

Stormwater Management - Construction Runoff Procedure

Applies To: As required by the National Pollutant Discharge Elimination System (NPDES) permit for the District, the scope of this Guideline includes all development and redevelopment projects on District properties that involve either:

- a. Earth disturbance of one (1) acre or greater
OR
 - b. Earth disturbance of less than one (1) acre, but which are part of a larger common plan of development or sale that would disturb one (1) acre or more
OR
 - c. Earth disturbance within 500 feet of a lake or stream
-

Construction Requirement Statement

Development and redevelopment projects on District property are regulated under and must comply with the NPDES permit for stormwater discharges, as issued by the Michigan Department of Environment, Great Lakes, and Energy (EGLE). The Stormwater Management Construction Runoff Procedure has been developed to provide guidance regarding responsibilities and actions to meet the NPDES permit conditions for development and redevelopment projects on district owned properties.

Construction Plan for Stormwater Management

*The construction stormwater runoff control program on regulated sites **must** include:*

- The procedure to notify the Part 91 Agency, or appropriate staff (if the permittee is a Part 91 Agency), when soil or sediment is discharged to the permittee's MS4 from a construction activity.
- The procedure to notify the Department when soil, sediment, or other pollutants are discharged to the permittee's MS4 from a construction activity.
- The procedure for ensuring that construction activity one (1) acre or greater in total earth disturbance with the potential to discharge to the permittee's MS4 obtains a Part 91 permit or is conducted by an approved Authorized Public Agency, as appropriate.
- The procedure to advise the landowner or recorded easement holder of the State of Michigan Permit by Rule (R 323.2190 of the Part 21 Rules promulgated pursuant to Part 31 of the NREPA).

Notification Procedure

The EGLE certified construction stormwater operator inspector conducting site inspections will normally detect any soil or sediment entering the MS4.

In the event an inspector identified a discharge during an inspection:

1. The inspector shall document all details of the soil erosion and sedimentation control deficiency and report to the District Stormwater Manager.
2. The District Stormwater Manager (or designee) is responsible for assessing any suspected or confirmed discharge and notifying the appropriate agency.
3. The District will notify the local Part 91 agency and EGLE when significant runoff of soil, sediment, or other pollutants such as pesticides, petroleum derivatives, construction chemicals, or solid wastes from the construction site discharges to the MS4 or surface waters of the state within 24 hours of discovery or as otherwise required by the issuing agency.

In the event of a public complaint:

The District will track the receipt of complaints submitted by the public or noted by staff during regular course of business of soil, sediment, or other pollutants such as pesticides, petroleum derivatives, construction chemicals, and solid wastes are being discharged into the MS4.

The tracking will include:

- Name of person providing the complaint.
- Location (address or nearest cross street).
- Description of follow up (e.g., date referred to the Part 91 enforcing agency).

The District will notify the Part 91 Agency, when soil, sediment, and other pollutants such as pesticides, petroleum derivatives, construction chemicals, and solid wastes are discharged into MS4.

The District ensures that construction activity one acre or greater in total earth disturbance with the potential to discharge to the MS4 does obtain a Part 91 Permit and State of Michigan Permit by Rule.

Part 91 Compliance

The District will ensure that any construction activity that result in a land disturbance within 500 feet of a lake or stream, land disturbance greater than or equal to one (1) acre, or land disturbance less than one (1) acre that is part of a common plan of development or sale will obtain a Part 91 Permit through the appropriate county or municipal permitting agency. The minimum Part 91 requirements include:

- a. A copy of the Soil Erosion and Sedimentation Control (SESC) Permit.
- b. A copy of the associated Soil Erosion and Sedimentation Control (SESC) Plans.

Permit by Rule Compliance

The District shall comply with the State of Michigan Permit by Rule (Rule 323.2190) for stormwater discharge from construction activity. Sites disturbing one (1) to five (5) acres with a point source discharge to the waters of the state receive automatic storm water coverage upon securing a SESC permit from the appropriate Part 91 recognized County Enforcing Agency, Municipal Enforcing Agency, or Authorized Public Agency (APA) under the authority of Part 91.

1. Construction sites with at least one (1) acre but less than five (5) acres of soil disturbance with a surface water discharge, must obtain a county or municipal SESC permit, and are required to follow the provisions of the Permit by Rule, but do not need to notify the EGLE of the construction activity.
2. Construction sites disturbing over five (5) acres with a point source discharge to the waters of the state must obtain a county or municipal SESC permit and submit a Notice of Coverage (NOC) and other pertinent documents and the appropriate fee to the EGLE.

The minimum requirements of Permit by Rule include, but are not limited to:

- a. Weekly site inspections conducted and documented by a Certified Construction Stormwater Operator.
- b. Documented inspection within 24 hours of a precipitation event that results in a discharge from the site by a Certified Construction Stormwater Operator.

Enforcement

The District Stormwater Program Manager will administer and enforce the stormwater management program, including maintaining procedures, guidance, information, etc. to aid district staff and contractors in complying with the construction stormwater runoff control requirements for stormwater management.