products or any pollutant to the parking lot or grounds of a commercial area or an industrial facility.
(Ord. No. 2192, § VII, 1-20-04)

Sec. 7-108. BMP plan.

Whenever storm water will be discharged into the MS4 from a site of industrial activity or a high risk facility, the person responsible for such site, except as such site, may be expressly excepted from coverage of this article, shall develop and implement a BMP plan sufficient enough to control discharges from his facility. If requested by the city engineer, such BMP plan must be provided for review within ten (10) days of the request.
(Ord. No. 2192, § VIII, 1-20-04)

Sec. 7-109. Modifications to BMP plan.

A BMP plan may be modified in order to comply with any federal, state or local law, regulation, order or standard, or when, in the opinion of the city engineer, a modification is necessary to accurately control changes in the character or amount of pollutants of storm water discharged into the MS4, or any other applicable condition. Deadlines for compliance with the modified requirements shall be determined on a case-specific basis.
(Ord. No. 2192, § IX, 1-20-04)

Sec. 7-110. Revocation of a BMP plan.

(a) The city engineer may revoke authorization to discharge under a BMP plan, if he determines that one or more of the following conditions exist:

(1) The holder provided false information;

(2) The holder provided false information with respect to any monitoring, record keeping, or reporting requirements;

(3) The holder is convicted of violating the provisions of this article;

(4) Any term or condition imposed under a BMP plan was not satisfied;

(5) Any federal, state or municipal statute, law, ordinance, regulation, order or standard is being

violated by the holder;

(6) The holder has refused entry to the city engineer or his representative for purposes of inspection or monitoring; or

(7) For any other reason if, in the judgment of the city engineer, the continuance of a BMP plan is not consistent with the purposes of this article.

(b) Whenever the city engineer determines that grounds exist for revocation of a BMP plan, he shall serve upon the holder a written notice of proposed revocation, stating the facts or conduct which warrant revocation of the BMP plan approval, and providing the holder with an opportunity to demonstrate or achieve compliance with all lawful requirements. Within ten (10) days of the date of the notice of proposed revocation, the holder must provide written or demonstrative evidence of satisfactory compliance or a written plan for achieving satisfactory compliance.

(c) If the holder fails to respond to a notice of proposed revocation or fails to provide adequate evidence of satisfactory compliance or an adequate written plan for achieving satisfactory compliance, the city engineer shall deliver, by certified mail/return receipt requested, a written notice of revocation to the holder. Said notice of revocation shall be effective immediately and shall include a statement of the reasons for revocation and the appeal procedure.
(Ord. No. 2192, § X, 1-20-04)

Sec. 7-111. Emergency suspension of BMP plan.

(a) Notwithstanding any other provision of this article, the city engineer may, without notice, suspend a BMP plan by delivery to the holder, by hand delivery, certified mail/return receipt requested, or the posting in at least three (3) conspicuous places at the site subject to the BMP plan, of a notice of emergency suspension of BMP plan. A BMP plan will be suspended under this section only when such suspension is necessary, in the opinion of the city engineer, to stop an actual or threatened discharge which presents or may present an imminent or substantial endangerment to the health or welfare of persons or to the environment, or causes interference with the MS4 or causes the city to violate any condition of its NPDES permit. Said notice of emergency suspension of BMP plan shall state the grounds for suspension, the corrective action necessary for reinstatement of the BMP plan.

(b) Any holder notified of suspension under this section shall immediately stop the activity generating the discharge noted in the notice of emergency suspension. The city engineer shall reinstate resumption of activities upon proof of the elimination of the endangering discharge or circumstances.

(c) Emergency suspension of a BMP plan approval may be appealed in accordance with the provisions of section 7-112.
(Ord. No. 2192, § XI, 1-20-04)

Sec. 7-112. Appeal.

A person denied discharge under an existing BMP plan (hereinafter "appellant") may appeal the decision of the city engineer. Appellant may commence said appeal by filing a written notice of appeal, specifying the

grounds for said appeal, with the city manager within fifteen (15) days following receipt of the city engineer's notice of denial, notice of revocation, or notice of suspension. At the hearing, the city engineer shall state his grounds for denying, revoking, or suspending discharge and shall provide any evidence supporting such action. Evidence on appellant's behalf may be presented at such hearing. The decision of the hearing shall (a) sustain the decision of the city engineer, or (b) reverse or vary the decision of the city engineer, specifying the manner in which any variations shall be made, the conditions upon which they are to be made and the reasons therefor.
(Ord. No. 2192, § XII, 1-20-04)

Sec. 7-113. Sections 7-107, 7-108, 7-109, 7-110, 7-111, and 7-112, inapplicable to discharges or activities authorized by a NPDES permit.

The provisions of sections 7-107, 7-108, 7-110, 7-111 and 7-112 shall not apply to a discharge or activity specifically authorized by a NPDES permit.
(Ord. No. 2192, § XIII, 1-20-04)

Sec. 7-114. Noncompliance.

It shall be unlawful to refuse or fail to comply with the terms or conditions of a BMP plan approval issued under this article.
(Ord. No. 2192, § XIV, 1-20-04)

Sec. 7-115. False information and tampering.

(a) It shall be unlawful for any person to provide false information to the city engineer or anyone working under the city engineer's supervision when such person knows or has reason to know that the information provided is false, whether such information is required by this article, any BMP plan approval granted under this article, or any inspection, record keeping or monitoring requirement carried out or imposed under this article.

(b) It shall be unlawful for any person to falsify, tamper with, or knowingly render inaccurate any monitoring device or method required under this article or a BMP plan approval issued hereunder.
(Ord. No. 2192, § XV, 1-20-04)

Sec. 7-116. Method of enforcement.

The city engineer or any person acting under his supervision is authorized to issue citations to appear in municipal court to answer charges of violation of any of the provisions of this article. In no event shall any enforcement action under this article be taken for an alleged violation of this article if any of the following conditions exist:

(a) ADEM has issued a notice of violation with respect to the same violation and is proceeding with enforcement action;

(b) ADEM has issued an administrative order with respect to the same alleged violation and is proceeding with enforcement action; or

(c) ADEM has commenced and is proceeding with enforcement action or has completed any other type of administrative or civil action with respect to the same alleged violation.

However, enforcement action under this article may be pursued for continued or continuing violations, and each day that a violation of this article continues shall be considered a separate violation.
(Ord. No. 2192, § XVI, 1-20-04)

Sec. 7-117. Penalties.

Any person who violates any provision of this article or any provision of a BMP plan issued under this article shall be guilty of a violation and, upon conviction, shall be punished as provided by law, including those penalties set forth in Ala. Code § 11-45-9 as adopted by section 1-9 of this Code.
(Ord. No. 2192, § XVII, 1-20-04)

Sec. 7-118. Existing authorities.

Nothing in this article shall be construed to limit the existing authority of the city to enforce rules and regulations regarding:

(a) Charges, limits and restrictions on the discharge of waste into the sanitary sewerage system of the City of Auburn, Alabama;

(b) Requirements of the Storm Water Management Manual of the City of Auburn, Alabama;

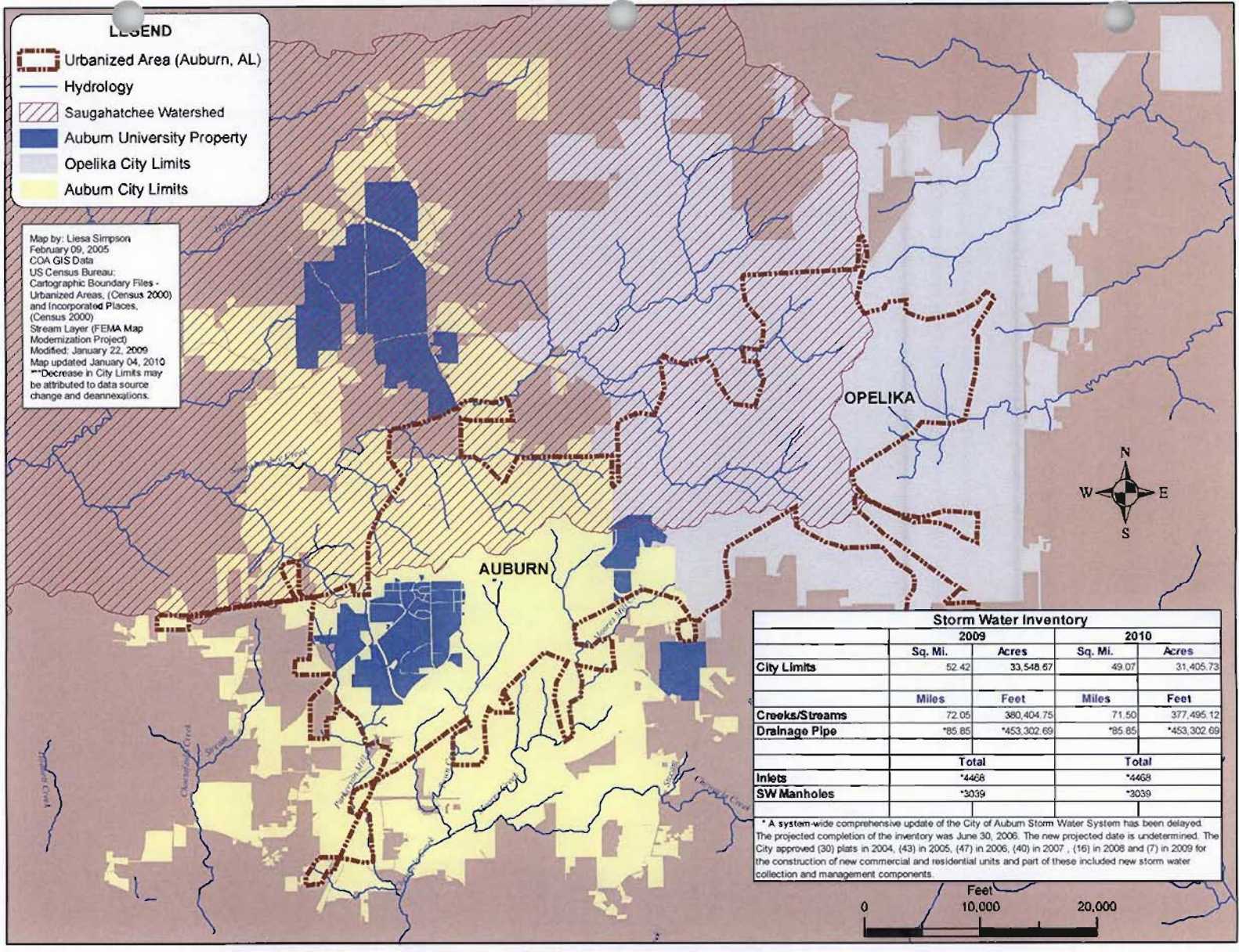
(c) Health or sanitation ordinances of the City of Auburn, Alabama enforced by the Lee County Health Department; or

(d) Ordinances governing the sanitation of premises where animals are kept.

This article shall be cumulative to and in furtherance of any statutory, common law, or other legal right, duty, power, or authority possessed by the city. Compliance with this article or a BMP plan issued hereunder shall not excuse any person from compliance with any other federal, state or local law, ordinance, regulation, rule or order.
(Ord. No. 2192, § XVIII, 1-20-04)

APPENDIX B

URBANIZED AREA MAP



Storm Water Inventory

	2009		2010	
	Sq. Mi.	Acres	Sq. Mi.	Acres
City Limits	52.42	33,548.67	49.07	31,405.73
	Miles	**Feet**	**Miles**	**Feet**
Creeks/Streams	72.05	380,404.75	71.50	377,495.12
Drainage Pipe	*85.85	*453,302.69	*85.85	*453,302.69
	Total		**Total**	
Inlets	*4468		*4468	
SW Manholes	*3039		*3039	

* A system-wide comprehensive update of the City of Auburn Storm Water System has been delayed. The projected completion of the inventory was June 30, 2006. The new projected date is undetermined. The City approved (30) plats in 2004, (43) in 2005, (47) in 2006, (40) in 2007 , (16) in 2008 and (7) in 2009 for the construction of new commercial and residential units and part of these included new storm water collection and management components.

APPENDIX C

NEWSPAPER PUBLICATIONS LISTING

News Paper Publications

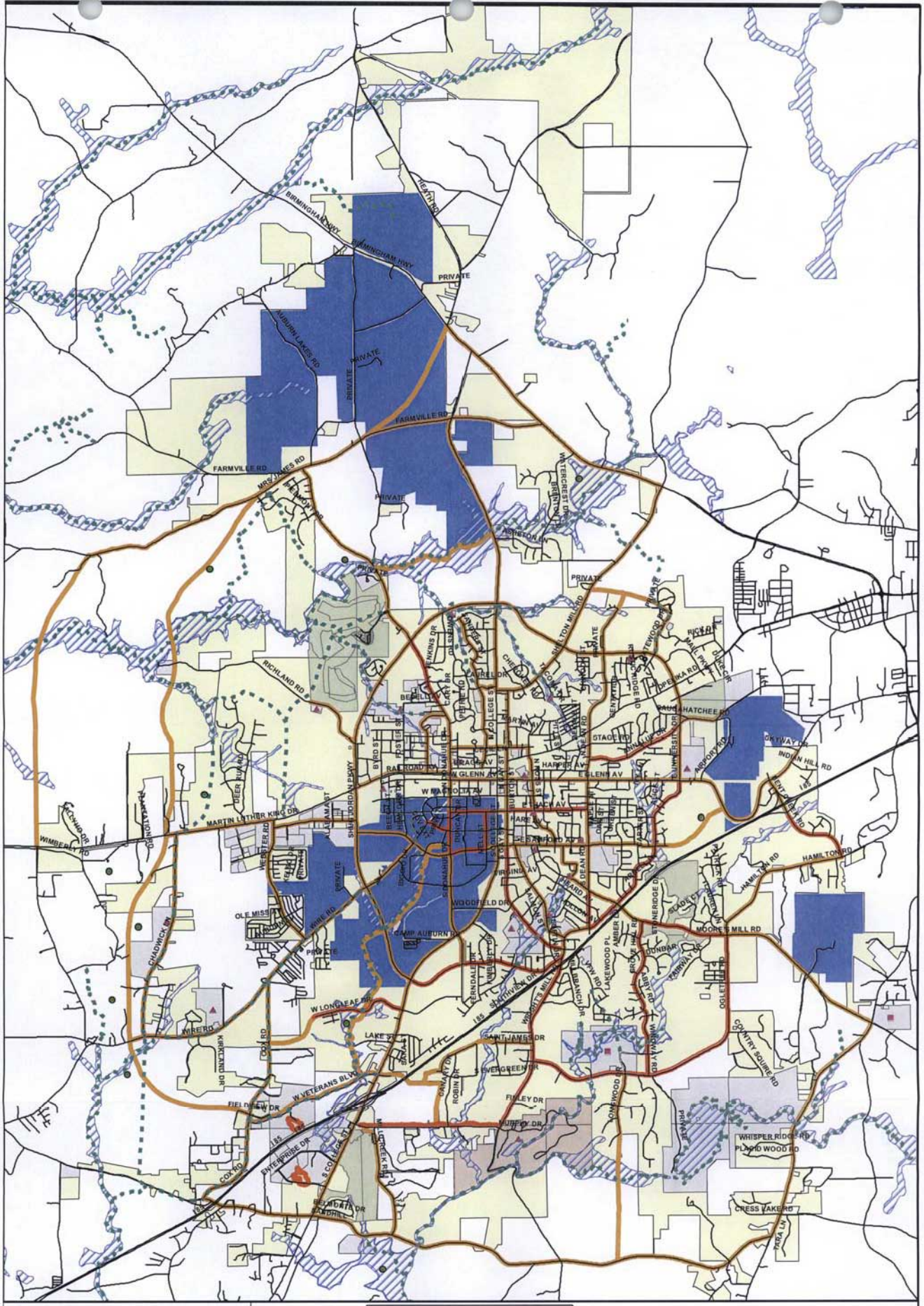
Publication Date by Month	Publication Date	Title	Editorial	Publication Source
	7/22/2008	East Alabama Still in Drought	☐	Opelika-Auburn News
	7/23/2008	Hurricane Dolly Bears Down on Texas-Mexico Coast	☐	Opelika-Auburn News
	7/25/2008	Drought Condition Worsens Across State	☐	Opelika-Auburn News
August 2008				
	8/21/2008	Tropical Storm Faye Hits FL a 3rd Time	☐	Opelika-Auburn News
	8/25/2008	Crews Work to Restore Power; Cleanup After Weekend Storms	☐	Opelika-Auburn News
	8/25/2008	Faye Still a Player in the Forecast	☐	Opelika-Auburn News
	8/26/2008	Residents Need to Be Ready for Storm Season	☐	Opelika-Auburn News
	8/26/2008	Gustav Forms in the Carribbean	☐	Opelika-Auburn News
	8/28/2008	Rains from Fay came as blessing to dry South	☑	Opelika-Auburn News
September 2008				
	9/19/2008	Voice Your Concerns About Quarry	☑	Opelika-Auburn News
February 2009				
	2/10/2009	New Flood Maps Could Mean New Insurance Costs for Some Residents	☐	Opelika-Auburn News
	2/11/2009	Potential for Stormy Weather Today	☐	Opelika-Auburn News
	2/26/2009	Tree Commission to Give Away Trees	☐	Opelika-Auburn News
March 2009				
	3/2/2009	WILD WEATHER	☐	Opelika-Auburn News
	3/13/2009	Auburn urges residents to recycle cooking grease	☐	Opelika-Auburn News
April 2009				
	4/2/2009	Auburn Plans Earth Week Activities	☐	Opelika-Auburn News

Publication Date by Month	Publication Date	Title	Editorial	Publication Source
	4/3/2009	State About Right for Rainfall	☐	Opelika-Auburn News
	4/13/2009	Strong Storms Push Across Alabama	☐	Opelika-Auburn News
May 2009				
	5/1/2009	City Launches Fats, Oil, and Grease Recycling Program	☐	Open Line
	5/1/2009	FEMA Floodplain Maps & Flood Insurance Study Update	☐	Open Line
	5/1/2009	FEMA Floodplain Maps and Flood Insurance Study Update	☐	Open Line
	5/4/2009	Storms Down Trees, Powerlines	☐	Opelika-Auburn News
	5/14/2009	Watershed Meeting Begins Day 2	☐	Opelika-Auburn News
July 2009				
	7/14/2009	Thunderstorms Bring Needed Rain	☐	Opelika-Auburn News
August 2009				
	8/18/2009	Hurricane Bill, 1st of Atlantic Season, Revs Up	☐	Opelika-Auburn News
September 2009				
	9/22/2009	Floods Wash Out Roads Across Georgia	☐	Opelika-Auburn News
	9/23/2009	Southeast Struggles to Recover from Deluge	☐	Opelika-Auburn News
	9/24/2009	River Rises with Torrential Rain, West Point Lake's Dam Prevents Flooding	☐	Opelika-Auburn News
October 2009				
	10/21/2009	Feds Crack Down on Smaller AL Polluters	☐	Opelika-Auburn News
	10/28/2009	East Alabama Gets Its Fair Share of Rain	☐	Opelika-Auburn News
December 2009				
	12/14/2009	Cold Rain, Fog Veil Dreary Weekend	☐	Opelika-Auburn News

Publication Date by Month	Publication Date	Title	Editorial	Publication Source
	12/17/2009	Geologist: Water Levels Up		Opelika-Auburn News

APPENDIX D

GREEN SPACE AND GREEN WAY MASTER PLAN


LEGEND
GreenAreas
Greenways
Parks
Future Parks
Streets
BikePaths
Existing
Proposed
FloodPlain
CityProperty
GolfCourses
Chewacla State Park
Auburn University Property
CityLimits
GolfCourse
City of Auburn
Green Space and Green Way
Master Plan
2005
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0.5
1
1.5
2
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W
E
S
Map date: 2/09/2005
By Liesa Garza
Public Works, Mapping Assistant
from 2004 GIS data